



**STATE BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND
REFRIGERATION CONTRACTORS
BUSINESS MEETING MINUTES**

Date: January 8, 2025

Time: 10:30 a.m.

Place: The Board of HVACR Contractors meeting was held via teleconference (US +1
208-907-5480 PIN: 871 402 772#).

Members Present: **Michael Giangrandi, Chairman**, Master HVACR Contractor
Michael Weglarz, Master Electrician
Amadou Magazi, Master HVACR Contractor
Winfield “Rocky” Jones, Master Plumber Member
David Politzer, Consumer Member
Dwight Needham, Master HVACR Contractor
Lawrence Kitching, Vice Chair, Master HVACR Contractor
Ahmed Kabir, Consumer Member

Staff Present: **Chuck Marquette**, Executive Director, Mechanical Licensing
Unit
John Dove, Commissioner, Division of Occupational and
Professional Licensing, Maryland Department of Labor
Todd Blackistone, Interim Executive Director, Commission of Real Estate
Appraisers, Appraisal Management Companies, and Home Inspectors
Matthew McKinney, Office of the Commissioner, Occupational and
Professional Licensing, Maryland Department of Labor
Sloane Fried Kinstler, Assistant Attorney General
LaKissha Thornton, Administrative Officer, Mechanical Licensing Unit
William Gross, Administrative Officer, Mechanical Licensing Unit

Guests Present: **Devki K. Virk**, Commissioner, Division of Labor and Industry,
Maryland Department of Labor
Doug Presley, Anndyl Policy Group, Director, Government and Regulatory
Affairs
Alice Bell, Anndyl Policy Group, Senior Policy Associate

Call to Order

Chairman Giangrandi called the Business Meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration (“HVACR”) Contractors (“Board”) to order at 10:37 a.m.

Mr. Jones moved to adopt the January 8, 2025 meeting agenda. Mr. Weglarz seconded the motion; by a roll call vote, the Board unanimously approved the meeting agenda.

Approval of Minutes

A motion was made by Mr. Jones to approve the business meeting minutes of the December 11, 2024, HVACR Board meeting without amendment or correction. The motion was seconded by Mr. Magazi and, by a roll call vote, unanimously approved by the Board.

Complaint Committee Report

Mr. Gross reported the findings of the Complaint Committee as follows:

<u>Closed Complaint</u>	<u>Under Investigation</u>	<u>Sent for A.G. Pre-Charge</u>	<u>Criminally Charged</u>
		23-0060	
		23-0062	

A motion to approve the findings of the Complaint Committee was made by Mr. Jones, seconded by Mr. Weglarz, and, by a roll call vote, unanimously approved by the Board.

Application Review Committee

Mr. Magazi reported that there were no applications submitted; no Application Review Committee report was necessary.

Review of Examination Statistics and License Totals

LaKissha Thornton reported the following PSI exam statistical summaries for the month December 2024:

Candidates Tested Passed Failed Pass Rate %

December 2024

Total	49	20	29	40%
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Cumulative- YTD

Total	623	238	385	38%
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Testing to date

Total	12986	5599	7387	43%
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There are currently 21,651 active licensees.

Correspondence

Counsel presented the request of an individual who had a now-resolved tax lien and had been ineligible for license renewal based on the Comptroller's authority to block license issuance until the a lien is resolved. The applicant has resolved the tax matter and is seeking to renew without having to requalify through the exam. During a brief discussion, it was revealed that the individual had not yet submitted their renewal application. Counsel clarified that the applicant must first file an application, with all required documentation, after which the Board can proceed with its review.

Mr. Gross is to notify the individual to file an application and requiring supporting documentation.

Old Business

Status of the Code Update Committee and Code Update process

Chairman Giangrandi opened the discussion by inquiring whether Mr. Kitching would be willing to volunteer for the Committee. Counsel outlined the Committee's responsibilities to Mr. Kitching, who agreed to serve. Chairman Giangrandi requested that the Committee provide updates and recommendations on the code adoption. Counsel assured the Board that she would distribute the required information pertaining to the Code update to its members.

Mr. Jones sought clarification on the status of the updates, confirming that the 2018 updates are in effect and that the transition to the 2021 updates is forthcoming. Counsel confirmed that the 2021 Code editions have been adopted by the Division of Labor and Industry. Additionally, she stated that she would also provide the information to Will Gross with a request that he share it with the incoming Executive Director.

New Business

Introduction of the New Executive Director

Todd Blackistone introduced Chuck Marquette as the new Executive Director of the Mechanical Licensing Unit. Mr. Marquette shared his professional background, noting his previous role with the Department of Labor's Apprenticeship and Training Council, followed by his position as Director of Workforce Development at Baltimore City Community College. He expressed enthusiasm about meeting everyone and collaborating with the team. Counsel stated that she is looking forward to working with Mr. Marquette. Chairman Giangrandi and Mr. Jones extended a warm welcome to him.

Discussion on Legislation Regarding Workplace Fraud Enforcement Led by Commissioner Virk.

Division of Labor And Industry

Chairman Giangrandi stated that the Board recognizes Commissioner Virk to address the Board concerning workplace fraud enforcement. Commissioner Virk thanked Commissioner Dove and the Board for the opportunity. She explained that in early 2024, the Governor reestablished the Joint Enforcement Task Force

on Workplace Fraud to address worker misclassification and workplace fraud collaboratively across state agencies, including Labor and Industry, the Comptroller's Office, and others.

