

Connecticut Construction Industries Association, Inc.

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Testimony Submitted to: Judiciary Committee Public Hearing March 24, 2006

Re: S.B. 673 AAC Criminal Penalties for Unlicensed Persons Engaging
 in Certain Work for Which Occupational License is Required

CCIA Position: Opposed

The Connecticut Construction Industries Association represents approximately 400 contractors and subcontractors and affiliated professionals in the construction industry.

CCIA opposed this bill because under the current system, there is a lot of controversy over the work performed by licensed people and unlicensed people. Some occupations, such as Laborers and Carpenters do not require licenses. These trades are continuously involved in jurisdictional disputes with other licensed trades, even though their collective bargaining agreements specifically allow them to perform certain work that may also be performed by a licensed trade.

Under the current system, an Occupational Licensing Board can initiate a complaint, investigate the complaint, present the facts and act as the prosecutor, judge and jury in the matter and find a person guilty of engaging in the work of occupation of a licensed trade. Under this bill, people will be guilty of a misdemeanor, simply for practicing the trade that they have performed for many, many years.

The law should not be used to settle jurisdictional disputes. They are collective bargaining issues and should be settled by the Labor Department and/or the National Labor Relations Board.

Licensing evolved in an effort to protect the safety of the public. The Occupational Licensing Boards were originally put in place to advise the Commissioner of Consumer Protection on the type of training and testing needed for the occupation. Over the years, the Boards have evolved into self-serving, self-interest groups that simply protect the trade.

Until such time as the Board again act in an advisory capacity only, and the state has an Office of Administrative Hearings to hear these jurisdictional cases, criminal penalties are totally out of line.

Thank you for your consideration in this matter.

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