



**Meeting:** Contractor Advisory Council (CoAC)

**Date:** Thursday, April 13, 2017

**Location:** CHSI, 5110 Creekbank Road, Training Room 2

**Present:**

Scott Kelly (Vice Chair)	OEL
Dave Ackison	OEL
Clint Attard	OEL
Tony Minna	ECAO
Larry Shaver	ECAO
Rob Sloan	OEL
Dan Williams	LEC
Mark Hopkins	ECAO

**Regrets:**

Joe Kurpe (Chair)	ECAO
Luke Bogdanovic	OEL
Robert Smith	LEC

**Guests:**

**ESA Staff:**

- Nancy Evans
- Earl Davison
- Farrah Bourre
- Normand Breton
- Kathryn Chopp
- Ray Yousef
- Carol Keiley

**17.02.01 AGENDA/MINUTES/ACTION ITEMS**

Meeting chaired by Vice Chair, Scott Kelly

**Motion to Approve Agenda**

MOTION to approve agenda by Clint Attard  
Seconded by Larry Shaver

Carried

**Motion to Approve Minutes**

MOTION to approve February 16, 2017 minutes by Larry Shaver  
Seconded by Rob Sloan

Carried

**Review Outstanding Actions**

The outstanding actions were reviewed and the status updated – see attachment.

**17.02.02 STATUS OF MAJOR PROJECTS: RISK-BASED OVERSIGHT**

Earl Davison provided Council with an update on the status of Risk-Based Oversight (RBO).

ESA's Board of Directors has approved the RBO strategy and it is the primary priority at ESA for the next year.

ESA is using insights from the Commercial Renovation Pilot (small, low-risk jobs recorded in an electronic logbook), which was quite successful and led to increased compliance.

The move to the RBO model will be rolled out over three years. The expected stages are as follows but are subject to change based on the actual in-market experience:

1. Year 1 (2017/18) –expand the Commercial Renovation program to the entire GTA and Ottawa (highest volume of work in Ontario) hitting areas of lowest risk. In parallel, ESA will be working on creating the back-end and technical systems to support it.
2. Year 2 (2018/19) – Develop a similar program for Residential Renovations.
3. Year 3 (2019/20)– Move to New Residential work. Then expand to all electrical work.

A cross-functional team at ESA has been set up to implement RBO and there will be stakeholder communications and consultations.

Council comments:

*How will RBO impact ACP?*

RBO could eventually incorporate ACP.

*How will RBO work for ACP connection authorization?*

This has not been designed yet.

### 17.02.03

### RISK-BASED OVERSIGHT: PUBLIC ENGAGEMENT

Nancy Evans led Council on a discussion regarding the best way to talk about RBO externally and explore ways to help people understand the strategy and how it works.

Several hypothetical scenarios were reviewed to determine what the contractor and customer expectations would be in each case.

Council comments:

Council members discussed customers' awareness and perceptions around receiving an inspection. Some customers are aware of and expect the inspection; others have no line of sight to the role of the inspection as it is dealt with by the contractor.. ESA will need to help contractors communicate RBO details to their customers where required. It's also important to note customers in different areas have different expectations, i.e. different customer-contractor relationships across parts of Ontario.

How does ESA define the underground economy? ESA staff responded that it is any work done outside the compliance systems for licensing and/or the Ontario Electrical Safety Code. Some council members expressed frustration that homeowners can do their own electrical work – they can buy the necessary equipment and do the work without any experience or credentials. Esa noted that as this is allowed in regulation, it is not the underground economy. However if a homeowner did work without a permit, however, that would be underground economy.

The council expressed that there should be more significant consequences for customers doing work without a permit.

ESA said the more information ESA releases about properties having illegal work done, the better it is for compliance. It will drive behaviour as it impacts a homeowner's ability to sell their home, get insurance, etc.

**17.02.04 2018 WIRING FEES**

ESA is currently reviewing the potential for wiring fee adjustments for 2018 and 2019 – more information will be made available in the coming weeks

**17.02.05 ELECCKECK UPDATE**

Norm Breton provided an update that the ElecCheck program has been launched, but in limited jurisdictions.

Staff resources are currently an issue due to the length of time required to complete the ElecCheck inspection. Since it is considered non-regulatory business, ESA must focus its available resources on regulatory obligations.

**17.02.06 PUBLICLY AVAILABLE LEC INFORMATION**

Norm Breton gathered feedback on what information ESA could or should make publicly available regarding LECs. The Electrical Contractor Registration Agency (ECRA) Advisory Council has asked for comments on this topic.

Ontario has an open data directive. ESA currently publishes information on licensing convictions but ESA does not publish warnings, disciplinary actions, or unsuccessful prosecutions. LEC company information (no personal information included) is published *after* the court decides to convict; charges without a conviction are not posted publically.

ESA sought feedback on exactly what licensing information should be published. Note no decisions have been made; ESA is just seeking feedback at this time. Legal factors will need to be considered as part ESA's regulatory responsibility.

