

Registered Apprenticeship Sponsors,

This email is to inform/remind you of the requirements of a heating, ventilation, air-conditioning, or refrigeration ("HVACR") registered apprenticeship program or an approved steamfitter or sheet metal registered apprenticeship program as it relates to the apprentice and journeyman licensure. An individual who completes a qualifying HVACR registered apprenticeship program and maintains a current apprentice HVACR license throughout, will qualify, upon completion of four years (8,000 hours) of on-the-job ("OTJ") training and 576 hours of related instruction for an original journeyman license or a journeyman restricted license without having to pass the State license exam. Md. Ann. Code, Bus. Reg. § 9A-306(e).

To qualify for a license examination waiver pursuant to § 9A-306(e), an apprentice must hold a current apprentice license with the Maryland Department of Labor, Division of Occupational and Professional Licensing for the full term of their apprenticeship. This means that all apprentices are required to have obtained an apprentice license from the State Board of HVACR Contractors ("Board") upon enrolling in a qualifying apprenticeship program. There has been a significant increase in the number of HVACR registered apprenticeship graduates seeking a license examination waiver who have not applied for or maintained a current HVACR apprentice license for the full tenure of the program as required. See, e.g., Md. Ann. Code, Bus. Reg. § 9A-301.

To assist our sponsors and to ensure an HVACR registered apprentice graduates will be eligible for a license examination waiver in accordance with § 9A-306(e) the Board wishes to remind HVACR sponsors to include a copy of an enrolled HVACR apprentice's license in their files and to ensure that each individual enrolled in a qualifying apprenticeship program maintains a current apprentice license throughout the entirety of their apprenticeship.

In addition, this will help to protect our sponsors, employers, and apprentices. As a reminder, an apprentice license is required of each individual before they are authorized to lawfully assist in the provision of HVACR services. See Md. Ann. Code, Bus. Reg. § 9A-301. Accordingly, there is no period during an apprenticeship program in which a participant can lawfully participate in the field work requirement without possessing a current apprentice license issued by the Board.

We also wish to remind HVACR registered apprenticeship sponsors of the language in COMAR 09.15.02.08, which requires that an individual who has completed a qualifying apprenticeship program to be eligible for the journey license examination waiver in accordance with § 9A-306(e), the individual must "have completed the apprenticeship program within 2 years of the date the journeyman license application is filed." An applicant for a journey license two (2) or more years after completing an approved HVACR apprenticeship program will be required to sit for and pass the State journey license exam.

Finally, if an individual who has failed to comply with the apprentice license requirement by providing or assisting in providing services without the lawfully required license while enrolled in an HVACR apprenticeship program seeks a license or license examination waiver, the Board would be authorized to consider regulatory action against the individual pursuant to § 9A-310. Program participants should be made aware that the failure to obtain and maintain the required apprentice license for the entire tenure of a qualifying apprenticeship program could result in the Board pursuing regulatory action against them pursuant to § 9A-310; those employing or accepting apprenticeship workers should be made aware that allowing an unlicensed individual to assist in the provision of HVACR services could subject them to regulatory action by the Board in accordance with §§ 9A-310, 9A-502, and 9A-503.

Several years ago the MATC-approved programs, staff, applicable unions, associations, etc., worked with the Board to ensure that program participants were aware of the apprentice license requirement and assisted their enrolled students with applying for and maintaining the required apprentice license from the Board. This is a reminder of that obligation and of the requirements and that the failure to maintain the required license can result in the imposition of a civil monetary penalty and criminal fine of up to \$1,000 for a first violation and up to \$5,000 for each subsequent violation, imprisonment of up to six (6) months or both. See, e.g., Md. Ann. Code, Bus. Reg. § 9A-505.

To assist you I am providing you with a link to the Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors' website. You'll find this page has provides information including links to obtain and submit a licensing application, and applicable requirements, statutes, and regulations: <https://labor.maryland.gov/license/hvacr/>