

**Revised Code of Washington (RCW)
18.106.010 Definitions.**

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Advisory board" means the state advisory board of plumbers.
- (2) "Contractor" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any work covered by the provisions of this chapter by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any work covered by the provisions of this chapter.
- (3) "Department" means the department of labor and industries.
- (4) "Director" means the director of department of labor and industries.
- (5) "Journeyman plumber" means any person who has been issued a certificate of competency by the department of labor and industries as provided in this chapter.
- (6) "Like-in-kind" means having similar characteristics such as plumbing size, type, and function, and being in the same location.
- (7) "Medical gas piping" means oxygen, nitrous oxide, high pressure nitrogen, medical compressed air, and medical vacuum systems.
- (8) "Medical gas piping installer" means a journeyman plumber who has been issued a medical gas piping installer endorsement.
- (9) "Plumbing" means that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems, and medical gas piping systems within a building. Installation in a water system of water softening or water treatment equipment is not within the meaning of plumbing as used in this chapter.
- (10) "Specialty plumber" means anyone who has been issued a specialty certificate of competency limited to:
 - (a) Installation, maintenance, and repair of the plumbing of single-family dwellings, duplexes, and apartment buildings that do not exceed three stories;
 - (b) Maintenance and repair of backflow prevention assemblies; or
 - (c) A domestic water pumping system consisting of the installation, maintenance, and repair of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment; if appropriate, a pitless adapter; along with valves, transducers, and other plumbing components that:
 - (i) Are used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation, to: (A) A single-family dwelling, duplex, or other similar place of residence; (B) a public water system, as defined in RCW [70.119.020](#) and as limited under RCW [70.119.040](#); or (C) a farm owned and operated by a person whose primary residence is located within thirty miles of any part of the farm;
 - (ii) Are located within the interior space, including but not limited to an attic, basement, crawl space, or garage, of a residential structure, which space is separated from the living area of the residence by a lockable entrance and fixed walls, ceiling, or floor;
 - (iii) If located within the interior space of a residential structure, are connected to a plumbing distribution system supplied and installed into the interior space by either: (A) A person who, pursuant to RCW [18.106.070](#) or [18.106.090](#), possesses a valid temporary permit or certificate of competency as a journeyman plumber, specialty plumber, or trainee, as defined in this chapter; or (B) a person exempt from the requirement to obtain a certified plumber to do such plumbing work under RCW [18.106.150](#).

18.106.020 Certificate or permit required--Photo identification -- Written warning, penalty--Trainee supervision required -- Medical gas piping installer endorsement--Penalty -- Notice of infraction.

(1) No person may engage in or offer to engage in the trade of plumbing without having a journeyman certificate, specialty certificate, temporary permit, or trainee certificate and photo identification in his or her possession. The department may establish by rule a requirement that the person also wear and visibly display his or her certificate or permit. A trainee must be supervised by a person who has a journeyman certificate, specialty certificate, or temporary permit, as specified in RCW [18.106.070](#). No contractor may employ a person to engage in or offer to engage in the trade of plumbing unless the person employed has a journeyman certificate, specialty certificate, temporary permit, or trainee certificate. This section does not apply to a contractor who is contracting for work on his or her own residence. Until July 1, 2007, the department shall issue a written warning to any specialty plumber defined by RCW [18.106.010](#)(10)(c) not having a valid plumber certification. The warning will state that the individual must apply for a plumber training certificate or be qualified for and apply for plumber certification under the requirements in RCW [18.106.040](#) within thirty calendar days of the warning. Only one warning will be issued to any individual. If the individual fails to comply with this section, the department shall issue a penalty or penalties as authorized by this chapter.

(2) No person may engage in or offer to engage in medical gas piping installation without having a certificate of competency as a journeyman plumber and a medical gas piping installer endorsement and photo identification in his or her possession. The department may establish by rule a requirement that the person also wear and visibly display his or her endorsement. A trainee may engage in medical gas piping installation if he or she has a training certificate and is supervised by a person with a medical gas piping installer endorsement. No contractor may employ a person to engage in or offer to engage in medical gas piping installation unless the person employed has a certificate of competency as a journeyman plumber and a medical gas piping installer endorsement.

(3) No contractor may advertise, offer to do work, submit a bid, or perform any work under this chapter without being registered as a contractor under chapter [18.27](#) RCW.

(4) Violation of this section is an infraction. Each day in which a person engages in the trade of plumbing in violation of this section or employs a person in violation of this section is a separate infraction. Each worksite at which a person engages in the trade of plumbing in violation of this section or at which a person is employed in violation of this section is a separate infraction.

(5) Notices of infractions for violations of this section may be issued to:

(a) The person engaging in or offering to engage in the trade of plumbing in violation of this section;

(b) The contractor in violation of this section; and

(c) The contractor's employee who authorized the work assignment of the person employed in violation of this section.

18.106.030 Application for certificate of competency -- Medical gas piping installer endorsement -- Evidence required.

Any person desiring to be issued a certificate of competency as provided in this chapter shall deliver evidence in a form prescribed by the department affirming that said person has had sufficient experience in as well as demonstrated general competency in the trade of plumbing or specialty plumbing so as to qualify him to make an application for a certificate of competency as a journeyman plumber or specialty plumber. Completion of a course of study in the plumbing trade in the armed services of the United States or at a school accredited by the workforce training and education coordinating board shall constitute sufficient evidence of experience and competency to enable such person to make application for a certificate of competency.

Any person desiring to be issued a medical gas piping installer endorsement shall deliver

evidence in a form prescribed by the department affirming that the person has met the requirements established by the department for a medical gas piping installer endorsement. In addition to supplying the evidence as prescribed in this section, each applicant for a certificate of competency shall submit an application for such certificate on such form and in such manner as shall be prescribed by the director of the department.

18.106.040 Examinations -- Eligibility requirements -- Determination.

(1) Upon receipt of the application and evidence set forth in RCW [18.106.030](#), the director shall review the same and make a determination as to whether the applicant is eligible to take an examination for the certificate of competency. To be eligible to take the examination:

(a) Each applicant for a journeyman plumber's certificate of competency shall furnish written evidence that he or she has completed a course of study in the plumbing trade in the armed services of the United States or at a school licensed by the workforce training and education coordinating board, or has had four or more years of experience under the direct supervision of a licensed journeyman plumber.

(b) Each applicant for a specialty plumber's certificate of competency under RCW [18.106.010](#)(10)(a) shall furnish written evidence that he or she has completed a course of study in the plumbing trade in the armed services of the United States or at a school licensed by the workforce training and education coordinating board under chapter [28C.10](#) RCW, or that he or she has had at least three years practical experience in the specialty.

(c) Each applicant for a specialty plumber's certificate of competency under RCW [18.106.010](#)(10) (b) or (c) shall furnish written evidence that he or she is eligible to take the examination. These eligibility requirements for the specialty plumbers defined by RCW [18.106.010](#)(10)(c) shall be one year of practical experience working on pumping systems not exceeding one hundred gallons per minute, and two years of practical experience working on pumping systems exceeding one hundred gallons per minute, or equivalent as determined by rule by the department in consultation with the advisory board, and that experience may be obtained at the same time the individual is meeting the experience required by RCW [19.28.191](#). The eligibility requirements for other specialty plumbers shall be established by rule by the director pursuant to subsection (2)(b) of this section.

(2)(a) The director shall establish reasonable rules for the examinations to be given applicants for certificates of competency. In establishing the rules, the director shall consult with the state advisory board of plumbers as established in RCW [18.106.110](#).

(b) The director shall establish reasonable criteria by rule for determining an applicant's eligibility to take an examination for the certificate of competency for specialty plumbers under subsection (1)(c) of this section. In establishing the criteria, the director shall consult with the state advisory board of plumbers as established in RCW [18.106.110](#). These rules must take effect by December 31, 2006.

(3) Upon determination that the applicant is eligible to take the examination, the director shall so notify the applicant, indicating the time and place for taking the same.

(4) No other requirement for eligibility may be imposed.

18.106.050 Examinations -- Scope -- Results -- Retaking.

(1) The department, with the advice of the advisory board, shall prepare a written examination to be administered to applicants for certificates of competency for journeyman plumber and specialty plumber. The examination shall be constructed to determine:

(a) Whether the applicant possesses varied general knowledge of the technical information and practical procedures that are identified with the trade of journeyman plumber or specialty plumber; and

(b) Whether the applicant is familiar with the applicable plumbing codes and the administrative rules of the department pertaining to plumbing and plumbers.

(2) The department, with the consent of the advisory board, may enter into a contract with a nationally recognized testing agency to develop, administer, and score any examinations required by this chapter. All applicants shall, before taking an examination, pay the required examination fee. The department shall set the examination fee by contract with a nationally recognized testing agency. The fee shall cover but not exceed the costs of preparing and administering the examination and the materials necessary to conduct the practical elements of the examination. The department shall approve training courses and set the fees for training courses for examinations provided by this chapter.

(3) An examination to determine the competency of an applicant for a domestic water pumping system specialty plumbing certificate as defined by RCW [18.106.010](#)(10)(c) must be established by the department in consultation with the advisory board by December 31, 2006. The department may include an examination for appropriate electrical safety and technical requirements as required by RCW [19.28.191](#) with the examination required by this section. The department, in consultation with the advisory board, may accept the certification by a professional or trade association or other acceptable entity as meeting the examination requirement of this section. Individuals who can provide evidence to the department prior to January 1, 2007, that they have been employed in the pump and irrigation business as defined by RCW [18.106.010](#)(10)(c) for not less than four thousand hours in the most recent four calendar years shall be issued the appropriate certificate by the department upon receiving such documentation and applicable fees. The department shall establish a single document for those who have received both the plumbing specialty certification defined by this subsection and have also met the certification requirements for a pump and irrigation or domestic pump specialty electrician, showing that the individual has received both certifications.

(4) The department shall certify the results of the examinations provided by this chapter, and shall notify the applicant in writing whether he or she has passed or failed. Any applicant who has failed the examination may retake the examination, upon the terms and after a period of time that the director shall set by rule. The director may not limit the number of times that a person may take the examination.

