

Chapter H 61

APPRENTICESHIP AND LICENSING OF PLUMBERS

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History: Chapter H 61 as it existed on October 31, 1970, was repealed and a new chapter H 61 was created effective November 1, 1970.

H 61.01 Apprenticeship. (1) **REGISTRATION.** Every plumbing apprentice shall register with the department immediately. Registration forms will be furnished by the department which shall require the applicant to indicate his name, age, preliminary schooling, beginning date of indenture, name and address of employer and such other information as the department may require. Persons beginning an accredited plumbing trade school course may also register.

(2) **QUALIFICATIONS FOR REGISTRATION.** All applicants for registration as apprentices must have reached the age of 16 years and have completed the 12th grade in school or its equivalent. Applicants who have not completed the 12th grade or its equivalent shall be required to attend part-time school 4 hours per week during the entire period of their apprenticeship. In each case where the applicant seeks to establish the equivalency of completion of the 12th grade the matter shall be referred to the department.

(3) **RESPONSIBILITY OF EMPLOYER.** (a) Registration as an apprentice shall not be accepted unless the particular shop in which the apprentice is to work and the employing master plumber are equipped and qualified to have an apprentice and that the requirements as to both shop and school training will be complied with. Master plumbers employing registered apprentices shall report to the department any changes made in relation to the continued employment of such apprentices. Such changes shall be subject to the joint approval of the state departments having jurisdiction.

(b) Employing master plumbers shall be owners or co-owners with a monetary interest in a firm or corporation engaged in the installation of plumbing. Master plumbers in the employ of state agencies are to be considered employing master plumbers for the purpose of this section. Master plumbers shall be licensed by this state.

(4) **SUSPENSION OF REGISTRATION.** (a) Whenever an apprenticeship ceases to exist or whenever a registration has been accepted under such conditions as would not have warranted an acceptance if the facts had been presented, or when there has been willful noncompliance with the shop and school training requirements, the department shall suspend

such registration until the conditions shall have been remedied or cancel such registration if necessary.

(b) A registration which has lapsed either through suspension or cancellation may be renewed in the same manner as new registrations and the department may grant such credit toward completion of the 5-year apprenticeship as it may deem proper in each case.

History: Cr. Register, October, 1970, No. 178, eff. 11-1-70.

H 61.02 Practical training. (1) INSTRUCTION AND EXPERIENCE. The apprentice shall receive instruction and experience in all branches of plumbing.

(2) **FIRST 3 YEARS.** During the first 3 years the apprentice shall be given opportunity to install plumbing material as his skill will permit under the immediate supervision of a journeyman or master plumber licensed in Wisconsin.

(3) **FOURTH AND FIFTH YEARS.** During the 4th and 5th years any apprentice who is meeting the related instruction requirement may under general supervision of a licensed master plumber make plumbing installations as his acquired skill will permit. A graduate of a plumbing course of an accredited trade school having at least a 2-year course in plumbing may, upon registration as an apprentice perform the same class of work as a 4th and 5th year apprentice.

(4) **SCHOOL CREDITS.** Apprentice applicants who have attended the plumbing course in a recognized trade school in Wisconsin but who are not graduates of such school will be given credit for the work done in the trade school as a part of the required 5 years of experience. Any attendance of less than 3 months shall not receive recognition.

History: Cr. Register, October, 1970, No. 178, eff. 11-1-70.

H 61.03 Related instruction. (1) TRADE SCHOOL ATTENDANCE. An apprentice who is not a graduate of an accredited trade school shall complete an approved day school course in plumbing of not less than 400 hours. In addition, an apprentice including graduates of a trade school shall complete an approved trade extension course of not less than 120 hours in night school.

(2) **FAILURE TO COMPLETE CONTRACT.** An indentured apprentice who fails to complete his contract or who has not transferred with approval to another shop shall not be entitled to continue his vocational school plumbing course.

History: Cr. Register, October, 1970, No. 178, eff. 11-1-70.

H 61.04 Engineering training. Graduates of a college engineering course related to plumbing and those completing not less than one year of such a course who have had in addition plumbing installation experience shall receive such credit up to one year for each year of college as may be determined by the department. Each such applicant shall be considered as a separate case.

History: Cr. Register, October, 1970, No. 178, eff. 11-1-70.

