

**Joint public hearing
of House Labor Relations and the House Professional Licensure Committees
on
Licensure of Construction Trades & Consumer Protection**

**Radnor Township Municipal Building, Meeting Room
301 Iven Avenue, Wayne, PA 19087**

**Tuesday, July 22nd
2:00pm**

**Presented by
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Past President, PA Assn. of Plumbing, Heating & Cooling Contractors
Registered Master Plumber # 2749, City of Philadelphia**

Good Morning, Chairman Belfanti, DiGirolamo, Sturla, Adolph, and members of the House Labor Relations and Professional Licensure Committees. My name is Walt Krzyzanowski and I am the President of the Union Affiliated Contractors of Plumbers Local #690 and Vicinity, I've also recently completed a term as President of the Pennsylvania Association of Plumbing – Heating – Cooling Contractors (PA-PHCC). I am a second generation Master Plumber and I own and operate a family owned Plumbing Company in the Philadelphia area started in 1956 by my father. I am proud to say my son is now a third generation Master Plumber and is continuing in our proud family tradition. Thank you for the opportunity to present our views on the licensing of construction trades and specifically for Plumbing Contractors.

PA-PHCC is made up of contractors that, as the name implies, provide plumbing, heating and cooling construction and services. While the make up of this organization is predominantly Non-signatory contractors, there are a large number of union-signatory contractors that are also members, myself included. PA-PHCC, UAC and many other trade organizations throughout the State of Pennsylvania are working in concert to support the state licensing of plumbing contractors. We feel this is necessary to protect the health, safety and welfare of the consumers

and residents of the Commonwealth of Pennsylvania. In these times where so much emphasis is put on homeland security, we feel this legislation is paramount in helping to protect our infrastructure especially in preserving and maintaining our precious drinking water supply and distribution systems.

It may be of interest to point out that the PA-PHCC has spent more than 20 years advocating for the passage of a statewide plumbing contractor licensing program. Most people that we've spoke to around the state including many law makers believe that there are already licensing requirements for plumbers in Pennsylvania and are sometimes very bewildered and even distressed to find out no state regulations exist. In larger municipalities, such as Philadelphia and Pittsburgh, and some other areas which are more densely populated, there are testing and licensing procedures in place. Most other smaller townships and boroughs that exist close to these municipalities usually piggyback off of their procedures by accepting licenses issued in these municipalities. Unfortunately, the vast majority of smaller townships and boroughs throughout the Commonwealth have no guidelines and procedures in place for the testing of a person to prove knowledge of the code or proficiency in performing plumbing work.

Pennsylvania is one of less than a dozen states that do not have a state wide procedure for the licensing of plumbers.

The lack of a state plumbers licensing program exposes the public to many risks. A person not properly educated and trained, tested or licensed unfortunately exposes the public to many health risks. Only one example is an illegal cross connection in a potable water system. This could sicken and even cause death in some instances. This could expose masses of people at one time. The most obvious example of one of these situations, which we are all familiar with, was the outbreak of Legionnaires Disease.

Then there are the financial implications to the residences of the Commonwealth. Under this act, residence of the Commonwealth will have the ability to electronically verify the license and credentials of a person before hiring them to perform work either in their home, commercial building, place of business, etc. This will help to alleviate a plumbing contractor not properly trained and licensed from doing insufficient, sub-standard or not code approved work which

would force the consumer to pay double for a properly trained plumbing contractor to do the work correctly. We feel that under this act it would help to reduce the costs of services to the homeowner and or end user by eliminating the need to purchase multiple licenses. For example, in my company, we spend on average of \$3,000.00 to \$3,500.00 annually just to do business in the Philadelphia and 5 county areas for licensing alone. By creating one fee for a state license, this savings would be passed on to the consumer.

Because of the lack of a state wide licensing program, reciprocity with other states is currently not existent for plumbing contractors doing business in the State of Pennsylvania. Therefore, it makes it a very cumbersome process for Pennsylvania plumbing contractors to perform work outside the Commonwealth. At the same time, out of state plumbing contractors from states that possess a state program of plumbing licensing have no problem coming into our state and acquiring permission to work. Sub-code officials in the smaller townships and boroughs that I had previously mentioned; recognize that out of state plumbing contractors with a state license from another state have demonstrated in their home state through training and testing that they are qualified to perform plumbing services.

