



CCLD REVIEW

CONSTRUCTION CODES AND LICENSING DIVISION

FALL 2008

Independent Contractor Exemption Certificate

Applications are now being accepted and available online



State law effective Jan. 1, 2009, requires individuals working as independent contractors in the residential and commercial construction industry to obtain an Independent Contractor Exemption Certificate (ICEC) from the Department of Labor and Industry. For purposes of the state workers' compensation, unemployment insurance, wage and hour, and occupational safety and health laws, individuals doing residential and commercial construction work without an ICEC will be employees of the contractor for whom they are working.

The ICEC requirement does not apply to business entities such as corporations, LLCs or partnerships, nor does the ICEC apply to construction sales, most types of landscaping (see [Minnesota Statutes 181.723, sub. 2](#)) and construction cleaning or cleanup.

Apply for a certificate

To obtain an ICEC, individuals must complete and submit an application that establishes they meet the conditions required to operate as an independent contractor. To operate as independent contractors, individuals must be able to meet the conditions set out in the law's **nine-factor test**. Applications for the ICEC are available online at

www.doli.state.mn.us/ic_apply.

The application and renewal fee for the certificate is \$150. Independent contractors will be required to renew their exemption certificate every two years.

Contractor responsibility

Contractors will be obligated to verify the workers with whom they enter into agreements as independent contractors have a current ICEC. DLI will maintain a **list of certificate holders** on its Web site and certificates for those individuals will be available to download and print. Contractors are required to maintain a copy of these certificates for five years.

Individuals and contractors who fail to comply with the law are subject to a penalty of up to \$5,000 for each violation and will be reported to workers' compensation, unemployment insurance and revenue regulation for further action.



View more information, including brochures and fact sheets, at www.doli.state.mn.us/ic.

CCLD Review is a quarterly publication of the Minnesota Department of Labor and Industry.

To receive e-mail notification about future issues of the *CCLD Review*, [subscribe online](#).

Contact information

CCLD main phone number
(651) 284-5012

Visit the [Contact Us](#) page

Licensing information

DLI.Licensing@state.mn.us
Electrical: (651) 284-5031
Boiler: (651) 284-5080
Residential Building Contractors:
(651) 284-5034

Building Code information

Phone: (651) 284-5068
Toll-free: 1-800-657-3944
Fax: (651) 284-5749
TTY: (651) 297-4198
bcsd.response@state.mn.us

Electrical information

Phone: (651) 284-5064
Fax: (651) 284-5743
DLI.Electricity@state.mn.us

Boiler, High-Pressure Piping, Boats-for-Hire inspection

Phone: (651) 284-5544
Fax: (651) 284-5737
DLI.Code@state.mn.us

Plumbing information

Phone: (651) 284-5067
Fax: (651) 284-5748
DLI.Plumbing@state.mn.us

Residential Building Contractor information

Phone: (651) 284-5069
Fax: (651) 284-5749
DLI.Contractor@state.mn.us

Independent Contractor Exemption Cert. information

Phone: (651) 284-5074
DLI.ic@state.mn.us
www.doli.state.mn.us/ic

Verify an ICEC

DLI online license lookup service now capable of searching for ICEC

Those who wish to verify the status of an individual's Independent Contractor Exemption Certificate may now search online at <https://secure.doli.state.mn.us/licensing>.

The ICEC lookup feature allows citizens, contractors, businesses and other interested parties to verify a worker's ICEC status.

The new feature has been integrated

into an existing database that allows users to verify the license status of residential building contractors.

The new ICEC feature uses the same interface, but now integrates ICEC status.

Other DLI-administered licenses will also be searchable in the future.

➤ *More information is online at*
www.doli.state.mn.us/ic

Award winner

Nelson receives energy code award

Bruce Nelson, senior engineer with the Minnesota Department of Commerce, Office of Energy Security, has received national recognition for his 30 years of work in advancing energy codes and building performance in Minnesota.

Nelson received the third annual Jeffrey A. Johnson Award from the U.S. Department of Energy at the recent Energy Codes 2008 conference in St. Paul. For more information about Nelson's work, the award and pictures from the ceremony, visit http://www.energycodes.gov/jaj08/jajohnson_08winner.stm.

Other nominees for the 2008 award included:

- Don Sivigny, building code representative and energy specialist



Bruce Nelson, right, accepts the Jeffrey A. Johnson Award for Excellence in the Advancement of Building Energy Codes and Performance from Jean Boulin, U.S. Department of Energy.

with DLI's Construction Codes and Licensing Division.

