

Chapter ILHR 81

APPRENTICESHIPS, LICENSURES, REGISTRATIONS AND CERTIFICATIONS

Subchapter I — Apprenticeships, Licensures and Registrations	ILHR 81.302	Scope (p. 23)
ILHR 81.001 Purpose (p. 1)	ILHR 81.304	Certification processing times (p. 23)
ILHR 81.002 Scope (p. 1)	ILHR 81.31	Definitions (p. 23)
ILHR 81.004 Permit processing times (p. 2)	ILHR 81.32	Administration and enforcement (p. 25)
ILHR 81.01 Definitions (p. 2)	ILHR 81.33	Authority (p. 25)
ILHR 81.02 Plumbing apprenticeship (p. 3)	ILHR 81.34	Inspector certification (p. 26)
ILHR 81.03 Registered learners (p. 6)	ILHR 81.35	Independent inspection agency certification — in-plant inspections (p. 28)
ILHR 81.04 Qualifications for licensure examinations (p. 8)	ILHR 81.36	Independent inspection agency certification — on-site inspections (p. 30)
ILHR 81.05 Plumbing licensure examinations (p. 8)	ILHR 81.37	Suspension or revocation of certification (p. 31)
ILHR 81.06 Temporary permits (p. 10)	ILHR 81.38	Certification fees (p. 33)
ILHR 81.07 Exchange of licenses without examination (p. 10)	ILHR 81.39	Petition for rules or declaratory rulings (p. 33)
ILHR 81.08 Plumber licensure-retiree (p. 11)	ILHR 81.40	Private sewage system inspections (p. 33)
ILHR 81.09 Utility contractor license and registration of pipe layers (p. 11)	Subchapter III — Certification of Soil Testers	
ILHR 81.10 Licensing of automatic fire sprinkler fitters and contractors (p. 12)	ILHR 81.601	Scope (p. 33)
ILHR 81.11 Registration for the maintenance of automatic fire sprinklers (p. 15)	ILHR 81.603	Certification processing times (p. 31)
ILHR 81.12 Expiration of licenses and registrations (p. 17)	ILHR 81.61	Definitions (p. 31)
ILHR 81.13 License and registration renewal (p. 18)	ILHR 81.62	Reports (p. 31)
ILHR 81.14 Suspension and revocation of licenses (p. 19)	ILHR 81.63	Examining committee (p. 31)
ILHR 81.15 Suspension and cancellation of registrations (p. 20)	ILHR 81.64	Application and examination (p. 35)
ILHR 81.16 Examination, licensure and registration fees (p. 20-1)	ILHR 81.65	Issuance of certificate (p. 36)
ILHR 81.66	ILHR 81.66	Renewal of certificate; delinquency and reinstatement (p. 36)
ILHR 81.67	ILHR 81.67	Revocation or suspension of certificate (p. 36)
Subchapter II — Certification of Plumbing Inspectors		
ILHR 81.304 Purpose (p. 23)		

Note: Chapters H 61 and 61 as they existed on April 30, 1983 were repealed and a new chapter ILHR 81 was created effective May 1, 1983.

Subchapter I — Apprenticeships, Licensures and Registrations

**ILHR 81.001 Purpose.** The purpose of this subchapter is to protect the health of the public by establishing minimum standards as to the qualification, activities and responsibilities of persons engaging or offering to engage in plumbing work or the installation of automatic fire sprinkler systems.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

**ILHR 81.002 Scope.** The provisions of this subchapter apply to any person engaging or offering to engage in the construction, installation or maintenance of plumbing or automatic fire sprinkler systems.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

Register, May, 1988, No. 389

**ILHR 81.004 Permit processing times.** Licenses, permits and registrations issued under this subchapter shall be granted or denied by the department within 30 business days after passage of examination or receipt of the applicable application and fees.

History: Cr. Register, February, 1985, No. 350, eff. 3-1-85.