She stated that workplace fraud, often seen in the construction industry, occurs when employees are misclassified as independent contractors or paid off the books. This practice denies workers legal protections, including minimum wage, overtime, health and safety rights, and workers' compensation. It also negatively impacts the state by reducing unemployment insurance contributions and tax revenue. She added that the task force aims to combat workplace fraud by enforcing labor standards, addressing gaps in the law, and ensuring compliance. A significant gap identified involves licensing consequences. Currently, there are no repercussions for license holders who violate the Workplace Fraud Act.

The Commissioner finished her presentation by stating that the proposed bill seeks to close this gap by allowing for the suspension or revocation of licenses for noncompliance with orders under the act. In cases of knowing violations, the Board would have the authority to impose stricter penalties, encouraging compliance and protecting labor standards.

Matt McKinney thanked Commissioner Virk for the presentation and asked whether the Board could support the proposed legislation and, if so, the Board could write a letter of support, as well as any individual members as private citizens, to pass on to legislators.

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Chairman Giangrandi suggested that the Board must discuss the matter after its members had an opportunity to review the bill language.

After a brief discussion, Mr. Weglarz moved that the Board support proposed legislation. Mr. Magazi seconded the motion, and a majority of the Board members voted in favor of the motion, with Mr. Weglarz and Mr. Jones voting against the motion.

Chairman Giangrandi expressed concerns about signing a letter in support of a bill he had not had an opportunity to first review. He requested that the Board members be provided with the bill to allow him to determine whether he would sign it. Mr. Kitching agreed to sign such a letter as Vice Chair of the Board, if the Board so chose.

Mr. Magazi moved to have Mr. Kitching issue a letter of support on behalf of the Board. Mr. Kitching seconded the motion, which passed by a majority of members, with Mr. Weglarz and Mr. Jones voting in opposition.

Mr. McKinney informed the Board that he had just emailed the bill language to all members.

Closed Session

Upon Mr. Jones' Motion, and Mr. Politzer's second, the Board unanimously voted to convene in a closed session at 12:18 p.m., pursuant to General Provisions Article, to § 3-305(b)(2), (7), and (8), Annotated Code of Maryland, to consider a license application for an applicant who disclosed a criminal conviction and to seek the advice of Counsel.

Application .01

Counsel presented an original apprentice application from an individual who disclosed a 2015 conviction for robbery, attempted robbery, first-degree assault, each a felony, and second-degree assault, a misdemeanor, for which the applicant was sentenced to incarceration for 20 years, with all but 12 years

suspended, followed by three (3) years of probation.

In a letter to the Board, the applicant explained that while incarcerated, they made the decision to turn their life around. They shared that their early release was granted because of their consistent efforts to better themselves and stay on the right path. The applicant actively participated in various educational programs, completed vocational training, and engaged in initiatives designed to prepare for life after release. They emphasized their commitment to not allowing their past to define them, but rather, using it as a foundation for building a better future. The applicant concluded the letter by stating that they understand the importance of actions over words and are dedicated to demonstrating integrity, growth, and a genuine desire to make amends every day.

The applicant also provided a letter their current employer, which highlighted their exceptional dedication, strong work ethic, and genuine eagerness to learn during their time with the company. The owner of the business, a former law enforcement officer, noted that the applicant had been open about his past legal issues and has demonstrated through his actions and commitment a strong determination to move forward positively and productively. The employer further emphasized that the applicant has excelled in the role as and HVACR helper. The letter concluded with the employer stating that the applicant deserves the opportunity to advance his career and fulfill their potential.

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The applicant did not provide documentation confirming whether their probation had been completed. Counsel noted that, if the Board deems it necessary, they could request such documentation.

After a brief discussion, Mr. Jones moved to approve the applicant's original apprentice license application. Mr. Needham seconded the motion, which was unanimously approved by the Board.

A motion to return to the business meeting was made by Mr. Weglarz, seconded by Mr. Jones, and unanimously approved by the Board at 12:29 p.m.

A motion to adopt the findings of the closed session of January 8, 2025 was made by Mr. Weglarz, seconded by Mr. Jones and unanimously approved by the Board.

Senate Bill 218

Upon reconvening the business meeting, Mr. Weglarz stated that he had completed a cursory review of the workplace fraud bill that Mr. McKinney emailed the Board members. He suggested delaying taking a position until the Board members all had an opportunity to review the proposed language because he thought the bill contained additional amendments than what was presented during the meeting.

Mr. Weglarz moved to delay action on Senate bill 218 until the Board has had a chance to review its language. Mr. Kabir seconded the motion, and a majority of the Board voted in favor of the motion, with Mr. Magazi and Mr. Kabir voting in opposition.

Executive Director's Report

The Executive Director did not offer a report.

Counsel's Report

Counsel did not offer a report.

Chairman's Report

There was no report offered by the Chairman.

Adjournment

With no further business, upon Mr. Weglarz motion and Mr. Magazi's second, the Board voted to adjourn the January 8, 2025 meeting of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors at 12:36 p.m.

Chuck Marquette Date
Executive Director

Signed on behalf of the Board as voted on and approved on__