

Mr. Chair, Members of the Board, Mr. Frank Weisner...

I'm Dave Simpson, President & CEO of Carolinas AGC, a trade association representing about 800 member companies and more than 25,000 employees in the commercial construction industry. Our members include building contractors, highway-heavy contractors, utility contractors, specialty contractors and supplier-service companies.

Thank you all very much for calling this emergency meeting to discuss the continuing education requirements to be administered by your NC Licensing Board for General Contractors. First and foremost, I would like to commend the construction industry throughout NC and SC for doing an excellent job in continuing to put safety as our top priority. Nothing is more important than safety. Nothing.

Due to the uncertainty surrounding the current pandemic, including safety concerns, we respectfully ask the Board to consider delaying and modifying the continuing education requirements that became effective Jan. 1, 2020 (per GS 87-10.2). Here's why:

- * Many of our CAGC members – as well as others throughout the construction industry -- have expressed serious concern to us over trying to safely meet these requirements given the uncertainty surrounding the pandemic, particularly since we are still only in Phase 1 of a 3-phase reopening plan in NC.

- * Current social-distancing and limits on gatherings are not conducive to in-person classes and it appears that this may not change much until maybe later this summer. It's also worth noting that in the interest of health and safety, our CAGC BOD recently decided to cancel our 2020 Summer Summit that had been scheduled for July 30-Aug 2 and we expected, like last year, 800 attendees. We have made that meeting – as well as other meetings planned -- virtual meetings throughout March and at least through July, including education and training.

- * With this pandemic and the current continuing education time frame, the new law would give GCs only a few months in which to get their continuing education since they must complete their hours by the end of November. As a provider, CAGC will not be able to offer as many in-person classes as we might have otherwise if we did not have this pandemic. Also, we would have to significantly limit the class size and we have liability concerns regarding hosting these events. Some of our members, for example, are facing possible litigation from some of their employees concerning such liability on job sites involving safety issues.

- * One thing we have learned with this pandemic is that we in the construction industry can do a whole more than we ever imagined we could online. With online classes not being allowed this year with this new law, it limits options for GCs to easily obtain their continuing education credits, especially for GCs who do work in NC but live in SC and surrounding states.

In the 30+ years I have been in the construction industry business, we have never experienced these kinds of challenges with this pandemic. GCs are overwhelmed right now with trying to keep their jobsites open and their businesses going. Many of our members are in a survival mode, struggling to make it. For example, the NCDOT plans to cut \$2B from its construction program in the coming year and many of our highway contractors hold unclassified licenses and must meet this continuing education requirement.

We respect the position you all are in and we realize that the first year of rolling out a new program requirement is always challenging. Given the fact that we now have an unprecedented health crisis, there is bound to be some confusion that could lead to involuntary non-compliance at a time when our members are just trying to survive. This is a burden we do not want to place on our members right now.

The ask: Due to the uncertainty surrounding the current pandemic, **we respectfully request that the continuing education requirement for General Contractors that became effective January 1, 2020 (for licenses renewed after that date be delayed until January 1, 2021 for licenses renewed after that date. That is effectively a one-year delay so that the requirement to get education this year would be waived until next year.**

We also ask that regardless of what you all decide, in addition to a delay, that all continuing education classes be allowed to be offered online effective immediately as the current law does not authorize online classes until January 1, 2021. This is just common sense in uncommonly challenging times with this pandemic and the bottom line is that nobody needs to be sitting close together in a large group because of safety issues.

Finally, it should be noted that recently approved legislation by the NC General Assembly (SB 704) authorizes your Board to delay or modify these continuing education requirements if you determine that “due to the impact of the coronavirus, it is in the public interest, including the public health, safety and welfare and the economic well-being of the citizens and businesses of the state.”

It is our opinion that delaying the requirement of this continuing education for one year, and also allowing all classes to be done online, squarely meets the intent of this new legislation.

Thank you for your time. I also have on this virtual meeting Betsy Bailey, our NC Building Director/Government Relations Director.