**ILHR 81.01 Definitions.** For the purpose of this subchapter, the following terms are defined:

- (1) "Approved" means acceptable to the department.
  - (2) "Automatic fire sprinkler contractor" means an individual, firm or corporation as defined in s. 145.01 (9), Stats.
  - (3) "Automatic fire sprinkler fitter" means a person as defined in s. 145.01 (10), Stats.
  - (4) "Automatic fire sprinkler system" means an installation as defined in s. 145.01 (8), Stats.
  - (5) "Automatic fire sprinkler system apprentice" means a person as defined in s. 145.01 (11), Stats.
  - (6) "Business establishment" means any industrial or commercial organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.
  - (7) "Department" means the bureau of plumbing within the department of industry, labor and human relations.
  - (8) "Gross negligence" means a high degree of failure to exercise ordinary care of judgement and failure by omission or commission to discharge the duty required to protect the public health, safety and welfare.
  - (9) "Incompetence" means conduct which evidences a lack of competence or ability to discharge the duty required to protect the health, safety and welfare of the public, lack of knowledge of the fundamental principles of plumbing or an inability to apply those principles, or failure to maintain competency in the current practices and methods applicable to plumbing and the state uniform plumbing code.
  - (10) "Journeyman plumber" means a person as defined in s. 145.01 (3), Stats.
  - (11) "Master plumber" means a person as defined in s. 145.01 (2), Stats.
  - (11m) "Master plumber in charge" means a master plumber who assumes the responsibility for the installation of plumbing and training of apprentices and registered learners in accordance with ch. 145, Stats., and chs. ILHR 81 to 86.
  - (12) "Misconduct" means an act performed in the discharge of enforcement duties which jeopardizes the interests of the public, including violation of federal or state laws, local ordinances or administrative rules relating to the position; preparation of deficient or falsified reports; failure to submit information or reports required by law or contract when requested by the municipality or the department; conduct which evidences a lack of trustworthiness; misrepresentation of qualifications such
- Register, May, 1988, No. 389

as education, experience or certification; illegal entry of premises; misuse of funds; or misrepresentation of authority.

(13) "Pipe layer" means a person as defined in s. 145.01 (13), Stats.

(14) "Plumbing" means an installation as defined in s. 145.01 (1), Stats.

(15) "Plumbing apprentice" means a person as defined in s. 145.01 (4), Stats.

(16) "Registered learner" means a person as defined in s. 145.01 (7), Stats.

(17) "Restricted plumber licensee" means a person as defined in s. 145.01 (6), Stats.

(17m) "Secretary" means the secretary of the department of industry, labor and human relations.

(18) "Utility contractor" means a person as defined in s. 145.01 (12), Stats.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; cr. (11m) and (17m), Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.02 Plumbing apprenticeship. (1) QUALIFICATIONS FOR REGISTRATION.** All applicants for registration as plumbing apprentices shall have reached the age of 16 years and shall have completed the 12th grade in school or its equivalent.

(2) **REGISTRATION.** Every plumbing apprentice shall register with the department immediately. Registration forms shall be furnished by the department which shall require the applicants to indicate their 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 approved by the department may also register.

(3) **RESPONSIBILITY OF EMPLOYER.** (a) Registration as a plumbing apprentice may not be accepted unless the particular organization in which the apprentice is to work is equipped to have an apprentice. The master plumber in charge shall see that the requirements as to both practical and school training are complied with in accordance with subs. (5) and (6). The master plumber in charge shall report to the department any changes made in relation to the continued employment of an apprentice. All changes in relation to the continued employment of plumbing apprentices shall be subject to the joint approval of the divisions of the department of industry, labor and human relations having jurisdiction.

(b) Master plumbers employing plumbing apprentices 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 shall 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 a plumbing apprenticeship ceases to exist or whenever a registration is accepted under such conditions as would not warrant an acceptance if the facts are presented, or when there is willful noncompliance with the shop and school training

requirements, the department shall suspend such registration until the conditions are remedied or shall 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 4-year apprenticeship as it may deem proper in each case.

(5) PLUMBING INSTRUCTION. A plumbing apprentice's education shall include both day school and night school instruction.

