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RIBA hails decision to withdraw ratios

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As we went to press, the Rhode Island Builders Association received word that the state Apprenticeship Council had voted to rescind in total a controversial requirement that there be five journeymen to one trainee in some non-licensed occupations, including carpenters and bricklayers, in both residential and commercial work.

RIBA believed that this rule was a threat to smaller contractors, making it difficult for them to train new employees.

In response to a lawsuit by the Associated Builders and Contractors (ABC), Rhode Island Chapter, to which RIBA was a party, a Superior Court judge on June 26th issued a stay against the rule, which had been approved by the Apprenticeship Council in April.

The rule would have taken effect on July 1st. The court-issued stay was valid until January 1st.

Lawyers for ABC said that, once the Apprenticeship Council's action is officially communicated to the Office of the Secretary of State, action would be taken to dismiss the lawsuit "without prejudice."

"What this means, for now, is that the ratios for the licensed trades will stay at 1 to 1, except where otherwise provided by statute. There are no ratios in effect for trades that are not licensed. In addition, the other regulations (regarding record keeping, reciprocity, right to suspend, etc.) are totally defunct," said lawyer Michael Kraemer of Hinckley, Allen & Snyder LLP.

Kraemer suggests that this is "not the last word on the ratio issue" and that it will resurface in the General Assembly.

RIBA will continue to closely monitor this issue.

Paul Eno is the owner and editor-in-chief of New River Press, Woonsocket and is the editor of the monthly RIBA newsletter, The Rhode Island Builder Report.

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