

## **GUIDELINES FOR APPROVAL OF BUILDING TRADES ACTIVITIES**

Following are guidelines and information relative to annual approval of your building trades program practical work activities:

1. Each approved building trades program that performs practical work activities off the high school site must submit a Form BC-1 and BC-2 for approval of the activity by both the NH Department of Education and the NH Department of Labor. Annual forms must be submitted to:

John Varrill  
NH Department of Education  
101 Pleasant Street  
Concord, NH 03301

for each activity and approved by both agencies prior to the commencement of the work activity.

2. Each approved building trades program whose practical work activities are all performed on the high school site must submit an annual letter to John Varrill (by November 1<sup>st</sup>) indicating that no work activities will be performed off the school site for that school year.
3. Below is a list of building trades program names and CIP codes that are subject to these guidelines:  
  
CIP 46.0201 – Carpentry, Building Trades, Building Construction, etc.  
  
CIP 46.0302 – Electrician, Electricity, etc.  
  
CIP 46.0501 – Plumbing, Pipefitting, Steamfitting, etc.  
  
CIP 47.0201 – Heating, Air Conditioning, Refrigeration, etc.  
  
CIP 48.0703 – Millwork, Cabinet Making, etc.
4. All building trades students must be 16 years of age to participate in off-site construction activities; this is a waiver of the 18 year old requirement, which can only be granted by the Department of Labor.

5. The primary concern of the Department of Labor is related to insurance coverage for students and supervisors through Workers' Compensation when an employee-employer relationship exists in the off-site practical work activity. If such a relationship exists, then Workers' Compensation coverage must be provided by the school or by the recipient/benefactor of the work activity. The Workers' Compensation law bars an employee who is injured on the job from suing his employer when the employer is subject to the law.
6. A school/district may establish a non-profit Building Trust which would govern the particular building trades program(s) activities and would receive and disburse all revenues related to each activity. The trust would not be required to carry Workers' Compensation coverage.
7. Under RSA 198:4-c, any school district may appropriate money to establish a revolving fund to aid instruction in the building construction trades. The fund shall be used to pay the necessary costs of construction projects which are carried out as part of the instructional program, including the purchase of real estate. No project shall be undertaken unless the fund contains enough money to cover the proposed budget. When the building is completed, it shall be sold and the money received put into the fund for use in another construction project. This type of activity would not require coverage under the Workers' Compensation Law.
8. A building trades program/school may enter into a written agreement with an individual/group to build or provide student supervised labor activities off the school site, and the individual/group would pay all related expenses (i.e., transportation,; tool wear, tear, and replacement; building materials, etc.) for the project. This type of activity would not require Workers' Compensation coverage.
9. In those situations where building trades students and staff are not covered by Workers' Compensation, the NH Department of Education highly recommends that they be covered by some other type of health/accident insurance.