18.106.070 Certificates of competency, installer endorsement -- Issuance -- Renewal -- Rights of holder -- Training certificates -- Supervision -- Training, certified plumber.

(1) The department shall issue a certificate of competency to all applicants who have passed the examination and have paid the fee for the certificate. The certificate may include a photograph of the holder. The certificate shall bear the date of issuance, and shall expire on the birthdate of the holder immediately following the date of issuance. The certificate shall be renewable every other year, upon application, on or before the birthdate of the holder, except for specialty plumbers defined by RCW [18.106.010](#)(10)(c) who also have an electrical certification issued jointly as provided by RCW [18.106.050](#)(3) in which case their certificate shall be renewable every three years on or before the birthdate of the holder. The department shall renew a certificate of competency if the applicant: (a) Pays the renewal fee assessed by the department; and (b) during the past two years has completed sixteen hours of continuing education approved by the department with the advice of the advisory board, including four hours related to electrical safety. For holders of the specialty plumber certificate under RCW [18.106.010](#)(10)(c), the continuing education may comprise both electrical and plumbing education with a minimum of twelve of the required twenty-four hours of continuing education in plumbing. If a person fails to renew the certificate by the renewal date, he or she must pay a doubled fee. If the person does not renew the certificate within ninety days of the renewal date, he or she must retake the examination and pay the examination fee.

The journeyman plumber and specialty plumber certificates of competency, the medical gas piping installer endorsement, and the temporary permit provided for in this chapter grant the holder the right to engage in the work of plumbing as a journeyman plumber, specialty plumber,

or medical gas piping installer, in accordance with their provisions throughout the state and within any of its political subdivisions on any job or any employment without additional proof of competency or any other license or permit or fee to engage in the work. This section does not preclude employees from adhering to a union security clause in any employment where such a requirement exists.

(2) A person who is indentured in an apprenticeship program approved under chapter [49.04](#) RCW for the plumbing construction trade or who is learning the plumbing construction trade may work in the plumbing construction trade if supervised by a certified journeyman plumber or a certified specialty plumber in that plumber's specialty. All apprentices and individuals learning the plumbing construction trade shall obtain a plumbing training certificate from the department. The certificate shall authorize the holder to learn the plumbing construction trade while under the direct supervision of a journeyman plumber or a specialty plumber working in his or her specialty. The certificate may include a photograph of the holder. The holder of the plumbing training certificate shall renew the certificate annually. At the time of renewal, the holder shall provide the department with an accurate list of the holder's employers in the plumbing construction industry for the previous year and the number of hours worked for each employer. An annual fee shall be charged for the issuance or renewal of the certificate. The department shall set the fee by rule. The fee shall cover but not exceed the cost of administering and enforcing the trainee certification and supervision requirements of this chapter.

(3) Any person who has been issued a plumbing training certificate under this chapter may work if that person is under supervision. Supervision shall consist of a person being on the same job site and under the control of either a journeyman plumber or an appropriate specialty plumber who has an applicable certificate of competency issued under this chapter. Either a journeyman plumber or an appropriate specialty plumber shall be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day unless otherwise provided in this chapter. The ratio of noncertified individuals to certified journeymen or specialty plumbers working on a job site shall be: (a) Not more than two noncertified plumbers working on any one job site for every certified specialty plumber or journeyman plumber working as a specialty plumber; and (b) not more than one noncertified plumber working on any one job site for every certified journeyman plumber working as a journeyman plumber.

An individual who has a current training certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in a technical school program in the plumbing construction trade in a school approved by the workforce training and education coordinating board, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter.

(4) An individual who has a current training certificate and who has successfully completed or is currently enrolled in a medical gas piping installer training course approved by the department may work on medical gas piping systems if the individual is under the direct supervision of a certified medical gas piping installer who holds a medical gas piping installer endorsement one hundred percent of a working day on a one-to-one ratio.

(5) The training to become a certified plumber must include not less than sixteen hours of classroom training established by the director with the advice of the advisory board. The classroom training must include, but not be limited to, electrical wiring safety, grounding, bonding, and other related items plumbers need to know to work under RCW [19.28.091](#).

(6) All persons who are certified plumbers before January 1, 2003, are deemed to have received the classroom training required in subsection (5) of this section.

18.106.075 Medical gas piping installer endorsement.

The department shall adopt requirements that qualify a journeyman plumber to be issued a medical gas piping installer endorsement.

18.106.080 Persons engaged in plumbing business or trade on effective date.

No examination shall be required of any applicant for a certificate of competency who, on July 16, 1973, was engaged in a bona fide business or trade of plumbing, or on said date held a valid journeyman plumber's license issued by a political subdivision of the state of Washington and whose license is valid at the time of making his application for said certificate. Applicants qualifying under this section shall be issued a certificate by the department upon making an application as provided in RCW [18.106.030](#) and paying the fee required under RCW [18.106.050](#): PROVIDED, That no applicant under this section shall be required to furnish such evidence as required by RCW [18.106.030](#).

18.106.090 Temporary permits.

The department is authorized to grant and issue temporary permits in lieu of certificates of competency whenever a plumber coming into the state of Washington from another state requests the department for a temporary permit to engage in the trade of plumbing as a journeyman plumber or as a specialty plumber during the period of time between filing of an application for a certificate as provided in RCW [18.106.030](#) as now or hereafter amended and taking the examination provided for in RCW [18.106.050](#). The temporary permit may include a photograph of the plumber. No temporary permit shall be issued to:

- (1) Any person who has failed to pass the examination for a certificate of competency;
- (2) Any applicant under this section who has not furnished the department with such evidence required under RCW [18.106.030](#);
- (3) To any [Any] apprentice plumber.

10.106.100 Revocation of certificate of competency -- Grounds -- Procedure.

(1) The department may revoke or suspend a certificate of competency for any of the following reasons:

- (a) The certificate was obtained through error or fraud;
- (b) The certificate holder is judged to be incompetent to carry on the trade of plumbing as a journeyman plumber or specialty plumber;
- (c) The certificate holder has violated any provision of this chapter or any rule adopted under this chapter.

(2) Before a certificate of competency is revoked or suspended, the department shall send written notice by registered mail with return receipt requested to the certificate holder's last known address. The notice must list the allegations against the certificate holder and give him or her the opportunity to request a hearing before the advisory board. At the hearing, the department and the certificate holder have opportunity to produce witnesses and give testimony. The hearing must be conducted in accordance with chapter [34.05](#) RCW. The board shall render its decision based upon the testimony and evidence presented and shall notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

(3) The department may deny renewal of a certificate of competency issued under this chapter if the applicant owes outstanding penalties for a final judgment under this chapter. The department shall notify the applicant of the denial by registered mail, return receipt requested, to the address on the application. The applicant may appeal the denial within twenty days by filing a notice of appeal with the department accompanied by a certified check for two hundred dollars which shall be returned to the applicant if the decision of the department is not upheld by the hearings officer. The office of administrative hearings shall conduct the hearing under chapter [34.05](#) RCW. If the hearings officer sustains the decision of the department, the two hundred dollars must be applied to the cost of the hearing.

18.106.110 Advisory board of plumbers.

(1) There is created a state advisory board of plumbers, to be composed of seven members appointed by the governor. Two members shall be journeyman plumbers, one member shall be a specialty plumber, three members shall be persons conducting a plumbing business, at least one of which shall be primarily engaged in a specialty plumbing business, and one member from the general public who is familiar with the business and trade of plumbing.

(2) The term of one journeyman plumber expires July 1, 1995; the term of the second journeyman plumber expires July 1, 2000; the term of the specialty plumber expires July 1, 2008; the term of one person conducting a plumbing business expires July 1, 1996; the term of the second person conducting a plumbing business expires July 1, 2000; the term of the third person conducting a plumbing business expires July 1, 2007; and the term of the public member expires July 1, 1997. Thereafter, upon the expiration of said terms, the governor shall appoint a new member to serve for a period of three years. However, to ensure that the board can continue to act, a member whose term expires shall continue to serve until his or her replacement is appointed. In the case of any vacancy on the board for any reason, the governor shall appoint a new member to serve out the term of the person whose position has become vacant.

(3) The advisory board shall carry out all the functions and duties enumerated in this chapter, as well as generally advise the department on all matters relative to this chapter.

(4) Each member of the advisory board shall receive travel expenses in accordance with the provisions of RCW [43.03.050](#) and [43.03.060](#) as now existing or hereafter amended for each day in which such member is actually engaged in attendance upon the meetings of the advisory board.

18.106.125 Fees.

The department shall charge fees for issuance, renewal, and reinstatement of all certificates and permits and for examinations required by this chapter. The department shall set the fees by rule.

The fees shall cover the full cost of issuing the certificates and permits, devising and administering the examinations, and administering and enforcing this chapter. The costs shall include travel, per diem, and administrative support costs.

18.106.130 Plumbing certificate fund.

All moneys received from certificates, permits, or other sources, shall be paid to the state treasurer as ex officio custodian thereof and by him placed in a special fund designated as the "plumbing certificate fund". He shall pay out upon vouchers duly and regularly issued therefor and approved by the director. The treasurer shall keep an accurate record of payments into said fund, and of all disbursement there from. Said fund shall be charged with its pro rata share of the cost of administering said fund.

18.106.140 Powers and duties of director.

The director may promulgate rules, make specific decisions, orders, and rulings, including therein demands and findings, and take other necessary action for the implementation and enforcement of his duties under this chapter: PROVIDED, That in the administration of this chapter the director shall not enter any controversy arising over work assignments with respect to the trades involved in the construction industry.

18.106.150 Exemptions.

(1) Nothing in this chapter shall be construed to require that a person obtain a license or a certified plumber in order to do plumbing work at his or her residence or farm or place of business or on other property owned by him or her.

(2) A current certificate of competency or apprentice permit is not required for:

- (a) Persons performing plumbing work on a farm; or
- (b) Certified journeyman electricians, certified residential specialty electricians, or electrical trainees working for an electrical contractor and performing exempt work under RCW [18.27.090](#)(18).

