



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

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**NOTICE TO AGENCIES PLACING PLUMBERS
WITH WORKSITE EMPLOYERS**

September 12, 2013

The Department of Labor Standards (DLS) has been presented with some recent complaints from the plumbing industry about agencies placing plumbers with various worksite employers. DLS take this opportunity to remind agencies that the act of sending licensed plumbers or apprentice plumbers to perform plumbing work on job sites constitutes engaging in the business of a master plumber, and performing such acts without a master plumber's license is a violation of Massachusetts General Laws [Chapter 112, section 65A](#), and [G.L. c. 142, sec. 3](#). In order for an agency to lawfully send licensed plumbers and apprentice plumbers to a client or worksite for the purpose of performing plumbing work, the agency must first: (1) obtain a certificate of plumbing corporation or a certificate of plumbing partnership, and (2) fully comply with the provisions of [G.L. c. 142 sec. 3B](#), which outlines certification and authorization of master plumber work.

Persons who engage in unlicensed practice of trade may face civil administrative penalties up to [\\$2,500 for each offense](#).

Furthermore, you are advised that an apprentice plumber may only be employed by a master plumber, under [G.L. c. 142, sec. 3A](#). Any work hours performed by an apprentice plumber under the employ of an unlicensed entity do not count toward the required on-the-job training hours that an apprentice must fulfill for journeyworker status. Therefore, if your agency is not licensed as a master plumber and you are sending apprentice plumbers with the promise of gaining OJT hours, your agency would be violating two laws **and** misleading the apprentice.

DLS also takes this opportunity to remind agencies about the [Temporary Workers Right to Know Law](#), which requires that all staffing agencies provide to each employee for new assignment or employment, notice of, among other information, "a description of the position and whether it shall require any special clothing, equipment, training or licenses..." This is an obligation of the staffing agency, so if you are sending plumbers to clients or worksites to perform plumbing work, you must disclose that plumbing requires training and licensure in Massachusetts.

Should you have any questions about licensure with regard to plumbers, please feel free to visit the website of the [Board of State Examiners of Plumbers and Gasfitters](#). Should you have any questions about the Temporary Workers Right to Know Law, please feel free to visit the DLS website for [Employment, Placement, and Staffing Agencies](#) or view this [brochure](#).

We hope this information has been helpful. Thank you for your attention to these important regulatory matters.

Sincerely,
Massachusetts Department of Labor Standards
Employment, Placement, and Staffing Agencies Program