

NOVEMBER 3, 2017
SACRAMENTO, CALIFORNIA

CONTRACTORS STATE LICENSE BOARD

Enforcement and
Licensing Committee
Meetings





CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, CA 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826
800-321-CSLB (2752)
www.cslb.ca.gov • CheckTheLicenseFirst.com

STATE OF CALIFORNIA

Governor Edmund G. Brown Jr.

NOTICE OF ENFORCEMENT COMMITTEE and LICENSING COMMITTEE MEETINGS

Friday, November 3, 2017, 10:00 a.m. – 12:00 p.m. (or until the conclusion of business)

Contractors State License Board HQ, John C. Hall Hearing Room
9821 Business Park Drive, Sacramento, CA 95827

Meetings are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. All times when stated are approximate and subject to change without prior notice at the discretion of each Committee's Chair unless listed as "time certain." Items may be taken out of order to maintain a quorum, accommodate a speaker, or for convenience. Action may be taken on any item listed on this agenda, including information-only items. The meeting may be canceled without notice.

Members of the public can address the Committee during the public comment session. Public comments will also be taken on agenda items at the time the agenda item is heard and prior to the CSLB's Committee taking any action on said items. Total time allocated for public comment may be limited at the discretion of each Committee Chair.

ENFORCEMENT COMMITTEE MEETING AGENDA

(10:00 a.m.)

Enforcement Committee Members:

Ed Lang, Chair / David Dias / Pastor Herrera, Jr. / Marlo Richardson / Frank Schetter / Johnny Simpson / Nancy Springer

- A. Call to Order, Roll Call, Establishment of Quorum, and Chair's Introduction
- B. Staff Recognition – May Include Oral Presentations to CSLB Staff Commemorating Achievements and Service
- C. Public Comment Session for Items Not on the Agenda and Future Agenda Item Requests
(Note: Individuals may appear before the Committee to discuss items not on the agenda; however, the CSLB's Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).
- D. Enforcement Program Update
 - 1. Staff Vacancy Update
 - 2. General Complaint-Handling Statistics
 - 3. Enforcement Disaster Response
- E. Update, Discussion, and Possible Action Regarding Workers' Compensation Enforcement Strategies, Resources and Accomplishments
- F. Update and Discussion Regarding CSLB's Solar Task Force
 - 1. Consumer Complaints and Enforcement Objectives
- G. Discussion and Possible Action Regarding Strategies to Address Owner-Builder Construction Permits and Unlicensed Activity Violations

H. 2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Enforcement Objectives

I. Adjournment

LICENSING COMMITTEE MEETING AGENDA

(Upon Adjournment of the Enforcement Committee Meeting)

Licensing Committee Members:

Marlo Richardson, Chair / David Dias / Pastor Herrera, Jr. / Ed Lang / Frank Schetter / Johnny Simpson / Nancy Springer

- A. Call to Order, Roll Call, Establishment of Quorum and Chair's Introduction
- B. Staff Recognition – May Include Oral Presentations to CSLB Staff Commemorating Achievements and Service
- C. Public Comment Session for Items not on the Agenda and Future Agenda Item Requests
(Note: Individuals may appear before the Committee to discuss items not on the agenda; however, the CSLB's Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).
- D. Licensing Program Update
 - 1. Staff Vacancy Update
 - 2. Update on Staff Determinations Regarding Licensing Classifications and Application Review Process
- E. Review, Discussion, and Possible Action Regarding Licensing Reciprocity with Other States and the use of the National Association of State Contractors Licensing Agencies (NASCLA) Trade Exams and Trade Exam Waivers
 - 1. Presentation from the Department of Consumer Affairs' Office of Professional Examination Services on the Use of NASCLA Trade Exams and Trade Exam Waivers
- F. Review, Discussion, and Possible Action Regarding the Distribution of Funds from the Construction Management Education Account (CMEA)
- G. Review and Discussion Regarding Minimum Qualification Requirements for a "B" General Building Contractor License
- H. Review and Discussion of the Processing of Original Exam Applications
- I. Review, Discussion, and Possible Action on Developing Publications to Address Common Licensing Questions
- J. Discussion of Applicant and Industry Outreach Regarding Licensure

K. 2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Licensing and Examination Objectives

L. Adjournment

***Note:** Members of the Board who are not members of the Committee may attend the Committee meetings. However, if a majority of members of the full board are present at any of the Committee meetings, members who are not Committee members may attend the meeting as observers only.

The Board intends to provide a live webcast of the meeting. The webcast can be located at www.cslb.ca.gov. Webcast availability cannot, however, be guaranteed due to limitations on resources or technical difficulties. The meeting will continue even if the webcast is unavailable. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Phyliz Jones at (916) 255-4000 or phyliz.jones@cslb.ca.gov or send a written request to Phyliz Jones, 9821 Business Park Drive, Sacramento, CA 95827. Providing your request at least five (5) business days prior to the meeting will help ensure availability of the requested accommodation.



CONTRACTORS STATE LICENSE BOARD

TABLE OF CONTENTS

Enforcement Committee and Licensing Committee Meetings

Friday, November 3, 2017

10:00 a.m. – 12:00 p.m.

CSLB HQ, John C. Hall Hearing Room

9821 Business Park Drive, Sacramento, CA 95827

Enforcement Committee Meeting

A. Call to Order, Roll Call, Establishment of Quorum, and Chair's Introduction	3
B. Staff Recognition – May Include Oral Presentations to CSLB Staff Commemorating Achievements and Service.....	5
C. Public Comment Session for Items Not on the Agenda and Future Agenda Item Requests	7
D. Enforcement Program Update.....	9
1. Staff Vacancy Update	
2. General Complaint-Handling Statistics	
3. Enforcement Disaster Response	
E. Update, Discussion, and Possible Action Regarding Workers' Compensation Enforcement Strategies, Resources and Accomplishments.....	21
F. Update and Discussion Regarding CSLB's Solar Task Force	
1. Consumer Complaints and Enforcement Objectives.....	27
G. Discussion and Possible Action Regarding Strategies to Address Owner-Builder Construction Permits and Unlicensed Activity Violations.....	33
H. 2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Enforcement Objectives.....	37
I. Adjournment.....	41

Licensing Committee Meeting:

A. Call to Order, Roll Call, Establishment of Quorum and Chair's Introduction.....	45
B. Staff Recognition – May Include Oral Presentations to CSLB Staff Commemorating Achievements and Service.....	47
C. Public Comment Session for Items not on the Agenda and Future Agenda Item Requests.....	49
D. Licensing Program Update.....	51
1. Staff Vacancy Update	
2. Update on Staff Determinations Regarding Licensing Classifications and Application Review Process	
E. Review, Discussion, and Possible Action Regarding Licensing Reciprocity with Other States and the use of the National Association of State Contractors Licensing Agencies (NASCLA) Trade Exams and Trade Exam Waivers.....	53
1. Presentation from the Department of Consumer Affairs' Office of Professional Examination Services on the Use of NASCLA Trade Exams and Trade Exam Waivers	
F. Review, Discussion, and Possible Action Regarding the Distribution of Funds from the Construction Management Education Account (CMEA).....	73
G. Review and Discussion Regarding Minimum Qualification Requirements for a "B" General Building Contractor License	79
H. Review and Discussion of the Processing of Original Exam Applications	83
I. Review, Discussion, and Possible Action on Developing Publications to Address Common Licensing Questions.....	89
J. Discussion of Applicant and Industry Outreach Regarding Licensure.....	93
K. 2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Licensing and Examination Objectives.....	95
L. Adjournment.....	99

Enforcement Committee Meeting



Call to Order, Roll Call, Establishment of Quorum and Chair's Introduction

ENFORCEMENT COMMITTEE MEMBERS:

ED LANG, CHAIR

DAVID DIAS

PASTOR HERRERA, JR.

MARLO RICHARDSON

FRANK SCHETTER

JOHNNY SIMPSON

NANCY SPRINGER

Committee Chair Ed Lang will review the scheduled
Committee actions and make appropriate announcements.



AGENDA ITEM B

Staff Recognition –
May Include Oral Presentations to
CSLB Staff Commemorating
Achievements and Service



AGENDA ITEM C

Public Comment Session for Items not on the Agenda and Future Agenda Item Requests

(Note: Individuals may appear before the Committee to discuss items not on the agenda; however, the CSLB's Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).



AGENDA ITEM D

Enforcement Program Update

1. Staff Vacancy Update
2. General Complaint-Handling Statistics
3. Enforcement Disaster Response





CONTRACTORS STATE LICENSE BOARD

ENFORCEMENT PROGRAM UPDATE

Staff Vacancy Update

Complaint-handling statistics show that CSLB Enforcement division staff are operating at higher-than-optimum workloads. Ongoing staff vacancies is a critical factor in these high workloads. The number of vacancies peaked in July 2017, at 31 – nearly 15 percent of Enforcement division’s total staff level.

Division managers and supervisors have worked closely with CSLB’s Personnel unit to decrease these vacancies, making significant progress. As of mid-October 2017, vacancies had been reduced to 23 positions. Of these 23, two positions have candidates who will start November 1, 2017, and candidates have been interviewed and selected and are pending approval for six positions. Active efforts continue to fill the remaining 15 vacancies. The chart below shows the status of the 23 positions.

Position Class	Location	Status
ES II	Invest Centers North	Posted
ER II – Peace Officer	SIU Norwalk	Candidate approved, but withdrew; position re-posted
ER II – Peace Officer	SIU San Bernardino	Candidate selected and completed background; start date 11/01/17
ER II	Sacramento North	Candidate selected; pending approval
ER I	SWIFT Central	Candidates interviewed, but rejected; position re-posted
ER I	SWIFT North	Interviews scheduled
ER I	Fresno	Candidate selected; pending approval
ER I	San Francisco	Candidate selected, but withdrew; position re-posted
ER I	Norwalk	Candidate selected; start date of 11/01/17
ER I	San Diego	Candidate selected; pending approval
ER I	Sacramento North	Not yet posted
ER I	West Covina	Applications received
Staff Services Analyst	IMC Norwalk	Newly vacant; not yet posted
CSR	IMC Norwalk	Re-posted
CSR	IMC Norwalk	No eligible candidates; position re-posted
CSR	IMC Norwalk	No eligible candidates; position re-posted
CSR	IMC Norwalk	Position posted
CSR	IMC Sacramento	No eligible candidates; position re-posted
CSR	IMC Sacramento	No eligible candidates; position re-posted
Program Tech II	IMC Sacramento	Candidate selected; pending approval
Office Tech	SWIFT	Candidate selected; pending approval
Office Tech	IMC Norwalk	Candidate selected; pending approval
Office Tech	Case Management Norwalk	Interviews scheduled

**CONSUMER FILED COMPLAINT-HANDLING STATISTICS (CY 2017 to date)****Pending Investigations**

It has been determined that a manageable level of pending complaints for all current CSLB Enforcement staff is 3,520. As of October 2017, the pending caseload was 3,904.

To ensure timely mediation and screening of complaints, the optimal caseload for Consumer Services Representatives (CSRs) is 1,560. CSLB has 26 CSRs; as of October 2017, 1,470 complaints were assigned to CSRs.

To ensure timely handling of complaints that warrant formal investigation, the optimal working caseload for Enforcement Representatives (ERs) assigned to the Board's eight Investigative Centers (ICs) is 35 cases per ER. ER's are currently averaging 41 cases per ER. CSLB has 56 ERs in its eight ICs, with an optimal capacity for 1,960 open complaints. As of October 2017, there were 2,434 cases assigned to ERs. The following chart outlines how CSLB determines manageable caseloads:

Job Classification	Current Number of Staff	Closure Goal per Month	Preferred Cycle Time (months)	Maximum Case load per ER/CSR	Maximum Number of Cases per Classification
ERs	56	10	4	35	1,960
CSRs	26	20	2	60	1,560
TOTAL					3,520

Restitution to Financially-Injured Persons

CSLB continues to assist consumers and licensees resolve non-egregious consumer filed complaints against licensees. To date, for 2017, Enforcement staff settlement efforts have resulted in more than \$13 million in restitution to financially-injured parties as shown in the chart below:

Financial Settlement Amount	
Investigative Center	\$4,587,732.92
Intake and Mediation Center	\$8,503,793.15
TOTAL RESTITUTION	\$13,091,526.07

**Complaint-Handling Cycle Time**

The Board's goal is to appropriately disposition all but 100 complaints within 270 days of receipt. As of October 2017, 112 of the 3,904 open complaints exceeded 270 days in age. The following chart tracks the number of aged cases by office from January 2017-October 2017.