(a) *Day school instruction.* Unless a graduate of an accredited plumbing trade school approved by the department, a plumbing apprentice shall complete a minimum of 400 hours of day school in plumbing related instruction.

1. All day school courses shall be approved by the department and the state joint apprenticeship committee.

2. The 400 hours of day school shall include instruction in:

- a. The state uniform plumbing code;
- b. Related plumbing science; and
- c. Plumbing trade mathematics.

3. The 400 hours of day school instruction shall include at least 36 hours per year in each of the following:

- a. Related plumbing science; and
- b. Plumbing trade mathematics.

4. All day school courses shall include a final written competency examination.

a. Competency examinations shall be approved by the department and the state joint apprenticeship committee.

b. In order to receive the hourly credit for a day school course, a plumbing apprentice shall successfully pass the course's final competency examination.

c. In order to pass a competency examination, a grade of 75% or greater shall be obtained.

d. Failure to pass a competency examination shall necessitate the plumbing apprentice to repeat the day school course in order to receive credit for the course.

e. The results of the competency examinations shall be immediately forwarded to the apprenticeship and training division of the department of industry, labor and human relations.

Note: The mailing address for the apprenticeship and training division is:

APPRENTICESHIP AND TRAINING DIVISION  
Department of Industry, Labor and Human Relations  
P.O. Box 7946  
Madison, WI 53707

(b) *Night school instruction.* A plumbing apprentice shall complete a minimum of 180 hours of night school instruction.

1. All night school courses shall be approved by the department and the state joint apprenticeship committee.
2. Every night school course shall include a final examination.
  - a. Final examinations shall be approved by the department.
  - b. Completion of each night school course shall be contingent upon the successful passage of the final examination.
  - c. The minimum passing grade for a final examination shall be established by the state joint apprenticeship committee.
  - d. Failure to pass a final examination shall necessitate the plumbing apprentice to repeat the night school instruction in order to receive credit for the course.
  - e. The results of the final examinations shall be immediately forwarded to the apprenticeship and training division of the department of industry, labor and human relations.

Note: The mailing address for the apprenticeship and training division is:

APPRENTICESHIP AND TRAINING DIVISION  
Department of Industry, Labor and Human Relations  
P.O. Box 7946  
Madison, Wisconsin 53707

3. The 180 hours of night school shall include instruction in:
  - a. Welding;
  - b. First aid;
  - c. Transit;
  - d. Domestic water heating;
  - e. Related plumbing science;
  - f. Blueprint reading;
  - g. Basic properties of water including water conditioning;
  - h. State uniform plumbing code; or
  - i. Miscellaneous subjects whose courses have been requested by the local joint apprenticeship committee and approved by the department and the state joint apprenticeship committee.
4. Every plumbing apprentice shall complete night school courses in welding, first aid and transit.
5. Credit toward the required minimum 180 hours of night school instruction shall not include more than:
  - a. Sixty hours of courses in welding;
  - b. Fifteen hours of courses in first aid; and
  - c. Twenty hours of courses in transit.

(6) PRACTICAL TRAINING. A plumbing apprentice shall receive practical training in all phases of plumbing.

## ILHR 81

(a) *First 3 years.* During the first 3 years of apprenticeship plumbing apprentices shall be given the opportunity to install plumbing material as their skill may permit under the immediate supervision of a journeyman or master plumber licensed in Wisconsin.

(b) *Fourth year.* During the fourth year of apprenticeship plumbing apprentices may make plumbing installations as their acquired skill will permit under general supervision of a master plumber licensed in Wisconsin.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. (3) (a), Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.03 Registered learners. (1) QUALIFICATION FOR REGISTRATION.** All applicants for registration as registered learners shall have reached the age of 16 years and shall have completed the 12th grade in school or its equivalent.

(2) **REGISTRATION.** Pursuant to s. 145.07 (7) (a), Stats., every plumbing learner shall register with the department. Registration forms shall be furnished by the department which shall require the applicants to indicate their name, age, schooling, beginning date of employment, name and address of employer, work classification and such other information as the department may require.

