ALABAMA PLUMBERS AND GAS FITTERS EXAMINING BOARD ADMINISTRATIVE CODE

CHAPTER 720-X-12 RESPONSIBILITY OF MASTER PLUMBER

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720-X-12-.01 Responsibility Of Master Plumber.

(1) It shall be unlawful and a violation of Act No. 2015-496, as amended, for a Master Plumber, certified in accordance with the rules and regulations of the Alabama Plumbers and Gas Fitters Examining Board as provided in Act No. 2015-496, as amended, or as may be further defined by the Board in rules passed by the Board, to supervise or direct any person in the performance of plumbing or gas fitting work as defined in Section 34-37-1 (Code of Ala. 1975, as amended) where the person performing such work does not hold current certification with the Alabama Plumbers and Gas Fitters Examining Board.

Author: David H. Wilcox
Statutory Authority: Code of Ala. 1975, §§34-37-2; 34-37-17, as amended.
History: **New Rule:** Filed September 27, 1995; effective November 1, 1995. **Amended:** Filed February 5, 2016; effective March 21, 2016.

720-X-12-.02 Registration As Principal Master Plumber.

(1) As defined in Code of Ala. 1975, §34-37-1(13), a "principal master plumber" is responsible for the business conducted by the legal entity with which he or she is "actively and continuously connected." In order to affirmatively establish these required parameters and to be registered as the principal for a legal entity, an individual must:

(a) be duly registered and certified by the State of Alabama as a master plumber;

(b) be an active employee of the legal entity and not an independent contractor; and

(c) provide verifiable documentation to substantiate the above as requested by the board or board staff.

(2) No individual shall be registered as the principal master plumber for more than one legal entity regulated by the board.
Author: Kelly Butler, James M. Morgan
Statutory Authority: Code of Ala. 1975, as amended, §34-37-2.
History: New Rule: Filed July 1, 2019; effective August 15, 2019.

720-X-12-.03 Separation Or Death Of Principal Master Plumber Or Principal Master Gas Fitter.

(1) In the event a principal master plumber or principal gas fitter separates by termination, layoff, or voluntary resignation from the legal entity operating under his or her certification, the principal master plumber or principal master gas fitter and the legal entity shall each be responsible for notifying the Board within five (5) days of the separation by submitting the appropriate form prescribed by the Board.

(a) Upon separation, the former principal master plumber or principal master gas fitter shall not attempt to perform in such capacity for himself or any other employer or entity until he or she has been removed as principal master plumber for the former employer and approved by the Board as principal master plumber or principal master gas fitter for his or her new employer.

(b) Upon separation, the entity must immediately cease entering all contracts, both verbal and written, for the performance of plumbing and/or gas fitting work. All certificate holders employed by the entity who have been operating under the principal master plumber or principal master gas fitter's certification must immediately cease all installation, maintenance, servicing, and repair of plumbing or gas systems until a new principal master plumber or principal master gas fitter has applied to and been approved by the Board.

(2) In the event a principal master plumber or principal master gas fitter is no longer able to hold a valid certificate from the Board due to his or her death or mental or physical incapacity, the legal entity employing him or her shall provide written notice to the Board of the principal master plumber or principal master gas fitter's death or incapacity within forty-five (45) days of the principal's death or incapacitation. The entity submitting notice must provide all documentation requested by the Board to establish the principal's death or incapacitation, including, but not limited to, a death certificate or physician's attestation of incapacitation.

(a) Upon timely and complete submission of notification, the legal entity may request a limited waiver of the principal master requirement so that the entity and its certified employees may continue operating on a temporary basis. Any request made later than forty-five (45) days after the principal's death or incapacitation may be denied after a show cause hearing by the Board.

(b) Any waiver granted under (2)(a) shall expire after the 90th day following the date of the qualifying event as established by the death certificate or the physician's attestation. The entity may continue to enter new contracts and engage in the installation, maintenance, service, or repair of plumbing or gas systems while the waiver remains active. However, upon expiration of the waiver, the entity must immediately cease those operations unless and until a certified master plumber or master gas fitter has applied to the Board and been approved as the new principal master plumber or principal master gas fitter for the entity.

Author: James Morgan
Statutory Authority: Code of Ala. 1975, §§34-37-2, 41-9A-3.
History: New Rule: Published August 31, 2022; effective October 15, 2022.