(3) Nothing in this chapter shall be intended to derogate from or dispense with the requirements of any valid plumbing code enacted by a political subdivision of the state, except that no code shall require the holder of a certificate of competency to demonstrate any additional proof of competency or obtain any other license or pay any fee in order to engage in the trade of plumbing.

(4) This chapter shall not apply to common carriers subject to Part I of the Interstate Commerce Act, nor to their officers and employees.

(5) Nothing in this chapter shall be construed to apply to any farm, business, industrial plant, or corporation doing plumbing work on premises it owns or operates.

(6) Nothing in this chapter shall be construed to restrict the right of any householder to assist or receive assistance from a friend, neighbor, relative or other person when none of the individuals doing such plumbing hold themselves out as engaged in the trade or business of plumbing.

18.106.155 Reciprocity.

The director may, upon payment of the appropriate fees, grant a certificate of competency without examination to any applicant who is a registered journeyman plumber or specialty plumber in any other state whose requirements for registration are at least substantially equivalent to the requirements of this state, and which extends the same privileges of reciprocity to journeymen plumbers or specialty plumbers registered in this state.

18.106.170 Violations -- Inspections -- Production of credentials.

An authorized representative of the department may investigate alleged or apparent violations of this chapter. An authorized representative of the department upon presentation of credentials may inspect sites at which a person is doing plumbing work for the purpose of determining whether that person has a certificate or permit issued by the department in accordance with this chapter. Upon request of the authorized representative of the department, a person doing plumbing work shall produce his or her certificate or permit and photo identification.

18.106.180 Notice of infraction -- Issuance, service.

(1) An authorized representative of the department may issue a notice of infraction as specified in RCW [18.106.020](#) if:

(a) A person who is doing plumbing work or who is offering to do plumbing work fails to produce evidence of:

(i) Having a certificate or permit issued by the department in accordance with this chapter, or being supervised by a person who has such a certificate or permit; and

(ii) Being registered as a contractor as required under chapter [18.27](#) RCW or this chapter, or being employed by a person who is registered as a contractor;

(b) A person who employs anyone, or offers or advertises to employ anyone, to do plumbing work fails to produce evidence of being registered as a contractor as required under chapter [18.27](#) RCW or this chapter; or

(c) A contractor violates RCW [18.106.320](#).

(2) A notice of infraction issued under this section shall be personally served on the person named in the notice by an authorized representative of the department or sent by certified mail to the last known address provided to the department of the person named in the notice.

18.106.190 Notice -- Contents.

The form of the notice of infraction issued under this chapter shall include the following:

- (1) A statement that the notice represents a determination that the infraction has been committed by the person named in the notice and that the determination shall be final unless contested as provided in this chapter;
- (2) A statement that the infraction is a noncriminal offense for which imprisonment shall not be imposed as a sanction;
- (3) A statement of the specific infraction for which the notice was issued;
- (4) A statement of the monetary penalty that has been established for the infraction;
- (5) A statement of the options provided in this chapter for responding to the notice and the procedures necessary to exercise these options;
- (6) A statement that at any hearing to contest the determination the state has the burden of proving, by a preponderance of the evidence, that the infraction was committed; and that the person may subpoena witnesses, including the authorized representative of the department who issued and served the notice of infraction; and
- (7) A statement that the person must respond to the notice of infraction in one of the ways provided in this chapter.

A statement that failure to timely select one of the options for responding to the notice of civil infraction after receiving a statement of the options provided in this chapter for responding to the notice of infraction and the procedures necessary to exercise these options is a misdemeanor and may be punished by a fine or imprisonment in jail.

18.106.200 Notice -- Hearing -- Contest -- Notice of appeal.

A violation designated as an infraction under this chapter shall be heard and determined by an administrative law judge of the office of administrative hearings. If a party desires to contest the notice of infraction, the party shall file a notice of appeal with the department within twenty days of issuance of the infraction. The administrative law judge shall conduct hearings in these cases at locations in the county where the infraction is alleged to have occurred.

18.106.210 Notice -- Determination infraction committed.

Unless contested in accordance with this chapter, the notice of infraction represents a determination that the person to whom the notice was issued committed the infraction.

18.106.220 Notice -- Penalty payment -- Filing answer of protest -- Failure to respond or appear.

- (1) A person who receives a notice of infraction shall respond to the notice as provided in this section within fourteen days of the date the notice was served.
- (2) If the person named in the notice of infraction does not wish to contest the notice of infraction, the person shall pay to the department, by check or money order, the amount of the penalty prescribed for the infraction. When a response which does not contest the determination is received by the department with the appropriate payment, the department shall make the appropriate entry in its records.
- (3) If the person named in the notice of infraction wishes to contest the notice of infraction, the person shall respond by filing an answer of protest with the department specifying the grounds of protest.
- (4) If any person issued a notice of infraction:
 - (a) Fails to respond to the notice of infraction as provided in subsection (2) of this section; or
 - (b) Fails to appear at a hearing requested pursuant to subsection (3) of this section;the administrative law judge shall enter an appropriate order assessing the monetary penalty prescribed for the infraction and shall notify the department of the failure to respond to the notice of infraction or to appear at a requested hearing.

18.106.230 Notice -- Failure to respond -- Misdemeanor.

It is a misdemeanor for any person who has been personally served with a notice of infraction:

- (1) To refuse to sign a written promise to respond to the notice; or
- (2) To wilfully violate the written promise to respond to a notice of infraction as provided in this chapter, regardless of the ultimate disposition of the infraction.

18.106.240 Representation by attorney -- Department represented by attorney general.

A person subject to proceedings under this chapter may appear or be represented by counsel. The department shall be represented by the attorney general in any proceeding under this chapter.

18.106.250 Infraction -- Cases -- Administrative Procedure Act -- Burden of proof -- Order -- Appeal.

(1) The administrative law judge shall conduct notice of infraction cases under this chapter pursuant to chapter [34.05](#) RCW.

(2) The burden of proof is on the department to establish the commission of the infraction by a preponderance of the evidence. The notice of infraction shall be dismissed if the defendant establishes that, at the time the notice was issued:

(a) The defendant who was issued a notice of infraction authorized by RCW [18.106.020](#)(5)(a) had a certificate or permit issued by the department in accordance with this chapter, was supervised by a person who has such a certificate or permit, or was exempt from this chapter under RCW [18.106.150](#); or

(b) For the defendant who was issued a notice of infraction authorized by RCW [18.106.020](#)(5)(b) or (c), the person employed or supervised by the defendant has a certificate or permit issued by the department in accordance with this chapter, was supervised by a person who had such a certificate or permit, was exempt from this chapter under RCW [18.106.150](#), or was registered as a contractor under chapter [18.27](#) RCW.

(3) After consideration of the evidence and argument, the administrative law judge shall determine whether the infraction was committed. If it has not been established that the infraction was committed, an order dismissing the notice shall be entered in the record of the proceedings. If it has been established that the infraction was committed, the administrative law judge shall issue findings of fact and conclusions of law in its decision and order determining whether the infraction was committed.

(4) An appeal from the administrative law judge's determination or order shall be to the superior court. The decision of the superior court is subject only to discretionary review pursuant to Rule 2.3 of the Rules of Appellate Procedure.

18.106.270 Infraction -- Monetary penalties -- Rules.

(1) A person found to have committed an infraction under RCW [18.106.020](#) shall be assessed a monetary penalty of two hundred fifty dollars for the first infraction, and not more than one thousand dollars for a second or subsequent infraction. The department shall set by rule a schedule of penalties for infractions imposed under this chapter.

(2) The administrative law judge may waive, reduce, or suspend the monetary penalty imposed for the infraction for good cause shown.

(3) Monetary penalties collected under this chapter shall be deposited in the plumbing certificate fund.

18.106.280 Pilot project -- Enforcement of chapter -- Reimbursement fee.

The department of labor and industries may establish one pilot project in which the department will enter into an agreement with a city and the county within which the city is located regarding compliance inspections by the city or county to enforce this chapter. Under the terms of the

agreement, the city and county shall be permitted to submit declarations of noncompliance to the department for the department's enforcement under RCW [18.106.180](#), with reimbursement to the city or county at an established fee. The pilot project shall be located in eastern Washington.

18.106.290 Certificate or permit suspension -- Nonpayment or default on educational loan or scholarship.

The director shall suspend the certificate or permit of any person who has been certified by a lending agency and reported to the director for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. Prior to the suspension, the agency must provide the person an opportunity for a brief adjudicative proceeding under RCW [34.05.485](#) through [34.05.494](#) and issue a finding of nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship. The person's certificate or permit shall not be reissued until the person provides the director a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency. If the person has continued to meet all other requirements for certification or permits during the suspension, reinstatement shall be automatic upon receipt of the notice and payment of any reinstatement fee the director may impose.

18.106.300 Certificate suspension--Noncompliance with support order--Reissuance.

The department shall immediately suspend any certificate of competency issued under this chapter if the holder of the certificate has been certified pursuant to RCW [74.20A.320](#) by the department of social and health services as a person who is not in compliance with a support order or a *residential or visitation order. If the person has continued to meet all other requirements for certification during the suspension, reissuance of the certificate of competency shall be automatic upon the department's receipt of a release issued by the department of social and health services stating that the person is in compliance with the order.

18.106.310 Backflow assembly testers -- Specialty plumber's certificate of competency.

(1) Those actively certified by the department of health on or before July 1, 2001, as backflow assembly testers and registered as a contractor under chapter [18.27](#) RCW or employed by a registered contractor, may perform maintenance and repair of backflow prevention assemblies, without being a certified plumber under this chapter, until January 1, 2003. For the purposes of this section, "maintenance and repair" include cleaning and replacing internal parts of an assembly, but do not include installing or replacing backflow prevention assemblies.

(2) After January 1, 2003, backflow assembly testers exempted under subsection (1) of this section are required to meet the eligibility requirements for a specialty plumber's certificate of competency under RCW [18.106.040](#)(1)(c).

