

**Opinion No. 56-6549**

November 27, 1956

**BY:** RICHARD H. ROBINSON, Attorney General

**TO:** Mr. E. P. Corcoran, Chief Inspector, Plumbing Administrative Board, 307 Lead Avenue, SW, Albuquerque, New Mexico

We have your letter of October 24 in which you request an opinion upon the following question:

What is the meaning of "direct supervision" as used in § 67-22-8 (d), N.M.S.A., 1953 Compilation, pocket supplement?

The pertinent part of § 67-22-8 (d) reads as follows:

"Nothing in this act shall be construed to prohibit the employment of apprentices working under the direct supervision of a licensed journeyman or master plumber or gas fitter."

It seems to have been the intent of the Legislature to provide a means by which apprentices in the field of plumbing and gas fitting could secure practical on the job training. We are, therefore, of the opinion that "direct supervision", as used in this statute, means that whenever an apprentice is working on a job, it is necessary that there be either a licensed journeyman or master plumber or gas fitter present for the purpose of supervising the work of the apprentice. It would be a violation of this law for one journeyman or master to attempt to supervise separate apprentices on separate job locations when such locations were in different parts of town. This would be an example where there would not be direct supervision of all the apprentices as required by the statute.

It would appear that the purpose of this provision is to provide a means of training for apprentices, therefore there must be a journeyman or master present to provide the training and supervision contemplated by this statute.

Trusting we have answered your question, we remain

By: Paul L. Billhymer

Assistant Attorney General