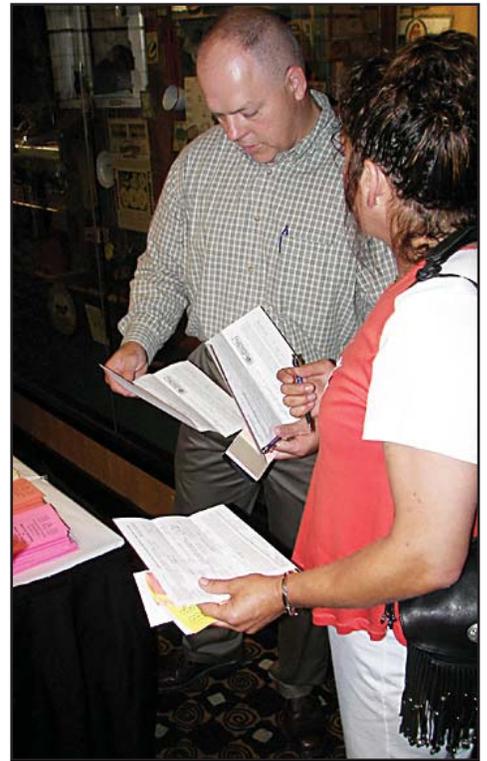
- Randy Dahmen, commercial building inspector, code consultant and plan reviewer with the Wisconsin Department of Commerce, Safety and Buildings Division.

Boiler Operator Seminar 2008



Above, Mike Hancock, U.S. Water Services, speaks Aug. 20, 2008 at the CCLD Boiler Operator Maintenance Seminar in Lake Elmo, Minn. Dozens of boiler operators attended the two-day seminar, which was also conducted in Duluth, Minn. For information about educational opportunities through the CCLD, visit www.doli.state.mn.us.

Right, David Gonsoski, DLI boiler inspector, helps a participant at the annual Boiler Operator Seminar on Aug. 20, 2008.



Seminars

Fall 2008 CCLD education seminars scheduled

The CCLD will sponsor two seminars at locations throughout the state this fall.

» *For dates and registration materials, visit www.doli.state.mn.us/bc_education*

The **2008 National Electrical Code (NEC) Fall Seminar** will focus on “The Top 50 NEC Myths and Misunderstandings.” The seminar presentation staff will include several electrical area representatives from the Electrical Inspections Section of the CCLD. The seminar is scheduled at 11 locations throughout Minnesota beginning on Oct. 8 and concluding

on Nov. 21.

The **CCLD Fall Building Code Seminar** will focus on R-1 occupancy plan review with discussion on effective use of the International Building Code (IBC), occupancy classification, type of construction and penetrations of fire-resistive assemblies. The seminar presentation staff will include two building code representatives from

the Education, Rules and Code Development Section of the CCLD. This seminar is scheduled at 12 locations throughout Minnesota beginning Oct. 7 and concluding on Nov. 26.

For seminar dates, locations and registration materials, visit www.doli.state.mn.us/bc_education.

Effective date of NEC is Sept. 15, 2008

View an updated **Residential Inspection Checklist** based on the 2008 National Electrical Code

All installations where the Request for Electrical Inspection is filed with DLI on or after Sept. 15, 2008, will be required to be in compliance with the 2008 National Electrical Code. All electrical licensing examinations administered on or after Sept. 15, 2008, will be based on the 2008 National Electrical Code.

Show stopper

CCLD display booths are available

The CCLD loans three, two-part display units to building officials presenting code-related information at community events.

A variety of free literature and photos is provided. The display case size is 55" x 26" x 11". To reserve a display, contact Chris Thompson at (651) 284-5856 or via e-mail at chris.thompson@state.mn.us.

Reservations are granted on a first-come, first-served basis and the displays must be returned to DLI's St. Paul offices as soon as possible after use.



A specific pickup time will be arranged to allow quick pick-up and drop-off in DLI's front lobby. For directions to DLI and parking information, visit www.doli.state.mn.us/direct.

ICC hosts annual code conference

The International Code Council conducted its annual conference in Minneapolis on Sept. 14 to 23. Representatives from the CCLD along with code officials from throughout the country were present to discuss proposed changes to the national codes.

A portion of the annual conference features the Final Action Hearings, which result in the 2009 International Codes, and gives attendees the opportunity to voice opinions about proposed code changes.

For more information about the International Code Council Annual Conference, including a day-by-day breakdown of conference activities, visit: www.iccsafe.org/news/annual/2008Conference/index

Not sure who to call at CCLD?

Visit the contact page at: www.doli.state.mn.us/cclcontactus.

The CCLD phone and e-mail address list includes contacts for specific issues.



After tornado, volunteers offer assistance

Not long after a tornado damaged hundreds of structures in Hugo, volunteer code officials and permit technicians were on the scene offering assistance.

The officials from throughout the area provided initial damage assessments after the May 25 tornado tore through a residential area of the Twin Cities suburb.