Investigation Exceeding 270 Days in Age (CY 2017 to Date)

CSLB OFFICE	17-Jan	17-Feb	17-Mar	17-Apr	17-May	17-Jun	17-Jul	17-Aug	17-Sep	17-Oct
Fresno	1	5	6	7	8	11	13	11	6	3
San Francisco	6	4	3	3	1	1	0	5	4	6
Sacramento (North)	0	0	2	0	2	3	1	5	1	0
Sacramento (South)	9	8	10	3	6	6	10	3	3	6
Valencia	1	2	0	0	8	10	7	16	18	13
Norwalk	0	3	11	9	7	11	17	20	22	15
West Covina	0	5	8	11	22	24	17	21	28	25
San Bernardino	0	3	4	2	6	3	2	8	8	14
San Diego	0	7	6	5	5	6	15	8	5	2
SIU	10	11	19	22	27	35	30	24	22	28
Monthly Totals	27	48	69	62	92	110	112	121	117	112

Wildfire Update

The unprecedented series of wildfires that roared to life in California on the evening of October 8, 2017, have taken a devastating toll: at least 41 people killed (with 88 still missing), more than 5,700 structures destroyed, and over 245,000 acres of land burned. As of this writing, the worst of the disasters seems to be over, but the pictures and stories coming out of the fire areas are truly heartbreaking.

With the focus now shifting to relief and recovery efforts, the Governor's Office of Emergency Services (OES) has been working with counties in the effected areas to open Local Assistance Centers (LACs) where fire victims can access various disaster assistance programs, services, and advice in a single location. The scope and number of simultaneous fires is testing the resources of all agencies participating in these LACs, but CSLB staff have risen to the challenge. As of mid-October, CSLB personnel are scheduled to staff all nine authorized LACs, with 37 CSLB employees from throughout the state filling 104 shifts. Additional shifts will be scheduled if the LACs remain in operation longer than currently scheduled.



County	Wildfire Name	LAC Location	CSLB Shifts Scheduled
Butte	LaPorte	Bangor	10
Lake	Sulpher	Clearlake	12
Mendocino	Redwood	Ukiah	12
Napa	Nuns; Atlas	Napa	14
Nevada	Lobo	Grass Valley	2
Orange	Canyon 2	East Anaheim*	6
Sonoma	Tubbs; Pocket	Santa Rosa	18
Sonoma (2)	Nuns	Sonoma	14
Yuba	Cascade	Marysville	4

*This LAC closed on October 16, 2017.

The Public Affairs Office is providing direct and logistical support to all LACs. The huge number of fire victims has challenged the capacity of Public Affairs staff to provide sufficient handouts and literature, but they have admirably met the needs of all the CSLB booths at LACs. As just one example of the fires' enormous impact, almost 1,600 victims visited the Sonoma LAC in just its first three days of operation; 276 of those victims received advice, assistance, and support from CSLB personnel.

The Public Affairs Office has also partnered with our Statewide Investigative Fraud Team (SWIFT), the Department of Insurance, and local district attorneys' offices to conduct two media outreach events to promote CSLB's recovery efforts, and to provide important warnings to fire victims. Other outreach efforts include the posting of signs in the fire areas by SWIFT investigators to warn unlicensed contractors that they can face felony charges if caught contracting without a license in a declared disaster area.



SWIFT ER Greg Hampton, who is also a Military Officer with the National Guard, poses with Homeowners Beware sign.



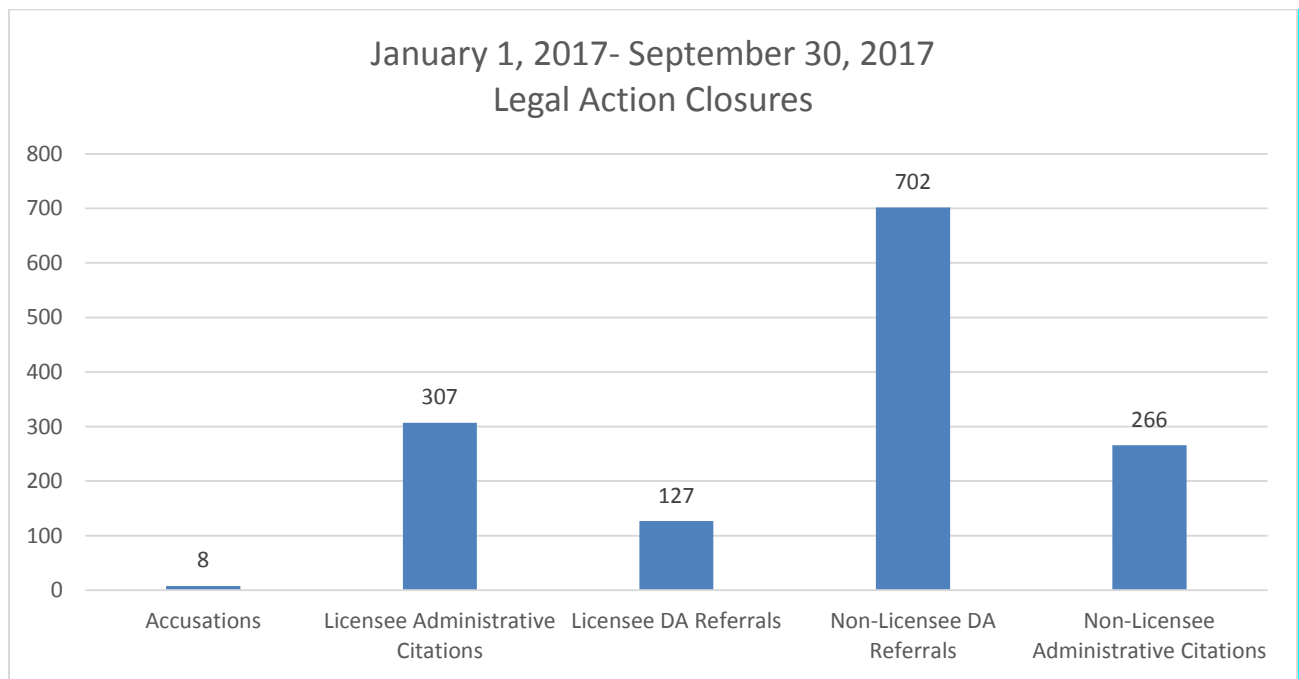
Statewide Investigative Fraud Team

CSLB's Statewide Investigative Fraud Team (SWIFT) is comprised of Enforcement Representatives (ERs) who enforce license and workers' compensation insurance requirements at active jobsites and who conduct enforcement sweeps and undercover sting operations targeting unlicensed persons. To date, in 2017, SWIFT has conducted 63 sting operations in partnership with other state agencies, law enforcement, and district attorneys. Also, in partnership with other state and local agencies, SWIFT has conducted 236 sweep days in various counties this calendar year.

Legal Action Closures

From January 1, 2017 to September 30, 2017, SWIFT closed 2,879 cases as a result of stings, sweeps, and leads, of which 1,410 resulted in an administrative or criminal legal action.

Below is a breakdown of legal action closures. As of October 1, 2017, SWIFT referred 829 cases to local district attorney offices for criminal prosecution.





Citations

Between January 1, 2017 and September 30, 2017, SWIFT issued 573 licensee and non-licensee administrative citations and assessed \$579,950 in citation civil penalties.

Citation Amounts Assessed

January 1, 2017 - September 30, 2017 CITATIONS				
	Northern SWIFT	Central SWIFT	Southern SWIFT	Totals
January	\$22,850	\$7,450	\$12,500	\$42,800
February	\$33,000	\$9,500	\$19,500	\$62,000
March	\$12,100	\$6,750	\$35,000	\$53,850
April	\$12,600	\$10,000	\$23,000	\$45,600
May	\$17,700	\$4,500	\$41,750	\$63,950
June	\$10,200	\$750	\$34,250	\$45,200
July	\$43,000	\$750	\$66,750	\$67,250
August	\$36,200	\$8,250	\$66,750	\$111,200
September	\$1,500	\$7,750	\$41,000	\$50,250
Totals	\$239,100	\$111,400	\$229,450	\$579,950



Stop Orders for Lack of Workers' Compensation Insurance

A Stop Order is a legal demand to cease all employee labor at a jobsite due to workers' compensation insurance violations until an appropriate policy is obtained and proof submitted to CSLB. Failure of a contractor to comply with a Stop Order is a misdemeanor criminal offence, punishable by up to 60 days in county jail or by a fine of up to \$10,000, or both. Between January 1, 2017 and September 30, 2017, SWIFT issued 575 Stop Orders to licensed and unlicensed individuals for using employee labor without having a valid workers' compensation policy.

HIGHLIGHTS

Central Valley Sweep Results in 19 Legal Actions

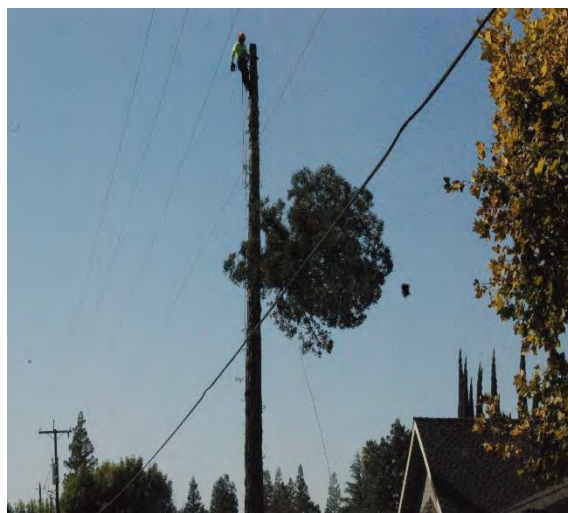
On October 11, 2017, Doug Galbraith conducted training with Central SWIFT staff aimed at improving operational safety, efficiency and effectiveness during sweeps. The one-day operation was well received by staff and resulted in 58 cases, 19 of which resulted in legal action. Of these 19 cases, 14 were referred to district attorneys, three were licensee administrative citations, and two were notices to appear.



SWIFT staff with trainer Doug Galbraith



One of these cases involved an 80-100 foot tall tree located in the small front yard of a residence. A crew of three workers were observed working without proper safety protection or traffic control. The tree was topped and fell within a foot or so of the structure (see pictures below). The homeowner stated that her unlicensed gardner charged her \$2,200 to remove the tree. The gardner then subcontracted the project, for \$1,000, to an unlicensed tree trimmer with employees but no workers' compensation. A criminal complaint for contracting without a license will be filed against the gardner and the unlicensed tree trimmer, as well a labor code violation for failing to carry workers' compensation.



Special Investigation Unit (SIU)

Garage Door Service Investigation Makes Headlines

The *Door + Access Systems Magazine's* Fall 2017 edition, published by the Door and Access Systems Manufacturers Association International, headlined a case investigated by CSLB Special Investigation Unit (SIU) Peace Officer Maile Williams. The article, "GDS Technician Pleads Guilty to Felonies," may encourage other states to investigate the business practices of Garage Doors Services and Repair Inc. (GDS). The article (click on link below to read the full story) tells the stories of eight seniors defrauded by Tim Patterson, a technician with GDS who worked in San Diego County, by price gauging for garage door repairs when replacing them would have cost less. Patterson pleaded guilty in July 2017 to four felony counts of elder financial abuse.

[http://www.dasma.com/articles/feature/GDS Technician Guilty Fall2017.pdf](http://www.dasma.com/articles/feature/GDS_Technician_Guilty_Fall2017.pdf)

**SIU Participates in National “Coffee with a Cop” Day**

On October 4, 2017, CSLB Peace Officer Peter Keown participated in the 2017 National “Coffee with a Cop” day in Pacifica as part of an effort to obtain leads that may not come to CSLB through standard channels. Founded as an informal way for officers and the community to interact, this marks the second time that Officer Keown has been invited to participate in Coffee with a Cop. Community members may not always feel comfortable coming to an office to talk, but at the local coffee shop they often open up about things they experience that “just don’t feel right.” Officer Keown’s informal discussion with senior citizens about the perils of door-to-door soliciting and telemarketing for construction services was so well received that he was asked to make a presentation at the Pacifica Senior Center in November 2017. Officer Keown serves as the stateside lead for SIU Peace Officers to be trained for future participation in Coffee with a Cop.



