



From: Montana State Electrical Board

301 South Park Avenue
Box 200513
Helena, MT 59620-0514

To: Staffing Agencies and Unions that Refer Individuals for Electrical Work in Montana

Date: July 7, 2016

RE: Confirm Licensure in Montana Before Referring Any Individual for Electrical Work

The State Electrical Board (Board) has received information that your staffing agency may be referring individuals to engage in electrical work in Montana who are not Montana-licensed electricians.

Please be advised that Montana law prohibits staffing agencies and unions from referring individuals, who are not Montana-licensed electricians, to engage in electrical work. Specifically, Mont. Code Ann. § 37-68-301(3) provides:

A private or public employment agency or labor union, or an employee of the agency or union who refers persons for employment by others may not refer a person for employment by others to perform the work of an electrical contractor, residential electrician, journeyman electrician, or master electrician in this state unless the person has received from the department a license or permit to work as an electrical contractor, residential electrician, journeyman electrician, or master electrician. (Emphasis added.)

Additionally, the Board may refer complaints about violations of Montana law to the local county attorney's office for review and possible prosecution. Specifically, Mont. Code Ann. § 37-68-322(3) provides:

The county attorney shall, upon request of the board, prosecute any violation of the licensing requirements of this chapter.

Accordingly, staffing agencies that refer individuals to engage in electrical work in Montana must confirm that the individuals are Montana-licensed electricians before making the referral. Advising your client of the license status of the individual you are referring is not sufficient to comply with Montana law.

Whether an individual has a Montana electrician license can be confirmed online at <https://ebiz.mt.gov/POL> or you may call the Board Office at the Department of Labor and Industry at (406) 841-2300.

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