

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

IN RE: Timothy Listerbarger – **WAIVER REQUEST**

ORDER

This matter came before the Board of Electrical Examiners (the “Board”) on Tuesday January 23, 2024. The petitioner, Timothy Listerbarger (“Listerbarger”), seeks approval for an electrical apprenticeship license. Listerbarger is currently ineligible to obtain an electrical apprenticeship license due to a prior felony conviction. The Board of Electrical Examiners has authority to waive disqualification of a license due to a criminal conviction if the Board decides that the applicant meets requirements listed in the Arkansas Code § 17-3-102(b)(2).

FINDING OF FACT:

1. Listerbarger is requesting approval from the Board to obtain an electrical apprenticeship license. Due to his prior felony conviction from 2017, he is ineligible for licensure.
2. Listerbarger appeared before the Board via zoom for the hearing.
3. Staff reviewed documents provided by Listerbarger and recommended approving the waiver request.

CONCLUSIONS OF LAW:

1. The Board has authority to waive disqualification of licensure due to a criminal conviction pursuant to Arkansas Code § 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. Arkansas Code § 17-3-102(b)(2).
3. In the present case, the Board was informed of the nature of the criminal conviction and reviewed professional reference letters provided by Listerbarger.
4. The Board was satisfied with the information Listerbarger provided and voted to approve his waiver request.

IT IS THEREFORE ORDERED, the Board grants Timothy Listerbarger's waiver request to obtain an electrical apprenticeship license.

IT IS SO ORDERED.

ARKANSAS BOARD OF ELECTRICAL
EXAMINERS

Charlotte Bradley
Charlotte Bradley, Chair

2-2-24

Date

Approved as to form:

Daniel L. Parker

Daniel L. Parker

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