

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
BOARD OF EXAMINERS OF HOISTING ENGINEERS
1511 PONTIAC AVENUE
Building 71 – 2nd Floor Conference Room
Cranston, RI 02920**

TUESDAY, MAY 8, 2007

In Attendance: David Burnham, Chairperson

Benjamin Anthony

David Rodrigues

John Shaw

Not In Attendance: Ellery Wood, Jr., Kathy Serrecchia

Mr. David Burnham called the meeting to order at 10:02 a.m.

There was no Quorum today.

Mr. Burnham, Chairperson advised the group that there was no quorum, so therefore, the minutes will be reviewed and approved at next month's board meeting and no action will be taken at this meeting.

There were no hearings today.

Old Business:

Learner's Permit:

Mr. Burnham, Chairperson mentioned to the board that a discussion will be made on the Learner's permit, but no action will be taken until next month's board meeting.

Discussion was made by the Board regarding a provision in our regulations that provide a legal means of gaining experience operating excavating and/or hoisting machinery. Steps were discussed to create a new rule based on the Board's approval and then eventually proceed to a Public Hearing.

1. Learners Registration/Permit for the purpose of learning the trade must make application to the Division of Professional Regulation to register for a learner's permit.

2. Said person must be at least eighteen (18) years old and have the written permission of the owner/lessee of the equipment to take instruction(s) in its safe operation and is operating the same while under the direct supervision of a person duly licensed under the provisions of the rules and regulations. The instructor must be in direct supervision/charge of the trainee and be on site while the trainee is operating machinery. Board discussed creating a new rule and that if the trainee/or company do not follow this new rule, they would be subject to a penalty under the of Section 28-16-11, depending on the circumstances.

3. Learner's permit would be issued for a two year period for a total of \$100.00 (\$50.00 for each year), which would be collected at the time of registration. After the two year period, the trainee shall take the Hoisting exam.

4. Trainee must have a notarized statement from the company that he is training with, plus a list of all licensed operators, and if the trainee leaves that company, he must notify the Department of Labor and Training of his employer change. If the trainee does not abide by the rules, the trainee will be in violation.

5. Discussion was made to have a 1 to 1 ratio. (One trainee to one

licensed supervisor.)

Valentino Lombardi, Esquire, advised the Board to create a new rule, put the rule in writing to the Department, and once approved by the Department, to file with the Secretary of State for a Public Hearing.

There was no other business before the Board.

Mr. Burnham adjourned the meeting at 10:35 A.M.

The next meeting of the Hoisting Board is June 12, 2007 at 10:00 a.m. in Building #70, of the Department of Labor and Training, second floor conference room, 1511 Pontiac Avenue, Cranston, RI 02920.

Minutes respectively submitted by Elaine J. Heiss, May 8, 2007.