Note: See s. 145.14 (2), Stats., for type of work classifications and the work permitted under each.

(3) **RESPONSIBILITY OF EMPLOYER.** (a) Registration as a registered learner may not be accepted unless the particular organization in which the learner is to work is equipped to have a learner in the specific restricted classification for which learner is requesting registration and the master plumber in charge is qualified to train the learner in the specific restricted classification. The master plumber in charge shall see that the requirements as to both practical and school training are complied with in accordance with subs. (5) and (6). The master plumber in charge shall report to the department any changes made in the relation to the continued employment of a learner. All changes in relation to the continued employment of registered learners shall be subject to the approval of the department.

(b) For each registered learner there shall be at least one journeyman plumber or journeyman plumber-restricted. For this purpose, a master plumber or master plumber-restricted may act as a journeyman plumber or a journeyman plumber-restricted, respectively.

(4) **SUSPENSION OR CANCELLATION OF REGISTRATION.** (a) Whenever the employment of a registered learner is terminated or whenever a registration is accepted under such conditions as would not warrant an acceptance if the facts are presented, or when there is willful noncompliance with the shop and school training requirements, the department shall suspend such registration until the conditions are remedied or shall cancel such registration, if necessary.

(b) A registration which has lapsed either through suspension or cancellation may be renewed in the same manner as a new registration and the department may grant such credit toward completion of the 1-year learner program as it may deem proper in each case.

Register, May, 1988, No. 389

(c) A person's registration as a registered learner shall be cancelled if the registrant has not completed the plumbing instruction requirements of sub. (5) and has not applied and taken the initial examination for a journeyman plumber-restricted license within 18 months from the date of learner registration.

(d) A person whose learner registration is cancelled shall consult with the department and obtain department approval before re-registering. The department may permanently cancel a learner's registration.

(5) PLUMBING INSTRUCTION. Unless a graduate of an accredited plumbing trade school approved by the department, a registered learner shall complete a minimum of 100 units of educational credit in plumbing related instruction.

(a) All educational courses and their corresponding units of credit shall be approved by the department.

1. All approved courses shall be set up in a competency based instruction format.

2. Courses may be taken through a correspondence format with the approval of the department.

3. All approved courses shall include a final examination.

4. Completion of an approved course shall be contingent upon the successful passage of the final examination.

5. In order to pass a final examination, a grade of 75% or greater shall be obtained.

6. Failure to pass a final examination shall necessitate the registered learner to repeat the course.

a. Failure of a final examination shall result in the probation of a learner's registration for a period of not more than one year.

b. A second failure in the final examination of the same course shall result in the cancellation of a learner's registration.

7. The results of the final examinations shall be immediately forwarded to the department.

(b) A registered learner in a sewer service classification shall obtain a minimum of 100 units of educational credit in the courses specified in Table 81.03-1.

TABLE 81.03-1  
REGISTERED LEARNER-SEWER SERVICE

Subject Areas	Minimum Educational Credits in Units
State Uniform Plumbing Code	40
Blueprint Reading	20
Transit or Builder's Level	10
Construction Related Mathematics	20
First Aid and Safety	10
Other Approved Substitute Subjects	(As permitted by the department)

(c) A registered learner in an appliances, equipment and devices classification shall obtain a minimum of 100 units of educational credit in the courses specified in Table 81.03-2.

TABLE 81.03-2

REGISTERED LEARNER-APPLIANCE, EQUIPMENT  
AND DEVICES

Subject Areas	Minimum Educational Credits in Units
State Uniform Plumbing Code	40
Blueprint Reading	20
Plumbing Related Mathematics	10
Appliance & Equipment Servicing	30
Other Approved Substitute Subjects	(As permitted by the department)

(6) PRACTICAL TRAINING. The learner shall receive instruction and experience in all branches of the type of plumbing as restricted under registration. The learner shall be given the opportunity to install plumbing materials as the learner's skill will permit under the specific registration. All work shall be performed under the immediate supervision of a journeyman or master plumber or journeyman plumber or master plumber-restricted, licensed in Wisconsin.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. (3), Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.04 Qualifications for licensure examinations.** (1) GENERAL. Applicants for examination for licensure as a master plumber, master plumber-restricted, journeyman plumber, or journeyman plumber-restricted shall comply with the qualification requirements specified in s. 145.07, Stats.

