

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
ELECTRICAL WORK EXAMINING BOARD**

PROPOSED FINAL DECISION AND ORDER – No Show

In the Matter of:

Thomas Jansky III ("Respondent")
5 Hillside CT
Brookfield, CT 06804

License No. ELC.0154984-E2

Case No. 2019-1246

This action was brought by administrative complaint issued by the State of Connecticut, Department of Consumer Protection ("the Department") and signed by Paulette G. Annon, Staff Attorney III on the 24th day of September, 2019, pursuant to the provision of Sections 4-166 et seq, 21a-7, and 21a-9 of the Connecticut General Statutes.

The administrative complaint charged the above entitled Respondent, with violations of the provision of Sections 20-334, 20-335 and 20-341 of the Connecticut General Statutes and the associated regulations.

On November 8, 2019, pursuant to statute, the Board held a formal administrative hearing in Hartford, Connecticut to hear the factual allegations set forth in the administrative complaint. The Respondent received notice and failed to appear at the Hearing.

A majority of the Board members voted to approve the following as the Board's Proposed Final Decision and Order after reviewing the entire record.

FINDINGS OF FACTS

1. At all times relevant herein, Thomas Jansky III resided in Brookfield, CT, and worked as an E2 (Contractor, Journeyman).
2. Respondent holds an electrical work license numbered ELC.0154984-E2. The license expires 09/30/2019.
3. Electrical licensees are required to take continuing education courses pursuant to Connecticut General Statutes, Section 20-334d, and the associated regulations, and furnish evidence of completion of said courses pursuant to Connecticut General Statutes, Section 20-335.

4. The Department conducted an audit of electrical licensees for the one-year period ending September 30, 2017, to ensure compliance with the continuing education requirements.
5. Based upon said audit, the Department found that the Respondent failed to complete and furnish evidence of completion of such continuing education courses for the one-year period ending September 30, 2017.
6. A licensee's failure to complete and furnish evidence of completion of such continuing education courses is a violation of Connecticut General Statutes, Sections 20-334d and 20-335 and of the associated regulations and constitutes grounds for administrative action against the Respondent pursuant to Sections 20-341, 21a-7, and 21a-9 of the Connecticut General Statutes.
7. In a letter dated January 22, 2019 to the Respondent, the Department notified the Respondent that they were in violation of the continuing education requirements and offered the Respondent an opportunity to show compliance with the continuing education requirements for the one-year period ending September 30, 2017. In the alternative, Respondent could apply for a hardship waiver or surrender their license.
8. The Respondent failed to respond to the Department's notice described in paragraph 7, above.
9. Consequently, in a certified letter dated June 16, 2019, the Respondent was notified and given an opportunity to show compliance with the continuing education requirements at a compliance conference scheduled for July 17, 2019.
10. The Respondent failed to show compliance with the continuing education requirements for the one-year period ending September 30, 2017.
11. The Department is alleging violations of the following statutes and regulations:
 - a. Connecticut General Statutes Section 20-334d - Continuing professional education requirements for electricians and plumbers.
 - b. Connecticut General Statutes Section 20-335 - License fee. Continuing professional education requirements.
 - c. Regulations of Connecticut State Agencies Section 20-334d-1 - Continuing education for electricians and plumbers.
12. On November 8, 2019, Respondent failed to appear at the administrative hearing.

CONCLUSIONS OF LAW

The Respondent violated all or part of the provision of Sections 20-334, 20-335, and 20-341 of the Connecticut General Statutes, and the associated regulations.

PROPOSED FINAL ORDER

The following Proposed Final Order by the Board is hereby recommended on the basis of the record concerning the above-captioned matter:

- a. IT IS HEREBY ORDERED that pursuant to Connecticut General Statutes Section 20-341(b), the Respondent pay a civil penalty of \$1,000 due within fifteen (15) days of the date the Commissioner, Department of Consumer Protection issues her Final Decision and Order. Such penalty shall be made payable to "Treasurer, State of Connecticut" for deposit into the Consumer Protection Enforcement Fund in accordance with Section 21a-8a of the Connecticut General Statutes;
- b. IT IS HEREBY FURTHER ORDERED that no certificate of completion is required for a makeup continuing education class for the one-year period ending September 30, 2017;
- c. IT IS HEREBY FURTHER ORDERED that the Respondent's license(s) shall be suspended if they fail to pay the civil penalty within fifteen (15) days of the date the Commissioner, Department of Consumer Protection issues her Final Decision and Order; and
- d. IT IS HEREBY FURTHER ORDERED that the Respondent's license(s) shall be revoked if they fail to pay the civil penalty within thirty (30) days of the date the Commissioner, Department of Consumer Protection issues her Final Decision and Order.

Dated at Hartford, Connecticut this 17th day of MARCH, 2020.

STATE OF CONNECTICUT
ELECTRICAL WORK EXAMINING BOARD



Laurence Vallieres, Chairman