

**State of New Hampshire
Office of Professional Licensure & Certification
Board of Electricians
Concord, New Hampshire**

Gregory Clarkson
License No.: 12395
(Adjudicatory/Disciplinary Proceeding)

Docket No. 16-01

FINAL DECISION AND ORDER

Before the New Hampshire Office of Licensure & Certification, Board of Electricians ("Board") is an adjudicatory/disciplinary proceeding in the Matter of Gregory Clarkson ("Respondent" or "Mr. Clarkson") in Docket Number 16-01.

BACKGROUND INFORMATION

There was a a pervious proceeding which was commenced by a Notice of Hearing dated December 15, 2015 by the Board of Electricians ("the Board"), and Notice was provided to Licensee. The Licensee failed to appear for the scheduled hearing. As a result of the evidence presented by Chief Electrical Inspector Dean Sotirakopoulos, the Board of Electricians issued an Order downgrading the Licensee's Master's Electrician License to a Journeyman License for a period of six months from the date of the Order, February 9, 2016. The Order also required the Licensee to deliver his Master Electrician License to the Office of Professional Licensure and Certification (OPLC) in Concord, New Hampshire within five business days of the date of the Order. The Licensee to this date has failed to comply with delivering his Master Electrician License to OPLC.

As a result of the foregoing, a new Violation and Notice of Hearing were forwarded to the Licensee on April 14, 2016 to show cause why he failed to deliver his Master Electrician License

to OPLC within 5 business days as ordered on February 9, 2016, in violation of RSA 319-C:12(II)(c) and Rule Elec 405.01(5).

A disciplinary hearing on that matter was held on Tuesday, June 7, 2016 at the Board office in Concord, New Hampshire. A Notice of Hearing (NOH) and exhibits were mailed to Mr. Clarkson at the Board's last on-file address via US Mail, via certified mail, dated April 14, 2016. The US Mail certified mail of the Notice of Hearing and Notice of Violation were forwarded to Mr. Clarkson on April 16, 2016, 2016, which he never retrieved from the post office. The required exhibits were mailed to the Respondent return receipt requested and regular first class mail on May 27, 2016. Additionally, the Notice of Hearing and Notice of Violation were personally delivered to Mr. Clarkson at his abode by the Chief Electrical Inspector on April 18, 2016 at 2:30 p.m.

The Respondent appeared at the hearing. Testimony was received at the hearing from Dean Sotírakopoulos, Chief Electrical Inspector of the Office of Professional Licensure and Certification and the Respondent, Gregory Clarkson. .

Board members present were¹

Peter Cicolini, Master Electrician, Chairperson, Presiding Officer
Jack Grube, Public Member
Romeo Dupuis, Jr., Master Electrician
Matthew LaBonte, Fire Marshall Representative

The following exhibits were introduced into evidence and accepted into the record:

1. A Report of Investigation by Chief Electrical Inspector, Dean Sotirakopoulos and Notice of Violation.
2. A copy of the letter to Respondent enclosing the February 9, 2016 Order and the Order itself.

FINDINGS OF FACT

1. The Respondent was issued a Master Electrician's License on August 6, 2008.

2. Respondent was originally provided a previous Notice of Hearing for violation of statutes and results related to a licensed Electrician in an earlier unrelated matter.
3. The Notice stated the hearing was to be held on February 1, 2016.
4. The Respondent failed to appear at said hearing after having been provided the required notice.
5. An order was issued on February 9, 2016 downgrading the Respondent's Master /electrician license to a Journeyman License for a period of 6 months as a result of the February 1, 2016 hearing.
6. The Order also required the Respondent to deliver his Master Electrician license to the OPLC within five business days.
7. The Respondent to this date has failed to comply with the Order requiring him to deliver his Master Electrician license.
8. As a result, a new hearing was held on a separate matter alleging the respondent was in violation of RSA 319-C:12, II(c) and Electricians Rules 405.01(a)(1); and 405.01(a)(5) as a result of engaging in unprofessional conduct by failing to comply with a sanction of the Board
9. The Respondent was provided proper Notice of that hearing.
10. The Respondent appeared for that hearing on June 7, 2016 hearing.
11. The Respondent failed to provide good cause for his failure to submit his Master Electrician license to the OPLC office as Ordered on February 9, 2016.

CONCLUSIONS OF LAW

¹ The same Board members also deliberated and voted on this Final Final Decision and Order.

The evidence in this matter has established that the Respondent has committed statutory and rule violations governing licensed electricians in the State of New Hampshire. The Respondent has failed to comply with a sanction order by this Board in violation of Elec. Rule 405.01(5).

Moreover, the evidence submitted in this matter established that the Respondent violated RSA 319-C:12, II(c) and 405.01(a)(1) and 405.01(a)(5) by exhibiting unprofessional conduct in failing to comply with a sanction of this Board by Order dated February 9, 2016 (i.e. by his failure or refusal to deliver his Master Electrician license to the OPLC within the time period set forth in the Order).

THEREFORE, IT IS ORDERED, pursuant to RSA 319-C:12, III(a) and (b) the Board imposes the following sanctions:

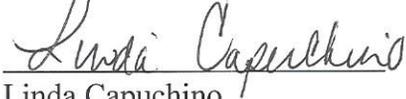
- A. The Respondent is hereby **reprimanded**.
- B. The Respondent is deemed to be in violation of R RSA 319-C:12, II(c) and 405.01(a)(1) by exhibiting unprofessional conduct, or dishonorable conduct unworthy of and affecting the practice of the profession and Elec 405.01(5) in his failure to comply with the sanction of the Board dated February 9, 2016.
- C. Therefore the Respondent's Master Electrician's License is hereby suspended for a period of twelve months.
- D. Respondent's suspension of his New Hampshire Electrician's License shall be effective the date this Order is signed.
- E. However, Respondent shall not be given credit for his twelve month suspension until such time as he physically delivers his Master Electrician's card to the OPLC in Concord.

- F. The Respondent shall, within five (5) business days from the effective date of this Order set forth below, deliver his Master Electrician License to the Office of Professional Licensure and Certification, 121 South Fruit Street, Concord, NH 03301.
- G. Upon completion of his twelve month suspension, the Respondent is required to petition the Board for reinstatement of his Master Electrician's License.
- H. The Respondent's breach of any terms or conditions of this Order shall constitute unprofessional conduct pursuant to Elect. 405.01(a)(5) and RSA chapter 319-C:12,II and serve as a separate sufficient basis for further disciplinary action by the Board for a period of seven (7) years, pursuant to NH RSA 319-C:12,IV and Elec. 405.03(i).
- I. Additionally, the Board may consider the fact that discipline was imposed by this Final Decision and Order in determining appropriate discipline in the future should any further misconduct be proven against the Respondent.
- J. This order shall become a permanent document in the Respondent's file which is maintained by the Board as a public document.
- K. This Order shall take effect on the date it is signed by an authorized representative of the Board.
- G. Any person affected by a final decision of the board may appeal such final decision to the state building code review board, pursuant to RSA 155-A:11-a. See NH RSA 319-C:12-b.

IT IS FURTHER ORDERED that a motion for rehearing, reconsideration, or clarification shall be filed within 30 days of the effective date of this Final Decision and Order. This motion shall be in accordance with Elec part 213.

Effective Date: July 11, 2016

BY ORDER OF THE BOARD



Linda Capuchino
Division Director
Technical Division
Office of Professional Certification
And Licensure