18.106.320 Contractor's duties -- Records audit -- Department's rule-making authority -- Penalty.

(1) Contractors shall accurately verify and attest to the trainee hours worked by plumbing trainees on behalf of the contractor and that all training hours were under the supervision of a certified plumber and within the proper ratio, and shall provide the supervising plumbers' names and certificate numbers. However, contractors are not required to identify which hours a trainee works with a specific certified plumber.

(2) The department may audit the records of a contractor that has verified the hours of experience submitted by a plumbing trainee to the department under RCW [18.106.030](#) in the following circumstances: Excessive hours were reported; hours were reported outside the normal course of the contractor's business; or for other similar circumstances in which the

department demonstrates a likelihood of excessive or improper hours being reported. The department shall limit the audit to records necessary to verify hours. The department shall adopt rules implementing audit procedures. Information obtained from a contractor under the provisions of this section is confidential and is not open to public inspection under chapter [42.56](#) RCW.

(3) Violation of this section by a contractor is an infraction.

WASHINGTON ADMINISTRATIVE CODE – WAC

Chapter 296-400A WAC Plumber certification rules

Last Update : 1.03.2011

Chapter Listing

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296-400A-005

What definitions do I need to know to understand these rules?

Unless a different meaning is clearly required by the context, the following terms and definitions are important:

"Advisory board" is the state advisory board of plumbers.

"Audit" means an assessment, evaluation, examination or investigation of, contractor's accounts, books and records for the purpose of verifying the contractor's compliance with RCW [18.106.320](#).

"Backflow assembly" or "backflow prevention assembly" or "backflow preventer" is a device as described in the *Uniform Plumbing Code* used to prevent the undesired reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

"Backflow assembly tester" is an individual certified by the department of health to perform tests to backflow assemblies.

"Continuing education" is approved plumbing and electrical courses for journeymen, domestic pump specialty plumbers, and residential specialty plumbers, to meet the requirements to maintain their plumbing certification and for trainees or individuals to become certified plumbers in Washington.

"Continuing education course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide continuing education training for journeymen, domestic pump specialty plumbers, residential specialty plumbers, and trainees. All training course providers must comply with the requirements in WAC [296-400A-028](#).

"Continuity affidavit" is a form developed by the department that is used to verify whether medical gas pipe installation work (brazing process) has been performed biannually. This form is provided to the department annually by the person holding the medical gas piping installer endorsement and requires the signature of the employer of the medical gas piping installer or another qualified verifier as determined by the department. Continuity is a visual examination by the employer of the brazing that was performed.

"Contractor" means any person, corporate or otherwise, who engages in, or offers or advertises to engage in, any work covered by the provisions of chapter [18.106](#) RCW by way of trade or business, or any person, corporate or otherwise, who employs anyone, or offers or advertises to employ anyone, to engage in any work covered by the provisions of chapter [18.106](#) RCW and is registered as a contractor under chapter [18.27](#) RCW.

"Course of study" means classroom training and practical work experience in the plumbing industry as defined in WAC [296-400A-100](#).

"Department" is the department of labor and industries.

"Director" is the director of the department of labor and industries.

"Dispatcher" means the contractor's employee who authorized the work assignment of the person employed in violation of chapter [18.106](#) RCW.

"Journeyman plumber" is anyone who has learned the commercial plumbing trade and has been issued a journeyman certificate of competency by the department. A journeyman plumber may work on plumbing projects including residential, commercial and industrial worksite locations.

"Medical gas piping installer" is anyone who has been issued a medical gas piping installer endorsement of competency by the department.

"Medical gas piping systems" are piping systems that convey or involve oxygen, nitrous oxide, high pressure nitrogen, medical compressed air, or medical vacuum systems.

"Plumbing" is that craft involved in installing, altering, repairing and renovating potable water systems, liquid waste systems and medical gas piping systems in the footprint of a building. Potable water systems, liquid waste systems, and medical gas piping systems are defined by the current *Uniform Plumbing Code* (UPC) and amendments adopted by the state building code council. All piping, fixtures, pumps and plumbing appurtenances that are used for a reclaimed water system are included in the definition of liquid waste systems. The installation of water softening or water treatment equipment into a water system is not considered plumbing.

"Records" include, but are not limited to, all bids, invoices, billing receipts, time cards and payroll records that show the work was performed, advertised, or bid.

"Specialty plumber" is anyone who has been issued a specialty plumbers certificate of competency by the department limited to:

(a) Installation, maintenance and repair of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories;

(b) Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies.

(c) "Domestic pump specialty" means the installation, maintenance, and repair of a domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment; if appropriate, a pitless adapter; along with valves, transducers, and other plumbing components that:

(i) Are used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation, to:

(A) A single-family dwelling, duplex, or other similar place of residence;

(B) A public water system, as defined in RCW [70.119.020](#) and as limited under RCW [70.119.040](#); or

(C) A farm owned and operated by a person whose primary residence is located within thirty miles of any part of the farm;

(ii) Are located within the interior space, including but not limited to an attic, basement, crawl space, or garage, of a residential structure, which space is separated from the living area of the residence by a lockable entrance and fixed walls, ceiling, or floor;

(iii) If located within the interior space of a residential structure, are connected to a plumbing distribution system supplied and installed into the interior space by either:

(A) A person who, pursuant to RCW [18.106.070](#) or [18.106.090](#), possesses a valid temporary permit or certificate of competency as a journeyman plumber, specialty plumber, or trainee, as defined in this chapter; or

(B) A person exempt from the requirement to obtain a certified plumber to do such plumbing work under RCW [18.106.150](#).

For the purposes of the domestic pump specialty, residential structure includes any improvement to real property where that property is primarily used as a residence.

"Story" is defined by the current building codes and amendments adopted by the state building code council which includes basements or garages.

"Supervision" for the purpose of these rules means within sight or sound. Supervision requirements are met when the supervising plumber is on the premises and within sight or sound of the individual who is being trained.

"Trainee plumber" is anyone who has been issued a trainee certificate and is learning or being trained in the plumbing trade with direct supervision of either a journeyman plumber or specialty plumber working in their specialty.

"Training course provider" is an entity approved by the department, in consultation with the state advisory board of plumbers, to provide medical gas piping installer training. All training course providers must comply with the requirements in WAC [296-400A-026](#).

296-400A-010

Plumbing certificate types and scope of work.

(1) **Journeyman plumber (PL01):** A journeyman plumber may work on all phases of plumbing projects including residential, commercial and industrial worksite locations. A plumber trainee must have a training certificate in order to perform plumbing work under the supervision of a certified journeyman plumber.

(2) **Residential specialty plumber (PL02):** Installation, maintenance and repair of all phases of plumbing for single-family dwellings, duplexes and apartment buildings which do not exceed three stories. A plumber trainee must have a training certificate in order to perform plumbing work as a residential specialty plumber under the supervision of a certified residential or journeyman plumber.

(3) **Backflow specialty plumber (PL30):** Maintenance and repair of backflow assemblies located within a residential or commercial building or structure. For the purposes of this subsection, "maintenance and repair" includes cleaning and replacing internal parts of an assembly, but does not include installing or replacing backflow assemblies. A plumber trainee must have a PT31 certificate in order to do work as a backflow specialty plumber under the supervision of a certified backflow specialty plumber, certified residential specialty plumber or certified journeyman plumber. PT31 trainee requires one hundred percent supervision.

(4) **Pump and irrigation specialty plumber (PL03):** Installation, maintenance and repair of equipment that is used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes, including irrigation or to a domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment. For the purposes of this subsection, if located within the interior space of a residential structure as stated in RCW [18.106.010](#) (10)(c), only the equipment and piping defined by RCW [18.106.010](#) (10)(c) are included in this specialty and other parts of the system must be worked on by the appropriate certification.

(5) **Limited volume domestic pump specialty plumber (PL03A):** Installation, maintenance and repair of equipment that is used to acquire, treat, store, or move water suitable for either drinking or other domestic purposes on pumping systems not exceeding one hundred gallons per minute. A domestic water pumping system consisting of the pressurization, treatment, and filtration components of a domestic water system consisting of: One or more pumps; pressure, storage, and other tanks; filtration and treatment equipment. For the purposes of this subsection, if located within the interior space of a residential structure as stated in RCW [18.106.010](#) (10)(c), only the equipment and piping to stated equipment in this locked room can be worked on by this certification; other parts of the system must be worked on by the appropriate certification.

(6) **Plumber trainee (PT00 and PT31):** Is an individual learning the trade or craft of plumbing. Trainees are required to have and maintain a valid plumber's training certificate. Trainees will be accredited for those hours worked within the scope of their supervising plumber. Any plumber trainee may perform plumbing work within the scope of their supervising journeyman or specialty plumber. A trainee shall keep a record of the hours worked as a trainee as required by WAC [296-400A-120](#)(3).

(7) **Certified journeyman electricians, certified residential specialty electricians, or electrical trainees (EL01 and EL02):** According to RCW [18.106.150](#) (2)(b), a current plumbing certificate of competency or apprentice permit is not required for: Certified journeyman electricians, certified residential specialty electricians, or electrical trainees working for an electrical contractor and performing exempt work under RCW [18.27.090](#)(18). A plumber trainee must have a ET00 certificate in order to work with a journeyman electrician, residential specialty electrician, or electrical trainee.

The plumbing work must be directly and immediately appropriate to the like-in-kind replacement of a household fixture or its component(s) that requires limited power and waste/water connections.

An example would be replacing the heating element (a component) of an electric hot water heater. An electrician performing a like-in-kind replacement of an electric hot water tank could only disconnect and then reconnect the water supply lines to the tank and drain line from the temperature and pressure relief valve. Gas hot water tanks are not part of the electrician's exemption.

296-400A-020

How do I obtain a certificate of competency?

You can obtain a certificate of competency by completing the following requirements for:

(1) Journeyman and specialty plumber certificate (excluding backflow assembly maintenance and repair specialty certification):

(a) Submitting a competency examination application to the department;

(b) Paying the examination fee shown in WAC [296-400A-045](#)(1);

(c) Submitting the required evidence of competency and experience to the department as required under WAC [296-400A-120](#) and [296-400A-121](#);

(d) Providing documentation to the department with continuing education requirements;

(e) Passing the competency examination;

(f) In lieu of (a), (b) and (c) of this subsection and with the approval of the advisory board, the department may accept the successful passage of an examination administered by a nationally recognized testing entity;

(g) For domestic pump specialty plumbers, in lieu of (a), (b) and (c) of this subsection and with the approval of the advisory board, the department may accept a certification issued by professional trade association; and

(h) Paying the certification issuance fee within ninety days of notification of passing the written examination. Failure to pay within ninety days will require reexamination.