(2) MASTER PLUMBER APPLICANTS. A person who has acquired a journeyman plumber license from the department and who has obtained, in less than 3 years from the acquisition date of the journeyman plumber license, a master plumber license from another state or a municipality outside the state shall acquire at least 1,000 hours of experience per year for 3 or more consecutive years as a licensed plumber to be eligible for licensure examination as a Wisconsin master plumber.

(3) ENGINEERING GRADUATES. Engineering graduates of an approved engineering school or college who are applying for examination for licensure as a master plumber shall have received a degree in civil engineering, mechanical engineering, agricultural engineering or other approved engineering curriculum related to plumbing. Such applicants shall submit their college transcripts to the department along with their licensure applications. Department acceptance of such applications shall be contingent upon the approval of the applicant's college transcripts.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

**ILHR 81.05 Plumbing licensure examinations.** (1) GENERAL. Not less than 4 examinations for the licensing of journeyman and master plumbers and journeyman plumber and master plumbers-restricted shall be conducted annually at such time and place as the department may direct. Application forms for examination for licensure may be obtained from the department.

Register, May, 1988, No. 389



(2) APPLICATIONS. (a) All applications for licensure examination shall be received by the department at least 4 weeks prior to the date of the examination. Failure to have the application on file with the department within the required time shall necessitate postponement of the applicant's appearance to the next examination.

(b) All applications shall expire after a period of one year from the date of filing.

(c) All applicants for licensure examinations shall submit the appropriate proof of experience, skill and proof of completion of the required educational instruction as required by either s. ILHR 81.02 (5) or 81.03 (5) including, but not limited to, grades for competency examinations and course examinations.

Note: See s. ILHR 81.04 and ss. 145.07 and 145.09, Stats., for the types of experience, skill and instruction required.

(3) FEES. Fees for the examinations are regulated by s. 145.08, Stats. Fees for licensure examination shall be nonrefundable.

(4) NOTICE OF EXAMINATION TO APPLICANTS. 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 form 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.

(5) NONATTENDANCE AT EXAMINATION. Failure to appear at a scheduled licensure examination without giving prior notice to the department shall necessitate the submittal of a reexamination fee in order to maintain a valid examination application.

(6) CHARACTER OF EXAMINATIONS. (a) The examination shall be conducted by the plumbers' council. The examination shall consist of written and practical tests. No oral examinations shall be given. The examination shall cover the theory and practice of plumbing, the interpretation of charts, blueprints and plans of plumbing installations, and such other tests as the committee may deem necessary.

(b) Examinations shall consist of the following:

1. Written work based on the state uniform plumbing code;
2. Chart work based on the state uniform plumbing code; and
3. Practical plumbing work.

(c) Applicants shall participate in all portions of examination and shall acquire a passing grade in each portion to become eligible for licensure. A grade of 75% or greater in each portion shall be considered a passing grade.

(d) The department may conduct oral reviews with applicants after completion of the examination.

(7) MATERIALS USED IN EXAMINATION. Applicants shall furnish the necessary tools and material for the examination as requested by the examiners.

## ILHR 81

(8) **REEXAMINATION.** (a) Qualified applicants failing a licensure examination may apply for reexamination in accordance with the procedures of sub. (2).

*Note:* Pursuant to ss. 145.03, 145.06, and 145.14, Stats., after the expiration of an apprenticeship term or a learner's registration term, no apprentice or registered learner may engage in or work at plumbing, unless the person secures a journeyman plumber license, a journeyman plumber-restricted license or is re-indentured as an apprentice or is re-registered as a learner.