AGENDA ITEM E

Update, Discussion, and Possible Action Regarding Workers' Compensation Enforcement Strategies, Resources and Accomplishments





CONTRACTORS STATE LICENSE BOARD

WORKERS' COMPENSATION INSURANCE PLAN UPDATE

Background on Workers' Compensation Pilot Program

To maintain an active California contractor license, licensees are required to have on file with the Contractors State License Board (CSLB) either a Certificate of Workers' Compensation Insurance or a Certificate of Self-Insurance (issued by the Department of Industrial Relations). The Enforcement division previously reported that studies had revealed that 59 percent of the contractors contacted in four targeted classifications that perform outdoor construction (Concrete, Earthwork/Paving, Landscaping and Tree Trimming) had false workers' compensation exemptions on file with CSLB.

License Classification	Number of Entities	Number with WC Exemption	Successfully Contacted	Confirmed Employees	Ads with Workers	Prior WC Violations
C-8 (Concrete)	252	118	41	25	7	2
C-12 (Earthwork/Paving)	46	26	12	2	1	--
C-27 (Landscaping)	512	238	49	30	8	1
D-49 (Tree Trimming)	107	41	19	14	--	--

At the September 2017 Board Meeting State Compensation Insurance Fund (SCIF) Executive Vice President Jennifer Vargen explained that SCIF provides fairly priced workers' compensation insurance, promotes safe workplaces, and restores injured workers when injuries occur. She noted that SCIF has reviewed results from CSLB's Pilot Program and that she is aware of the problem with false workers' compensation exemptions within the construction industry. Ms. Vargen also said that the expense of obtaining a policy is likely the reason that contractors avoid workers' compensation policies. Ms. Vargen expressed interest in collaboration between SCIF and CSLB to address workers' compensation insurance compliance and the reporting of accurate payroll, but cautioned the Board to avoid legislative proposals that may cause financial and/or operational disruption to SCIF.

Tree Trimming Sting Operation

In June 2017, the Northern Statewide Investigative Fraud Team (SWIFT) scheduled a sting operation targeting tree trimming (D-49) licensees. Two of the three scheduled licensees appeared at the sting and were issued Stop Orders. One licensee was also referred to the district attorney's office for violations of Labor Code (LC) §3700.5 and Business and Professions Code (BPC) §7125.4 for failure to have workers' compensation insurance. The other licensee provided evidence of WC insurance after the sting operation, but informed the undercover Enforcement Representative that he was under-reporting the number of his employees. This case will be referred to the district attorney's office for premium fraud.

**Future Strategies**

The following strategies are being considered as options to address the continuing issue of WC insurance violations.

- Continue to share CSLB workers' compensation data with interested parties.
- Consider development of a briefing paper for administrative law judges (ALJ) that 1) educates them about the theft being committed by licensees with false WC exemptions; 2) explains the problem when employees of licensees without workers' compensation insurance are injured on the job; and 3) encourages ALJs to consider upholding maximum penalties for violations of workers' compensation laws.
- Consider possible adjustments of civil penalties to increase the fine for workers' compensation violations.
- Consider submitting a legislative proposal to extend from one to two years the statute of limitations for prosecuting violations of LC §3700.5, failure to obtain WC insurance when required. (This would parallel the two-year statute of limitations on prosecution for violations of BPC §7126, as currently used for WC violations by licensees.)
- Consider submitting a legislative proposal to amend Business and Professions Code section 7145.5 to permit CSLB's Judgment unit to assist with the collection of SCIF audit assessments.

Staff Recommendation

Staff recommends that the Enforcement Committee establish a two-person subcommittee to develop strategies to work with other state agencies, such as those listed below, to address workers' compensation insurance avoidance.

- Employment Development Department – Responsible for employment tax compliance and chairs the Joint Enforcement Task Force, which provides for sharing of information among designated state agencies to combat the underground economy.
- California Occupational Safety and Health Administration – Responsible for employment work conditions and may be able to assist in identifying contractors without workers' compensation insurance that have an injured worker.
- Division of Labor Standards Enforcement – Responsible for ensuring that workers receive wages owed and that employers carry a valid workers' compensation insurance policy.



CSLB

WORKERS' COMPENSATION UPDATE

- California Department of Insurance (CDI) – Responsible for investigating workers' compensation insurance premium insurance fraud. Note: CDI provides funding for the prosecution of workers' compensation insurance violations.

AGENDA ITEM F

Update and Discussion Regarding CSLB's Solar Task Force

1. Consumer Complaints and Enforcement Objectives





Background

The California Solar Energy Industries Association (CAL-SEIA) has noted that their membership installs an average of 12,000 residential solar panel systems per month. The vast majority of solar contractors perform good work, and most consumers are pleased with their solar systems. However, over the last few years, as solar installations have become more popular, CSLB has seen an increase in the number of solar-related consumer complaints.

At the September 3, 2015, Board Meeting, the Enforcement division introduced the Solar Task Force, comprised of seven CSLB staff dedicated to identifying and combatting the issues consumers face in the growing solar industry. These issues include a general lack of specificity in solar contracts, the exploitation of consumer confidence about solar savings that are unrealized when systems perform below expectations, and complex or often unlawful finance agreements.

Since the inception of the Solar Task Force, CSLB has observed the evolution of a different and increasingly complex type of complaint related to Property Assessed Clean Energy (PACE) financing. At the September 29, 2017 Board meeting, members of the Board asked how many of the solar complaints received involved PACE financing. Recent data analysis revealed that 22 percent of complaints received between January 1, 2017 and September 1, 2017, are PACE-related; more than triple the number of complaints received over the same time period last year. In addition, the most egregious of these continue to involve the targeting of the elderly and those who speak English as a second language, both protected classes under California law.

Note: Complaints that originated from a self-financed contract remain an area of concern, as they constitute a high percentage (51%) of those received. These complaints allege similar violations as those that are PACE-related, including misrepresentation.

CSLB has developed an educational web page, Solar Smart (www.cslb.ca.gov/Consumer/Solar_Smart/), for California consumers interested in solar panel systems. Staff continue to partner with CAL-SEIA and other state agencies to combat emerging issues in the solar industry.

Current Solar Trends – A Statistical Analysis

Staff recently conducted an in-depth analysis of all solar complaints received between January 1, 2016 and September 1, 2017, during which CSLB received 933 solar-related complaints. Of these complaints, 197 were successfully settled resulting in over \$1,000,000 in restitution, and 97 were recommended for further disciplinary action, including 15 criminal cases.

Year-over-year analysis of January–September revealed the following:

Solar Complaint Statistics January - September (2016 v. 2017)		
	2016	2017
Complaints Received	197	417
Leases	25 (13%)	60 (14%)
PPA	42 (21%)	53 (13%)
PACE	30 (15%)	93 (22%)
Private Funding	100 (51%)	211 (51%)

Percentage indicates the % of complaints received in that year

There was a 112 percent increase in the number of solar complaints received in 2017 over the same time period in 2016; nearly 40 percent of the complaints filed between January 1, 2016 and September 1, 2017, were focused on just 22 contractors.

The majority of consumer-filed complaints allege misrepresentation of contract terms and solar panel system production, and include a Home Improvement Salesperson registration and home improvement contract form violation.

Strategic Approach

The Solar Task Force is dedicated to working with industry to reduce consumer solar complaints referred to CSLB Investigation Centers by 50 percent by June 2018. From January 2017 to October 2017, CSLB received an average of 67 solar complaints per month. To achieve the above-mentioned goal, staff have implemented the following strategies:

- Trained staff will continue to work with contractors subject to the majority of complaints, assisting them with development of improved business practices that comply with CSLB laws, rules, and regulations.
- Managers have assigned staff with demonstrated mediation skills to resolve the less egregious solar complaints;
- Staff are using administrative disciplinary remedies in cases where the contractor is engaged in repeated acts, but where criminal charges are not applicable;
- Relationships have been established with prosecutors across California to pursue criminal charges for the most egregious cases; and



- A partnership with the Federal Trade Commission (FTC) has been established to investigate and address contractors who target homeowners with specific ethnic backgrounds with high pressure sales tactics.

Industry Outreach and Enforcement

- On September 6, 2017, Board Members Frank Schetter and Johnny Simpson, Registrar David Fogt, and CSLB staff hosted an informational roundtable entitled “Solar Energy Systems, Energy Efficiency and Title 24 Requirements.” Participants included representatives from CAL-SEIA, the Electrical and Roofing industries, the California Building Industry Association (CBIA), the California Energy Commission, and the Department of Toxic Substances Control.

The goal of the roundtable was to hear from participants about trends in the ever-evolving solar industry so that CSLB leadership and staff can anticipate issues that may arise in the future.

At the conclusion of the roundtable participants identified the following action items:

1. Continue to work with CAL-SEIA and others to develop strategies to reduce the number of consumer complaints CSLB receives.
 2. Work with industry to identify the general requirements involved with the installation of a solar panel system, and what elements should be included in a solar panel system contract.
 3. Continue to monitor the license population to ensure a sufficient number of contractors to achieve state-mandated energy efficiency requirements scheduled to be instituted in 2019.
- On October 4, 2017, Registrar David Fogt, Chief of Enforcement Missy Vickrey, and CSLB staff met with representatives from the Bureau of Real Estate (BRE) to develop a protocol for PACE-related complaint referrals. A dedicated contact at BRE was identified, and CSLB now refers complaints to BRE that include issues related to a loan secured against the property.
 - A meeting with the Department of Business Oversight (DBO) is scheduled for October 30, 2017, to discuss future steps in the implementation of AB 1284 (Dababneh, Ch. 475, Stats. 2017), legislation intended to enhance consumer protection for individuals that participate in a PACE program.

AGENDA ITEM G

Discussion and Possible Action Regarding Strategies to Address Owner-Builder Construction Permits and Unlicensed Activity Violations





CONTRACTORS STATE LICENSE BOARD

OWNER-BUILDER PERMIT VIOLATIONS

As discussed by Board Member Nancy Springer at the September 2017 Board meeting, the Enforcement division is exploring options to increase contractor compliance with local building permit requirements, with a particular focus on permit avoidance and fraudulent or misused owner-builder permits. Over the last four years, CSLB investigated almost 4,400 building permit violations, and took legal action in almost 1,200 of those cases. These violations jeopardize public safety and put those contractors who comply with code requirements at a competitive disadvantage.

The Enforcement division is committed to ensuring local permit compliance and intends to expand its work with local building officials to intensify these efforts. Toward that end, the following strategies are under consideration:

- Consider regulatory action through the rulemaking process to implement the provisions of Business and Professions Code §7090, which would require contractors in violation of permit requirements to take and pass an appropriate continuing education course. If approved by the Board, staff will work with California Building Officials to identify an appropriate course.
- Review and update as necessary the existing Memorandum of Understanding between CSLB and the California Building Officials (CALBO).
- Conduct outreach to local building department officials seeking their assistance and cooperation in identifying and reporting local permit violations. CSLB staff will create a list of partnering building departments. A draft of the proposed letter follows.

Staff Recommendation

Staff recommends that the Enforcement Committee establish a two-person subcommittee to explore and recommend for Board approval implementation of various strategies targeting violations of local building permit requirements.



CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, California 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826
800-321-CSLB (2752)
www.cslb.ca.gov • CheckTheLicenseFirst.com

STATE OF CALIFORNIA

Governor Edmund G. Brown Jr.

[Date]

[Name]

[Department]

[County]

[Address]

Dear [Name]:

The Contractors State License Board (CSLB) has a long and successful relationship with California Building Officials (CALBO). Both CSLB and CALBO share a goal of consumer protection, and we have a mutual interest in identifying and addressing problems created by the illegal activities of licensed and unlicensed contractors. As recently discussed with CALBO leadership, CSLB has undertaken an effort to strengthen its partnerships and relationships with local government officials and building departments throughout the state.

In the coming months, CSLB intends to place increased enforcement effort on one issue of special interest to you and your department: building permit compliance. Included in this campaign will be a renewed focus on false and misused owner/builder permits. During the last four years, CSLB investigated almost 4,400 building permit violations, and took legal action in almost 1,200 of those cases. As you well know, these violations not only jeopardize public safety, but they directly impact local governments through reduced tax and license revenue.

CSLB's Enforcement staff is ready to begin efforts to increase permit compliance, and it is our sincere hope that you will be able to assist us. Specifically, we are requesting that your department:

- Identify contractors operating within your jurisdiction who appear to be in violation of local permit requirements, including fraudulent owner/builder permits.
- Report the suspected violation to CSLB either through your local CSLB liaison or by using the Building Permit Violation Referral form available on our website: cslb.ca.gov.
- Provide or make available any documents that substantiate the permit violation to assist us with our investigation.

