



THE ALABAMA BOARD OF ELECTRICAL CONTRACTORS

THE ELECTRICAL NEWS BRIEF

FALL 2013 EDITION

ABEC

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Executive Director Report

By: Keith E. Warren

The Board has experienced many changes in the past 3 years, specifically with the changes passed in 2010 to its original 1985 statute. I have been with the Board since 1991 now and have witnessed many changes and finally we were able to get the changes passed to better service the electrical profession and the Citizens of the State of Alabama. The Board was successful in approving over 1,000 applicants that qualified for the local examination waiver to obtain an Electrical Contractors license without any further examination requirements. The Board later approved the same process for journeymen applicants that met the same local examination waiver and approved almost 500 applicants for a Journeyman Electrical license without further examination. For those individuals that did not meet the local examination waiver option were afforded an opportunity to obtain a provisional license to continue to work in the areas they were already licensed and working in throughout the state. There are 1,073 Provisional Electrical Contractors licensees as of this publication. Provisional license holders are restricted to those areas unless they pass the examination to obtain the Electrical Contractors license.

Along with these changes, the Board will now require continuing education hours to renew your licenses beginning in the 2015 renewal cycles. Please note that there are four renewal periods through the calendar year. Licenses are renewed in March, June, September and December. Your continuing education hours will not be required to be submitted until you renew your license in 2015. Please refer to the continuing education article or the continuing education announcement on the Board's web site.

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www.aecb.alabama.gov

BOARD MEETINGS

10:00 a.m. - Mondays

Board Conference Room

2777 Zeld Road

Montgomery AL 36106

2014 Meeting Schedule

JANUARY 13TH MARCH 10TH

MAY 12TH JULY 14TH

SEPTEMBER 8TH NOVEMBER 3RD

Check the Board's web site calendar for any changes in meeting schedule

Board Staff:

Keith E. Warren	Executive Director	keith@warrenandco.com
Renee' Reames	Executive Secretary/Complaint Department	renee@warrenandco.com
Randy Barrows	Administrator	randy@warrenandco.com
Kim Starnes	Licensing Specialist/ Applications	kim@warrenandco.com
Mike James	Investigator	mike@warrenandco.com
Jenna Lanier	Licensing Specialist Assistant	jenna@warrenandco.com
Steven Cantrell	Licensing Specialist Assistant	steven@warrenandco.com

CONTINUING EDUCATION REQUIREMENTS

As a licensed Electrical Contractor and Provisional licensee, you will now be required to obtain 14 hours of continuing education every two years to maintain your Alabama Electrical Contractors License. With this requirement being so new to you and the Board needing the time to approve continuing education providers, the Board voted to postpone the requirement as long as possible so that everyone has as much time as they need to complete the hours. Currently, the Board approved that all continuing education hours are not due until the **2015 Renewal period**. You can find information pertaining to the *Approved Continuing Education Providers* on the Board's web site, along with information regarding the provider approval process in case there is an entity you would like to become approved. We encourage you to contact these approved CE Providers to obtain information about the courses they have available. Many of your questions about the Continuing Education requirement can be answered by referring to the Administrative Rule, 303-X5, on the Board's web site under "Rules & Regs" icon. If you have additional questions, please do not hesitate to contact the Board office and we will be glad to assist you.

CURRENT LICENSEES:

Electrical Contractors 2,693

Journeyman Electricians 806

Provisional 1,073

EXECUTIVE DIRECTOR'S REPORT [continued from page 1]

The Board now has the authority to investigate complaints which did not exist prior to the passage of Act # 2010-540. There is an article in this publication by the Board's General Counsel, Ms. Hendon Coody, which explains the complaint/investigative process. Please note that the Board does not conduct electrical inspections of any kind.

The Board and I cannot thank the sponsors of Act # 2010-540 enough, Sen. Del Marsh Rep. Alan Harper and Rep. Mickey Hammon. All were very instrumental in passing this legislation and continue to support us with other changes the Board has been pursuing. Rep. Mickey Hammon (House Majority Leader) is not only a member of the Alabama House of Representatives but is also a licensed Electrical Contractor by this Board. He definitely safeguards the electrical industry as well as the construction industry as a whole. The Alabama House of Representatives and the Electrical Industry is also fortunate to have Mack Butler from Rainbow City as a member who assisted the Board during the 2013 Legislative Session. I not only have the pleasure of working with Rep. Butler in the Legislature but also had the opportunity to work with him as a member of the Alabama Board of Electrical Contractors prior to his election. Both Rep. Hammon and Rep. Butler greatly assist this Board and the Legislature as a whole in their abilities to answer questions pertaining to the industry. Thank you both for all you do, you are greatly appreciated.

The Board's Office is now located at 2777 Zelda Road, Montgomery, 36106 which has more than adequate space to accommodate the growth the Board has experienced and continues to experience. There is now a direct phone number for the Board Office, **334-420-7232** and most importantly a live person answers the phone unless it is after hours. Below please find a list of our staff and the areas they handle so you can ask for the appropriate person when calling:

Kim Starnes	Application and Licensing Specialist
Randy Barrows	Administrator and Examination Department
Renee' Reames	Executive Secretary to the Executive Director and Consumer Complaint Department
Mike James	Director of Regulatory Investigations
Jenna Lanier	Licensing Specialist Assistant
Steven Cantrell	Licensing Specialist Assistant

Services and forms you may obtain on the Board's website: www.aecb.alabama.gov

- **On-line:** Renew your license and process licensing fee
- **Print:** Change of Address form (to ensure your license is mailed to correct address)
- **Print:** Change of Company Affiliation or Information form (to ensure your license is properly affiliated)
- **Print:** Inactive Status Certification request form (inactive status up to 5 years)

Please see Rules and Regulations regarding licensee information and inactive status.

