

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Jessie Tucker

ORDER

On 05/05/2006, Jessie Tucker was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 03/25/2006. Jessie Tucker did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03252006B

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

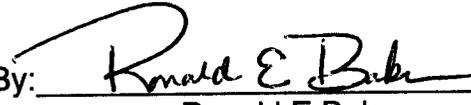
IN RE: Robert W Dyer

ORDER

On 06/23/2006, Robert W Dyer was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without the appropriate license in violation of Regulation 11.6 of the board. This violation occurred on 04/19/2006. Robert W Dyer did not contest the penalty, but tendered payment on or about 08/04/2006.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC04192006D

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

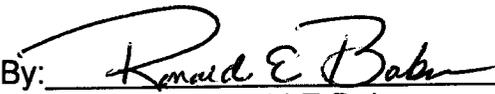
IN RE: Alex Guajardo
MASTER ELECTRICIAN NO. M-1582

ORDER

On 05/05/2006, Alex Guajardo (M-1582) was assessed a civil money penalty in the amount of \$250.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 03/25/2006. Alex Guajardo did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03252006B

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

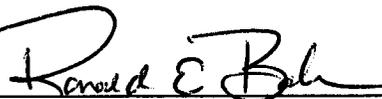
IN RE: Dean Masterson

ORDER

On 03/30/2006, Dean Masterson was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 03/25/2006. Dean Masterson did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 

Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03252006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: John T Puchta

ORDER

On 03/30/2006, John T Puchta was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 03/25/2006. John T Puchta did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03252006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

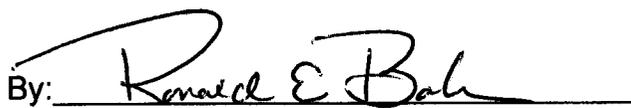
IN RE: Robert L Masterson
MASTER ELECTRICIAN NO. M-6478

ORDER

On 03/30/2006, Robert L Masterson (M-6478) was assessed a civil money penalty in the amount of \$500.00 for employing 2 unlicensed individuals to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 03/25/2006. Robert L Masterson did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03252006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Thomas D Hale
MASTER ELECTRICIAN NO. M-4423

ORDER

On 03/24/2006, Thomas D Hale (M-4423) was assessed a civil money penalty in the amount of \$250.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 03/08/2006. Thomas D Hale did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC03082006K

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

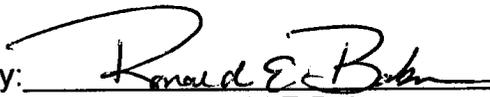
IN RE: Richard Volentine

ORDER

On 05/01/2006, Richard Volentine was assessed a civil money penalty in the amount of \$250.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 02/15/2006. Richard Volentine did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC02152006D

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

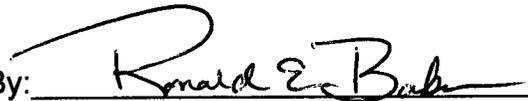
IN RE: Dennis Sweet

ORDER

On 03/22/2006, Dennis Sweet was assessed a civil money penalty in the amount of \$3,750.00 for 17 violations of the State Electrical Code. This violation occurred on 01/23/2006. Dennis Sweet did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # TH01232006B

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

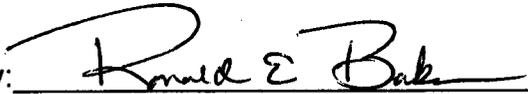
IN RE: Frank Gilson

ORDER

On 03/22/2006, Frank Gilson was assessed a civil money penalty in the amount of \$1,250.00 for 9 violations of the State Electrical Code. This violation occurred on 12/29/2005. Frank Gilson did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # GC12292005A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Jason Patrick Groulx

ORDER

On 04/26/2006, Jason Patrick Groulx was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 11/30/2005. Jason Patrick Groulx did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/7/06

Batch # TH11302005B

BEFORE THE BOARD OF ELECTRICAL EXAMINERS

IN RE: WILLIE D. GODWIN, M-2783
PABLO LOPEZ
WILLIAM SHADELL
LUIS AHAYA
JORGE LOPEZ
GILBERTO AGUIRRE, SR.
GILBERTO AGUIRRE, JR.

ORDER

This matter comes before the Board of Electrical Examiners for hearing on Tuesday, July 18, 2006 at 1:00 p.m. in the offices of the Arkansas Department of Labor, 10421 West Markham, Little Rock, Arkansas. This is an appeal to the Board pursuant to Ark. Code Ann. § 17-28-309(b) from an assessment of civil money penalties imposed by the Department of Labor. The Department assessed civil money penalties against seven (7) individuals employed by Little Rock Electrical Contractors, Inc. following a single inspection of a job site in Dumas on April 8, 2006. Little Rock Electrical Contractors, Inc. sought an appeal of all the penalties assessed as a result of the inspection. Willie Godwin appeared at the hearing. Denise Oxley, Chief Counsel, appeared on behalf of the Department of Labor. Pablo Lopez, William Shadell, Luis Ahaya, Jorge Lopez, Gilberto Aguirre, Sr. and Gilberto Aguirre, Jr. did not appear. The matter was presented on a stipulation as to the facts and exhibits agreed to between Denise Oxley and Willie Godwin.