CSLB staff will handle the investigation of any reported permit violation, and will whenever possible present the case at any subsequent hearing (using a CSLB Industry Expert, if applicable). It is our hope that our combined efforts will improve permit compliance and enhance public safety. If you have any questions or concerns, please contact Jessie Flores of my staff at (562) 345-7671 Jessie.flores@cslb.ca.gov. Thank you in advance for your assistance.

Sincerely,

David Fogt
Registrar

AGENDA ITEM H

2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Enforcement Objectives





CONTRACTORS STATE LICENSE BOARD

2016-18 STRATEGIC PLAN – ENFORCEMENT UPDATE

Enforcement Objectives

ITEM	TARGET	DESCRIPTION	STATUS
2.1 Formalize Strategy to Identify Licensee Misuse of Workers' Compensation Insurance Requirement Exemption (E)	June 2018	In conjunction with Public Affairs Office, develop an education and enforcement program targeted at licensees who employ workers while having a workers' compensation exemption on-file with CSLB	Please see agenda item E for a status update.
2.2 Reduce Legal Action Expenditures While not Compromising Consumer Protection (E)	July 2017	Develop partnerships with prosecutors and other government agencies to leverage resources, and provide a letter of admonishment for lesser offenses.	Legislation has been passed (SB 486, effective January 1, 2018) to provide CSLB the authority to issue letters of admonishment without a civil penalty assessment for lesser offenses; the bill also authorizes the disclosure of the admonishment on the license record for one year.
2.3 Expand Proactive Enforcement Targets (B)	July 2017	Develop strategies and partnerships to include public works projects and larger contractors in proactive enforcement efforts.	Undercover sting targets have been expanded to larger projects.
2.4 Update Civil Penalties Assessments (E)	December	Review penalty guidelines to determine if they have kept up with inflation and consumer protection requirements.	CSLB has met with the Attorney General's office and has asked to meet with the Office of Administrative Hearings to request support for sustaining larger civil penalties when appropriate.
2.5 Increase C-10 Electrical License Renewals by \$20 to fund Electrician Certification Enforcement	January 2019	Conduct regulatory hearings and IT programming to provide for a \$20 increase on all C-10 Electrical license renewals.	This matter is under consideration by the Information Technology Change Control Board. Also, regulatory hearings are tentatively scheduled for 2018.

AGENDA ITEM I

Adjournment



NOVEMBER 3, 2017
SACRAMENTO, CALIFORNIA

CONTRACTORS STATE LICENSE BOARD

Licensing Committee Meeting



AGENDA ITEM A

Call to Order, Roll Call, Establishment of Quorum and Chair's Introduction

LICENSING COMMITTEE MEMBERS:

MARLO RICHARDSON, CHAIR

DAVID DIAS

PASTOR HERRERA, JR.

ED LANG

FRANK SCHETTER

JOHNNY SIMPSON

NANCY SPRINGER

Committee Chair Marlo Richardson will review the scheduled Committee actions and make appropriate announcements.



AGENDA ITEM B

Staff Recognition –
May Include Oral Presentations to
CSLB Staff Commemorating
Achievements and Service



AGENDA ITEM C

Public Comment Session for Items not on the Agenda and Future Agenda Item Requests

(Note: Individuals may appear before the Committee to discuss items not on the agenda; however, the CSLB's Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).



AGENDA ITEM D

Licensing Program Update

1. Staff Vacancy Update
2. Update on Staff Determinations Regarding Licensing Classifications and Application Review Process



AGENDA ITEM E

Review, Discussion, and Possible Action Regarding Licensing Reciprocity with Other States and the use of the National Association of State Contractors Licensing Agencies (NASCLA) Trade Exams and Trade Exam Waivers

1. Presentation from the Department of Consumer Affairs' Office of Professional Examination Services on the Use of NASCLA Trade Exams and Trade Exam Waivers





CONTRACTORS STATE LICENSE BOARD

CSLB RECIPROCITY AGREEMENTS

Background

In 1990, the Legislature passed AB 1340, which allowed the Registrar of the California Contractors State License Board (CSLB) to establish reciprocity agreements with other states.

Business and Professions Code section 7065.4 gives the Registrar the authority to accept the qualifications of an applicant who is licensed as a contractor in a similar classification in another state if that state also accepts the qualifications of a contractor licensed in California and, further, if CSLB determines that the professional qualifications and conditions of good standing for licensure and continued licensure are at least the same or greater than those required in California. The law allows the Registrar to waive the trade exam if the applicant provides written certification from another state that the applicant's license in that state has been in good standing for the previous five years.

California requires a license for all trades of construction. To qualify for a license all applicants must have at least four full years of journey level experience out of the past ten years in the trade for which they are applying, and must take and pass the business/law and trade exams. (C-61 applicants do not have to take a trade exam.)

Reciprocity

CSLB currently has limited reciprocity agreements with three states: Arizona, Nevada, and Utah. If an applicant requests a reciprocity exam waiver, CSLB's practice is to waive the trade portion of the exam. The applicant must still take the business/law exam.

Preliminary Research

Utilizing the National Association of State Contractors Licensing Agencies (NASCLA) 2017 Contractor's State Licensing Information Directory, CSLB staff conducted preliminary research regarding:

1. Do other states have at least one classification with the same scope of work as CSLB?
2. Are experience requirements in other states equal to or greater than CSLB's requirements?
3. Do other states require a trade exam? If so, is it open or closed book?

Initial research found that 28 states have at least one license classification with experience requirements equal to or greater than California's requirements and that require an open-book trade exam (California requires a closed-book exam). Of these 28 states, California has limited reciprocity agreements with three. The most common



classifications found across all 50 states were: General Building; Electrical; Plumbing; and Warm-Air Heating, Ventilating, and Air Conditioning. Seventeen states do not have equivalent experience requirements and/or do not require a trade exam. Finally, four states do not regulate construction at the state level.

On the following page is a summary of these preliminary findings. The 28 states listed in bold have licensing classification experience requirements equal to or greater than those in California.



Summary of Preliminary Findings

State	Similar Classification(s)	Equivalent Experience	Trade Exam Required	Exam Type
Alabama	Yes	Yes	Yes	Open book
Alaska	Yes	No	Yes	Open book
Arizona	Yes	Yes	Yes	Open book
Arkansas	Yes	Yes	Yes	Open book
Colorado	Yes	Yes	Yes	Open book
Connecticut	Yes	Yes	No	N/A
Delaware	Yes	Yes	Yes	Open book
Florida	Yes	Yes	Yes	Open book
Georgia	Yes	Yes	Yes	Open book
Hawaii	Yes	Yes	No	N/A
Idaho	Yes	Yes	Yes	Open book
Illinois	Construction is not regulated at the state level			
Indiana	Yes	Yes	Yes	Open book
Iowa	Yes	Yes	Yes	Open book
Kansas	Construction is not regulated at the state level			
Kentucky	Yes	No	Yes	Open book
Louisiana	Yes	Yes	Yes	Open book
Maine	Yes	Yes	No	N/A
Maryland	Yes	Yes	Yes	Open book
Massachusetts	Yes	Yes	No	N/A
Michigan	Yes	No	No	N/A
Minnesota	Yes	Yes	Yes	Open book
Mississippi	Yes	No	Yes	Open book
Missouri	Construction is not regulated at the state level			
Montana	Yes	Yes	Yes	Open book
Nebraska	Yes	Yes	Yes	Open book
Nevada*	Yes	Yes	Yes	Open book
New Hampshire	Yes	Yes	Yes	Open book
New Jersey	Yes	Yes	Yes	Open book
New Mexico	Yes	Yes	Yes	Open book
New York	Construction is not regulated at the state level			
North Carolina	Yes	Yes	Yes	Open book
North Dakota	Yes	Yes	Yes	Open book
Ohio	Yes	Yes	Yes	Open book
Oklahoma	Yes	Yes	Yes	Open book
Oregon	Yes	Yes	Yes	Open book
Pennsylvania	Yes	No	No	N/A
Rhode Island	Yes	Yes	No	N/A
South Carolina	Yes	No	Yes	Open book
South Dakota	Yes	Yes	Yes	Open book
Tennessee	Yes	No	Yes	Open book
Texas	Yes	No	Yes	Open book
Utah*	Yes	Yes	Yes	Open book
Vermont	Yes	No	No	N/A
Virginia	Yes	No	No	N/A
Washington	Yes	Yes	Yes	Open book
West Virginia	Yes	Yes	No	N/A
Wisconsin	Yes	No	Yes	Open book
Wyoming	Yes	Yes	Yes	Open book

*States that currently have limited reciprocity agreements with California



NASCLA Accredited Examinations

NASCLA has created one nationally recognized trade exam – for Commercial General Building Contractors. Of the 28 states with similar classification(s) and equivalent or greater experience requirements than California, nine participate in and accept NASCLA's exam for commercial general building contractors. The states are: Alabama, Arizona, Arkansas, Georgia, Louisiana, Nevada, North Carolina, Oregon, and Utah.

NASCLA is also developing a nationally recognized and accredited trade exam for electricians. NASCLA will offer three open book electrical trade exams through their Electrical Examination Program: 1) Electrical Contractors (Master/Unlimited Electricians); 2) Journeyman Electricians; and 3) Residential Electrical Contractors (Residential Electricians). Through this program, NASCLA hopes to improve the overall quality and validity of trade licensing exams for electricians and to allow electricians to work in participating states without having to take multiple electrical exams. The program is scheduled to launch in late 2017.

NASCLA initiated its efforts to develop an accredited electrician exam with the following associations:

- National Electrical Contractors Association (NECA)
- Independent Electrical Contractors (IEC)
- National Electrical Manufacturers Association (NEMA)
- International Association of Electrical Inspectors (IAEI)
- Western Electrical Contractors Association (WECA)

The Electrical Examination Program consists of three open-book electrical trade examinations: one for electrical contractors (master/unlimited electricians); one for journeyman electricians; and one for residential electrical contractors (residential electricians). The definitions are as follows:

- Electrical Contractors (master/unlimited electricians): one who conducts business in the installation, maintenance and repair of electrical work conforming to applicable standards and codes
- Journeyman Electricians: an individual who has demonstrated capacity in the knowledge and skills needed to properly perform the installation, maintenance, and repair of electrical work conforming to applicable standards and codes



- Residential Electrical Contractors (residential electricians): one who demonstrates competency in performing electrical installations, service, repair, and maintenance typically encouraged in a permanent dwelling unit.

Staff Recommendation:

Staff recommends expanding CSLB's existing reciprocity provisions to allow a trade exam waiver of the B General Building Contractor exam to qualified applicants that hold a license from states that use the NASCLA Commercial General Building Contractor exam – Alabama, Arizona, Arkansas, Georgia, Louisiana, Nevada, North Carolina, Oregon, and Utah.



CONTRACTORS STATE LICENSE BOARD

CSLB RECIPROcity AGREEMENTS

CSLB and NASCLA Contractor License Examinations

	Scope of Trade	Type of Exam	Examination Emphasis	Code Referenced	Passing Score/ Passing Rate
CSLB General Building “B” Contractor Examination	Covers commercial AND residential work (73% of “B” jobs in CA are residential)	Closed book	Covers CA- SPECIFIC TOPICS like SEISMIC CONSTRUCTION and GREEN BUILDING	California Building Codes including Energy and Green Codes and Cal/OSHA	Passing score = approximately 69% (79 items out of 115) Passing rate = 42% for FY16/17
NASCLA Commercial General Building Contractor Examination	Covers ONLY commercial work	Open book – 15 questions requiring code look- up	Covers ONLY GENERIC CONSTRUCTION that applies to all states	International Building Codes (NO Energy or Green Codes) and Fed/OSHA	Passing score = approximately 70% (81 items out of 115) Passing rate = 48% for first half of 2017



CONTRACTORS STATE LICENSE BOARD LICENSE EXAMINATION STUDY GUIDE



GENERAL BUILDING (B)

Content of the Examination

The General Building (B) Examination is divided into five major sections:

1. Planning and Estimation (24%)

- Scope of work and code compliance
- Design and construction error identification
- Shop drawings, plans, and specifications
- Field inspection performance
- Coordination of project
- Cost estimation for materials, equipment, and labor

2. Framing and Structural Components (23%)

- Subfloor and wall framing
- Roof framing
- Seismic and load requirements
- Decks
- Siding and stucco

3. Core Trades (26%)

- Plumbing
- Electrical
- HVAC
- Concrete
- Earthwork and surveying
- Insulation, acoustical, and weatherproofing
- Roofing

4. Finish Trades (19%)

- Painting, staining, coating, and interior wall covering
- Tile and stone
- Floor covering
- Cabinetry and millwork
- Plaster, drywall, and ceilings

- Windows, skylights, and doors
- Landscaping

5. Safety (8%)

- Personnel safety
- Transportation and traffic control
- Environmental safety

Percentages are approximate

Test Site Policy

This is a closed-book examination. No reference materials may be used during the examination. All materials brought to the examination site must be left in an unmonitored area at your own risk

Test Strategy

This is a multiple-choice examination with four choices per question. Examination questions are written to provide only one BEST answer. Some questions require mathematical computation. A calculator will be provided.

