

1 **BEFORE THE ELECTRICAL AND ELEVATOR BOARD OF THE STATE OF OREGON**

2 **IN THE MATTER OF:**

) **STIPULATED ORDER**

3 **VLADIMIR OLENNIKOV, AN INDIVIDUAL,**

)

4 **RESPONDENT.**

)

) **BCD CASE C2014-0164**

6 _____
7 **1.**

8 The Electrical and Elevator Board of the State of Oregon (Board), with the assistance of
9 the Department of Consumer and Business Service's Building Codes Division (Division), is
10 authorized to regulate electrical installations and persons engaged in making those installations in
11 the State of Oregon. On or about January 30, 2015, the Division served Vladimir Olennikov
12 (Respondent) with an Amended Notice of Proposed Assessment of Civil Penalty and Proposed
13 Suspension of General Supervising Electrician License 5737S and Final Order on Default
14 (Amended Notice) on behalf of the Board. The Amended Notice alleges that Respondent repeatedly
15 violated a rule under the Board's authority when Respondent, acting as Portland Electric LLC's
16 (Portland Electric) registered signing supervising electrician, failed to ensure Daniil Gubka, Oleg
17 Boychenko, Vitaliy Boychenko, Lyubomir Brunets, and Aleksandr Zalyashko were properly
18 licensed to make electrical installations while working under Respondent's supervision.

19 **2.**

20 Following Respondent's timely request for a hearing on the matter, the parties agreed to
21 settle this matter without a hearing. Respondent understands that he has the right to a hearing under
22 Oregon Revised Statutes (ORS) chapter 183, the Administrative Procedures Act, and Respondent
23 fully and finally waives the right to a contested case hearing and any appeal therefrom by the
24 signing and entry of this order in the Board's records.

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1 3.

2 The Board finds and Respondent stipulates:

3 3.1 Respondent is an Oregon general supervising electrician, license number 5737S, which he
4 has held since August 25, 2011. Respondent also holds Oregon journeyman electrician
5 license number 17181J, which he has held since December 2, 1997.

6 3.2 Respondent is the signing supervising electrician for Portland Electric, which holds Oregon
7 electrical contractor license number C760.

8 3.3 On July 8, 2014, at lot 145, 11984 SW Barber St, Wilsonville, Oregon, three Portland
9 Electric employees who Respondent supervises—Oleg Boychenko (O. Boychenko), Danill
10 Gubka (Gubka), and Vitality Boychenko (V. Boychenko)—were installing line voltage
11 electrical cables and working on related installations for the account of another.

12 3.4 Rudisel called the job foreman for the general contractor, who referred him to Paul
13 Grushebskiy (Grushebskiy), a representative for Portland Electric, in order to locate the
14 supervising journeyman electrician and to inform him of the problem. Grushebskiy said that
15 the supervising journeyman electrician for the jobsite was at Platt Electric Supply getting
16 parts. Rudisel informed Grushebskiy that the apprentices could not work unsupervised and
17 he had 20 minutes to get the supervising journeyman back to the jobsite from Platt Electric
18 Supply. Rudisel waited at the jobsite for 30 minutes after talking to Grushebskiy, and no
19 supervising journeyman appeared on the jobsite.

20 3.5 Platt Electric Supply is located at 9375 SW Commerce Circle, Wilsonville, Oregon, which is
21 approximately 2.4 miles from the jobsite at 11984 SW Barber Street, Wilsonville, Oregon.

22 3.6 O. Boychenko holds Oregon Apprentice card number 197722; Gubka holds Oregon
23 Apprentice card number 197482; and V. Boychenko holds Oregon Apprentice card number
24 197222. None of these individuals hold a supervising or journeyman electrician license, and
25 none of the individuals hold an indirect supervision electrical apprentice license.