FINDINGS OF FACT:

1. On April 8, 2006, Charles Covington, Chief Electrical Inspector for the Department of Labor, inspected a construction project at the Delta Memorial Hospital in

Dumas, Arkansas. Little Rock Electrical Contractors, Inc. was the electrical contractor on the job site.

2. Mr. Covington determined that there were ten (10) individuals employed by Little Rock Electrical Contractors, Inc. that were performing electrical work on the site. Six (6) of those individuals did not have an electrician's license and were not currently registered apprentices, specifically: Pablo Lopez, William Shadell, Luis Ahaya, Jorge Lopez, Gilberto Aguirre, Sr. and Gilberto Aguirre, Jr.

3. Willie Godwin, is the responsible master electrician for Little Electrical Contractors, Inc. Mr. Godwin's master electrician license number is M-2783.

4. Willie Godwin had on July 19, 2005 been assessed and paid a civil penalty for \$1,575.00 for employing 6 unlicensed individuals to perform electrical work in violation of Regulation 11.6 of the board.

5. Pablo Lopez had previously been assessed and paid a civil penalty for \$50 for performing electrical work without an appropriate license in violation of Ark. Code Ann. § 17-28-304.

6. In the present case, the Department of Labor assessed a civil penalty against Willie Godwin for a second level offense at the rate of \$750 per violation, for a total of \$4,500 for employing 6 unlicensed individuals to perform electrical work in violation of Regulation 11.6 of the board.

7. In the present, the present case, the Department of Labor assessed a civil penalty against Pablo Lopez for a second level offense at the rate of \$100 for performing electrical work without a license.

8. In the present case, William Shadell, Luis Ahaya, Jorge Lopez, Gilberto Aguirre, Sr. and Gilberto Aguirre, Jr. were assessed a civil penalty of \$50 for performing electrical work without a license.

9. Willie Godwin, Pablo Lopez, William Shadell, Luis Ahaya, Jorge Lopez, Gilberto Aguirre, Sr. and Gilberto Aguirre, Jr. all received notice of the civil penalty assessment and the notice of hearing before the board.

10. Pablo Lopez, William Shadell, Luis Ahaya, Jorge Lopez, Gilberto Aguirre, Sr. and Gilberto Aguirre, Jr. all performed electrical work on the Delta Memorial Hospital on or about April 8, 2006 without proper licensure.

11. Willie Godwin admitted that he brought these men in from out-of-state to complete a job. Mr. Godwin did not dispute the facts, but advised the board that he had difficulty manning jobs with licensed electricians.

CONCLUSIONS OF LAW:

1. Ark. Code Ann. § 17-28-304 has since July 1, 1998 prohibited any person from performing electrical work in the state unless the person is licensed by the Board of Electrical Examiners.

2. Regulation 11.6 of the board provides that "No person licensed by the board shall employ unlicensed persons or unregistered apprentices to perform electrical work. . ."

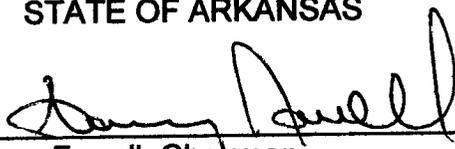
3. Regulation 9.2 of the board establishes the find schedule for common violations. This schedule establishes that for a violation of the licensing requirement there should be a \$50 fine for a first offense and a \$100 fine for a second offense. This schedule establishes that for a violation of Regulation 11.5 by a master electrician, there

should be a \$250 fine per violation for a first offense and a \$750 fine per violation for a second offense.

4. The civil money penalty assessment in this matter conformed to the schedule established by the board in Regulation 9.2.

IT IS THEREFORE ORDERED that the civil penalty assessments made by the Arkansas Department of Labor in this matter are affirmed.

BOARD OF ELECTRICAL EXAMINERS
STATE OF ARKANSAS

By: 
Gary Ferrell, Chairman

Date: 8/15/06

Approved as to Form:

Denise P. Oxley, 84117
Chief Legal Counsel
Arkansas Department of Labor
10421 West Markham
Little Rock, AR 72205
501-682-4504

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Ronald Van Hooks
MASTER ELECTRICIAN NO. M-3357

ORDER

On 05/12/2006, Ronald Van Hooks (M-3357) was assessed a civil money penalty in the amount of \$250.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 05/11/2006. Ronald Van Hooks did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # RB05112006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

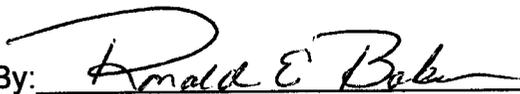
IN RE: Michael House

ORDER

On 05/12/2006, Michael House was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 05/11/2006. Michael House did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # RB05112006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Chris Harris

ORDER

On 05/15/2006, Chris Harris was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 04/19/2006. Chris Harris did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # TH04192006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Stanley Berger
MASTER ELECTRICIAN NO. M-3349