There is no penalty for guessing. If you are unsure about a particular question, it is better to try to answer the question than to leave the question blank.

Plenty of time is provided to answer all examination questions, so be sure to read each question and its four choices completely and carefully before selecting the BEST possible answer to the question.

Sample Questions

Below are three typical examination questions.
The correct answer is underlined.

1. According to the California Residential Code, what is the MINIMUM allowable width of a residential hallway?
 - a. 44 inches
 - b. 40 inches
 - c. 36 inches
 - d. 32 inches
2. What is the volume of a cylinder if the diameter equals 3 feet and the length equals 12 feet?
 - a. 36 cubic feet
 - b. 84.78 cubic feet
 - c. 226.08 cubic feet
 - d. 339.12 cubic feet
3. What is the proper procedure for installing a sink in a countertop?
 - a. Sketch the perimeter of the sink and transfer the sketch to the countertop.
 - b. Trace the perimeter of the sink onto the countertop.
 - c. Cut the appropriately sized sink hole with a hole saw.
 - d. Place the manufacturer's template onto the countertop and follow the instructions.

All questions are written and reviewed by licensed contractors who are actively working in the trade

Resources

*Publisher information for reference books and code is provided below. Other sources for reference books may be found online. **California code books can be viewed online: www.bsc.ca.gov***

2016 California Building Code. California Code of Regulations, Title 24. International Code Council.
PHONE: (800) 786-4452
INTERNET: www.iccsafe.org

2016 California Electrical Code. California Code of Regulations, Title 24. BNI Publications, Inc.
PHONE: (888) 264-2665
INTERNET: www.bni-books.com

2016 California Energy Code. California Code of Regulations, Title 24. International Code Council.
PHONE: (800) 786-4452
INTERNET: www.iccsafe.org

2016 California Mechanical Code. California Code of Regulations, Title 24. International Association of Plumbing and Mechanical Officials (IAPMO).
PHONE: (800) 854-2766
INTERNET: www.iapmo.org

2016 California Plumbing Code. California Code of Regulations, Title 24. International Association of Plumbing and Mechanical Officials (IAPMO).
PHONE: (800) 854-2766
INTERNET: www.iapmo.org

2016 California Residential Code. California Code of Regulations, Title 24. International Code Council.
PHONE: (800) 786-4452
INTERNET: www.iccsafe.org

CalDAG 2013: California Disabled Accessibility Guidebook, An Interpretive Manual and Checklist. Michael P. Gibbens.
PHONE: (805) 870-0900
INTERNET: www.theaccessguy.com

Fundamentals of Building Construction Materials and Methods. John Wiley & Sons, Inc.
PHONE: (877) 762-2974
INTERNET: www.wiley.com

Olin's Construction Principles, Materials, and Methods. John Wiley & Sons, Inc.
PHONE: (877) 762-2974
INTERNET: www.wiley.com

State of California General Industry & Electrical Safety Orders (Cal/OSHA) and State of California Construction & Electrical Safety Orders (Cal/OSHA). 2015. California Code of Regulations, Title 8. Mancomm.
PHONE: (877) 626-2666
INTERNET: www.mancomm.com
VIEW ONLINE:
www.dir.ca.gov/dosh/LawsAndRegulations.htm

Publisher information is current as of 12/16

NASCLA-Accredited Examination for Commercial General Building Contractors 2012 Test Specifications

- (1) The 2012 Examination Outline must be adhered to beginning with examinations administered on **April 1, 2013**.
- (2) A standard setting workshop must be conducted prior to implementing examinations based on the 2012 Examination Outline.
- (3) The examination must be referred to as: NASCLA-Accredited Examination – Commercial General Building Contractors.
- (4) The number of questions on any form will be 125, including 115 scored and a maximum of 10 pretest (unscored) questions.
- (5) The format of the examination will be open book.
- (6) The number of test questions on each examination that require candidates to look up building codes will be 15 questions. Additional questions that require general knowledge of building codes may be included.
- (7) Building code questions must be referenced to the two most recently published versions of the International Building Code.
- (8) The number of questions that refer to blueprints, plans, specifications, etc. will be 10 questions in accordance with the 2012 Examination Outline. Additional questions that refer to graphics, diagrams, or figures may be included.
- (9) The item format will be 4-option multiple choice.
- (10) The item format will NOT include “None of the above” or “All of the above” questions.
- (11) No more than 5% of the examination should consist of negatively worded items.
- (12) Examination providers must prepare a list of reference materials for candidates. The reference list must be submitted to NASCLA prior to the implementation of the new examination; and with each annual report.
- (13) Each item, except for blueprint and math questions must have a reference to a readily available, published source. The most recent edition of all publications should be used.
- (14) Examination providers must publish 10 sample questions for candidates. The questions must be reflective of the format and content of the examination.
- (15) For states that have a required passing score set in statute, use scaled scoring so the required passing score corresponds to the passing score derived during the standard setting workshop.

NASCLA-Accredited Examination - Commercial General Building Contractors
Summary of 2012 Examination Outline

Content Domain and Operational Definition	Subdomains
Domain 1 – Planning and Estimating (18%) <i>This domain assesses the candidate's ability to comprehend plans and specifications, evaluate contract documents, estimate costs, and utilize materials and equipment.</i>	1A. Plans and Specifications without Blueprints (4%) 1B. Plans and Specifications with Blueprints (3%) 1C. Cost Estimating without Blueprints (4%) 1D. Cost Estimating with Blueprints (3%) 1E. Materials and Equipment (4%)
Domain 2 – Financial and Project Management (18%) <i>This domain assesses the candidate's knowledge of business finances, construction scheduling, and documentation.</i>	2A. Financial Management (8%) 2B. Contract Management and Scheduling (8%) 2C. Project Closeout (2%)
Domain 3 – Safety (17%) <i>This domain assesses the candidate's knowledge of methods to protect workers, the public, and the environment.</i>	3A. Site Safety (13%) 3B. Life Safety Systems (4%)
Domain 4 – Site Construction (13%) <i>This domain assesses the candidate's knowledge of methods to evaluate site conditions, prepare the site for construction, and finish the site.</i>	4A. Site Conditions without Blueprints (3%) 4B. Site Conditions with Blueprints (1%) 4C. Site Preparation without Blueprints (5%) 4D. Site Preparation with Blueprints (1%) 4E. Site Finish (3%)
Domain 5 – Concrete (7%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of concrete.</i>	5A. Concrete Installation (4%) 5B. Concrete Formwork and Reinforcing without Blueprints (2%) 5C. Concrete Formwork and Reinforcing with Blueprints (1%)
Domain 6 – Masonry (3%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of masonry.</i>	6A. Masonry (3%)
Domain 7 – Metals (4%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of structural steel and miscellaneous metals.</i>	7A. Structural Steel (2%) 7B. Light Gauge and Miscellaneous Steel (2%)

Content Domain and Operational Definition	Subdomains
Domain 8 – Wood (4%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of wood construction.</i>	8A. Wood (4%)
Domain 9 – Thermal and Moisture Protection (4%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of roofing systems and insulation/moisture barriers.</i>	9A. Foundations and Walls (2%) 9B. Roofing (2%)
Domain 10 – Doors, Windows, and Glazing (4%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of window and door systems.</i>	10A. Doors, Windows, and Glazing (4%)
Domain 11 – Finishes (6%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of finishes for walls, ceilings, and floors.</i>	11A. Walls, Ceilings, and Floors (3%) 11B. Finish and Trim (3%)
Domain 12 – Specialty Equipment and Conveyance Systems (2%) <i>This domain assesses the candidate's knowledge of methods and materials for the installation of specialty equipment and conveyance systems.</i>	12A. Specialty Equipment and Conveyance Systems (2%)



EXAMINATION APPLICATION

NASCLA has contracted with PSI Services LLC (PSI) to deliver its certification examination. Effective 11/1/2016 you will need to be pre-approved by NASCLA before you may take the examination. An application must be filed with NASCLA and they must approve the application. Once an individual is approved, the individual's name is forwarded from NASCLA to PSI. PSI will then send the applicant an email confirmation with information to register to take the examination.

Candidates will have one (1) year from the application approval date to take the exam. There is a maximum limit of three (3) times an eligible candidate can sit for the exam within the one (1) year period. If the candidate has not passed the exam within these three (3) attempts, he/she can reapply to take the exam once their one (1) year of eligibility from the application approval date has expired.

To apply online, please visit: <https://ned.nascla.org>.

EXAMINATION REGISTRATION AND SCHEDULING PROCEDURES

Once approved by NASCLA, it is your responsibility to contact PSI to pay and schedule for the examination. You may either schedule via the Internet at www.psiexams.com, or schedule over the telephone at (800) 733-9267. The examination fee is valid for one year from the date of payment.

PSI Services LLC
3210 E Tropicana
Las Vegas, NV 89121
(800) 733-9267 • Fax (702) 932-2666
www.psiexams.com

INTERNET SCHEDULING

For the fastest and most convenient examination scheduling process, PSI recommends that you register for your examinations using the Internet. You register online by accessing PSI's registration website at www.psiexams.com. Internet registration is available 24 hours a day.

- Log onto PSI's website and create an account. You will be asked to put in your email address and the spelling of your name exactly as it is shown on your identification that will be presented at the examination site.
- You will be asked to select the examination. You will then enter your personal and contact information. You will then be ready to pay and schedule for the examination. Enter your zip code and a list of the examination sites closest to you will appear. Once you select the desired examination site, available dates will appear.

TELEPHONE SCHEDULING

Call PSI at (800) 733-9267 to schedule an appointment for the test. The times of operation for live operators are as follows:

	Monday - Friday	Saturday - Sunday
Eastern Time	7:30am - 10:00pm	9:00am - 5:30pm
Central Time	6:30am - 9:00pm	8:00am - 4:30pm
Mountain Time	5:30am - 8:00pm	7:00am - 3:30pm
Pacific Time	4:30am - 7:00pm	6:00am - 2:30pm

CANCELING AN EXAMINATION APPOINTMENT

You may cancel and reschedule an examination appointment without forfeiting your fee if your *cancellation notice is received 2 days before the scheduled examination date*. For example, for a Monday appointment, the cancellation notice would need to be received on the previous Saturday. You may call PSI at (800) 733-9267, or use the PSI Website.

Note: A voice mail message is NOT an acceptable form of cancellation. Please use the PSI Website or call PSI to speak directly to a Customer Service Representative.

MISSED APPOINTMENT OR LATE CANCELLATION

Your registration will be invalid, you will not be able to take the examination as scheduled, and you will forfeit your examination fee, if you:

- Do not cancel your appointment 2 days before the schedule examination date;
- Do not appear for your examination appointment;
- Arrive after examination start time;
- Do not present proper identification when you arrive for the examination.

EXAMINATION ACCOMMODATION

All examination centers are equipped to provide access in accordance with the Americans with Disabilities Act (ADA) of 1990, and every examination accommodation will be made in meeting a candidate's needs. Applicants with disabilities or those who would otherwise have difficulty taking the examination must fill out the form at the end of this Candidate Information Bulletin and fax it to PSI (702) 932-2666.

EXAMINATION SITE CLOSING FOR AN EMERGENCY

In the event that severe weather or another emergency forces the closure of an examination site on a scheduled examination date, your examination will be rescheduled. PSI personnel will attempt to contact you in this situation. However, you may check the status of your examination schedule by calling (800) 733-9267. Every effort will be made to reschedule your examination at a convenient time as soon as possible. You may also check our website at www.psiexams.com.

EXAMINATION SITE LOCATIONS

There are nationwide examination centers. You will be provided with the locations upon scheduling for your examination. Go to www.psiexams.com for a listing of sites.