(30) **RESPONSE.** Upon receipt of notification of hearing from the department, the charged party may submit to the department a written response within 30 days of the date of service. Failure to respond within the prescribed time limit, or failure to appear at the scheduled hearing, may result in the allegations specified in the complaint being taken as true.

(31) **HEARINGS.** (a) *Subpoenas; witness fees.* Subpoenas may be signed and issued by the department or the clerk of any court of record. Witness fees and mileage of witnesses subpoenaed on behalf of the department will be paid at the rate prescribed for witnesses in circuit court.

(b) *Conduct of hearing.* All hearings will be conducted by persons selected by the department. Persons so designated may administer oaths or affirmations and may grant continuances and adjournments for cause shown. The respondent shall appear in person and may be represented by an attorney-at-law. Witnesses may be examined by persons designated by the department.

(32) **FINDINGS.** The department may make findings and enter its order on the basis of the facts revealed by its investigation. Any findings as a result of petition or hearing shall be in writing and shall be binding unless appealed to the secretary.

(33) **APPEAL ARGUMENTS.** Appeal arguments shall be submitted to the department in writing unless otherwise ordered.

(34) **PETITION FOR RULES OR DECLARATORY RULINGS.** Petitions for the adoption, repeal or amendment of rules and for declaratory rulings shall be in accordance with ch. 227, Stats.

(35) **CERTIFICATION FEES.** All applicants for certification as a certified inspector or independent inspection agency shall submit, with the application form, fees in accordance with the following:

(a) *Certified inspectors.* Persons applying for initial certification or recertification as a certified plumbing inspector shall submit fees in accordance with the following schedule:

Plumbing..... \$25.00

Inspectors shall renew their certification annually. Expiration date of certification shall be June 30 of each calendar year.

1. **Examinations for certification.** Upon determination of eligibility for the examination for certification, fees shall be collected in accordance with the following schedule:

a. Initial examination \$5.00

b. Examination retakes \$5.00

2. **Educational and training seminars.** Fees will be assessed on a per seminar basis for educational and training programs sponsored by the department of health and social services.

(b) *Independent inspection agencies.* Fees for the initial certification of independent inspection agencies shall be \$25.00. For recertification,

\$25.00 annually. Expiration date of certification shall be June 30 of each calendar year.

History: Cr. Register, April, 1980, No. 292, eff. 5-1-80.

H 61.16 Licensing of automatic fire sprinkler fitters and contractors. (1) **APPRENTICESHIP.** (a) *General.* The department may determine and prescribe the conditions under which any person may serve an automatic fire sprinkler system apprenticeship. Credit will be granted for educational and training programs approved by the department. Every person, regardless of age, commencing an automatic fire sprinkler system apprenticeship after July 1, 1973, shall be indentured under ch. 106, Stats. The term of an automatic fire sprinkler system apprentice shall be 5 years, but the department may upon application of the apprentice or his or her employer or both, extend such term, but such extension shall not exceed one year. After expiration of an apprenticeship term no apprentice shall engage in the business of automatic fire sprinkler system work either as an apprentice or as a journeyman automatic fire sprinkler fitter unless after the expiration of the apprenticeship term the apprentice secures a journeyman automatic fire sprinkler fitter's license. In case of failure to pass the examination for such license, the apprentice may continue to serve as an apprentice but not beyond the time for reexamination for a journeyman automatic fire sprinkler fitter's license, as prescribed by the rules of the department.

(b) *Registration.* Every automatic fire sprinkler system apprentice shall register with the department. Registration forms will be furnished by the department. The applicant shall indicate his or her name, age, preliminary schooling, beginning date of indenture, name and address of employer and such other information as the department may require.

(c) *Qualifications.* All applicants for registration as apprentices must have reached the age of 16 years and have completed the 12th grade in school or its equivalent. Applicants who have not completed the 12th grade or its equivalent shall attend part-time school at least 4 hours per week during the entire period of their apprenticeship or until such time the apprentice graduates from 12th grade.

(d) *Practical training.* 1. The apprentice shall receive instruction and experience in all branches of automatic fire sprinkler system installations.

2. During the first 2½ years, the apprentice shall be given the opportunity to install such automatic fire sprinkler system material as the apprentice's skill will permit. The apprentice shall be under the immediate supervision of a journeyman automatic fire sprinkler fitter licensed in Wisconsin.

