

**BEFORE THE BOARD OF ELECTRICAL EXAMINERS OF THE STATE OF
ARKANSAS**

DEPARTMENT OF LABOR AND LICENSING

DIVISION OF LABOR

**IN RE: Ben Fureigh DBA Fureigh Electric
31 Drillers Dr.
Conway, AR 72032
Case # JB04252023F**

ORDER

On this 19th day of September 2023, this matter came before the Board of Electrical Examiners of the Department of Labor and Licensing of the State of Arkansas (the "Board"). Miles Morgan, Associate Counsel, Department of Labor and Licensing, represented the Board. Ben Fureigh ("Fureigh") was properly notified and appeared before the Board on behalf of Fureigh Electric, Inc. for the hearing. Based on the testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. On April 25, 2023, Board Inspector, Joshua Baldwin ("Baldwin"), performed electrical license checks at a new construction site in Faulkner County, Arkansas.
2. Baldwin testified that he made contact with Clay Brown ("Brown"), a licensed electrician employed by Fureigh Electric, Inc. Brown introduced Baldwin to other employees of Fureigh Electric, Inc. for Baldwin to check electrical licenses.
3. Cole Reynolds provided Baldwin his apprentice license (EA-25427) which had been expired since March 1, 2022.
4. Kaleb Luttrell provided Baldwin his apprentice license (EA-20968) which had been expired since August 1, 2022.
5. Caleb Most provided Baldwin his apprentice license (EA-30020) which had been expired since February 1, 2023.

6. Code Enforcement Coordinator Supervisor, Samantha Martinez ("Martinez"), testified that staff issued a penalty of \$150 for each month that Fureigh Electric, Inc. employed electricians with an expired license for a total period of 23 months.

7. Martinez testified that the individual electricians were also issued a penalty of \$50 per month.

8. Fureigh testified that he employs 70-80 electricians and that he met with Baldwin to confirm the renewal dates for each electrician.

CONCLUSIONS OF LAW

1. No person shall perform electrical work in this state or display or use any title, sign, card, advertisement, or other device to indicate that the person performs electrical work or is an electrician unless the person has first obtained a license to perform electrical work pursuant to the provisions of this chapter, or the individual is exempted from licensing pursuant to the provisions of this chapter. Arkansas Code § 17-28-304.

2. Arkansas Code § 17-28-309(b)(1) provides that "[a] civil penalty may be assessed against any person, firm, or corporation by the Division of Occupational and Professional Licensing Boards and Commissions and subject to appeal and hearing before the Board of Electrical Examiners of the State of Arkansas according to the Arkansas Administrative Procedure Act, § 25-15-201 et seq., if it is determined that the person, firm, or corporation has violated any:

(A) Provision of this chapter;

(B) Provision in the Arkansas Electrical Code Authority Act, § 20-31-101 et seq.;

(C) Rule or order issued by the board; or

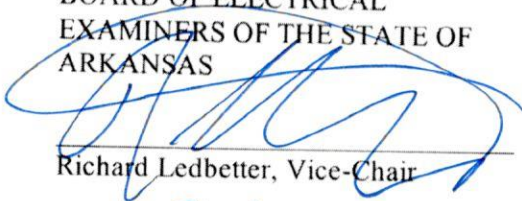
(D) Condition of a license, certificate, or registration issued by the board."

3. For each violation, the penalty shall not exceed two hundred fifty dollars (\$250) for a first offense. Arkansas Code § 17-28-309(b)(2)(A).

4. The Board votes to lower the penalty for each violation from \$150 per month to \$50 per month for a total penalty in the amount of \$1,150 against Fureigh Electric, Inc.

IT IS THEREFORE ORDERED that Fureigh Electric, Inc. is assessed a civil money penalty in the amount of \$1,150.

BOARD OF ELECTRICAL
EXAMINERS OF THE STATE OF
ARKANSAS


Richard Ledbetter, Vice-Chair

Date

9-21-23

Approved by:

/s/ Miles Morgan

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