REPORTING TO THE EXAMINATION SITE

On the day of the examination, you should arrive 30 minutes before your appointment. This extra time is for sign-in, identification, and familiarizing you with the examination process. *If you arrive late, you may not be admitted to the examination site and you will forfeit your examination registration fee.*

REQUIRED IDENTIFICATION

You must provide 1 form of identification. This must be a VALID form of government-issued identification (Driver's License, State ID, Passport) which bears your signature and has your photograph.

If you cannot provide the required identification, you must call (800) 733-9267 at least 3 weeks prior to your scheduled appointment to arrange a way to meet this security requirement. ***Failure to provide ALL of the required identification at the time of the examination without notifying PSI is considered a missed appointment and you will not be able to take the examination at that time.***

SECURITY PROCEDURES

The following security procedures will apply during the examination:

- Only non-programmable calculators that are silent, battery-operated, do not have paper tape printing capabilities, and do not have a keyboard containing the alphabet will be allowed in the examination site.
- Candidates may take only approved items into the examination room.
- All personal belongings of candidates, with the exception of close-fitting jackets or sweatshirts, should be placed in the secure storage provided at each site prior to entering the examination room. Personal belongings include, but are not limited to, the following items:
 - Electronic devices of any type, including cellular / mobile phones, recording devices, electronic watches, cameras, pagers, laptop computers, tablet computers (e.g., iPads), music players (e.g., iPods), smart watches, radios, or electronic games.
 - Bulky or loose clothing or coats that could be used to conceal recording devices or notes, including coats, shawls, hooded clothing, heavy jackets, or overcoats.
 - Hats or headgear not worn for religious reasons or as religious apparel, including hats, baseball caps, or visors.
 - Other personal items, including purses, notebooks, reference or reading material, briefcases, backpacks, wallets, pens, pencils, other writing devices, food, drinks, and good luck items.
- Person(s) accompanying an examination candidate may not wait in the examination center, inside the building or on the building's property. This applies to guests of any nature, including drivers, children, friends, family, colleagues or instructors.
- No smoking, eating, or drinking is allowed in the examination center.

- During the check in process, all candidates will be asked if they possess any prohibited items. Candidates may also be asked to empty their pockets and turn them out for the proctor to ensure they are empty. The proctor may also ask candidates to lift up the ends of their sleeves and the bottoms of their pant legs to ensure that notes or recording devices are not being hidden there.
- Proctors will also carefully inspect eyeglass frames, tie tacks, or any other apparel that could be used to harbor a recording device. Proctors will ask to inspect any such items in candidates' pockets.
- If prohibited items are found during check-in, candidates shall put them in the provided secure storage or return these items to their vehicle. PSI will not be responsible for the security of any personal belongings or prohibited items.
- Any candidate possessing prohibited items in the examination room shall immediately have his or her test results invalidated, and PSI shall notify the examination sponsor of the occurrence.
- Any candidate seen giving or receiving assistance on an examination, found with unauthorized materials, or who violates any security regulations will be asked to surrender all examination materials and to leave the examination center. All such instances will be reported to the examination sponsor.
- Copying or communicating examination content is violation of a candidate's contract with PSI, and federal and state law. Either may result in the disqualification of examination results and may lead to legal action.
- Once candidates have been seated and the examination begins, they may leave the examination room only to use the restroom, and only after obtaining permission from the proctor. Candidate will not receive extra time to complete the examination.

TAKING THE EXAMINATION BY COMPUTER

The examination will be administered via computer. You will be using a mouse and computer keyboard.

IDENTIFICATION SCREEN

You will be directed to a semiprivate testing station to take the examination. When you are seated at the testing station, you will be prompted to confirm your name, identification number, and the examination for which you are registered.

TUTORIAL

Before you start your examination, an introductory tutorial is provided on the computer screen. The time you spend on this tutorial, up to 15 minutes, DOES NOT count as part of your examination time. Sample questions are included following the tutorial so that you may practice answering questions, and reviewing your answers. The "Function Bar" at the top of the sample question provides mouse-click access to the features available while taking the examination.



TEST QUESTION SCREEN

The "Function Bar" at the top of the test question screen provides mouse-click access to the features available while taking the examination.

Question: 3 of 40 Answered: 2 Unanswered: 1 Marked: 0 View: All Time Left (Min): 359

3. What do the stars on the United States of America's flag represent?

(Choose from the following options):

☐ 1. Presidents

☐ 2. Colonies

☐ 3. States

☐ 4. Wars

<< Back Next >>

One question appears on the screen at a time. During the examination, minutes remaining will be displayed at the top of the screen and updated as you record your answers.

IMPORTANT: After you have entered your responses, you will later be able to return to any question(s) and change your response, provided the examination time has not run out.

EXAMINATION REVIEW

While taking the examination, examinees will have the opportunity to provide comments on any questions, by clicking the Comments link on the test question screen. These comments will be analyzed by PSI examination development staff. Although PSI does not respond to individuals regarding these comments, all substantive comments are reviewed. This is the only review of examination materials available to candidates.

EXAMINATION

NASCLA-ACCREDITED EXAMINATION - COMMERCIAL GENERAL BUILDING CONTRACTOR

If you pass the *NASCLA Accredited Examination for Commercial General Building Contractors*, your name will be entered into the NASCLA National Examination Database and you may use this information in other states that accept that NASCLA Accredited Examination.

The NASCLA-Accredited Examination Program was designed to assist contractors who need to be licensed in multiple jurisdictions. Contractors who take the accredited examination can access NASCLA's Examination Database (NED) and request that their results be sent to other jurisdictions that accept the examination, thereby reducing redundant licensing requirements. To access the NASCLA Examination Database (NED), please click visit <https://ned.nascla.org>.

For a listing of the states that provide this examination, please visit NASCLA's website at <http://www.nascla.org/state-agencies-administering-accepting-examination>.

# of Questions	Minimum Passing Score	Time Allowed
115	81	330 Minutes

CONTENT OUTLINE

Subject Area	# of Items
Planning and Estimating	21
Financial and Project Management	21
Safety	19
Site Construction	15
Concrete	8
Masonry	3
Metals	5
Wood Foundations and Framing	5
Thermal Moisture Protection	4
Doors, Windows, and Glazing	5
Finishes	7
Specialty Equipment and Conveyance Systems	2

PRETEST ITEMS

In addition to the number of examination items specified, 10 non-scored "pretest" questions will be administered to candidates during the examinations. These questions will not be scored and the time taken to answer them will not count against examination time. The administration of such non-scored experimental questions is an essential step in developing future licensing examinations.

REFERENCE LIST

The reference material listed below was used to prepare the questions for this examination. The examination may also contain questions based on trade knowledge or general industry practices. Except for Code books, you can base your answers on later editions of references as they become available. For Code questions, the examinations will be based only on the edition of the Code book that is listed. Candidates may use a silent, nonprinting, non-programmable calculator in the examination center.

This examination is OPEN BOOK.

The following reference materials are allowed in the examination center.

Construction Jobsite Management, 4th Edition, 2017, William R. Mincks, Hal Johnston, Delmar/Thomson Learning, PO Box 6904, Florence, KY 41022-6904, Phone (800) 347-7707, Fax (800) 487-8488, www.delmarlearning.com

Construction Project Management, 2014, 4th Edition, Frederick Gould, Nancy Joyce, Pearson Education, Inc. publishing as Prentice Hall, One Lake Street, Upper Saddle River NJ, 07458, 800-848-9500.

ACI 318-11 or ACI 318-14 (2011 or 2014): Building Code Requirements for Structural Concrete and Commentary, American Concrete Institute, (248) 848-3700, www.concrete.org



BCSI: Guide to Good Practice for Handling, Installing, Restraining, and Bracing of Metal Plate Connected Wood Trusses, 2013 (updated March 2015), Structural Building Components Association and Truss Plate Institute, (608) 274-4849, www.sbcindustry.com

NASCLA Contractors' Guide to Business, Law and Project Management, Basic 10th or 11th Edition, National Association of State Contractors Licensing Agencies (NASCLA), 23309 N. 17th Drive, Phoenix, Arizona 85027, Telephone: (623) 587-9519, Fax: (623) 587-9625, www.nascla.org

Erectors' Manual - Standards and Guidelines for the Erection of Pre-Cast Concrete Products, 1999, 2nd Edition, Publisher-Precast/Prestressed Concrete Institute (PCI), 209 W. Jackson Blvd, Chicago, IL 60606-6938, Phone (312) 786-0300, Fax (312) 786-0353, www.pci.org

Training and Certification of Field Personnel for Unbonded Post-Tensioning - Level 1 Field Fundamentals, 2003, 3rd Edition, Post-Tensioning Institute, 1717 W. Northern Avenue, Suite 114, Phoenix, AZ 85021, Phone (602) 870-7540, Fax (602) 870-7541, www.post-tensioning.org.

SDI (Steel Deck Institute) Manual of Construction with Steel Deck, 2006, 2nd Edition, Publisher-Steel Deck Institute, PO Box 25, Fox River Grove, IL 60021, Phone (847) 458-4647, Fax (847) 458-4648, www.sdi.org

Pipe and Excavation Contracting, 2011, Dave Roberts, Craftsman Book Company, P.O. Box 6500, Carlsbad, CA 92018, Phone (800) 829-8123, Fax (631) 924-6580, www.craftsman-book.com.

Gypsum Construction Handbook, 7th edition, 2014, United States Gypsum Company (USG), RS Means Publishing, 700 Longwater Drive, Norwell, MA 02061, 800-334-3509, Fax: 800-632-6732, rsmeans.reedconstructiondata.com

Placing Reinforcing Bars, Recommended Practices, 2011, 9th edition, Concrete Reinforcing Steel Institute, Publisher-Concrete Reinforcing Steel Institute, 933 North Plum Grove Rd, Schaumburg, IL 60173, Phone (800) 328-6306, <http://www.crsi.org/>

Technical Digest No. 9 - Handling and Erection of Steel Joists and Joist Girders, 3rd Edition, 2008, Steel Joist Institute, 234 W. Cheves Street, Florence, SC 29501, Phone: (843) 407-4091, Fax (843) 407-4044, www.steeljoist.org.

Modern Masonry - Brick, Block, Stone, Clois E. Kicklighter, 8th edition (2015). The Goodheart-Willcox Company, (800) 323-0440, www.g-w.com

Principles and Practices of Commercial Construction, 2014, 9th Edition, Cameron K. Andres and Ronald C. Smith, Pearson Education, Inc., One Lake Street, Upper Saddle River, NJ 07458, Phone (201) 236-7000, pearsoned.com.

Code of Federal Regulations - 29 CFR Part 1926 (OSHA), with latest available amendments, U.S. Government Printing Office, (866) 512-1800 or https://www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1926

OR

Code of Federal Regulations - 29 CFR Part 1926 Selections by PSI, with latest available amendments, (866) 589-3088, www.psionlinestore.com

Carpentry and Building Construction, 2010 or 2016 (Student Edition), John L. Feirer and Mark D. Feirer, McGraw-Hill, www.mheducation.com

ANSI Accessible and Usable Buildings and Facilities, 2009, American National Standards Institute, 1819 L Street NW, Washington, DC 20036, (202) 293-8020, www.ansi.org

Roofing Construction and Estimating, Daniel Atcheson, 1995, Craftsman Book Company, (800) 829-8123, www.craftsman-book.com/products

The Contractor's Guide to Quality Concrete Construction, 2005, 3rd Edition, American Concrete Institute, (248) 848-3700, www.aci-int.org.

Green Building Fundamentals, Michael Montoya, 2011, 2nd edition, Pearson Education Publishing, ISBN-10: 0-13-511108-0, Pearson Publishing, www.informit.com/sales/df

International Building Code, 2012 or 2015 Edition, International Code Council, (800) 786-4452, www.iccsafe.org.

Reference material may be highlighted, underlined, and/or indexed. They must be otherwise unmarked (not written in) and may not contain additional papers (loose or attached). THESE REFERENCES WILL NOT BE AVAILABLE IN THE EXAMINATION CENTER. References may be tabbed/indexed with permanent tabs only. Temporary tabs, such as Post-It notes, are not allowed and must be removed from the reference before the exam will begin.

AFTER PASSING THE EXAMINATION

Your results have been entered in the National Examination Database (NED) that will allow you to transfer your results to other states. Even if you are not interested in transferring your results at this time, you might want to go to <https://ned.nascla.org> and view the tutorial. You will not need a login or password to access the video. Just click on the message "To view an instructional video on registering and transcript purchasing" and you will be taken to the video. Once you have viewed the video, you may want to register so that an account can be established; there is no charge to register on NED.