3. During the second half of the third year and the fourth and fifth years any apprentice may, under general supervision of a licensed journeyman automatic fire sprinkler fitter, make such automatic fire sprinkler system installations as the apprentice's skill will permit.

(e) *School credits.* Apprentice applicants who have attended accredited trade school courses in automatic fire sprinkler systems may receive up to 6 months credit for each school year completed. Any attendance of less than one year shall not receive recognition.

(f) *Responsibility of employer.* The contractor for whom the apprentice is to work shall be equipped and qualified to train apprentices. Shop and school training requirements established in s. 106.01 (5) (d), Stats., shall be met. Any changes made in relation to the continued employment and training of apprentices shall be reported to the department.

(g) *Suspension.* If an apprenticeship ceases to exist; if registration was accepted with incomplete or inaccurate information; or if willful noncompliance with the shop and school training requirements exists, the department shall suspend such registration until the deficiencies are remedied. The department may cancel registration if necessary. A registration which has lapsed either through suspension or cancellation may be renewed in the same manner as new registrations. The department may grant such credit toward completion of the 5-year apprenticeship as it may deem proper.

(2) **JOURNEYMAN AUTOMATIC FIRE SPRINKLER FITTER LICENSE.** (a) *Application.* Application for licensure shall be made on forms provided by the department.

(b) *Proof of experience.* Proof of experience, skill, and related instruction shall be provided by all applicants for licenses as part of the application. Proof shall consist of a completed accredited apprenticeship program in automatic fire sprinkler systems installation or a list of 5 installations installed in a one-year period prior to March 1, 1967, with the following items included for each specific installation listed:

1. Installation hours per job and number of sprinkler heads installed in each system. Sprinkler heads taken off domestic water supply shall not qualify.
2. A minimum of 1,000 hours per year engaged in automatic fire sprinkler systems installation.
3. Other information the department may require.

(3) **AUTOMATIC FIRE SPRINKLER CONSTRUCTOR LICENSE.** (a) *Application.* Application for licensure shall be made on forms provided by the department.

(b) *Proof of experience.* Proof of experience, skill and background shall be provided by all applicants for an automatic fire sprinkler constructor license. Proof shall consist of a letter of past business contact from a general contractor, a customer, an architect or engineer and the approving agency (insurance company) and a list of 5 installations of automatic fire sprinkler systems installed in a one-year period prior to March 1, 1967, with the following items included for each specific installation listed:

1. Installation hours per job and number of sprinkler heads installed in each system. Sprinkler heads taken off domestic water supply shall not qualify.
2. Approval agency for each installation listed.
3. Other information the department may require.

(c) *Responsibility.* The individual making application or writing the examination for the automatic fire sprinkler constructor license shall be

a principal or officer of the firm who shall be knowledgeable and responsible for the design, installation and certification of all automatic fire sprinkler systems or portions of systems installed by the licensed contractor.

(d) *Termination.* The individual which has qualified the contractor for licensure shall remain as a principal or officer of the firm. Upon separation for any reason from the contractor's employ, the firm shall be required to have the replacement show evidence of qualifications by application to the department. The change shall be registered with the department within 90 days. Where deemed necessary, the department may require a written or oral examination to evaluate the qualification of the applicant. An individual may qualify only one automatic fire sprinkler contractor at any one time.

(e) *Registration.* The automatic fire sprinkler contractor shall register with the department, the principal or officer who qualifies the contractor for licensure on forms provided by the department.

(4) **EXAMINATIONS.** (a) *General.* At least 2 automatic fire sprinkler system examinations for the licensing of journeyman and contractors will be conducted annually at such time and place as the department may direct. An apprentice is eligible to make application for examination 90 days prior to the expiration and completion date of the indentured apprenticeship. License shall be issued upon receipt of a passing grade in the examination and expiration of the apprenticeship tenure. Application forms for examination for licensure and renewal of licenses may be obtained from the department.

(b) *Date of filing application.* All applications for examination shall be on file in the office of the bureau of plumbing, plating and fire protection systems at least 4 weeks prior to the date of examination. Failure to have the application on file within the required time shall necessitate postponement of the applicant's appearance to the next examination. All applications shall expire after a period of one year from the date of filing.