PA-PHCC and UAC #690 is advocating for the passage of SB660, which addresses these issues by creating a State Board of Plumbing Contractors. The Senate Consumer Protection and Professional Licensure Committee has passed this bill earlier this session. Senate Bill 660 is presently in the State Appropriations Committee. The primary function of this Board would be the licensing of all Master Plumbers (i.e. plumbing contractors), Journeyman Plumbers and Apprentice Plumbers. This governing body would also necessitate the mandatory continuing education for all Master and Journeyman Plumbers and require participation in accredited programs for the initial testing and registration of all plumbers. In addition, the Board would also have the power to investigate and administer the suspension and or revocation of Master and Journeyman licenses.

Under this act, individuals who are not licensed could not provide plumbing services and only Master Plumbers could use the title "Licensed Plumbing Contractor" and the abbreviation

“L. P. C.”, subject to certain exceptions. Qualifications for various classes of plumbers are further provided for under this act, as are disciplinary options. The sum of \$85,000.00 would be appropriated to the Department of Labor and Industry for the payment of costs associated with this bill. The amount would have to be repaid by the Board within 3 years of the beginning of issuance of licenses. An individual may not provide plumbing services, offer himself as an individual who may provide plumbing services or hold himself out as an individual authorized to perform plumbing services unless licensed by the Board.

The Board may issue a Master Plumber or Journeyman Plumber license to an individual licensed in another jurisdiction of the United States which offers reciprocity if they meet the requirements of this act. A licensee who is also licensed to perform plumbing services in any other jurisdiction of the United States shall report this information to the board on the biennial registration.

As defined in the act, the Board may refuse, suspend or revoke a license. Licensure under this act shall be acceptable to a municipality, township or borough in the commonwealth as proof of competence to perform plumbing services. Except as defined in the act, no municipality may require an individual licensed under this act to obtain an additional license to perform plumbing services. The proposed act shall not prevent a municipality from inspections, taxation, requiring a business privilege license that is unrelated to demonstrating competence in the performance of plumbing services, denying or revoking permits for failure to comply with ordinances.

Included in this bill is a grandfather clause. Careful consideration was given to protect the interests of individuals who have been engaged in providing plumbing services in areas of the state which no permitting, licensing or testing procedures were ever in place. The Board will have the authority to issue a license to an individual meeting the requirements as defined in this clause. Moreover, this act does not prohibit a homeowner from performing minor repairs in his or her own home. There is a section clearly defined as “Minor repairs”. Individuals undertaking minor repairs as defined in the act need not be licensed under this act.

This bill proposes the formation of a State Board of Plumbing Contractors that shall consist of the Secretary of Labor and Industry or a designee; two public members and six professional members. Professional members shall have been actively engaged in providing plumbing services in this commonwealth for at least ten years immediately preceding appointment. Except as set forth in language in the act, professional members shall be licensed as Master Plumbers. Two professional members shall reside in the county of first class and one in a county of second class. Three professional members shall be subject to collective bargaining agreements and three members shall not be. The Board shall meet within 30 days after the appointment of its first members and set up operating procedures and develop application forms for licensure.

Professional and public members of the Board shall be appointed by the Governor with the advice and consent of the Senate and serve a term of 4 years. Professional and public members shall be citizens of the United States and residents of the Commonwealth. A professional or public member shall not be eligible to hold more than two consecutive terms. The Board shall have general powers and duties to administer and enforce the act, circulate regulations, set fees and set the amount of liability insurance required by licensed plumbing contractors. In addition, the Board shall annually submit a report to the Consumer Protection and the Professional Licensure Committee of the Senate and the Professional Licensure Committee of the House of Representatives.

This plan puts forward regulations in our industry that protects the well being and welfare of the consumers but still provides a fair environment for plumbing contractors to operate. We feel licensing will also help maintain public confidence that licensed plumbing contractors can be counted on to complete a job professionally, skillfully and safely. If not, a licensed plumbing contractor put their livelihood at risk by possibly having their license revoked. Indeed, licensing will protect consumers from incompetent and dishonest contractors, and under the current system the public has little protection against poor work being done by sub-standard plumbing contractors.

Members of the PA-PHCC and UAC #690 are advocating for licensing to show their commitment to safeguarding and protecting our consumers, your constituents, and supporting the economic stability of the commonwealth by providing businesses, the work force and the consuming public a higher quality, more customer focused contractor/tradesman.

In closing, I want to commend you and your committee members for seeking input on this very important issue. Thank you.