

LANDSCAPE CONTRACTORS BOARD ADMINISTRATIVE RULE CHANGES EFFECTIVE JANUARY 1, 2012

The board approved the following rules amendments to be effective January 1, 2012.

CONTINUING EDUCATION HOURS

This amendment

- Reduces the number of continuing education hours required from 20 to 16 every two years.

CLARIFIES THAT CHANGE ORDERS ARE REQUIRED AND AMENDS THE MINIMUM STANDARDS FOR CONTRACTS

Change orders or amendments to landscaping contracts and subcontracts will be required and shall identify the scope of the change or amendment, be agreed to by both parties, and be in writing. This does not require signatures by both parties, but does require a written agreement. A text or an e-mail from both parties stating agreement is acceptable.

The minimum contract standards will now require a general description of the materials to be installed. Previously the only requirement for materials to be listed was a listing of plant materials. This amendment requires a general description of all materials.

WORKERS' COMPENSATION:

- Any landscape contracting business that has or hires employees must submit proof of workers' compensation coverage for those employees.
- Any landscape contracting business that leases its employees must verify that leasing company or temporary service provider has workers' compensation coverage for those leased employees during an investigation or site check or at any other time the agency requests.
- Hiring employees without obtaining workers' compensation coverage prior to the employee performing work can result in a penalty of up to \$1,000 and possible suspension of the license.

BOND COVERAGE:

A landscape contracting bond will now cover backflow assembly testing services, the installation, repair or maintenance of backflow assemblies for irrigation systems and ornamental water features and the installation of irrigation control wiring and outdoor landscape lighting.

MANAGING EMPLOYEE

The rules are being amended to clarify that the managing employee is no longer required to be employed full time.

REQUIREMENTS PRIOR TO PERFORMING LANDSCAPING WORK ON A STRUCTURE

Requires a landscape contracting business to confirm prior to the performance of landscaping work on a structure that the structure has been properly engineered and municipal approval has been obtained in writing or by issuance of a municipal permit for construction.

QUALIFICATIONS FOR TESTING AND LICENSING

The qualifications for testing and licensing have been amended to

- allow two years of related landscaping experience,
- substitute landscape experience for cooperative work experience within a degree or certificate ,
- allow a current membership as a Certified Professional Member of APLD,
- allow completion of an Oregon Drinking Water Program approved Backflow Assembly Testing five day course or hold a current Oregon Backflow Assembly Tester certification, or
- allow any other landscaping related certified membership on an individual basis to be determined by the Board.

PROBATIONARY APPLICANT MAY APPLY A SUBSEQUENT TIME AS A PROBATIONARY APPLICANT

A probationary applicant may apply a subsequent time as a probationary applicant, but that applicant's passing scores from the first application will be considered expired. That applicant must start as if applying new.