(b) Applicants failing a licensure examination shall be reexamined only in those portions failed.

(9) **APPLICATION FOR LICENSE.** An applicant who has successfully passed a licensure examination may submit an application for the appropriate license within 60 days from the date the department has mailed the examination results. Failure to apply for a license within this time period shall necessitate reexamination.

*History:* Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. (8) (b), renum. (8) (c) to be (8) (b), Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.06 Temporary permits.** The department may issue a temporary permit upon receipt of a completed application and the appropriate fee for a qualified person to engage in plumbing work as a master plumber, master plumber-restricted, journeyman plumber or journeyman plumber-restricted. Applicants for temporary permits shall comply with all other applicable rules and statutes.

(1) **SPECIAL EXAMINATION.** (a) The department shall require passage of a special examination to determine the qualifications of an applicant before a temporary permit may be issued.

(b) Special examinations for temporary permits shall be conducted in accordance with s. ILHR 81.05 (6).

(2) **EXPIRATION.** Temporary permits shall become void upon the date of the first corresponding licensure examination following issuance of a temporary permit and shall be surrendered to the department.

(3) **LIMITATIONS.** Not more than 2 temporary permits shall be issued to an individual in any 12-month period.

*History:* Cr. Register, April, 1983, No. 328, eff. 5-1-83.

**ILHR 81.07 Exchange of licenses without examination.** All master plumbers or master plumbers-restricted in good standing and currently licensed by the department who work as journeyman plumbers or journeyman plumbers-restricted may, upon application and upon payment of the appropriate initial license fee, be issued either journeyman plumber licenses or journeyman plumber-restricted licenses, respectively, without licensure examination. A currently licensed journeyman plumber or journeyman plumber-restricted who has renewed a master plumber's license within 5 years preceding the date of application for exchange, may be relicensed as either a master plumber or master

sprinkler maintenance registration certificate under sub. (2) (c) leaves the employment of the business establishment, the business establishment:

- (a) Shall surrender to the department its automatic fire sprinkler maintenance registration certificate; and
- (b) May apply for a new automatic fire sprinkler system registration certificate or a temporary permit.

7. FITTER MAINTENANCE REGISTRATION. An employe of a business establishment possessing a valid automatic fire sprinkler maintenance registration certificate shall obtain from the department an automatic fire sprinkler fitter maintenance registration certificate before engaging in any of the repair or maintenance activities specified in sub. (5).

(a) *Limitations of registration certificate.* 1. A person possessing a valid automatic fire sprinkler fitter maintenance registration certificate may perform the repair and maintenance activities specified in sub. (5) for only one business establishment.

2. The automatic fire sprinkler fitter maintenance registration certificate shall indicate the specific business establishment for which a person may perform the repair and maintenance activities specified in sub. (5).

3. Upon the expiration, revocation or nonrenewal of the automatic fire sprinkler maintenance registration certificate of the business establishment, all automatic fire sprinkler fitter maintenance registration certificates issued under that business establishment shall become invalid.

(b) *Application.* A person seeking an automatic fire sprinkler fitter maintenance registration certificate shall submit to the department:

- 1. A completed application on forms furnished by the department; and

Note: Application for fitter registration certificate is to be made on form SBD 6796.

- 2. The registration certificate fee specified in s. ILHR 81.16.

(c) *Termination of employment.* If for any reason an employe possessing a valid automatic fire sprinkler fitter maintenance registration certificate leaves the employment of the business establishment for which the person may perform the repair and maintenance activities specified in sub. (5), the registration certificate shall expire on the day of termination.

(8) REVOCATION OF CERTIFICATES. Pursuant to s. ILHR 81.14, the department may revoke any automatic fire sprinkler maintenance registration certificate of a business establishment or any automatic fire sprinkler fitter maintenance registration certificate.