Following the storm, the code official volunteers along with city staff provided initial damage assessment reports of 279 structures. Volunteer permit technicians along with city permit technician Debi Close and other city staff have issued 3,599 permits, mostly for storm-related damage, since the disaster.



CCLD's Mike Fricke assesses the destruction left after a tornado damaged homes in Hugo, Minn.

Permit technicians and code officials who offered assistance in Hugo:

Dan Buuck – Fairbault
Lisa Hogstad – Lino Lakes
Jill Norlander – Lino Lakes
Patti Dillon – Cottage Grove
Barb Benesch – Mounds view
Britt Pease – Andover
Katie Schlundt – Roseville
Sue Phillips – Ham Lake
Mary Fitz – Fridley
Patti Wasmund – Inspectron
Carol Dunsmore – Chanhausen

Barb Williams – Otsego
Julie Hultman – Oak Park Heights
Cindy Shilts – Stillwater
Robbie Hiltz – Anoka
Geven Rabe – New Brighton
John Noble – Stillwater
Deb Ramsey – Oakdale
Gloria Thor - Oakdale
Doug Nord – CCLD
Barry Greive – CCLD
Mike Fricke – CCLD

Tim Daugherty – Minneapolis
Ken Staloch – Minneapolis
Gerald Proulx – Roseville
Marlene Bach – Minneapolis
Liz Riel – Minneapolis
Doug Determan – Minneapolis
Don Munson – Roseville
Patrick Higgins – Minneapolis
Todd Hoekstra – Minneapolis
Al Olson – Minneapolis

Building officials, help us keep your contact information current

The state municipal building official list is online at www.doli.state.mn.us/pdf/bc_bo_list.pdf.

If a change is needed, please contact Peggi White at peggi.white@state.mn.us. Official notices are sent to building officials via e-mail.

Municipalities should also report Building Official designation changes to [Peggi White](mailto:Peggi.White@state.mn.us) at CCLD. More information and the applicable forms are online at www.doli.state.mn.us/bc_local_government.

Visit the [Contact](#) page to find phone numbers and e-mail addresses for DLI staff.

Apply soon for restricted plumber license

Plumbing legislation passed in 2008 extended the timeframe for people to apply for restricted plumber licenses until Sept. 30, 2008. The application deadline had been Jan. 1, 2008.

In 2007, a legislative change included a statewide licensing requirement and creation of a “restricted” plumber license. This extension will allow more unlicensed people who meet the necessary qualifications to come into compliance. In part, the 2007 and 2008 legislative changes have the following effects:

Plumber license required statewide

Since Dec. 1, 2007, anyone working at the business of plumbing anywhere in Minnesota has been required to be a licensed

The deadline to apply for a restricted plumber license is Sept. 30, 2008

plumber or registered apprentice. The lone exception is those who install sewer or water service pipes outside of buildings, who have completed pipe-laying training and are certified, and have a \$25,000 plumbing code compliance bond filed with the Department of Labor and Industry. Owners of single-family homes or cabins do not have to be licensed to perform plumbing in a home they occupy.

Deadline drawing near

A new “restricted” license was

established for those who wish to work in rural areas and cities with a population of 5,000 or less. People with restricted licenses may perform plumbing anywhere in the state except in cities with a population of more than 5,000. Unlicensed people who can document two or more years experience in plumbing have until Sept. 30, 2008, to apply for a restricted license if they qualify and apply as described below.

Application deadline and requirements

Unlicensed workers with two or more years experience have until Sept. 30, 2008, to apply for a restricted license. Visit www.doli.state.mn.us/pe_license to view all of the requirements to apply for a restricted plumber license.

Happy 75th birthday

Group gathers to mark Plumbing Code anniversary



Dozens gathered at DLI’s St. Paul headquarters on July 15 to mark the 75th anniversary of the Minnesota Plumbing Code. Longtime plumbing educator Ralph “Bud” Lichliter (pictured) was one of numerous speakers during the celebration.

“I’m sure today we’ve got the strongest plumbing code and the strongest licensing law in the country, and I hope we don’t change that,” Lichliter told the attendants.

» *View a copy of the 1932 code book:*
www.doli.state.mn.us/pdf/plumbing_codebook.pdf

Does it meet code?

Foam insulation sheathing for entire home and garage

Q:

As a contractor, I want to make my homes more energy efficient. I'm considering using foam insulation sheathing for the entire home and garage, including the common wall between the house and garage to increase the R-value. If I use foam insulation sheathing at the garage walls and plan to leave the studs and sheathing exposed within the garage, will I comply with the code?



A:

No. The common wall between the house and garage will require at least a minimum half-inch gypsum board for two reasons. First, International Residential Code (IRC) Section R309.2 requires half-inch gypsum board applied on the garage side for the required separation between the residence and the garage. Second, IRC Section R314.4 requires that foam plastics shall be separated from the interior of the building by an approved thermal barrier of a minimum half-inch gypsum board or an approved equivalent thermal barrier.