(2) Backflow assembly maintenance and repair specialty certificate:

(a) Submitting a competency examination application to the department;

(b) Paying the application and certificate fee shown in WAC [296-400A-045](#)(1);

(c) Passing the competency examination; and

(d) Paying the certification issuance fee within ninety days of notification of passing the written examination. Failure to pay within ninety days will require reexamination.

296-400A-021

How do I obtain a medical gas piping installer endorsement?

You can obtain a medical gas piping installer endorsement by completing the following requirements:

- (1) Submit an application to the department; and
- (2) Pay the examination application fee shown in WAC [296-400A-045](#); and
- (3) Submit the required evidence of approved training to the department; and
- (4) Pass the written and practical competency examination;* and
- (5) Pay the endorsement issuance fee shown in WAC [296-400A-045](#) to the department.

*The written and practical competency examination is performed under contract with a nationally recognized testing agency. The results of the competency examination will be forwarded to the department for processing.

296-400A-022

What procedure is required for renewal of a journeyman medical gas endorsement?

- (1) Maintain an active Washington state journeyman certification.
- (2) Submit affidavit of continuity.
- (3) Submit affidavit of review of current medical gas code adopted by the Washington state building code council.
- (4) Pay the appropriate fee: If renewal occurs before expiration of current endorsement, the renewal fee shown in WAC [296-400A-045](#); if renewal occurs within ninety days of expiration of current endorsement, you must pay a double renewal fee; if the current endorsement has been expired for ninety-one days or more, you must take an examination relating to medical gas installation administered by the department and pay the examination application fee shown in WAC [296-400A-045](#). Medical gas endorsement is renewed every two years.
- (5) Contractors shall accurately verify and attest to brazing performed by the journeyman by sending an affidavit to the department or in lieu of the biannual braze requirement from the contractor, a performed brazed coupon test documenting that the coupon was certified as passing from a department approved medical gas training course provider would be accepted.

296-400A-023

What process is required for renewal of journeyman, domestic pump specialty, and residential specialty plumber certificates of competency?

- (1) An individual must apply for renewal of their plumbing certificate before the expiration date of the certificate. The individual may not apply for renewal more than ninety days prior to the expiration date. Journeyman and residential specialty plumber certificates are renewed every two years. Domestic pump specialty plumber certificates are renewed every three years.
- (2) An individual may renew their certificate within ninety days after the expiration date without reexamination if the individual pays the late renewal fee listed in WAC [296-400A-045](#).
- (3) All applications for renewal received more than ninety days after the expiration date of the plumbing certificate require that the plumber pass the appropriate competency examination before being recertified.
- (4) All applicants for plumbing certificate renewal must:
 - (a) Submit a complete renewal application;
 - (b) Pay all appropriate fees; and
 - (c) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in WAC [296-400A-028](#).

If an individual files inaccurate or false evidence of continuing education information when renewing a plumbing certificate, the individual's plumbing certificate may be suspended or revoked.

- (5) A journeyman, domestic pump specialty, or residential specialty plumber certificate holder who has not completed the required hours of continuing education prior to the renewal date

must pay a doubled fee according to RCW [18.106.070](#). Also, if the required hours of continuing education are not completed within ninety days after the expiration date the applicant will be required to retake the examination and pay the appropriate fees prior to being placed in active status.

(6) An individual may renew a suspended plumbing certificate by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in a suspended status for the duration of the suspension period.

(7) An individual may not renew a revoked plumbing certificate.

296-400A-025

Who approves medical gas piping installer endorsement training courses?

RCW [18.106.050](#) authorizes the department to:

- (1) Approve training courses for the medical gas piping installer endorsement; and
- (2) Set training course fees.

296-400A-026

What training course approval procedures for medical gas will the department follow?

(1) The department will review and approve courses submitted by training course providers that offer medical gas piping systems training. Course approvals will be decided in consultation with the state advisory board of plumbers.

(2) All providers seeking course approval, must submit the required information (see subsection (5) of this section) to the department at least thirty days before a regularly scheduled advisory board meeting. **No course can be offered as meeting the requirements of a medical gas endorsement until it has been approved.**

(3) All material required for approval will be reviewed without testimony and the review will be based solely upon the information submitted. Once reviewed, the department has five working days to give a provider written notification of acceptance or rejection. In the case of rejection, the department must specify its reasons.

(4) If a provider has a course rejected, it may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position, which was not included with the original approval request, must be submitted to the board at least twenty days before the meeting at which the hearing will be held.

At the hearing, the department and the provider may produce witnesses and give testimony.

The hearing must be conducted according to chapter [34.05](#) RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

(5) Specific course approval criteria:

(a) All training courses must conform to and be based upon current standards and requirements governing the installation of medical gas piping systems.

(b) All course approval requests must include:

(i) A general description of the course including its scope, the instructional materials to be used and the instructional methods to be followed; and

(ii) A copy of the complete medical gas piping installer training curriculum; and

(iii) A detailed course outline; and

(iv) The name and qualifications of the course instructor(s); and

(v) The locations where the course will be taught; and

(vi) The days and hours the course will be offered; and

(vii) The specific fees associated with the course, as well as, the total cost of the course.

(c) All fees for approved training courses must be reasonable and in line with fees charged for

other comparable code based training courses.

(6) Training courses are approved for a three-year period.

(7) A provider, whose courses are approved, must give the department literature describing the courses so the department can share this information to prospective applicants.

(8) It is the responsibility of the provider to annually review and update its courses and to notify the department of any changes.

(9) The department may withdraw its approval of any training course if it determines the provider is no longer in compliance with the requirements of this chapter. If the department withdraws its approval of a training course, it must give the provider written notification of the withdrawal specifying the reasons for its decision. If the department withdraws its approval of a training course the provider may request a hearing before the advisory board at the next regularly scheduled meeting. Any information supporting the provider's position must be submitted to the board at least twenty days before the meeting at which the hearing will be held. At the hearing the department and the provider may produce witnesses and give testimony. The hearing must be conducted according to chapter [34.05](#) RCW. The board must base its decision upon the testimony and evidence presented and must notify the parties immediately upon reaching its decision. A majority of the board is necessary to render a decision.

296-400A-027

Where can I obtain information regarding department approved training course providers?

The department will produce a list of all approved training course providers and/or course contact persons. This list will be available to all applicants who request it. It will also be available at all department service locations.

296-400A-028

What are the requirements for continuing education and classroom training?

(1) Journeyman, residential specialty plumber, domestic pump specialty plumber, and plumber trainee.

(a) To be eligible for renewal of a journeyman plumber or residential specialty plumber certificate, the individual must have completed at least sixteen hours of approved continuing education for each two years of the prior certification period. Individuals will be required in the prior two-year period to have completed at least eight hours of plumbing code and at least four hours of electrical code from the currently adopted Washington state plumbing and electrical codes. The remaining four hours may be plumbing or electrical trade related classes.

(b) Domestic pump specialty plumbers shall renew their domestic pump specialty certificate once every three years, on or before the individual's birthday. Individuals will be required to complete twenty-four hours of approved continuing education. The continuing education may comprise both electrical and plumbing education with a minimum of twelve of the required twenty-four hours of continuing education in plumbing for each three-year renewal cycle.

(c) Plumber trainees must complete at least eight hours per year of classroom training from an approved continuing education course for each year of the prior certification period. Trainees will be required during a two-year period to complete at least eight hours of plumbing code and at least four hours of electrical code from the currently adopted Washington state plumbing and electrical codes. The remaining four hours may be plumbing or electrical trade related classes.

(d) Any portion of a year of a prior plumber certification period is equal to one year for the purposes of the required continuing education.

(2) An individual will not be given credit for the same approved continuing education course taken more than once in the two years prior to the renewal date. No credit will be granted for any course not approved by the department.

(3) Continuing education requirements do not apply to backflow specialty plumbers under chapter [18.106](#) RCW and this chapter.

Approval process - continuing education course.

(4) The advisory board of plumbers or plumbing board subcommittee will review each continuing education course. The advisory board of plumbers or plumbing board subcommittee will recommend approval or disapproval to the department. The department will either approve or disapprove the course.

(5) To be considered for approval, a continuing education course must consist of not less than two hours of instruction and must be open to monitoring by a representative of the department and/or the plumbing board at no charge. If the department determines that the continuing education course does not meet or exceed the minimum requirements for approval, the department may revoke the course approval or reduce the number of credited hours.

(6) Approved courses must be based on:

(a) Currently adopted edition of the *Uniform Plumbing Code* and currently adopted *National Electrical Code*;

(b) Chapters [18.106](#) or [19.28](#) RCW or chapters [296-400A](#) or [296-46B](#) WAC; or

(c) Materials and methods as they pertain to the industrial practices of plumbing or electrical construction, building management systems, plumbing or electrical maintenance, or workplace health and safety.

(7) Code-update courses must be based on the entire currently adopted *Uniform Plumbing Code* or currently adopted *National Electrical Code*.

(a) Correspondence and on-line courses in the plumbing code require thirty-five questions per hour of credit.

(b) Industry related electrical courses require twenty-five questions per hour of credit.

(c) Classroom training requires one hour of instruction for each hour of credit.

(d) Course outline must support the number of hours requested.

Application - for continuing education course approval.

(8) All applications for course approval must be on forms provided by the department. The plumbing board and the department will only consider the written information submitted with the application when considering approval of the continuing education training course.

(9) The department will provide continuing education application forms to sponsors upon request. The course sponsor must submit an original completed application for course approval and three copies (unless submitted electronically using department prescribed technology) to the department. The department must receive the complete course application from the sponsor in writing at least forty-five days before the first class requested for approval is offered.