(9) TESTING AND EMERGENCY REPAIRS. The weekly or monthly testing of sprinkler alarm equipment, fire pumps, valves, or appurtenances; the refilling of storage and pressure tanks; or replacement of automatic fire sprinkler heads under emergency conditions, shall not require registration under this subchapter.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

ILHR 81.12 Expiration of licenses and registrations. Except as provided in ss. ILHR 81.08 (2) and 81.16 (7), no license or registration issued

Register, May, 1988, No. 389

## ILHR 81

under this subchapter shall be valid for longer than one year and all licenses and registrations shall expire on December 31 of each year.

(1) A license or a registration may be renewed upon application and payment of a renewal fee received by the department prior to the date of expiration.

(2) A license or a registration may be renewed upon application and payment of a renewal fee and late fee received by the department within 3 months following the date of expiration.

(3) The department may renew a license or a registration upon application and payment of a renewal fee and a late fee received by the department more than 3 months following the date of expiration, if it is determined that the applicant has good cause for not making an application for renewal within the 3 months following the date of expiration.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; r. and recr. Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.13 License and registration renewal.** (1) **ANNUAL NOTICE FOR RENEWAL OF LICENSES AND REGISTRATIONS.** Notice for the renewal of licenses and registrations issued under this subchapter shall be sent to all licensees and registrants whose licenses or registrations were in force during the previous year.

(a) A renewal notice shall be sent to the address given on the latest license or registration renewal form on file with the department.

(b) A licensee shall be responsible for notifying the department of any change in the licensee's mailing address.

(c) Failure to receive a notice for license or registration renewal shall not be an excuse for failure to renew.

(2) **RENEWAL APPLICATION.** License renewal shall be contingent upon the completion of the appropriate renewal application. The renewal application may include a department survey relative to the use of the applicant's license or registration. Failure to complete the survey shall result in the denial for renewal of a license or registration.

(3) **DELINQUENT OR ELAPSED LICENSES.** (a) *Plumber licenses.* 1. Master plumber and master plumber-restricted licenses shall be renewed within 5 years from the date of issuance. Failure to do so shall require reexamination to again qualify for licensure. Renewal of a delinquent or elapsed master plumber license or master plumber-restricted license that has not been renewed in accordance with s. ILHR 81.12 shall require the applicant to have a valid journeyman plumber license or journeyman plumber-restricted license, respectively. Upon the renewal of the master license, a licensee may exchange their license for the appropriate journeyman license in accordance with s. ILHR 81.07.

2. Journeyman plumber and journeyman plumber-restricted licenses shall be renewed in accordance with s. ILHR 81.12. Failure to do so shall require reexamination to again qualify for licensure.

3. With respect to s. 145.05 (1), Stats., a person, who as a municipal plumbing inspector of a city of the first, second or third class, having a system of waterworks or sewerage, has not renewed their respective plumbing license annually, upon termination as a municipal plumbing

Register, May, 1988, No. 389

inspector may renew their respective plumbing license without payment of a late renewal fee and without licensure re-examination, if a renewal application is submitted within the licensure year when termination occurs. Failure to do so shall require reexamination to again qualify for licensure. Municipal inspectors who do not renew their respective plumbing licenses annually may not engage in the installation of plumbing in accordance with s. 145.06, Stats.

(b) *Utility contractor licenses.* Whenever a person fails to renew a utility contractor license for a period of 3 years, the department shall require evidence to show that the renewal applicant is competent to perform the work of utility contractor before such license is renewed.

(c) *Automatic sprinkler licenses.* Whenever a person fails to renew a sprinkler fitter or contractor license for a period of 2 years, the department shall require evidence to show that the applicant for renewal is competent to perform the work of either a contractor or journeyman fire sprinkler fitter before such a license is renewed.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83; am. (3) (a) 1. and 2., Register, May, 1988, No. 389, eff. 6-1-88.

**ILHR 81.11 Suspension and revocation of licenses.** Pursuant to ss. 145.10 and 145.17, Stats., the department may suspend or revoke the license of any master plumber, journeyman plumber, master plumber-restricted, journeyman plumber-restricted, utility contractor, automatic fire sprinkler contractor, or journeyman automatic fire sprinkler fitter.

