

CALIFORNIA ADVOCATES, INC.



March 5, 2012

Commissioner Karen Douglas
Lead Commissioner for Energy Efficiency
California Energy Commission
Dockets Office, MS-4
RE: Docket No. 10-BSTD-01
1516 Ninth Street
Sacramento, CA 95814-5512

Ralph F. Simoni

Michael D. Belote

Julianne A. Broyles

Dennis K. Albiani

*Robert G. Walters
of Counsel*

**SUBJECT: CERTIFICATION OF ACCEPTANCE TESTING FIELD
TECHNICIANS FOR MECHANICAL SYSTEMS AND LIGHTING
CONTROLS - OPPOSE**

Dear Commissioner Douglas:

On behalf of the contractor members of the Associated Builders and Contractors of California (ABC), I write in opposition to the proposal of the International Brotherhood of Electrical Workers (IBEW) and the California Local Unions of Sheet Metal Workers (Sheet Metal Workers).

These organizations have proposed that only individuals who are trained and certified by specific certification programs should be allowed to perform the "acceptance testing" that is required of specific equipment by the Building Energy Efficiency Standards (Standards, California Code Regulations, Title 24, Part 6).

The five individual chapters of the Associated Builders and Contractors of California provide representation and training for their members and are authorized under state and federal law to train and dispatch apprentices to comply with requirements under state and federal prevailing wage requirements. In addition, ABC works closely with its general partner, the National Center for Construction Education and Research (NCCER), in the development and revision of standardized training programs. NCCER offers an array of **green and energy-related training curricula** and assessment programs that are tied to nationally-recognized and portable credentials. Many of NCCER's green programs are approved for continuing education hours through USGBC/GBCI for credential maintenance. Completion of any of the green programs satisfies the training requirements towards ABC Green Contractor Certification.

The ABC Golden Gate Chapter operates Apprenticeship Programs for the following trades: Construction Craft Laborers, Carpenters, Electricians, Plumbers and Painters. The Chapter also operates an Electrician Certification Program and provides craft training for the Construction Craft Laborers, Carpenters, Plumbers and Painters trades.

The ABC Southern California Chapter operates Apprenticeship Programs for the following trades: Electricians, Sheet Metal, Low Voltage, Plumbers and HVAC. The Chapter also operates an Electrician Certification Program and provides craft training for the Sheet Metal, Low Voltage, Plumbers and HVAC trades.

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The ABC San Diego Chapter operates Apprenticeship Programs for the following trades: Electricians, Low Voltage, Pipefitters, Plumbers and Sheet Metal. The Chapter also operates an Electrician Certification Program and provides craft training for the Pipefitters, Plumbers and Sheet Metal trades.

The ABC Los Angeles/Ventura Chapter operates an Electrician Inside Wireman Apprenticeship Program and an Electrician Certification Program.

The ABC Central California Chapter operates training programs for the following crafts: Welding, Electrical, Crane, Core Curriculum, Construction Crew Leader (Pipefitting), Heavy Equipment, Rigging, Instrumentation, Field Safety, Safety Technology, Fundamentals of Crew Leadership, Project Supervision and Project Management.

ABC has a long-standing commitment to excellence in training and preparation for the workplace of its contractor members and its employees and prides itself on ensuring that its programs provide the citizens of California with a skilled and safe workforce. We request that further review would allow our individual chapters and their trainers the necessary time to examine this issue and provide thorough comments.

The effort to ensure that those who perform "acceptance testing" are properly trained is a discussion worth having. However, we would argue that the discussion needs to have a broad based review by many contractors that perform this type of work. Due to the short time frame, many of our contractors have not had enough time to provide a review of these programs and assess the areas that need further certification and training.

Lastly, sole certification of the proposed programs will lead to a restricted workforce and a monopoly of available contractors. Many workers and contractors that are likely capable of performing the "acceptance testing" will find themselves regulated from doing so. As a result, the amount of choices to the public will be greatly diminished stifling competition and increasing the price of providing the testing. Additional training and/or certification should be available to all these individuals as necessary. This more inclusive approach will ensure highly qualified individuals are performing the work while achieving full and cost-effective compliance with Title 24 in non-residential structures.

In closing, ABC would like to oppose the proposals as submitted and request that the California Energy Commission take a step back and ensure that this issue be thoroughly examined. Take the time to do this right and facilitate a broad-based discussion with the industry – including contractors, design professionals, commissioning experts, public agencies, building owners, organized labor and others to define the best practices and minimum standards for acceptance testing.

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ABC California is an organization of Merit Shop construction employers. Merit Shop is a way of doing business in which companies reward employees based on performance and encourage them to reach their highest level of achievement, and in which contracts are awarded based on safety, quality, and value, regardless of labor affiliation.

Sincerely,



Julianne Broyles
On Behalf of
Associated Builders and Contractors of California