(10) A complete application for course approval must include:

(a) The appropriate course application fee;

(b) Course title, number of classroom instruction hours, and whether the training is open to the public;

(c) Sponsor's name, address, contact's name and phone number;

(d) Course outline (general description of the training, including specific *Uniform Plumbing Code* or currently adopted *National Electrical Code* articles referenced);

(e) Lists of resources (texts, references, visual aids);

(f) Names and qualifications of instructors. Course instructors must show prior instructor qualification and experience similar to that required by the work force training and education coordinating board under chapter [28C.10](#) RCW;

(g) Any additional documentation to be considered; and

(h) A sample copy of the completion certificate issued to the course participants.

(11) The course sponsor seeking approval of a continuing education course will be notified of

the subcommittee's decision within five days of the completed review of the application.

(12) If the application is not approved, the rejection notice will include an explanation of the reason(s) for rejection. If the course sponsor disagrees with the subcommittee's decision, the course sponsor may request a reconsideration hearing by the full plumbing board. A request to appeal course rejection must be received by the department forty-five days before a regularly scheduled board meeting. The course sponsor must submit, to the department, any additional information to be considered during the hearing, in writing, at least thirty days before the board hearing. The course sponsor must provide at least twenty copies of any written information to be submitted to the board.

Offering - continuing education course.

(13) The course sponsor may offer an approved course for up to three years without additional approval. However, if the course is classified as code-update or code-related and a new edition of the *Uniform Plumbing Code* or *National Electrical Code* is adopted within the course approval period, the course approval will be considered automatically revoked and the course sponsor must submit a new application for review by the department and approval by the plumbing board subcommittee.

(14) A continuing education course attended or completed by an individual before final approval by the plumbing board subcommittee cannot be used to meet the plumbing certificate renewal requirements.

Documentation - Washington approved training course attendance/completion.

(15) The department is not responsible for providing verification of an individual's continuing education history with the course sponsor.

(16) The course sponsor must provide the department with an accurate and typed course attendance/completion roster for each course given.

(a) The attendance/completion roster must be provided within thirty days of course completion.

(b) In addition, the course sponsor must provide the attendance/completion roster in an electronic format provided by the department.

(c) The attendance/completion roster must show each participant's name, Washington certificate number, course number, location of course, date of completion, and instructor's name. The typed roster must contain the signature of the course sponsor's authorized representative.

(17) If the course sponsor fails to submit the required attendance/completion rosters within thirty days of the course completion, the department may revoke or suspend the course approval.

(18) Course sponsors must award a certificate to each participant completing the course from which the participant will be able to obtain:

(a) Name of course sponsor;

(b) Name of course;

(c) Date of course;

(d) Course approval number;

(e) The number of continuing education units; and

(f) The type of continuing education units.

(19) The department will only use a copy of the sponsor's attendance/completion roster as final evidence that the participant completed the training course.

(20) The department will keep submitted rosters of the continuing education courses on file only for audit purposes. The department is not responsible for the original of any completion certificate issued.

Documentation - out-of-state training course attendance/completion.

(21) To apply continuing education units earned out-of-state from course sponsors who do not

have state of Washington approved courses, one of the following conditions must be met:
(a) The individual must request that the course sponsor submit a complete continuing education course application and requirements as described in this section for in-state courses. Application for course approval will not be considered more than three years after the date of the course.

(b) The department must have entered into a reciprocal agreement with the state providing course approval.

The participant must provide a copy of an accurate and completed award or certificate from the course sponsor identifying the course location, date of completion, participant's name, and Washington certificate number. The department will only accept a copy of the sponsor's certificate or form as evidence that the participant attended and completed the course.

296-400A-029

What is the implementation schedule for the continuing education course requirements?

Individuals that renew between July 1, 2005, and June 30, 2006, are required to complete eight hours of continuing education courses.

Effective July 1, 2006, all renewals will require sixteen hours of continuing education.

296-400A-030

Do I need a temporary permit?

You need a temporary permit if you are an active out-of-state journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber residing in a state that does not have a reciprocal agreement with Washington and you would like to work as a plumber in Washington. Temporary permits are not issued for installers of medical gas piping systems.

Temporary permits are not issued for the backflow assembly maintenance and repair specialty. Therefore, WAC [296-400A-030](#) through [296-400A-033](#) do not apply to this specialty.

296-400A-031

How do I qualify for a temporary permit?

To qualify for a temporary permit, you must:

- (1) Have an active state-issued journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber certificate;
- (2) Give the department sufficient qualifying evidence for a journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber certificate of competency;
- (3) Never have taken the journeyman plumber, domestic pump specialty plumber, or a residential specialty plumber competency examination in Washington state; and
- (4) Not be a trainee or an apprentice plumber.

296-400A-032

How do I obtain a temporary permit?

If you qualify, you can obtain a temporary permit by applying to the department and paying both the examination application fee and the temporary permit fee shown in WAC [296-400A-045](#).

296-400A-033

What is the duration of a temporary permit?

A temporary permit is valid for one hundred twenty days and is nonrenewable.

296-400A-035

How can I be placed on inactive status?

To be placed on inactive status, you must meet these three requirements:

- (1) You must currently be a certified plumber;
- (2) Have your inactive status request submitted and approved by the department prior to the expiration date of your plumbing certificate; and
- (3) Not be working in the plumbing trade.

Inactive status means that you are not currently working in the plumbing trade and you are not required to pay the annual certificate renewal fee. If you have been in inactive status for less than five years, you may return to active status, without reexamination, by paying the reinstatement fee shown in WAC [296-400A-045](#). If you have been in inactive status for five or more years, you are required to reapply and pass the competency examination pursuant to WAC [296-400A-020](#) and pay the appropriate fees shown in WAC [296-400A-045](#).

- (4) Required to meet a minimum of sixteen hours continuing education with four of the hours being in electrical training before being reinstated.

296-400A-036

How can I maintain my plumbing certificate as an honorary accomplishment?

(1) To maintain your plumbing certificate as an honorary accomplishment, you must meet the following four requirements:

(a) You must renew your certificate on or before your renewal date and pay the current fee as established in WAC [296-400A-045](#).

(b) You must provide the department with a signed affidavit stating you aren't working in the plumbing trade.

(c) The affidavit must state you are not acting in a supervisory manner for any person working in the plumbing trade.

(2) If you return to work, you must provide the proper documentation of sixteen hours continuing education with a minimum of eight hours plumbing code, a minimum of four hours industry-related electrical, and four hours industry-related plumbing from the approved list of courses from the department of labor and industries plumbing certification program.

(3) If you are found working in the plumbing trade while your certificate is in honorary status, your certificate will be revoked.

296-400A-045

What fees will I have to pay?

The following are the department's plumbers nonrefundable fees:

Fees related to journeyman and specialty plumber certification:

Type of Fee Period Covered by Fee Dollar Amount of Fee

<u>Type of Fee</u>	<u>Period Covered by Fee</u>	<u>Dollar Amount of Fee</u>
Examination application	Per examination	\$139.90
Domestic pump specialty application fee ^{*****}	Per application	\$139.90
Reciprocity application*	Per application	\$139.90
Trainee certificate**	One year or when hours are updated	\$41.70
Temporary permit (not applicable for backflow assembly maintenance and repair specialty)	120 days	\$69.50
Journeyman or residential specialty certificate renewal or 1st card ^{***}	Two years	\$112.00
Domestic pump specialty plumber certificate renewal or 1st card ^{***}	Three years	\$168.10
Backflow assembly maintenance and repair specialty certificate renewal or 1st card ^{***}	Two years	\$77.30
Medical gas endorsement application	Per application	\$51.50
Medical gas endorsement renewal or 1st card ^{***}	Two years	\$77.00
Medical gas endorsement examination fee ^{****}		See note below.
Medical gas endorsement training course fee ^{*****}		See note below.
Domestic pump specialty examination fee ^{****}		See note below.
Reinstatement fee for residential and journeyman certificates		\$224.60
Reinstatement fee for backflow assembly maintenance and repair specialty certificates		\$129.20

Reinstatement fee for domestic pump	\$336.30
Replacement fee for all certificates	\$18.90
Refund processing fee	\$30.10
Unsupervised trainee endorsement	\$30.10
Inactive status fee	\$30.10
Honorary plumbing certification	\$120.00
Certified letter fee/verification of licensure	\$30.10
Documents copied from a plumber's file	\$2.00 per page maximum copy charge \$30.00
Continuing education new course fee*****	\$181.90
Continuing education renewal course fee*****	\$90.80
Continuing education classes provided by the department	\$12 per continuing education training hour
	\$8 per continuing education training hour for correspondence and internet courses

296-400A-050

When does the advisory board of plumbers meet?

The advisory board of plumbers meets every quarter on the third Tuesday of January, April, July and October.

296-400A-070

Can I work as a certified plumber in Washington without taking the Washington state plumbers' competency examination?

You may be eligible to work in Washington state without taking an examination if:

- (1) You have a current plumbers certificate or license from another state; and
- (2) That state has a current reciprocal agreement with the department of labor and industries; and
- (3) You pay the reciprocity application fee and journeyman or specialty certificate fee shown in WAC [296-400A-045](#).

The director of labor and industries negotiates reciprocal agreements with states that have equivalent requirements for certification and licensing of journeyman and specialty plumbers. The agreement allows plumbers from those states to work in Washington and Washington-certified plumbers to work in the other state without taking competency examinations. To find out if your state has an agreement with the department, contact the plumber's certification clerk at the department's Tumwater, WA headquarters.

Reciprocity agreements cannot be used to take the Washington state competency examination instead of the examination in your home state.

(4)(a) Those actively certified by the department of health on or before July 1, 2001, as backflow assembly testers and registered as a contractor under chapter [18.27](#) RCW or employed by a registered contractor, may perform maintenance and repair of backflow prevention assemblies, without being a certified plumber under chapter [18.106](#) RCW and these rules, until January 1, 2003.

(b) After January 1, 2003, backflow assembly testers exempted under (a) of this subsection are required to meet the eligibility requirements for a specialty plumber's certificate of competency under chapter [18.106](#) RCW and these rules.