You may also contact any jurisdiction/state agency to inquire if they will accept this passing score. For a complete listing of agencies that will accept your results, please visit the National Association of State Contractors Licensing Agencies (NASCLA) website at <http://www.nascla.org/state-agencies-administering-accepting-examination>.





EXAMINATION ACCOMMODATIONS REQUEST FORM

All examination centers are equipped to provide access in accordance with the Americans with Disabilities Act (ADA) of 1990. Applicants with disabilities or those who would otherwise have difficulty taking the examination may request exam accommodations.

Candidates who wish to request an accommodation because of a disability should fax this form and supporting documentation to PSI at (702) 932-2666.

Requirements for accommodation requests:

You are required to submit documentation from the medical authority or learning institution that rendered a diagnosis. Verification must be submitted to PSI on the letterhead stationery of the authority or specialist and include the following:

- Description of the disability and limitations related to testing
- Recommended accommodation/modification
- Name, title and telephone number of the medical authority or specialist
- Original signature of the medical authority or specialist

Date: _____ Social Security or ID#: _____

Legal Name: _____

Last Name

First Name

Address: _____

Street

City, State, Zip Code

Telephone: (_____) _____ -- (_____) _____ --

Home

Work

Email Address: _____

Check any exam accommodations you require (requests must concur with documentation submitted):

- | | |
|---|--|
| <input type="checkbox"/> Reader (as accommodation for visual impairment or learning disability) | <input type="checkbox"/> Extended time
(Additional time requested: _____) |
| <input type="checkbox"/> Large-print written examination | <input type="checkbox"/> Other _____ |

- Complete and fax this form, along with supporting documentation, to (702) 932-2666 or email it to examaccommodations@psionline.com.
- After four days, PSI Exam Accommodations will email you confirmation upon approval with instructions for the next step.

DO NOT SCHEDULE YOUR EXAMINATION UNTIL THIS DOCUMENTATION HAS BEEN RECEIVED AND PROCESSED BY PSI EXAM ACCOMMODATIONS.



The NASCLA Accredited Electrical Examination Program has been developed to:

- Provide electrical examinations that will meet the needs of regulatory agencies at minimal expense.
- Improve the overall quality and validity of trade licensing examinations in general for electricians.
- Provide the electricians from participating states with the opportunity to cross state borders without having to take multiple electrical examinations or to make extra trips to take the examination(s) in other states.
- Allow each regulatory agency to either **administer** one or more of the NASCLA Accredited Electrical Examinations as their own state specific trade examination(s) using their own current test proctoring administrators, or to simply **accept** the NASCLA examination(s) as meeting the requirements of their current trade examination(s).
- Implement an accreditation process for the test proctoring administrators currently used by each state to ensure consistent, professional and secure examination administrations.
- Provide continuous monitoring and analysis of examination and item statistics to ensure that the examination is valid, reliable, and legally defensible.

The NASCLA Accredited Electrical Examination Program is not intended in any way to create a “national license”. Each regulatory agency will continue to maintain their sovereignty and will be in control of the licensing requirements in their state for their individual licensees.

Once a candidate has taken and passed a NASCLA Accredited Examination, their information is stored in the NASCLA National Examination Database (NED). Candidates can electronically send a regulatory agency their transcript through the database to alert the agency that they have passed one or more of the examinations. Regulatory agencies can then pair the transcript with the candidate's license application.

In cooperation with:



**One Exam,
Nationally
Recognized**

Accredited Trade
Examinations for Electricians

www.NASCLA.org



23309 North 17th Drive
Building I, Unit 110
Phoenix, Arizona 85027

623.587.9354
info@NASCLA.org
www.NASCLA.org



What the Examinations Cover

In 2017, NASCLA will offer three (3) different open book electrical trade examinations through the NASCLA Accredited Electrical Examination Program. Subject Matter Experts (SMEs) from around the country came together to work with NASCLA in developing the job analyses for each examination to represent the work performed in jurisdictions throughout the United States. NASCLA conducted national surveys of electricians in each category to aid the SMEs in the creation of each job analysis. These job analyses, examinations, and questions are developed under the highest psychometric and electrical standards.

Electrical Contractors (Master/Unlimited Electricians)

One who conducts business in the installation, maintenance and repair of electrical work conforming to applicable standards and codes.

Content Domains	NO. OF ITEMS
Project Design and Management	8
Safety	9
Electrical Theory	11
General Code Requirements	17
Wiring and Protection	17
Wiring Methods and Materials	16
Equipment for General Use	13
Special Occupancies, Equipment and Conditions	8
Communication Systems	1

Journeyman Electricians

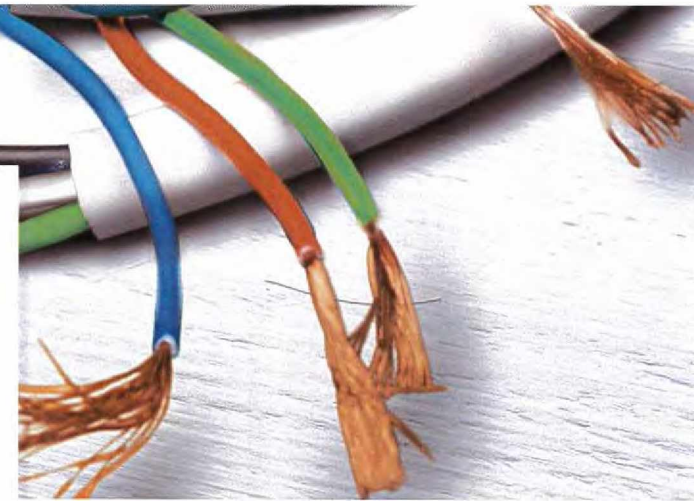
An individual who has demonstrated capacity in the knowledge and skills needed to properly perform the installation, maintenance and repair of electrical work conforming to applicable standards and codes.

Content Domains	NO. OF ITEMS
Interpreting Plans and Specifications	6
Basic Electrical Safety	8
Electrical Theory and Principles	10
Testing and Troubleshooting	7
General Code Requirements	15
Wiring and Protection	18
Wiring Methods and Materials	16
Equipment for General Use	10
Special Occupancies and Equipment	8
Special Conditions and Communication Systems	2



Regulatory agencies can now review the scope of work described in the Job Analysis for each examination—as well as the Test Specifications—and make informed decisions about choosing the NASCLA Accredited Electrical Examination Program as their state standard.

www.NASCLA.org



Residential Electrician/Residential Electrical Contractors

One who demonstrates competency in performing electrical installations, service, repair and maintenance typically encountered in a permanent dwelling unit.

Content Domains	NO. OF ITEMS
Theory	9
Personal/Jobsite Safety (OSHA, NFPA70E)	8
Project Design, Estimating and Management	8
Grounding and Bonding	14
Special System and Equipment Installations	7
Tools and Test Equipment	7
Circuit Protection and Installation	16
Wiring Methods and Practices	17
Equipment for General Use	13
Energy Efficiency/Management	1

AGENDA ITEM F

Review, Discussion, and Possible Action Regarding the Distribution of Funds from the Construction Management Education Account (CMEA)





CONTRACTORS STATE LICENSE BOARD

CONSTRUCTION MANAGEMENT EDUCATION ACCOUNT

Background

The Construction Management Education Sponsorship Act (Act) was passed by the California Legislature and signed into law by Governor Pete Wilson in 1991 (Business and Professions Code sections 7139-7139.10). In creating the Act, the Legislature recognized the increasing need to educate and prepare graduates to fill positions in construction management at a variety of companies.

It was the Legislature's intent that the grants provided through the Act would improve the overall quality of construction by providing industry-specific management training to California licensed contractors and their current and future managers.

Donations

The Act allows contractors to contribute to an account established under the Contractors State License Board (CSLB) for the purposes of construction management education. Originally, contributions were limited to \$25; consequently, the fund grew slowly. In 2003, the Legislature removed the contribution limit and contractors may now contribute any amount they wish. Contributions can be submitted with any application for licensure or renewal.

Advisory Committee

The Construction Management Education Account (CMEA) Advisory Account Committee oversees the funds that help improve the quality and availability of education programs for California's construction industry. Terms for the 11 members are three years and the representatives are appointed by each organization shown below, with at least one representative from each organization:

- Associated General Contractors of California
- Associated Builders and Contractors
- California Building Industry Association
- National Electrical Contractors Association
- Plumbing-Heating-Cooling Contractors Association
- Southern California Contractors Association
- Associated General Contractors of San Diego
- United Contractors Organization (formerly the Engineering and Utility Contractors Association)
- Engineering Contractors Association
- California Sheet Metal and Air Conditioning Contractors Association

The 11th member represents the California State University and University of California construction management programs accredited by the American Council for Construction Education.

Qualifications

Qualifying construction programs must lead to a bachelor's degree and be accredited by the American Council for Construction Education, or place at least 50 percent of their graduates with California licensed contractors.

Application and Claim Process

The power and discretion conferred by law on CSLB to administer the provisions of the Act, including the selection and appointment of members of the CMEA, was delegated to and conferred on the Registrar effective October 4, 2002.

1. CSLB mails the CMEA Application and cover letter to qualified institutions in late summer/early fall. The cover letter details how the grant money can be used and explains reporting requirements about how the funds were spent. Copies of Business and Professions Code sections 7139-7139.10 and the Construction Management Education Sponsorship Act of 1991 are included. CSLB allows 6–8 weeks for institutions to return the completed CMEA application.
2. CSLB sends a reminder to institutions about the application deadline approximately 2–3 weeks before that date.
3. The award totals are based on the number of graduates from each university's construction management program. CSLB staff reviews the grant applications received and makes recommendations about the amount of the grant award. CSLB annually distributes grants from the fund, up to a maximum of \$150,000 per year. Although the Act indicates a specified cap on the amount of funds that each institution can be granted (\$3,000 per graduate), the advisory committee and CSLB have elected to award grants in proportion to the number of graduates of each qualifying institution that submits an application.

$\$150,000 / \text{number of graduates for all institutions} = \text{total per graduate award}$

4. CSLB sends grant summary notifications to all members of the CMEA Advisory Committee. This includes the grant calculations and grant awards for each institution for review and approval, and provides an offer to send the grant applications to any committee member who wishes to review them.
5. The Registrar issues an "intent to award" memorandum to present to CSLB's Executive Committee.



6. CSLB mails the CMEA Grant Payment Authorization form and cover letter to each approved institution. The cover letter details how the grant money can be spent and reiterates the reporting requirements. The institution is asked to sign and return the form.
7. CSLB sends email reminder(s) to any institution that does not promptly return the signed authorization form.
8. After the institution representative signs, dates, and returns the authorization form to CSLB, the Registrar (as authorized by the Board) signs and dates the form authorizing payment of the grant.
9. CSLB sends the authorization form to the Department of Consumer Affairs (DCA). DCA schedules the claim for processing and the claim is "keyed." The claim is then sent to the State Controller's Office, which has up to three weeks to issue the check.

Current Fund Condition

Below is the CMEA fund condition, which shows the final FY 2016-17 reserve (\$249,000 – approximately 19 months' reserve), along with the projected reversion amounts for current year (CY) 2017-18 through budget year (BY) 2019-20.

	Final FY 2016-17	Projected CY 2017-18	Projected BY 2018-19	Projected BY+1 2019-20
Beginning Balance	\$ 161	\$ 249	\$ 344	\$ 284
Prior Year Adjustment	-\$1	\$0	\$0	\$0
Adjusted Beginning Balance	\$ 160	\$ 249	\$ 344	\$ 284
Revenues and Transfers				
Revenue	\$89	\$95	\$100	\$100
Totals, Resources	\$ 249	\$ 344	\$ 444	\$ 384
Expenditures				
Disbursements:				
Program Expenditures (State Operations)	\$0	\$0	\$10	\$10
Local Assistance Grant Disbursements	\$0		\$150	\$150
Total Expenditures	\$ 0	\$ 0	\$ 160	\$ 160
Fund Balance				
Reserve for economic uncertainties	\$ 249	\$ 344	\$ 284	\$ 224
Months in Reserve	18.7	25.8	21.3	16.8

Notes:

- 1) All dollars in thousands.



CSLB

CONSTRUCTION MANAGEMENT EDUCATION ACCOUNT

Staff Recommendation

Staff recommends waiting until FY 2018-19 to begin disbursing grant awards to qualified institutions so that the CMEA fund has time to establish a healthy reserve, and that the Registrar begin the process of appointing a new Advisory Committee.