(c) *Fees.* 1. The fees for automatic fire sprinkler contractor licensure are:

a. Automatic fire sprinkler contractors examination, \$100. Each subsequent examination, \$100.

b. Automatic fire sprinkler contractor license, \$500 and \$500 for each renewal of license if application is made prior to January 1 annually; after that date an additional fee of \$25.

c. A temporary permit pending examination will be issued upon receipt of application and a fee of \$350 which covers the examination fee and the temporary permit fee. When the contractor successfully passes the examination an additional fee of \$250 shall be paid prior to issuance of license for the remainder of the calendar year.

2. The fees for journeyman automatic fire sprinkler fitter licensure are:

a. Journeyman automatic fire sprinkler fitter examination, \$20. Each subsequent examination, \$20.

b. Journeyman automatic fire sprinkler fitter license, \$30 and \$30 for each renewal of license if application is made prior to January 1 annually; after that date an additional fee of \$10.

c. Temporary permits pending examination and issuance of license for a journeyman automatic fire sprinkler fitter, \$50. The fee shall cover the examination fee prescribed and the license fee for the calendar year issued.

3. To establish a record of beginning, an automatic fire sprinkler system apprentice shall within 30 days after beginning the apprenticeship register with the department. A fee of \$15 shall be paid at the time of registration and for each subsequent calendar year during which the apprenticeship is active.

(d) *Expiration.* No license shall be issued for longer than one year and all licenses and registrations shall expire on December 31 of each year. They may be renewed upon application made prior to date of expiration. The department may renew licenses upon application made after January 1 if it is satisfied that the applicant has good cause for not making application within the month of December and upon payment of the renewal and additional fees prescribed.

(e) *Notice of examination.* Notice of the time and place of examination shall be sent by first class mail to those who have approved applications on file. Such notice shall be mailed to the address given on the application blank and shall be presented by the applicant to gain admittance to the examination room. Failure to receive the notice due to change in address shall not be the responsibility of the department.

(f) *Character of examinations.* 1. The examinations shall be conducted by the committee of examiners. They shall consist of written tests and may be practical or oral in part. The examination will cover the theory and practice of automatic fire sprinkler systems; the interpretation of charts and blueprints and plans of automatic fire sprinkler system installations; and such other tests as the committee may deem necessary.

2. Applicants shall participate in all portions of the examination and shall acquire a grade of 75 percent. Applicants who fail to acquire a passing grade will be required to rewrite the complete examination.

(g) *Materials used in examination.* Applicants shall furnish the necessary tools and materials for the examination as requested by the examiners.

(h) *Reexamination.* Applicants failing an initial examination may be reexamined within 3 months. Applicants shall not be eligible for a second reexamination until the expiration of 6 months after the first reexamination, and not for the third and subsequent reexaminations until the expiration of one year after the last reexamination.

(5) **TEMPORARY PERMITS.** Temporary permits shall become void upon the date of the first examination following issuance of permit and shall be surrendered to the department. Not more than 2 permits shall be issued to an individual or contractor in any 12-month period or more than 3 permits shall be issued in a 5-year period. Applicants for temporary permits shall comply with all other applicable rules and statutes.

(6) LICENSE RENEWAL. (a) *Annual notice for renewal of licenses.* Notice for the renewal of licenses shall be sent to all journeyman automatic fire sprinkler fitters and automatic fire sprinkler system contractors whose licenses were in force during the previous year. They shall be sent to the address given on the latest license renewal blank on file unless notice of another address is given. Failure to receive the notice for renewal of license shall not be an excuse for failure to renew.

(b) *Delinquent or elapsed licenses.* If a journeyman automatic fire sprinkler fitter or contractor fails to renew license for a period of 2 years, the department shall require evidence to show that he is competent to perform the work of either a contractor or journeyman fire sprinkler fitter before such license is renewed.

(7) ALLOWABLE MAINTENANCE. Weekly or monthly test of sprinkler alarm equipment, fire pumps, valves, or appurtenances and refilling of storage and pressure tanks, or replacement of automatic fire sprinkler heads under emergency conditions shall not require licensure under ch. 145, Stats.

History: Cr. Register, December, 1980, No. 300, eff. 1-1-81.