- 1 3.7 On or about July 18, 2014, Lyubomir B. Brunets (Brunets) worked on connecting and
2 terminating wires into an electrical panel on the second floor of a four- floor above grade,
3 multi-family dwelling under construction at 8150 SE 23rd Avenue, Portland, Oregon.
- 4 3.8 Brunets holds Oregon limited residential electrical license number 875LR, which he has
5 held since December 30, 2011.
- 6 3.9 At all relevant times, Brunets did not hold a supervising or journeyman electrician license in
7 the State of Oregon.
- 8 3.10 On or about October 6, 2014, following the Joint Apprenticeship and Training Committees
9 (JATC) Areas I and II withdrawing Portland Electric's approval as a training agent for
10 allowing apprentices to perform work without the supervision of a journeyman, the Oregon
11 Bureau of Labor and Industries Apprenticeship and Training Division revoked Portland
12 Electric's Apprenticeship Reciprocity in Oregon.
- 13 3.11 On or about October 30, 2014, at the corner of SW Barber Street and SW Monte Street,
14 Wilsonville, Oregon, V. Boychenko installed electrical wiring in the ceiling of a dwelling
15 under construction while V. Boychenko was working as an employee for Portland Electric.
16 V. Boychenko made the installation without holding a valid electrical license.
- 17 3.12 On or about November 10, 2014, at 28969 SW Costa Circle, Wilsonville, Oregon,
18 Aleksandr Zalyashko (Zalyashko) installed [an] electrical light switch in [the] upstairs
19 bathroom for the account of another, on behalf of Portland Electric.
- 20 3.13 At no relevant time did Zalyashko hold a supervising or journeyman electrician license.

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4.

The Board and Respondent agree to resolve this matter by the entry of this Stipulated Order subject to the following conditions:

4.1. Respondent is hereby assessed a \$18,000 civil penalty for violating OAR 918-282-0140(2)(f), \$13,000 of which will be suspended for a period of five (5) years from the date this Stipulated Order is executed, and considered satisfied (waived) after those (5) five years if the enclosed terms and conditions are timely fulfilled in their entirety.

4.2. Respondent shall pay \$5000 of the total civil penalty due.¹

4.3. Respondent's general supervising electrician's license number 5737S shall be suspended for six months (180 days) beginning from the day this Stipulated Order is fully executed.

Following the completion of the six-month suspension, Respondent's general supervising electrician license number 5737S shall be reinstated on a conditioned basis subject to the conditions of this Stipulated Order, for the remainder of the five years from the date the Stipulated Order is fully executed.

4.4. Within 45 days of the date this Stipulated Order is executed, Respondent will submit to the Division and to the Division's satisfaction a written plan detailing the specific policies and procedures that Respondent will follow if and when he is employed and registered as an electrical contractor's signing supervising electrician. These policies and procedures will address, but are not limited to, the following items:

4.4.1. Ensuring that all electrical installations meet minimum safety standards;

4.4.2. Ensuring proper electrical safety procedures are used;

¹ An invoice will be included when a fully executed copy of the final order is sent to Respondent.

1 4.4.3. Ensuring that individuals under Respondent's supervision are properly licensed for
2 the work they perform; and

3 4.4.4. Ensuring all electrical labels and permits required to perform electrical work are used
4 and signed.

5 4.5. Respondent will fully cooperate with the Building Codes Division's enforcement efforts in
6 cases that involve any of the underlying facts of this Stipulated Order. Cooperation may
7 include, but is not limited to, making sworn statements or testifying in administrative
8 hearings to the enclosed stipulated facts and other relevant facts as requested by the
9 Division.

10 4.6. Respondent must not commit further violations of the Building Codes Division's statutes
11 and rules.

12 5.

13 Respondent understands and agrees that Respondent's failure to comply with any term or
14 condition of this Stipulated Order shall result in any unpaid portion of the entire civil penalty,
15 including the stayed amount, becoming immediately due and payable.

16 6.

17 Respondent understands that any violation of the terms of this Stipulated Order, or any
18 violation of the Building Codes Division's statutes or rules, whether committed before or after the
19 execution of this Stipulated Order, may be the basis for further enforcement action.

20 7.

21 Respondent understands that failure to comply with this Stipulated Order also provides a
22 statutory basis to, condition, suspend, or deny future license and certification applications, and to
23 take those actions against licenses and certifications not subject to this Stipulated Order if issued by
24 the Division, other divisions of the Department of Consumer and Business Services, and certain
25 other state agencies.

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Respondent stipulates and agrees that this Stipulated Order is fully executed and becomes effective the date it is signed by the Board Chair or the Chair's designee.

9.

Respondent understands this Stipulated Order is a Final Order and a public record. By his signature below, Respondent attests that he has read and understands this Stipulated Order and agrees to abide by each and every one of its terms and conditions, and further attests that no duress or coercion has been used to induce him to sign this Stipulated Order.

IT IS SO STIPULATED THIS 30 day of April, 2015.

V. Olennikov
Vladimir Olennikov, Respondent

IT IS SO ORDERED THIS 1st day of May, 2015.

Andrea Simmons for
Chair,
Electrical and Elevator Board
State of Oregon