296-400A-100

For certification purposes, how are "years of employment" computed and documented?

(1) For certification purposes, 2,000 hours of employment is considered one year. See RCW [18.106.070](#)(2).

(2) When you renew your certificate, you must document your previous years' plumbing work by accurately completing the department's approved form and submitting it to the department.

(3) If you have completed a one, two, three, four or more years plumbing construction trainee program, you must have the necessary training hours for the year in which you are registered. No more than fifty percent of the minimum work experience needed to qualify for plumbing certification is allowed for any training school program. See RCW [18.106.040](#).

(4) Subsections (1) through (3) of this section do not apply to the backflow assembly maintenance and repair specialty certification as years of employment are not required for this specialty. Applicants for this specialty designation are required to have fulfilled the requirements in WAC [296-400A-122](#) and pay the applicable fees in WAC [296-400A-045](#)(2).

(5) Experience obtained as a backflow assembly maintenance and repair specialty may not be applied toward journeyman or specialty plumber certification.

(6) For experience in another country, if an individual has a journeyman plumbing certificate from a country outside the United States that requires that at least four years of plumbing construction training and certification is obtained by examination, the individual may be eligible for four thousand hours of the specialty credit allowed towards the qualification to take the Washington journeyman plumbers examination. No more than two years of the required training to become a Washington journeyman plumber may be for work described for specialty plumbers or technicians in WAC [296-400A-010](#). In addition to the maximum of four thousand hours credit that may be allowed by this subsection, an additional four thousand hours of new commercial/industrial experience must be obtained using a training certificate in the state while under the supervision of a journeyman plumber. Documentation substantiating the individual's out-of-country experience must be submitted in English.

(7) Out of country experience credit is not allowed toward a specialty plumbing certificate.

296-400A-110

Does previous work experience count toward my trainee certificate?

If your work experience was in plumbing construction, you will be given credit for all verifiable hours that are properly submitted on the department's approved form. Plumber trainee hours accumulated in the state of Washington will be credited only if an active Washington state trainee card was in place when the work occurred. (Refer to the definition of "plumbing" in WAC [296-400A-005](#).)

296-400A-120

What do I need to know about plumber trainee certificates (excluding backflow assembly maintenance and repair specialty certification)?

(1) Journeyman and specialty plumber trainee certification:

(a) Original trainee certificates. The department will issue an original trainee certificate when the trainee applicant submits a complete trainee certificate application including:

- (i) Date of birth, mailing address, Social Security number; and
- (ii) All appropriate fees as listed in WAC [296-400A-045](#).
- (iii) If an individual has previously held a plumbing trainee certificate, then that individual is not eligible for a subsequent original trainee certificate.

All applicants for a plumbing trainee certificate must be at least sixteen years of age and must follow requirements as defined in WAC [296-125-030](#).

(b) Renewal. The department issues separate trainee certificates once a year.

(c) The plumbing trainee may not apply for renewal more than ninety days prior to the expiration date. Plumber trainee certificates are valid for one year.

(d) All applicants for trainee certificate of renewal must:

- (i) Submit a complete renewal application;
- (ii) Pay all appropriate fees; and
- (iii) Provide accurate evidence on the renewal form that the individual has completed the continuing education requirements described in chapter [296-400A](#) WAC.

(e) If an individual files inaccurate or false evidence of continuing education information when renewing a plumbing trainee certificate, the individual's certificate may be suspended or revoked.

(f) An individual who has not completed the required hours of continuing education cannot renew a trainee certificate.

(g) Individuals will not be able to apply to test for journeyman plumber, domestic pump specialty plumber, or residential specialty plumber certificates until the continuing education requirements have been met.

(h) If continuing education hours have not been met, trainee certificates will become expired and any experience obtained by the trainee in expired status will not be credited toward plumbing certificate application.

(i) An individual may renew an expired certificate of competency by submitting a complete renewal application including obtaining and submitting the continuing education required for renewal. However, the certificate will remain in an expired status for the duration of the expired period.

(j) An individual may not renew a revoked trainee certificate.

(k) Apprentices registered in an approved program according to chapter [49.04](#) RCW who are obtaining classroom training consistent with the continuing education requirements under chapter [18.106](#) RCW and this chapter, as approved by the department, are deemed to have met the continuing education requirements necessary to renew a trainee certificate. Included under this exemption are active trainees that are not in the formal approved program according to chapter [49.04](#) RCW but are attending all hours of required classroom training along with the apprentices and meeting the work experience as required under chapter [18.106](#) RCW and this chapter. The plumber craft training school shall be required to supply the department the necessary documentation to prove there was full hourly attendance of these trainees as is required of the apprentices while they attend the classroom training.

(l) If you are a trainee applying for a journeyman certificate, you must complete a minimum of two of the required four years in commercial plumbing experience.

(m) A certified residential specialty plumber or domestic pump specialty plumber working on a commercial job site may work as a journeyman trainee only if they have a current trainee certificate on their person while performing commercial plumbing work.

- (n) On a job site, the ratio of certified plumbers to noncertified plumbers must be:
- (i) One residential specialty plumber or journeyman working on a residential plumbing job site may supervise no more than two trainees.
 - (ii) One journeyman plumber working on a commercial job site may supervise no more than one trainee or one residential specialty plumber who holds a current trainee certificate.
 - (iii) One appropriate domestic pump specialty plumber or one journeyman plumber working on a domestic pump system may supervise no more than two trainees.
- (o) A plumber trainee who has a current trainee certificate with the state of Washington and has successfully completed or is enrolled in an approved medical gas piping installer training course may work on medical gas piping systems. Work may only occur when there is direct supervision by an active Washington state certified journeyman plumber with an active medical gas piping installer endorsement issued by the department. Supervision must be one hundred percent of the working day on a one-to-one ratio.
- (p) Plumber trainee shall renew the certificate annually but not more than ninety days before the expiration date.
- (q) The trainee will not be issued a renewed or reinstated training certificate if the individual owes the department money as a result of an outstanding final judgment.
- (r) Trainee hours will not be credited if the trainee owes outstanding penalties for violations of this chapter.
- (2) At the time of renewal, the holder shall provide the department with an accurate list of the holder's employers in the plumbing construction industry for the previous annual period. The individual must submit a completed, signed, and notarized affidavit(s) of experience. The affidavit of experience must accurately attest to:
- (a) The plumbing installation work performed for each employer the individual worked for in the plumbing trade during the previous period;
 - (b) The correct plumbing category the individual worked in; and
 - (c) The actual number of hours worked in each category, worked under the proper supervision of a Washington certified journeyman plumber, certified domestic pump specialty plumber, or residential specialty plumber.
- (3) The trainee should ask each employer and/or apprenticeship-training director for an accurately completed, signed, and notarized affidavit of experience for the previous certification period. The employer(s) or apprenticeship training director(s) must provide the previous period's affidavit of experience to the individual within twenty days of the request.
- (4) If hours for previous period are not submitted within the thirty days after renewing a plumbing training certificate, the individual may not receive credit for these previous period hours.

296-400A-121

What do I need to know about trainee experience and plumber examination requirements for the journeyman and specialty plumber (excluding the backflow assembly maintenance and repair specialty)?

- (1) If you possess a trainee certificate:
- (a) You may take the residential specialty plumber examination after completing 6,000 hours of documented training.
 - (b) You may take the journeyman examination after completing 8,000 hours of documented training which must include 4,000 hours of commercial plumbing experience.
- (2) All journeyman trainees must work under the direct supervision of a journeyman plumber until they have completed 8,000 hours of training.
- When 8,000 training hours have been completed, the trainee must take the journeyman examination. Any trainee who has failed the journeyman plumber examination cannot retake the examination for at least one month and must work under the direct supervision of a journeyman plumber until the examination is passed.

(3) To be eligible for the residential specialty plumber's examination, a residential specialty trainee must complete 6,000 hours of training under the direct supervision of either a certified specialty plumber or a journeyman plumber. Any residential specialty trainee who has failed the residential specialty examination, cannot retake the examination for at least one month and must work under the direct supervision of a certified plumber until the examination is passed.

(4) For domestic pump specialty plumbers:

(a) To be eligible for a limited volume domestic pump specialty plumbers examination defined by RCW [18.106.010](#) (10)(c), the trainee must complete 2,000 hours practical experience working under the direct supervision of a certified limited volume domestic pump specialty plumber, a certified unrestricted domestic pump specialty plumber, or a journeyman plumber on pumping systems not exceeding one hundred gallons per minute. The experience may be obtained at the same time the individual is meeting the experience required by RCW [19.28.191](#), or equivalent experience may be accepted as determined by rule by the department in consultation with the advisory board.

(b) To be eligible for an unrestricted domestic pump specialty plumbers examination defined by RCW [18.106.010](#) (10)(c), the trainee must complete 4,000 hours practical experience working under the direct supervision of a certified unrestricted domestic pump specialty plumber or a journeyman plumber on pumping systems. The experience may be obtained at the same time the individual is meeting the experience required by RCW [19.28.191](#) or equivalent experience may be accepted as determined by rule by the department in consultation with the advisory board.

(5) Effective January 1, 2005, all plumber trainees will be required to meet the current hour requirements to test.

(6) **Apprentice/trade school endorsement requirements.** An individual who has a current journeyman plumber, domestic pump specialty plumber, or residential specialty plumber trainee certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in a technical school program in the plumbing construction trade in a school approved by the work force training and education coordinating board, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter. In order to work without direct on-site supervision applicable to the type (residential or journeyman) of training hours for which certification is being sought by the individual, this individual must obtain an apprentice/trade school trainee endorsement by submitting the applicable forms provided by the department and paying the applicable fees. This individual may work without direct on-site supervision until he or she receives the remaining hours required to be eligible to take the applicable examination. This individual may not supervise trainees. (See RCW [18.106.070](#).)

(7) **Any applicant** (trainee, specialty plumber or journeyman) who fails an examination, will be required to wait at least until the next scheduled examination date and location. Examinations are held the first Thursday of every month, unless that date falls on a holiday. Applications shall be submitted and received by the plumbing certification program office two weeks before the next scheduled date.

