

OPINION
51-119

February 27, 1951 (OPINION)

OCCUPATIONS AND PROFESSIONS

RE: Electricians - Personal Supervision by Licensed Electrician

You have asked this office for an opinion on the question of the meaning of "personal supervision" as used in section 43 0918 of the Revised Code of 1943 which section reads as follows:

"Apprentice to Master Electrician. Any person may serve as an apprentice under a licensed electrician, but a master electrician shall not allow an apprentice to work on any installation without personal supervision of a licensed electrician."

From conversation with you I understand that your question arises out of a recent case at Jamestown where two men were complained against for doing electrical wiring without a license. They claim they are working under the supervision of a licensed master electrician. You state that this master has his office at a city or village a considerable distance from where these men work and that personal supervision could not be exercised by the licensed electrician because of the physical facts of distance between the job and the location of the licensed man's office or shop. It is our opinion that the facts in each case must be considered in the arriving at a proper decision of any particular case, however, it is also our opinion that since license laws are enacted by the legislature for the protection of the public, a construction must be placed on them which will be of the greatest benefit to the public rather than to construe such laws for the benefit of the individuals, companies or concerns engaged in the electrical installation business. Consequently, based on the Webster's dictionary meaning of "personal" and "supervision," it is the opinion of this office that either a "master" or a "journeyman" licensed electrician must be working on each installation where apprentices are employed. Let me also call to your attention that if such working is permitted by apprentices without proper personal supervision, that it is the licensed master electrician holding the contract for the job who is violating the law and who may be subject to the penalties provided for in section 43 0923.

ELMO T. CHRISTIANSON

Attorney General