The remaining garage walls with exposed foam plastic insulation sheathing within the garage shall comply with IRC Section R314.12 – Sheathing. This code section requires foam plastic insulation used as sheathing to comply with Sections R314.3 and R314.4. Section R314.3 identifies the surface burning characteristics required for all foam plastics used in building construction. In short, all foam plastics shall have a flame spread index of not more than 75 and a smoke-developed index of not more than 450 (see exception).

Section R314.12 further references that foam plastic insulation sheathing exposed to the attic space at a gable or kneewall, shall comply with IRC Section R314.5.3. Section R314.5.3 requires a thermal barrier for foam plastics in attic areas where access is required for the service of utilities. The section provides a pick list of approved ignition barrier materials.



Foam insulation sheathing used at the common wall between house and garage, even with the studs and sheathing exposed within the garage, would not meet building code requirements.

Thank you 2008 State Fair volunteers

Codes booth volunteers

Building	Don Sivigny	Building	Herman Hauglid
Building	Scott Nelson	Building	Mike Happ
Electrical	Gordie Wagoner	Electrical	Ric Soderstrom
Building	Mike Fricke	Building	Jim Williamette
Building	Larry Johnson	Building	Sylvia Gonzalez
Electrical	Brian Nelson	Electrical	Marty Kumm
Building	Barry Riesch	Building	Roger Axel
Building	Lenny Rutledge	Building	Jeff Pleski
Electrical	Bruce Harens	Electrical	Joseph Wheaton
Building	Geven Rabe	Building	Lisa Vieau
Building	Bill Mesaros	Building	Tom Bakken
Electrical	Tom Tobias	Electrical	Jeff Slimmer
Building	Scott Dornfeld	Building	Mick Kaehler
Electrical	Scott Nutting	Building	Alan Strand
Building	Mike Bunnell	Electrical	M. "Sam" Sampson
Building	Don Wilken	Building	Randy Kardell
Electrical	Jim Herman	Building	Dan Marthaler
Building	Jeff Thill	Building	Darryl Trangsrud
Building	Bill Barber	Electrical	Darryl Trangsrud
Electrical	Mark Smythe	Building	Paul Ekholm
Building	Rich Lockrem	Building	Ron Ericson
Building	Larry Wasmund	Electrical	Wayne Jespersion
Electrical	Steve Roberts	Building	Joe Pazandak
Building	Glen Moreland	Building	Barry Greive
Building	Ron Ripley	Electrical	Ron Beldo
Electrical	Scott Novotny	Electrical	Dan Ordahl
Building	Scott Wheeler	Electrical	Stephen Tokle
Building	Denny Lass	Electrical	Doug Sparby
Electrical	Paul Sunde	Building	Ron Euteneuer
Building	Peter Kulczyk	Building	Russell Thornburg
Building	Wayne Gartland	Electrical	Bob Orgon
Electrical	John Williamson	Electrical	Ron Gnotke



Paul Sunde, DLI electrical area representative, left, speaks with a fairgoer at the Minnesota State Fair. Many volunteers offered their time to staff the CCLD booth during the 2008 fair.



CCLD staff members and other building officials helped at the agency's "Up, Out and Away" exhibit Aug. 22 near the grandstand at the Minnesota State Fair. From left to right are: Dave Scherbel, Arden Hills Building Official; Mike Fricke, CCLD; Don Sivigny, CCLD; Peggi White, CCLD; Brian Weidemann, Metropolitan Airport Commission; and Dave Krings, CCLD.

'2008 Governor's Fire Prevention Day'

Dave Krings, Building Code Representative, coordinator
Rich Lockrem, Building Code Representative, coordinator

Fire Prevention Day volunteers

Peggi White, Business Manager, CCLD
Rich Lockrem, Building Code Representative, CCLD
Dave Scherbel, Building Official, Arden Hills
Mike Fricke, Building Code Representative, CCLD
Brian Weidemann, Building Inspector, Metropolitan Airport Commission
Dave Krings, Building Code Representative, CCLD
Bill Mesaros, Building Code Representative, CCLD
Tom Gray, Building Official, Victoria

Bob Hutchins, Building Official, Prior Lake
Don Sivigny, Building Code Representative Senior, CCLD
Chris Meier, Building Code Representative, CCLD
Scott McKown, Building Official, Burnsville
Jim Fallon, Building Code Representative, CCLD
Gary Anderson, Chief Building Official, Monticello
Dale Schoeppner, Chief Building Official, Eagan
Jack Herrley, Building Code Representative, CCLD
Mike Happ, Building Code Representative, CCLD