

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

DEPARTMENT OF LABOR AND LICENSING

DIVISION OF LABOR

IN RE: Joshua Boersma
DBA – Boersma Electric
1501 Boersma Loop
Booneville, AR 72927

ORDER

On this 24th day of January 2024, this matter came before the Board of Electrical Examiners of the Department of Labor and Licensing of the State of Arkansas (the “Board”). Samantha L. Martinez, Code Enforcement Coordinator Supervisor, Department of Labor and Licensing (“ADLL”), presented to the Board. Joshua Boersma (“Boersma”) was properly notified but did not appear before the Board for the hearing. Based on testimony and other evidence, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

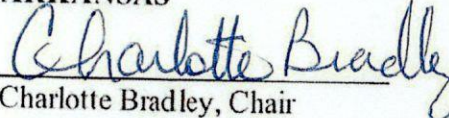
1. On May 2, 2023, ADLL inspector, Joshua B. Baldwin (“Baldwin”) observed two (2) individual(s) performing electrical work at a new housing development in the 1900 block of Linwood Drive in Greenwood, Arkansas.
2. Baldwin referred his case against Boersma to enforcement referencing Arkansas Code § 17-28-312(b)(1), violation for an apprentice working without supervision and Rule 010.13-013(H)(1) failure to register an apprentice.
3. Boersma refused his notice of violations but in June 2023, he had contacted ADLL and provided an updated mailing address.
4. ADLL issued a final notice October 2023. Boersma refused service.
5. ADLL issued a notice of hearing regarding revocation of Boersma’s Master license.
6. Baldwin testified that he contacted Boersma’s apprentices and discovered Boersma had been working four (4) lots away, and not within the line of sight of the apprentices.
7. Boersma was issued a \$300.00 penalty based on the enforcement violation table used in 2023 (\$150.00 per violation) which remains unpaid.

CONCLUSIONS OF LAW

1. Ark. Code. Ann. § 17-28-312(b)(1) An apprentice electrician shall not engage in electrical work unless he or she is supervised by a master electrician or a journeyman electrician.
2. Ark. Code. Ann. § 17-28-312(4)(B)(i)(a)(b)(ii) The proximity of the supervising electrician to the apprentice electrician is reasonable if: The supervising electrician is: Within the line of sight of the apprentice electrician; or At the same street address at which the apprentice electrician is working; or The job site is not a single-family residence, requires a contractor's license, and the supervising electrician is within the line of sight of the apprentice electrician, none of which apply to the facts of this case.
3. Rule 010.13-015(A)(1)(a) of the Board of Electrical Examiners rules states, [a]ny person, firm, or corporation that violates provisions of Ark. Code. Ann. § 17-28-101 through -310 or Ark. Code. Ann. § 20-31-101 through 20-31-105; or any rule, regulation, or order promulgated by the Board; or any condition of a license, certificate, or registration issued by the Board shall be subject to a civil penalty that shall not exceed two hundred fifty dollars (\$250.00) for the first offense.
4. The Board agrees with the staff recommendation to revoke Boersma's Master license until such time as he pays his assessed civil money penalty for working apprentices out of scope and failing to register one of those apprentices.

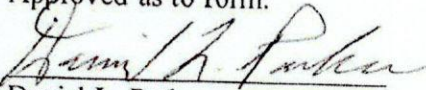
IT IS THEREFORE ORDERED that Boersma's license (M-8748) be revoked until the assessed \$300.00 penalty is paid.

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


Charlotte Bradley, Chair

2-2-24
Date

Approved as to form:



Daniel L. Parker
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