296-400A-122

What do I need to know about trainee experience and certification, and the backflow assembly maintenance and repair specialty examination requirements?

(1) **Journeyman and specialty plumber trainee certification:**

(a) Original training certificates. The department will issue an original training certificate when the trainee applicant submits a complete training certificate application including:

(i) Date of birth, mailing address, Social Security number; and

(ii) All appropriate fees as listed in WAC [296-400A-045](#).

(iii) If an individual has previously held a plumbing training certificate, then that individual is

not eligible for a subsequent original training certificate.

All applicants for a plumbing training certificate must be at least sixteen years of age and must follow requirements as defined in WAC [296-125-030](#).

(2) A trainee certificate must be obtained by an individual performing backflow assembly maintenance and repair work who is not a certified plumber. The individual must work under the direct supervision of a certified backflow assembly maintenance and repair specialty, journeyman plumber, or residential specialty plumber for a minimum of one hundred percent of each working day while the backflow assembly maintenance and repair work is being performed.

(3) Each applicant for a backflow assembly maintenance and repair specialty certificate must furnish written evidence that he or she has a valid backflow assembly tester certification administered and enforced by the department of health.

(4) **Any applicant** who fails an examination will be required to wait at least until the next scheduled examination date and location. Examinations are held the first Thursday of every month, unless that date falls on a holiday. In the event of a holiday, the examination will be held on the second Thursday of the month. Applications shall be submitted and received by the plumbing certification program office two weeks before the next scheduled examination date.

296-400A-130

What if I make a false statement or a material misrepresentation on an application, an employment report or a trainee certificate?

(1) A person making a false statement or material misrepresentation on an application, statement of hours, or signed statement to the department may be referred to the county prosecutor for criminal prosecution. The department may also file a civil action under chapter [18.106](#) RCW and may revoke or suspend a certificate under chapter [18.106](#) RCW.

(2) The department may file a civil action under chapter [18.106](#) RCW and may revoke or suspend a certificate of competency under chapter [18.106](#) RCW for inaccurate or false reporting of continuing education hours.

(3) If the department determines that a course sponsor has issued an inaccurate or incomplete course application or attendance/completion roster, the department may suspend or revoke the course approval and deny future approval of a continuing education course(s) by the course sponsor.

(4) The department may file a civil action under chapter [18.106](#) RCW against both the trainee and the contractor, apprentice training director, or other entity verifying the training hours and may subtract the falsified hours of employment from a trainee's total hours if the department determines a false statement or material misrepresentation has been made in an affidavit of experience.

296-400A-135

How does the department enforce trainee supervision?

(1) A journeyman plumber on each and every commercial job site shall supervise either a residential specialty plumber or a domestic pump specialty plumber with a current plumber trainee card or trainee with a current plumber trainee card.

(a) The ratio on each commercial site shall be not more than one residential plumber or one plumber trainee working on any one job site for every certified journeyman plumber working as a journeyman plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on

each and every job site.

(2) A journeyman plumber or residential specialty plumber on each and every residential specialty job site shall supervise a plumber trainee with a current plumber trainee card.

(a) The ratio on each residential specialty job site shall be not more than two trainees with current plumber trainee cards on any one residential specialty job site for every certified journeyman plumber or residential specialty plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on each and every job site.

(3) A journeyman plumber with current medical gas endorsement may supervise either a residential specialty plumber with a current trainee card or a plumber trainee with a current trainee card.

(a) The residential specialty plumber or the plumber trainee has to have successfully completed or is currently enrolled in an approved medical gas piping installer training course approved by the department.

(b) The residential specialty plumber or other plumber trainee is under the direct supervision of a certified medical gas journeyman plumber on one-to-one ratio for one hundred percent of the time on each and every medical gas site.

(4) A backflow specialty plumber, a journeyman plumber or a residential specialty plumber shall supervise a backflow trainee to do maintenance and repair work on every backflow assembly on potable water systems, inside every commercial or residential building. The ratio shall be one-to-one for one hundred percent of the time on every job site.

(5) A journeyman plumber or appropriate domestic pump specialty plumber on each and every domestic pump job site shall supervise a plumber trainee with a current plumber trainee card.

(a) The ratio on each domestic pump job site shall be not more than two trainees with current plumber trainee cards on any one residential specialty job site for every certified journeyman plumber or appropriate domestic specialty plumber on that site.

(b) The time of supervision shall be a minimum of seventy-five percent of the time spent on each and every job site. Restricted domestic pump specialty trainees who have completed at least seven hundred twenty hours of on-the-job training and passed the competency examination required by WAC [296-400A-020](#) may work unsupervised for the remainder of the time required for work experience to become a restricted domestic pump specialty plumber.

296-400A-140

How does the department enforce plumbers certification requirements?

The department enforces plumber certification requirements by means of job-site inspections conducted by an authorized representative of the department. The representative must determine whether:

(1) Each person doing plumbing has their department issued certification card and governmental issued photo identification in their possession on the job site; and

(2) The ratio of certified specialty and/or journeyman plumbers to certified trainees is correct; and

(3) Each certified trainee is directly supervised by either a certified specialty plumber or a certified journeyman; and

(4) Persons who are installing medical gas piping systems have active medical gas piping installer endorsements in addition to their active plumber certification; and

(5) Persons who are certified as backflow assembly maintenance and repair specialties have an active backflow assembly tester certification from the department of health.

296-400A-150

May the department audit the records of a contractor?

Yes, for any reason such as: Dispatching, ratio, supervision, excessive hours, and certification. The department may audit the records of contractors as authorized under RCW [18.106.320](#) when the department has reason to believe that a violation of the plumbing certification laws has occurred.

296-400A-155

Audit of trainee hours.

- (1) The department, under RCW [18.106.320](#), may audit the employment records of the plumbing contractor or employer who verified the plumbing trainee hours.
- (2) Every contractor must keep a record of trainee employment so the department may obtain the necessary information to verify plumbing trainee work experience.
 - (a) The contractor must keep the records of jobs performed for a least five years.
 - (b) Upon request, these records must be made available to the department for inspection within seven business days.
- (3) The contractor must maintain time cards or similar records to verify:
 - (a) The number of hours the trainee worked as a supervised trainee by category.
 - (b) The type of plumbing work the trainee performed (e.g., commercial or residential).
- (4) Any information obtained from the trainee's contractor or employer during the audit under the provisions of RCW [18.106.320](#) is confidential and is not open to public inspection under chapter [42.17](#) RCW.
- (5) The department's audit may include, but will not be limited to, the following:
 - (a) An audit to determine whether the trainee and supervising plumber were employed by the same contractor or employer during the period for which the hours were submitted, the actual number of hours the trainee worked, and the category of plumbing work performed; and
 - (b) An audit covering a specific time period and examination of a contractor's or employer's books and records which may include their reporting of the trainee's payroll hours required for industrial insurance, employment security or prevailing wage purposes.

296-400A-300

What procedures does the department follow when issuing a notice of infraction?

- (1) If an authorized representative of the department determines that an individual has violated plumber certification requirements, including medical gas piping installer endorsement requirements, the department must issue a notice of infraction describing the reasons for the infraction.
- (2) For plumber certification violations, the department may issue a notice of infraction to:
 - (a) An individual who is plumbing without a current plumber certificate; and
 - (b) The employer of the individual who is plumbing without a current plumber certificate; and
 - (c) The employer's authorizing agent or foreman that made the work assignment to the individual who is plumbing without a current plumber certificate; and
 - (d) An individual for not having their department issued certification card and governmental issued photo identification in their possession on the job site.
- (3) For medical gas piping installer endorsement violations, the department may issue a notice of infraction to:
 - (a) An individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and
 - (b) The employer of the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and
 - (c) The employer's authorizing agent or foreman that made the work assignment to the individual who is installing medical gas piping systems without a current plumber certificate and a current medical gas piping installer endorsement; and

- (d) An individual for not having their department issued certification card and governmental issued photo identification in their possession on the job site.
- (4) The department may issue an infraction to a contractor advertising or performing work under this chapter or chapter [18.27](#) RCW who is not properly registered under chapter [18.27](#) RCW.
- (5) An individual may appeal a notice of infraction by complying with the appropriate provisions of RCW [18.106.220](#).
- (6) If good cause is shown, an administrative law judge may waive, reduce or suspend any monetary penalties resulting from the infraction.
- (7) Any monetary penalties collected under this chapter, must be deposited in the plumbing certificate fund.

296-400A-400

What are the monetary penalties for violating certification requirements?

(1) A person cited for an infraction under chapter [18.106](#) RCW or this chapter shall be assessed a monetary penalty based upon the following schedule:

(a) Individual:

- First Infraction \$250.00
- Second Infraction \$500.00
- Third Infraction \$750.00
- Fourth and each additional infraction: Not more than \$1,000.00

(b) Contractor or dispatcher

- First Infraction \$250.00
- Second Infraction \$500.00
- Third and each additional infraction: Not more than \$1,000.00

- (2) Each day a person is in violation is considered a separate infraction.
- (3) Each job site at which a person is in violation is considered a separate infraction.

296-400A-425

What if I owe outstanding penalties related to a department issued plumber infraction?

The department may deny your application or renewal of your certificate or endorsement if you owe outstanding penalties. The department must notify you of their denial by registered mail, return receipt requested. This notice of denial will be mailed to the address on your application.

Upon receipt of the notice, you have twenty days to file a notice of appeal with the department. Your notice of appeal must be accompanied by a certified check for two hundred dollars. This amount will be returned to you if the department's decision is not upheld by the hearings officer. If the hearings officer upholds the department's decision, the two hundred dollars will be applied to the cost of the hearing.

The office of administrative hearings shall conduct the hearing under chapter [34.05](#) RCW.

296-400A-430

If I am a certified backflow assembly maintenance and repair, journeyman, or specialty plumber do I need to be a registered contractor under chapter [18.27](#) RCW?

Anyone who advertises, offers to do work, submits a bid, or performs any work under chapter [18.106](#) RCW and these rules must be a registered contractor as required under chapter [18.27](#) RCW, or an employee of such a registered contractor, with wages as their sole compensation.