



BACKGROUND

The Department of Safety and Professional Services (DSPS) has issued CR 14-010, part of which includes sweeping reform on the Journeyman Plumber Restricted-Appliance (JPRA) license that would remove valuable knowledge standards and allow same-party testing. The organizations listed oppose only that portion of CR 14-010.

The process of introducing this rule has been plagued by many factors, including:

- The Plumbers Council, which is advisory to the DSPS, does not support the proposed changes to the JPRA license. This council is made up of both union and non-union members.
- There was no period to provide written comments as is customary with agency rule-making.
- The only public hearing to date was noticed on a Friday and held the following Monday.
- Surveys were to be sent out to determine how businesses were using this JPRA credential but the rule was moved forward before this process concluded.

This modification to the JPRA license was requested by the Water Quality Association (WQA), which claims many of their members cannot pass the existing state exam. Many organizations within the plumbing industry only heard of this issue and rule within the last month.

PROBLEMS

Public Safety

Because the JPRA license allows for installation and modification of water heaters, water softeners, water treatment devices and other items in connection with an existing water supply system, it is more broad than needed for typical members of the WQA, who generally install residential water softeners.

However, many of our organizations utilize the JPRA licensee for everything from multi-family residential water heater installations to large-scale projects in commercial buildings. The industry is responsible for protecting public health and safety and does so by protecting our water supply.

1. All licensed plumbers are responsible for protecting consumers from nitrates, arsenic, radon, chloroform, cryptosporidium and much more.
2. Licensed plumbers cut into a potable water supply, run drains to approved locations, and more.
3. Backflow protection and knowing how certain pressures and flow rates are determined is a must.

Elimination of critical skill sets: Contractors employing a JPRA licensee do so with the understanding of a certain set of knowledge and skills.

There are several plumbing credentials in Wisconsin. Each credential has different levels and limits to what systems and/or portions of plumbing systems can be installed or modified. The common thread is all prospective license holders must take a state administered test and obtain minimum competency in plumbing-related education.

We rely on JPRA licensees to have knowledge in specific appliances, plumbing systems as well as knowledge of the plumbing code, plumbing math and blueprint reading.

The current rule eliminates minimum instruction time in several important areas of plumbing for the JPRA license including plumbing math, blueprint reading, and plumbing code. These areas are extremely important to the plumbing industry and to public health.

Same-party testing

The rule would also allow private sector organizations and/or businesses to act as same party examiners by allowing them to create and administer the JPRA test, creating the risk of "teaching to the test." Testing that is designed and administered by the state helps ensure impartiality and competence of the necessary subject matter.

1. These changes result in uncertainty for the plumbing industry. Businesses rely on their license fees and training to ensure competence of their workforce. A plumbing contractor would no longer be able to determine whether they are hiring a JPRA licensee who was properly trained and took the state exam administered by the state or test administered by another entity.
2. If the WQA needs to consider a different direction, then we would gladly entertain alternative solutions that do not involve deteriorating the integrity of the JPRA license.

SUMMARY

While we support the majority of the rule, we have a concern related to modifications of the JPRA license instruction and exam. In an industry that relies on licensing and credentialing to ensure competency, we are concerned with the direction this rule takes, particularly when the industry most affected is opposed.

Plumbing contractors, large and small, value state licensing and credentialing to ensure those workers have adequate knowledge. We appreciate and respect the role we play in protecting public health safety. We are concerned about the precedent this sets for the trades and other professions who rely on the integrity of their license for their industry and their livelihood.

We believe win-win solutions exist, including modifications to the existing exam, separate credentialing, and/or allowing for the state to use a vendor for administration of exams as opposed to same-party testing.