

CR 90-257

# RULES CERTIFICATE

STATE OF WISCONSIN )  
 ) SS  
DEPT. OF INDUSTRY, )  
LABOR & HUMAN RELATIONS )

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JUL 2 1991  
*4:15 pm*  
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Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carol Skornicka, Secretary of the Department of Industry,  
Labor and Human Relation, and custodian of the official records of said department, do hereby certify the  
the annexed rule(s) relating to continuing education for plumbers' licenses were duly  
(Subject)  
approved and adopted by this department on July 2, 1991.  
(Date)

I further certify that said copy has been compared by me with the original on file in the department  
and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set  
my hand and affixed the official seal of the  
department at 10:00 a.m.  
in the city of Madison, this 2nd  
day of July A.D. 19 91.

*Carol Skornicka*  
Secretary





# RULES in FINAL DRAFT FORM

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**Rule:** ILHR 81.135

**Relating to:** Continuing Education for Plumber License Renewals

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to create ILHR 81.135, relating to continuing education for plumber license renewals.

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ANALYSIS OF RULES

Statutory authority: ss. 101.02 (1) and 145.02 (4), Stats.  
Statutes interpreted: s. 145.02 (4), Stats.

Under s. 145.02, Stats., the Department of Industry, Labor and Human Relations has the responsibility of prescribing rules as to the qualifications for the licensing of plumbers.

Under the proposed rules, plumbers will be required to obtain annually continuing educational credit as a prerequisite for renewing their plumber licenses. The prerequisite of continuing educational credit is to be initiated with an individual's request to renew their plumber's license for 1993. Plumbers who are licensed as journeyman-restricted and master-restricted will be required to obtain annually 3 hours of continuing educational credit while journeyman and master plumbers who are not restricted in practice will be required to obtain annually 6 hours of continuing educational credit. The continuing education concept is to serve as a mechanism for supplementing the transition from a "specification based" plumbing code to a more "performance oriented" plumbing code under which many choices or alternatives are permitted. Continuing education is also to help increase the plumber's knowledge, awareness and understanding of the relationship between the plumbing code's minimum standards and changes occurring in technology and practices.

The number of continuing educational hours has been established upon the premise that 3 hours of credit can be obtained in one half-day session or one evening program or other increments while 6 hours of credit could be accomplished in one all-day session or two half-day events or other increments. The division of safety and buildings currently offers annual training programs on the plumbing code at approximately 20 various locations throughout the state. It is anticipated that attendance at this division program would fulfill 3 hours of continuing educational credit. The department believes that associations, adult educational schools and others will offer a wide variety of other program and courses which would qualify for credit.

The proposed rules have been developed with input from the Plumbers Council and the Plumbing Code Advisory Committee.

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SECTION 1. ILHR 81.135 is created to read:

ILHR 81.135 CONTINUING EDUCATION. (1) IMPLEMENTATION. Except as provided in sub. (3) (b), this section applies to all master plumbers, master plumbers-restricted, journeyman plumbers and journeyman plumbers-restricted applying for renewal of their 1993 plumber licenses and each subsequent license renewal.

(2) TYPES OF LICENSES. (a) Full-licensed plumbers. Each master plumber and journeyman plumber at the time of applying for license renewal shall certify to the department that he or she has or will have completed at least 6 hours of acceptable continuing education in the year preceding the license renewal due date, except as provided in sub. (3). Certification of continuing education compliance shall be indicated on the license renewal application specified under s. ILHR 81.13 (2).

(b) Restricted-licensed plumbers. Each master plumber-restricted and journeyman plumber-restricted at the time of applying for license renewal shall certify to the department that he or she has or will have completed at least 3 hours of acceptable continuing education relative to their classification in the year preceding the license renewal due date, except as provided in sub. (3). Certification of continuing education compliance shall be indicated on the license renewal application specified under s. ILHR 81.13 (2).

(3) EXEMPTIONS. (a) A plumber may apply to the department for waiver of the continuing education requirements for a specific license renewal year on the grounds of prolonged illness or disability or similar circumstances. Each application for waiver shall be considered individually on its merits by the department.

