

MINUTES

ELEVATOR INSTALLATION, REPAIR AND MAINTENANCE WORK EXAMINING BOARD

January 3, 2013

The meeting was called to order by John R. DeRosa, Jr., Acting Chairperson at 11:00 a.m. in Room-117 at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut.

Members Present: John R. DeRosa, Jr., Journeyperson, Acting Chairperson
Paul Farnsworth, Contractor
Thomas J. O'Reilly, Contractor
Michael D. Griffin, Journeyperson

Members Absent: Joseph Bayusik, Contractor

Board Vacancies: Three Public Members

Board Counsel Present: None

DCP Staff Present: Richard M. Hurlburt

DOL Apprenticeship Rep: Owen Golding, CT Dept. of Labor
Ken Duff, CT Dept. of Labor

Public Present: NONE

The Elevator Installation, Repair and Maintenance Board shall consist of eight members who shall be residents of this state, three of whom shall be unlimited contractors, two of whom shall be elevator craftsmen, licensed for such occupation under this chapter, and three of whom shall be public members, provided at least one of the unlimited contractors shall be a member of either the National Association of Elevator Contractors or the National Elevator Industries, Incorporated.

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 706-1255. Agency Website: www.ct.gov/dcp
Division E-Mail: dcp.occupationalprofessional@ct.gov

MINUTES FROM PREVIOUS MEETINGS

The Board voted unanimously to approve minutes of its previous meeting as written.

APPLICATIONS FOR REVIEW

The Board voted to add the following late arriving applications to the Agenda:

Neal E. Gorski, Rocky Hill, CT – (R-2)

The Board approved this applicant based on his completion of the Connecticut (R-2) apprenticeship program.

David S. Muir, Newington, CT – (R-2)

The Board approved this applicant based on his completion of the Connecticut (R-2) apprenticeship program.

CORRESPONDENCE

- Letter received from Jeffrey Dickinson, Modernization/Repair Superintendent for Otis Elevator Company, in reply to Chairman DeRosa's letter re: Otis Elite Service.

The Board so noted.

- Current Roster of Connecticut (R-1) Unlimited Contractors was distributed to the Board.

The Board so noted.

- A copy of the State of California *Application for Certification as a Certified Competent Conveyor Mechanic* was distributed to the Board.

The Board so noted.

- Picture Identification Request Forms were distributed for the Members present to complete for the issuance of their new Identification Badges.

DCP COMPLAINT STATUS REPORT

The Board noted that there were no Elevator complaints shown.

GENERAL DISCUSSION:

The Board reviewed the following statute:

Sec. 21a-8. (Formerly Sec. 19-171g). Department's and commissioner's powers and duties re boards and commissions. (a) The Department of Consumer Protection shall have the following powers and duties with regard to each board or commission transferred to the Department of Consumer Protection under section 21a-6:

(8) The department shall receive complaints concerning the work and practices of persons licensed, registered or certified by such boards or commissions and shall receive complaints concerning unauthorized work and practice by persons not licensed, registered or certified by such boards or commissions. The department shall distribute monthly a list of all complaints received within the previous month to the chairperson of the appropriate board or commission. The department shall screen all complaints and dismiss any in which the allegation, if substantiated, would not constitute a violation of any statute or regulation. The department shall distribute notice of all such dismissals monthly to the chairperson of the appropriate board or commission. The department shall investigate any complaint in which the allegation, if substantiated, would constitute a violation of a statute or regulation under its jurisdiction. In conducting the investigation, the commissioner may seek the assistance of a member of the appropriate board, an employee of any state agency with expertise in the area, or if no such member or employee is available, a person from outside state service licensed to perform the work involved in the complaint. Board or commission members involved in an investigation shall not participate in disciplinary proceedings resulting from such investigation. The Commissioner of Consumer Protection may dismiss a complaint following an investigation if the commissioner determines that such complaint lacks probable cause. Notice of such dismissal shall be given only after approval by the chairperson of the appropriate board or commission. The commissioner may authorize a settlement if the settlement is approved by the complainant, the practitioner, and the board or commission. The commissioner may bring a complaint before the appropriate board or commission for a formal hearing if the commissioner determines that there is probable cause to believe that the offense alleged in the complaint has been committed and that the practitioner named in the complaint was responsible. The commissioner, or the commissioner's authorized agent, shall have the power to issue subpoenas to require the attendance of witnesses or the production of records, correspondence, documents or other evidence in connection with any hearing of a board or commission. All dispositions and final decisions by the Department of Consumer Protection after an investigation into a complaint has begun shall be forwarded to the chairperson of the appropriate board or commission on a monthly basis.

OLD BUSINESS:

The subject of complaints not being acted upon was again discussed by the Board regarding the Trade Practices Division.

NEW BUSINESS:

Acting Chairman DeRosa, Jr., related to the Board in general the matter of a cab work complaint he had filed with the Department and his discussion with DCP Commissioner Rubenstein on this matter.

The Board voted to have Acting Chairman DeRosa, Jr. draft a letter to the Commissioner on the matter.

Remaining 2013 Meeting Schedule

9:00 a.m. in Room 117 at 165 Capitol Avenue, Hartford, CT

- **February 28 - Thursday**
- **March 28 – Thursday**
- **April 25 – Thursday**
- **May 23 – Thursday**
- **June 20 – Thursday**
- **July 18 – Thursday**
- **August 15 – Thursday**
- **September 12 – Thursday**
- **October 10 – Thursday**
- **November 7 – Thursday**
- **December 5 – Thursday**

COMMENTS FROM PERSONS PRESENT: NONE

There being no further business, the meeting was adjourned at 11:56 a.m.

Respectfully submitted,

Richard M. Hurlburt,
Director