WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at: http://ccap.courts.state.wi.us/InternetCourtAccess and http://www.courts.state.wi.us/wscca

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STATE OF WISCONSIN BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY

PROCEEDINGS AGAINST

NOTICE OF SUSPENSION

AND NOTICE OF RIGHT

TO REQUEST HEARING

DEREK SPIEKER, RESPONDENT.

Case # 16 COM 122

0005360

TO: Derek Spieker 2242 Powder Hill Road Hartford, WI 53027

You are hereby notified that your Master Electrician license is suspended for seven days, beginning July 19, 2017.

The basis for this suspension is your supervision of Jose Roman Pacheco and Tom Stetter, at the Layton Baptist Church, located at 9600 W. Layton Avenue, Greenfield, Wisconsin 53220. You were the responsible master electrician for this site. A June 22, 2016, inspection of the site found Mr. Pacheco and Mr. Stetter working on site without the direct supervision of a master electrician. A check of Mr. Pacheco's and Mr. Stetter's licenses was performed. Mr. Pacheo was ultimately found to possess a registered electrician license, while Mr. Stetter was found to be unlicensed at the time of this inspection.

The above conduct represents a failure to directly supervise a registered electrician as required by Wis. Admin. Code § SPS 305.40(4)(d)1. Beginning electricians are only allowed to perform electrical work under the direct supervision of a master electrician, which you failed to provide at this site. The above conduct also constitutes the utilization of improperly licensed individuals to install electrical wiring by a master electrician. This is prohibited by Wis. Admin. Code § SPS 305.43(5)(b). One of the two individuals found installing electrical was unlicensed and the other required direct supervision, which was not provided by you. Neither of these individuals were properly licensed to be performing electrical work at this site. These two violations subject you to discipline under Wis. Admin. Code § SPS 305.10(1)(a)8.

After the seven day suspension, you may request, in writing, to have your credential reinstated. The reinstatement process is set forth in Wis. Admin. Code § SPS 305.10(1)(f).

You have the right to request a hearing on the suspension by sending a request for hearing to the Department of Safety and Professional Services, Chief Legal Counsel, P.O. Box 8368, Madison, Wisconsin 53707-8368, which must be received by the Department no later than 30 days from the date of mailing of this Notice. The date of mailing of this Notice is July 10,

2017. Any hearing on the suspension will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on July 10, 2017.

Michael Berndt

Chief Legal Counsel

Department of Safety and Professional Services

P.O. Box 8368

Madison, WI 53708-8368