(b) A journeyman plumber or journeyman plumber-restricted is not required to complete any hours of continuing education in the year in which the person has obtained their initial license as a journeyman plumber or journeyman plumber-restricted.

(4) PROGRAM SPECIFICATIONS. (a) 1. Only courses, programs and seminars approved in writing by the department shall be used for credit to fulfill continuing education requirements.

2. The department shall consult with the plumbers council as to the types or categories of courses, programs and seminars which are to be considered for continuing education credit.

(b) Requests for a course, program or seminar to be recognized for approval shall be submitted in writing to the department at least 30 days prior to the first day the course, program or seminar is to be conducted.

1. Requests for approval shall include sufficient information to determine if the course, program or seminar complies with this subsection.

2. The department shall review and make a determination on a request for approval within 15 business days of receipt of the request and information necessary to complete the review.

(c) Thirty minutes of attendance in an approved course, program or seminar shall be deemed equal to 30 minutes of acceptable continuing education.

(d) Courses, programs and seminars to be considered for approval towards continuing education credit shall relate to:

1. The license classification or classifications;
2. The design, installation, maintenance, inspection, planning or superintending of plumbing; or
3. The plumbing code, chs. ILHR 81 to 86.

(e) 1. The individual or organization providing an approved continuing education course, program or seminar shall maintain an attendance record of those individuals who have attended and completed the course, program or seminar.

2. The attendance record shall include the names of each attendee along with the attendee's plumber license number and social security number.

3. A copy of the attendance record shall be forwarded by the person or party which had obtained the course or program approval to the department within 10 days of the completion of the course, program or seminar.

Note: The mailing address for the attendance records is:

Bureau of Building Water Systems  
P.O. Box 7969  
Madison, WI 53707

(f) 1. The department may impose specific conditions in approving a course, program or seminar for continuing education credit.

2. The department may revoke the approval of a course, program or seminar for continuing education credit for any false statements, misrepresentation of facts or violation of the conditions on which the approval was based. The department may not revoke the approval of course, program or seminar less than 30 days prior to the course, program or seminar being held.

(5) EVIDENCE OF COMPLIANCE. Each plumber shall retain evidence of compliance with continuing education requirements throughout the license period for which continuing education credit was required for license renewal.

(a) The department shall accept as evidence of compliance original or copies of documents, certified by the individual or organization providing the course, program or seminar, indicating attendance at and completion of the continuing education credit.

(b) The department may require a license holder to submit evidence of compliance for the continuing education credit which was required to renew the current license.

(6) REEXAMINATION. (a) Full-licensed plumbers. Failure to obtain at least 12 hours of continuing education credit over 2 consecutive years may result in an individual having to take and pass the appropriate licensure examination in accordance with s. ILHR 81.05 in order to renew a master plumber license or journeyman plumber license.

(b) Restricted-licensed plumbers. Failure to obtain at least 6 hours of continuing education credit over 2 consecutive years may result in an individual having to take and pass the appropriate licensure examination in accordance with s. ILHR 81.05 in order to renew a master plumber-restricted license or journeyman plumber-restricted license.

(END)

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EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on January 1, 1992.

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Tommy G. Thompson  
Governor  
Carol Skornicka  
Secretary



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**State of Wisconsin**  
**Department of Industry, Labor and Human Relations**

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July 2, 1991

Gary Poulson  
Assistant Revisor of Statutes  
2nd Floor  
119 Martin Luther King Blvd.  
Madison, Wisconsin 53703

Douglas LaFollette  
Secretary of State  
10th Floor  
30 West Mifflin Street  
Madison, Wisconsin 53703

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Dear Messrs. Poulson and LaFollette:

**TRANSMITTAL OF RULE ADOPTION**

CLEARINGHOUSE RULE NO. 90-257

RULE NO. s. ILHR 81.135

RELATING TO: Continuing Education for Plumber License Renewals

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Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol Skornicka".

Carol Skornicka  
Secretary