ESA will not publish anything that is not fact-based; thus, checks and balances will have to be put in place. This is just the beginning of a much larger discussion.

Council comments:

Council members voiced concerns about publishing information based on complaints – anyone can make a complaint for various reasons. ESA should not publish anything unless charges are laid as it could impact the LEC's credibility and ability to do work.

ESA noted some agencies post the status of a person's licence. Licensing status would have to be updated continually.

ESA noted that this item was brought to the Consumer Advisory Council (CAC) and their feedback was that they want any available information in order to make an informed hiring decision; however, this must be balanced with fairness for LECs.

Council members voiced objections over publishing defect ratios as it could lead to more underground work. LECs won't want to risk getting a defect and having it published. The Council and staff also discussed the challenge of consistency in defect assignment.

Staff thanked the Council for its input and noted that this was early days in consideration of whether to publish additional information.

#### 17.02.07 PROGRAMS UPDATE

Earl Davison provided an update on ACP.

Approximately 500 ACP members have not provided proof that they bought a code book, which is a requirement of the ACP program. It is particularly important as the Code Book subscription also includes the ongoing receipt of Bulletins.

ESA is considering issuing warning and potential suspension letters to those who have not demonstrated that they bought books.

The Council was asked for feedback on this plan. Council members expressed support for the approach – ACP members need to fulfill their obligations under ACP.

#### 17.02.08 LEC SURVEY

Farrah Bourre advised Council of an upcoming LEC survey.

In late April or early May, ESA will survey about 500 LECs to get their diverse perspectives to enable ESA to better engage and communicate with them.

New for this survey are social values questions to help better understand the attitudes and risk profiles within the contractor community.

Farrah requested feedback as to whether there were any tasks missing from options listed under *"How much time do you spend doing the following tasks?"*

Several members suggested adding *"work planning or scheduling"* to the list of tasks.

#### 17.02.09 REGULATORY AFFAIRS & GOVERNANCE COMMITTEE (RAGC) REPORT

Farrah Bourre provided CoAC with a copy of the Advisory Council Summary Report that is given to the Regulatory Affairs and Governance Committee (RAGC) of the ESA Board of Directors.

The report allows CoAC to see what the other Councils discuss and how Council information is distributed to the RAGC.

#### 17.02.10 REGULATORY UPDATE

Ray Yousef provided CoAC with an update on Code Bulletins and planned enhancements for the electronic version.

Bulletins are created based on feedback received from Inspectors and contractors. It's important that LECs receive Bulletins.

The 2015 Code book purchase included bulletins to ensure LECs get this information. The cost of bulletins was a factor in the past so both were bundled together.

Two bulletins released in March 2017 were reviewed – one for solar powered LED luminaries and the other regarding the use of flexible cords.

The e-reader version of the Code book includes the ability to add notes that will carry through the three years of the code cycle. Council members asked about challenges with the search function in the electronic versions.

Staff noted that it is currently working on a new release of the e-reader version which will have a better search function.

#### 17.02.11 Q&A'S

No questions were submitted by Council members for discussion.

#### 17.02.12 LEC AWARENESS CAMPAIGN

Kathryn Chopp gave Council an overview of the spring 2017 LEC awareness campaign.

Based on research surveys, there has been an increase in LEC awareness, and for the first time, there is over 50% awareness of the *need to hire LECs*. ESA is also seeing an uptrend in the *intent to hire an LEC* for future electrical work.

ESA was at the Toronto Home Show this year as part of a panel on electrical safety and hiring an LEC. There was an ESA "Ask an Inspector" area at the show as well.

ESA also participated in a House & Home magazine integration which has been very successful; it expands ESA's reach to all the magazine's readers.

A new safety brochure “Electrical Safety Around the Dock” has recently been published, just in time for the boating and swimming season.

Looking ahead, ESA plans to increase awareness among General Contractors and Property Managers on need to hire an LEC.

**ACTION:** COAC to let Carol Keiley know if they want the new dock brochure added to the LEC Store.

**ACTION:** Kathryn Chopp to explore providing the Property Manager communications as a brochure or flyer for LEC use.

**17.02.13 OTHER BUSINESS**

**Request for Information (RFI)**

A new RFI web page has been created on esasafe.com. It includes information related to the RFI process – how to use it, exemptions, and hypothetical examples describing ESA’s response to various requests.

**ACTION:** Farrah to send Council the link to new RFI web page.

**Adjournment** *MOTION to Adjourn by Clint Attard  
Seconded by Larry Shaver*

*Carried*

**End of Contractor Advisory Council Meeting**

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**Next Meeting:** June 1, 2017  
**Time:** 8:30 am – 1:30 pm  
**Location:** ESA – Customer Service Centre  
400 Sheldon Drive, Unit 1 Cambridge, ON N1T 2H9

*If there are any discrepancies to these minutes, please report them by email to Joe Kurpe  
and Farrah Bourre.*