(1) **GENERAL.** The department may suspend or revoke a license for any of the following reasons:

- (a) The practice of fraud or deceit in obtaining a license;
- (b) Gross negligence, incompetence or misconduct in the practice or work allowed by the license;
- (c) Failure to correct an installation for which the licensee is responsible within the time prescribed by the department; and

Note: Section 145.10 (1) (b), Stats., indicates that the correction of an installation must take place within 30 days following notification by the department of a violation.

(d) Falsified information on an inspection form under s. 144.24 (10) c., Stats.

(2) **INVESTIGATIONS.** The department may conduct an investigation of any alleged violations of this chapter or chs. ILHR 82 and 83. If it is determined that no further action is warranted, the department shall notify the persons affected. If the department determines that there is probable cause, it shall order a hearing and notify the persons affected.

(3) **SUMMARY SUSPENSION.** In accordance with s. 145.10 (1), Stats., the department may summarily suspend any license after providing not less than 10 days notice to the licensee, if it has reason to believe that the allegations in the complaints are justified. The summary suspension shall remain in effect until after a hearing finding is reached.

(4) **HEARINGS.** Hearings for the suspension or revocation of licenses shall be conducted as contested case hearings in accordance with ch. 227, Stats., and s. 145.10, Stats.

## ILHR 81

(5) **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.

(a) **Suspension.** The period for suspension shall be determined by the hearing examiner or the department. The period for suspension may not exceed one year. A person whose license has been suspended may have the license reinstated by filing a new application for licensure and payment of the appropriate fee specified in s. ILHR 81.16.

(b) **Revocation.** The period for revocation shall be determined by the hearing examiner or the department. The period for revocation shall not exceed one year. A person whose license has been revoked shall be eligible for licensure only after the time set for revocation by department order has passed. A person whose license has been revoked may have the license reinstated only after submitting a completed application for licensure examination, payment of the examination fee, passing of the examination and payment of the license fee specified in s. ILHR 81.16.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

**ILHR 81.15 Suspension and cancellation of registrations.** The department may suspend or cancel the registration of any plumbing apprentice, registered learner, pipe layer, automatic fire sprinkler system apprentice, automatic fire sprinkler maintenance registration certificate or automatic fire sprinkler fitter maintenance registration certificate.

(1) **GENERAL.** The department may suspend or cancel a registration for any of the following reasons:

- (a) The practice of fraud or deceit in obtaining registration;
- (b) Failure to complete the apprenticeship or learner educational requirements of this subchapter;
- (c) Gross negligence, incompetence or misconduct in the practice or work allowed by the registration; and
- (d) Willful noncompliance with the apprenticeship or learner shop requirements needed to obtain registration.

(2) **COMPLAINTS TO APPRENTICESHIP AND TRAINING DIVISION.** The department may file a complaint with the apprenticeship and training division of the department of industry, labor and human relations regarding violations of this chapter or chs. ILHR 82 and 83 and request that action be taken to terminate or reassign the apprenticeship contract or agreement.

(3) **NOTICE OF SUSPENSION OR CANCELLATION.** Upon suspension or cancellation of any registration, the department shall notify the affected persons in writing stating the reasons for suspension or cancellation. The notice shall be made by affidavit of mailing or certified mail sent to the address filed with the application for registration.

(4) **HEARINGS.** Upon receipt of notice of registration, suspension or cancellation, the registrant may submit a written request for a contested case hearing in accordance with ch. 227, Stats. The right to hearing shall be considered waived, if the registrant fails to submit the request within

Register, May, 1988, No. 389

30 days after notice of registration, suspension or cancellation. Hearings shall be conducted by the department.

History: Cr. Register, April, 1983, No. 328, eff. 5-1-83.

ILHR 81.16 Examination, licensure & registration fees. (1) MASTER PLUMBER. The fees shall be as follows for master plumber:

(a) *Examination fee.* Master plumber examination, \$50. Each subsequent examination, \$30.

Next page is numbered 21