

**BEFORE THE BOARD OF ELECTRICAL EXAMINERS
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS**

IN RE: Steven Nguyen – WAIVER REQUEST

ORDER

This matter came before the Board of Electrical Examiners on Tuesday September 20, 2022. The petitioner, Steven Nguyen seeks approval to sit for the Journeyman electrical licensing exam. Mr. Nguyen is currently ineligible to sit for the exam due to a prior felony conviction. The Board of Electrical Examiners has authority to waive disqualification of a license based on a criminal conviction if the Board decides that the applicant meets requirements listed in the Ark. Code Annotated § 17-3-102(b)(2). Mr. Nguyen did appear before the Board in-person for the hearing.

FINDING OF FACT:

1. The petitioner (“Nguyen”) is requesting approval from the Board sit for the Journeyman electrical licensing exam. Due to his prior felony conviction from October 16, 2018, he is ineligible to sit for the exam.
2. Richard Ledbetter served as Chairman for the hearing due to Charlotte Bradley’s absence.
3. Nguyen did appear before the Board in-person.
4. Staff reviewed documents and recommended the Board hear from Mr. Nguyen based on letters of


for Bieker Electric, Inc. Both Trotter Electric and Bieker Electric, Inc. submitted letters of recommendation to the Board.

CONCLUSIONS OF LAW:

1. The Board has authority to waive disqualification of a license based on a criminal conviction pursuant to Ark. Code Ann. § 17-3-102(b)(1).
2. A basis upon which a waiver may be granted includes without limitation:
 - a. The age at which the offense was committed;
 - b. The circumstances surrounding the offense;
 - c. The length of time since the offense was committed;
 - d. Subsequent work history since the offense was committed;
 - e. Employment references since the offense was committed;
 - f. Character references since the offense was committed;
 - g. Relevance of the offense to the occupational license; and
 - h. Other evidence demonstrating that licensure of the applicant does not pose a threat to the health and safety of the public. Ark. Code Ann. § 17-3-102(b)(2).
3. In the present case, the Board was informed of the nature of the criminal conviction and the fact that Nguyen probation is scheduled to expire in November 2023. Nguyen also provided facts surrounding his conviction during the hearing.
4. The Board heard open testimony from Mr. Nguyen, in addition to reviewing several professional and personal letters of recommendation.

IT IS SO ORDERED.

ELECTRICAL EXAMINERS BOARD


Richard Ledbetter, Chair

Date

9-21-22

Approved by:

/s/ Miles Morgan

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