ORDER

On 06/27/2006, Stanley Berger (M-3349) was assessed a civil money penalty in the amount of \$75.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 06/08/2006. Stanley Berger did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # TH06082006E

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

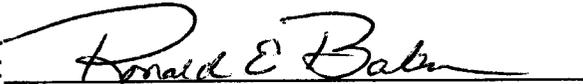
IN RE: Randall L Bishop
JOURNEYMAN ELECTRICIAN NO. J-2736

ORDER

On 05/12/2006, Randall L Bishop was assessed a civil money penalty in the amount of \$250.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 04/19/2006. Randall L Bishop did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # CC04192006F

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Heath Ingram

ORDER

On 05/12/2006, Heath Ingram was assessed a civil money penalty in the amount of \$100.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 04/19/2006. Heath Ingram did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # CC04192006F

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Heath Ingram

ORDER

On 08/10/2004, Heath Ingram was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 07/26/2004. A consent order was signed on 11/16/2004 and the penalty was suspended provided there were no further violations for a two year period. The conditions of the consent order were breeched on 04/19/2006 therefore the penalty was no longer suspended. Heath Ingram was notified that this penalty was now due and he did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # CC07262004B

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

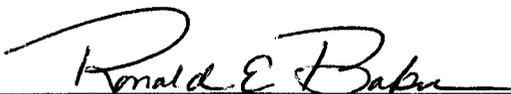
IN RE: Chad Lawrence
JOURNEYMAN ELECTRICIAN NO. J-7564

ORDER

On 06/09/2006, Chad Lawrence (J-7564) was assessed a civil money penalty in the amount of \$3,166.66 for 21 violations of the State Electrical Code. These violations occurred on 04/26/2006. Chad Lawrence did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # GC04262006B

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

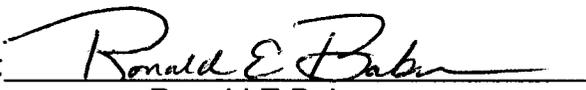
IN RE: David Simms

ORDER

On 06/14/2006, David Simms was assessed a civil money penalty in the amount of \$1,916.66 for 7 violations of the State Electrical Code. These violations occurred on 05/13/2006. David Simms did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # CC05132006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

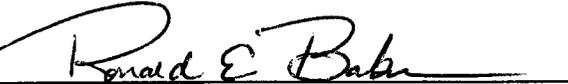
IN RE: Terry D Guy
MASTER ELECTRICIAN NO. M-4264

ORDER

On 06/23/2006, Terry D Guy (M-4264) was assessed a civil money penalty in the amount of \$250.00 for employing 1 unlicensed individual to perform electrical work in violation of Regulation 11.6 of the board. This violation occurred on 06/21/2006. Terry D Guy did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # RB06212006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Robert A Harkins

ORDER

On 06/23/2006, Robert A Harkins was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 06/21/2006. Robert A Harkins did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/17/06

Batch # RB06212006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Jesse Gray

ORDER

On 02/28/2006, Jesse Gray was assessed a civil money penalty in the amount of \$50.00 for performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 02/27/2006. Jesse Gray did not pay the penalty, and his electrical license.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC02272006F

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Robert L Masterson
MASTER ELECTRICIAN NO. M-6478

ORDER

On 04/28/2006, Robert L Masterson (M-6478) was assessed a civil money penalty in the amount of \$6,833.33 for 28 violations of the State Electrical Code. These violations occurred on 03/24/2006. Robert L Masterson did not pay the penalty, and his electrical license will not be renewed until the penalty is paid.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: Ronald E Baker
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

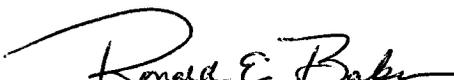
Batch # GC03242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Jeff Clark

ORDER

On 01/27/2006, Jeff Clark was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Jeff Clark did not pay the penalty. The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter. IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

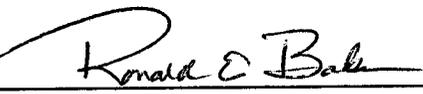
IN RE: Manly Allbritton

ORDER

On 01/27/2006, Manly Allbritton was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Manly Allbritton did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Glenn Sumner

ORDER

On 01/27/2006, Glenn Sumner was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Glenn Sumner did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Scott Capwell

ORDER

On 01/27/2006, Scott Capwell was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Scott Capwell did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.
IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Sammie Underwood

ORDER

On 01/27/2006, Sammie Underwood was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Sammie Underwood did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A

BEFORE THE ARKANSAS DEPARTMENT OF LABOR

IN RE: Steve Simmons

ORDER

On 01/27/2006, Steve Simmons was assessed a civil money penalty in the amount of \$50.00 performing electrical work without a license in violation of Regulation 11.6 of the board. This violation occurred on 01/24/2006. Steve Simmons did not pay the penalty.

The ARKANSAS DEPARTMENT OF LABOR approves the action taken in this matter.

IT IS SO ORDERED.

By: 
Ronald E Baker,
Labor Code Enforcement Administrator

Date: 8/18/06

Batch # CC01242006A