AGENDA ITEM G

Review and Discussion Regarding Minimum Qualification Requirements for a “B” General Building Contractor License





CONTRACTORS STATE LICENSE BOARD

“B” GENERAL BUILDING LICENSE REQUIREMENTS

Background

Prior to 1997, Board regulations at Section 834 precluded a General Building Contractor from undertaking a prime contract (excluding framing or carpentry) unless it required at least three unrelated building trades or crafts, or unless he or she held the required specialty license(s).

Following the court of appeal’s ruling in *Home Depot v. CSLB*, BPC §7057 was amended to allow a General Building contractor to take a prime contract or subcontract for a framing or carpentry project. However, a General Building contractor is precluded from taking a prime contract for any project involving trades other than framing or carpentry, unless the prime contract requires at least two unrelated building trades or crafts other than framing or carpentry, or unless the General Building contractor holds the appropriate specialty license(s), or the contractor subcontracts with an appropriate licensed specialty contractor to perform the work.

CSLB Experience Requirements

CSLB currently requires applicants for a “B” General Building contractor license to demonstrate four years of journey-level, “hands-on” framing experience, in addition to experience in two other trades performed in connection with a fixed work. Many applicants for a “B” General Building contractor license, including those who perform residential remodeling work, have experience in multiple trades related to residential construction, such as home remodeling, but do not have the hands-on framing experience.

License Statistics

Currently, CSLB has 102,789 active “B” licenses, and 811 “C-5” Framing and Rough Carpentry licenses.

Industry Practice

On October 18, 2017, CSLB staff met with representatives from the Associated General Contractors, the California Building Industry Association, and the Construction Employers Association to discuss current industry practice with regard to framing. Specifically, attendees discussed whether an applicant for a “B” license should be required to have hands on framing experience or if supervision of framing work performed by a subcontractor constitutes sufficient experience. Industry representatives agreed that in new home construction and commercial work some “B” contractors self-perform framing, while others subcontract the work. The representatives further stated that supervisory experience overseeing framing work performed by subcontractors is sufficient and should be considered in qualifying an applicant for a “B” license to perform commercial and residential work. CSLB appreciates the participation and feedback from these groups.

**Experience Requirements in Other States**

Staff confirmed that no other western states (Washington, Oregon, Nevada, Arizona, and Utah) require hands-on framing experience to obtain a General Building Contractor license.

Discussion

California Code of Regulations (CCR) § 825 states:

Every applicant for a contractor's license must have had, within the last 10 years immediately preceding the filing of the application, **not less than four years' experience as a journeyman, foreman, supervising employee or contractor in the particular class within which the applicant intends to engage as a contractor.**

1. Is hands on framing experience required or is experience on job sites as a foreman, supervising employee, or contractor on projects that require framing meet the experience requirements?
2. Does four years of residential remodeling experience which includes performing two or more trades in furtherance of a kitchen or home remodel that involves carpentry but not a significant framing component meet the experience requirements?

Staff Recommendation

Staff recommends that CSLB request that the Department of Consumer Affairs Legal Counsel review the current statutory and regulatory requirements of the General "B" classification.

AGENDA ITEM H

Review and Discussion of the Processing of Original Exam Applications





Background

The Application Exam Unit is responsible for processing original contractor applications that require an examination. Part of this process involves analyzing the applicant's relevant work experience to ensure it meets the experience claimed on the application as well as qualifications set forth in California contractors' license law. The Application Examination Unit might request additional documentation to support the contractor's claimed work experience and/or education. Additionally, the Application Examination Unit reviews applications for accuracy and acceptability and requests any necessary corrections. Once the application is deemed acceptable, the applicant is scheduled to take a law and/or trade examination.

Application Examination Unit Staffing

The Application Examination Unit consists of 10 full-time technicians and one full-time supervisor. There is currently one vacancy.

Application Examination Unit Statistics

Applications Received

The chart below illustrates the number of original contractor applications received in the last five fiscal years and the percentage increase/decrease from the prior fiscal year.

Fiscal Year	Applications Received	Percentage +/-
FY 12/13	10,104	
FY 13/14	10,171	+1.80%
FY 14/15	11,062	+9.00%
FY 15/16	12,565	+9.30%
FY 16/17	13,612	+10.50%

Applications Returned for Corrections

The chart below provides the number of original contractor applications that staff returned for correction (first and any additional returns for correction) and the percentage of the returns from the last five fiscal years.



Fiscal Year	Application Received	First Return for Corrections	% of First Returned for Corrections	Additional Corrections	% of Additional Corrections
FY 12/13	10,104	4,807	48%	1,293	13%
FY 13/14	10,171	6,526	64%	2,555	25%
FY 14/15	11,062	6,505	59%	2,738	25%
FY 15/16	12,565	7,103	57%	2,134	17%
FY 16/17	13,612	7,791	57%	2,630	19%

Among the reasons an application may be returned for correction include:

1. Work Certification is filled out incorrectly or missing information
2. Business Name does not match entity or classification
3. Missing Social Security number on application
4. Missing classification on application
5. Missing entity/titles on application
6. Business name does not match the Secretary of State record
7. Social Security number does not match the one in CSLB's records
8. Applicant's name does not match the name in CSLB's records
9. Missing signature on application
10. Missing dates on application

Application Examination Unit Technicians have five days to review corrections on returned applications.

Applications Posted

The chart below illustrates the number of original contractor applications received and then posted over the past five fiscal years. An application is classified as "posted" when it has been reviewed and CSLB staff deem it acceptable to schedule an examination.

Fiscal Year	Applications Received	Total # Applications Posted	% of Applications Posted
FY 12/13	10,104	8,352	83%
FY 13/14	10,171	7,757	76%
FY 14/15	11,062	9,100	82%
FY 15/16	12,565	10,214	81%
FY 16/17	13,612	11,334	83%



Applications Issued

The chart below provides the number of original contractor applications posted and the number and percentage of applications that resulted in license issuance over the past five fiscal years. Applicants must pass the law and/or trade examination for license issuance.

Fiscal Year	Total # Applications Posted	Total # Applications Issued	% of Applications Issued
FY 12/13	8,352	6201	74%
FY 13/14	7,757	4968	64%
FY 14/15	9,100	6426	71%
FY 15/16	10,214	6228	61%
FY 16/17	11,334	8274	73%

Applications Voiced

The chart below illustrates the number of original contractor applications received and eventually voiced. Applications are voiced if the applicant fails to submit an acceptable application and/or corrections in a timely manner. Additionally, applications can be voiced if the applicant does not submit license issuance requirements.

Fiscal Year	Applications Received	Applications Voiced	% of Applications Voiced
FY 12/13	10,104	4,100	41%
FY 13/14	10,171	4,168	41%
FY 14/15	11,062	4,030	36%
FY 15/16	12,565	4,389	35%
FY 16/17	13,612	3,719	27%

Application Examination Unit Processing Time

Initial Processing

The chart below provides the weeks to initial processing of original contractor applications over the past five fiscal years. "Initial weeks to process" refers to the average number of weeks before an application is initially pulled for processing by a technician after it arrives at CSLB.



Fiscal Year	Average Weeks to Initial Processing
FY 12/13	2.0
FY 13/14	1.4
FY 14/15	2.2
FY 15/16	6.8
FY 16/17	4.6
FY 17/18*	5.2

*as of September 30, 2017

Total Processing

The chart below shows the average total application processing time in weeks from receipt to license issuance for original contractor application for the last five fiscal years. Processing times are most affected by applications that staff return for correction, which can occur multiple times, as well as the criminal background check. These delays are outside of CSLB's control. The chart does not include the average processing time of voided applications.

Average processing time is monitored whenever any of the following actions occur:

- Received Date to First Returned for Correction – Application review is completed; application is not acceptable and returned for correction.
- Received Date to First Exam – Application review is completed; application is accepted and exams scheduled.
- Last Exam to Issuance – Exam requirement is met; applicants are sent a bond and fee notice requesting submission of issuance requirement(s).
- Received Date to Issuance – All issuance requirements are met and license issued.

Average Total Processing Time in Weeks	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18*
Received Date to First Returned for Correction	2.1	3.1	3.3	4.0	5.3	5.0
Received Date to First Exam	8.4	11.3	12.1	13.3	13.6	13.3
Last Exam to Issuance	8.6	9.3	9.6	9.4	7.4	6.3
Received Date to Issuance	22.2	25.4	26.1	27.7	26.1	26.3

* as of September 30, 2017

AGENDA ITEM I

Review, Discussion, and Possible Action on Developing Publications to Address Common Licensing Questions





FREQUENTLY ASKED QUESTIONS

Question: What does “incidental” mean?

Answer: Any trade work that is outside of the described work for the Specialty classification that is essential to complete the contract. This work can be either self-performed or subcontracted to the appropriate Specialty contractor.

Board Rule (California Code of Regulations Title 16, Division 8) 831, Incidental and Supplemental Defined:

For purposes of Business and Professions Code section 7059, work in other classifications is “incidental and supplemental” to the work for which a specialty contractor is licensed if that work is essential to accomplish the work in which the contractor is classified. A specialty contractor may use subcontractors to complete the incidental and supplemental work, or he may use his own employees to do so.

Question: Can the “A” General Engineering classification perform any work they want?

Answer: No. The requirement for the “A” General Engineering classification is that the work to be performed requires specialized engineering knowledge and skill in connection to a fixed works project. Additional information regarding the “A” general Engineering classification scope and practice can be found in Business and Professions Code section 7056.

Question: Can a C27 – Landscaping classification perform tree service work without holding the C61/D49 - Tree Service classification?

Answer: Yes. The C-27 Landscaping classification may perform all of the work listed in the C-61/D-49 Tree Service classification (California Code of Regulations Title 16, Division 8, Section 832.61).

Question: Can the C-10 Electrical classification perform low voltage work?

Answer: Yes. The C-10 Electrical classification does not have a limit within this classification as with the C-7 Low Voltage classification. The C-10 Electrical classification may perform electrical work for any voltage. The California Code of Regulations Title 16, Division 8) 832.10, defines Class C-10- Electrical Contractor as:

An electrical contractor places, installs, erects or connects any electrical wires, fixtures, appliances, apparatus, raceways, conduits, solar photovoltaic cells or any part thereof, which generate, transmit, transform or utilize electrical energy in any form or for any purpose.



CSLB

CONSTRUCTION MANAGEMENT EDUCATION ACCOUNT

Question: Do I need workers' compensation (WC) insurance to hire a day laborer?

Answer: Yes. Workers' compensation insurance must be taken out by licensed contractors if they bring an employee, day laborer, or even a friend to assist them on the job site. The policy provides medical coverage in case someone is injured on the job, and also protects property owners from legal liability for a job site accident.

AGENDA ITEM J

Discussion of Applicant and Industry Outreach Regarding Licensure



AGENDA ITEM K

2016-18 Strategic Plan Update; Discussion and Possible Action on 2017-18 Licensing and Examination Objectives





CONTRACTORS STATE LICENSE BOARD

2016-18 STRATEGIC PLAN UPDATE – LICENSING & TESTING

Licensing & Testing Objectives

ITEM	TARGET	DESCRIPTION	STATUS
1.1 Revise Application Package and Related Outreach Material (E)	March 2017	In conjunction with Public Affairs, update package of application materials to decrease confusion, increase compliance, and reduce the time to issue new licenses	Licensing and Public Affairs staff have met to review existing materials and discuss changes
1.2 Conduct Comparative Study of Pass/Fail Rates of Contractor License Exams in Other States (I)	March 2017	Educate and inform Board members and the public about how California pass/fail rates compare with other states	Information included in September 2017 Board packet
1.3 Review CSLB license reciprocity agreements	September 2017	In response to Little Hoover Commission report on barriers to occupational licensing, review existing CSLB license reciprocity agreements and how other states handle CSLB licensees	Information included in September 2017 Board packet
1.4 Review feasibility of process to review license denials	December 2017	In response to Little Hoover Commission report on barriers to occupational licensing, review possibility of establishing an informal process to review license denials	Not yet begun
1.5 Identify Specific Criteria for Examination Waiver and Application Review (B)	May 2018	In conjunction with Enforcement division, develop criteria to review waiver applications that better identify potentially fraudulent submissions (see Objective 3.4)	Staff to draft proposed regulatory changes and meet with legal counsel for initial review of the language
1.6 Research and Implement Measures to Reduce Initial Application Processing Times (E)	July 2018	Examine current processes, procedures, staffing levels, and other issues to identify ways to speed up the time it takes to issue new licenses	The automated sole owner correction letter is complete; staff meeting to discuss review process for partnership applications

AGENDA ITEM L

Adjournment