THE COMPLAINT PROCESS
of the Alabama Board of Electrical Contractors
By Hendon B. Coody, General Counsel

In 2010, the Alabama State Legislature passed the Alabama Electrical Contractors Act, which among other things, authorizes the Alabama Board of Electrical Contractors to investigate written complaints concerning alleged violations of the Act or of Board rules, and provides for disciplinary actions if a violation is proven to have occurred. The Board does not accept anonymous complaints or complaints received by telephone. The Board's authority to discipline extends to matters affecting the public interest and the health, safety, and welfare of the public. The Board does not have jurisdiction over payment disputes between parties; it does not employ electrical inspectors or perform random investigations.

To begin the complaint process, the Board's complaint form must be completed, signed and dated by the complaining party, (called the Complainant). The Complainant must also provide the name of the party against whom the complaint is filed (called the Respondent), their contact information, a description of the circumstances giving rise to the complaint and what attempts have been made to resolve the problem. The Executive Director of the Board, Keith E. Warren, receives all complaints. No anonymous complaints will be accepted.

The next step is to determine whether the Board has jurisdiction over the complaint. By jurisdiction, we mean whether the Board has the authority under the law to control, monitor or discipline the actions complained of in the complaint. If it is determined that the Board has jurisdiction, Mr. Warren then directs the Board's investigator, Mike James, to begin an investigation. Mr. James may first contact the Complainant to inquire further about the allegations and to gather additional information, including where and when the alleged violation occurred. Mr. James continues the investigation, which may involve interviewing the Respondent and anyone who may have knowledge of the facts, including any local permitting authorities. Mr. James also reviews the Respondent's licensing information on file at the Board and whether there have been complaints against this Respondent in the past. It is important to remember that the Board has jurisdiction to discipline anyone in the State that is practicing electrical contracting or acting as an journeyman electrician, whether they are licensed by the Board or not. In fact, complaints involving electrical work performed by unlicensed contractors or journeymen are considered a threat to the public interest and the health, safety and welfare of the public and are taken very seriously by the Board.

At the conclusion of the investigation, Mr. James submits a report of the investigation to the Complaint Committee of the Board. The Complaint Committee is comprised of Mr. Warren, Mr. James, a member of the Board located in the Respondent's geographical area, and the Board's legal counsel. If the Committee determines that a violation has occurred, it can do one of three things, depending on the severity of the violation. For minor violations that do not rise to the level of a disciplinary hearing, a Letter of Concern may be issued. A Letter of Concern is not a disciplinary action, but is kept in the Respondent's file for a period of 5 (five) years. For violations of a more serious nature, the Committee may recommend that an Administrative Complaint be filed against the Respondent, specifying the allegations that the Respondent must defend and a date, time and place for a hearing. The third option is to invite the Respondent to the Board for an interview, after which the Board may elect to send a Letter of Concern or file an Administrative Complaint.

An administrative hearing is an informal way of resolving disputes between the Board and Respondents without the strict procedural rules of a court. A Hearing Officer conducts the hearing, listening to the testimony of the witnesses, reviewing any documents admitted into evidence, and ensuring that the correct procedures are followed. The Hearing Officer is an attorney specially trained in administrative law to conduct administrative hearings and is not an employee of the Board. In addition to the Hearing Officer, at least 5 members of the Board are present to hear the case. The Board member that sat on the Complaint Committee is excused from the hearing and may not participate in the hearing or vote on the case. The Respondent may be represented by legal counsel and the Complainant is urged to attend, as well. Witnesses testify under oath, the Hearing Officer receives evidence and there is an opportunity for both the Complainant and the Respondent to address the Board. After the hearing, the Hearing Officer writes a Recommended Order and submits it to the Board, usually within 30 days. The Board votes to accept or reject the Hearing Officer's Recommended Order. The Board then notifies the Respondent of its decision. The Board's order may be appealed to the Montgomery County Circuit Court in accordance with the Administrative Procedures Act, §41-22-20, Code of Ala. 1975.



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The Electrical News Brief
is a publication of The Alabama Board
of Electrical Contractors

Law Changes Law Changes Law Changes Law Changes

The Electrical Contractors Board was successful in having changes made to the statute during the 2010 Legislative Session. Act 2010-540 was signed into Law. These changes allow the Board to do many things that the original statute would not allow. Please visit the Board's website, www.aecb.alabama.gov, to obtain information about the *New Act Announcement* and learn more about licensing requirements. Application forms can be also be obtained on the Board's web site.

Act 2010-540 signed into Law by Governor Bob Riley



Signing with the Governor (pictured left to right): Keith Warren, Ron Weaver, Albert Hensley, Senator Del Marsh, Mack Butler, Chuck Turner, Donald Cook, Kirk Patterson, Terry Wallace and Robert Lamborne.

Act 2010-540 provides for the following:

- Further defines electrical contracting;
- Require electrical licensing in jurisdictions where no licensing was required and allows the Board to recognize certain local examinations (allowance period ended July 31, 2012);
- Require Continuing Education;
- Establishes investigative authority for complaints, establishes disciplinary procedures and monetary fine limit;
- Establishes an inactive license and restoration fee for expired licenses;
- Extends the restoration period from 2 years to 5 years.
- Subject the Board to the Alabama Sunset Law;
- Adds racial, gender, geographic, urban/rural, and economic diversity of the state to the membership of the board;
- Adds Board immunity for acts of good faith;
- Increase Board Member compensation;
- Increase unencumbered amount to be transferred into the General Fund;
- Changes executive secretary to executive director;
- Repeals Electrical Appeals and Advisory Board (this entity has never been appointed or in existence since the inception of the original law in 1985).