



ECRA Advisory Council Meeting
 Minutes of Meeting
 October 16, 2017

LOCATION

ECRA Advisory Council Members

Larry Allison	ESA Consumer Advisory Council
Cameron Hann	Electrical Contractors (OEL)
Sean Bell	Utility Contractor Association
Joe Kurpe	Electrical Contractors (ECAO)
Debra Mattina	Municipalities
Larry Shaver	Electrical Contractors (ECAO)
Brian Smith	Electrical Safety Authority
Catherine Taylor	Community At Large

ESA Staff

Normand Breton	
Farrah Bourre	
Shana Hole	
Scott Eason	
Kathryn Chopp	
Earl Davison	

Guests

Mary Beth Fazzari (teleconference)	MGCS

1 Notice & Quorum

- The meeting had quorum
- Cameron Hann joined the council to represent Electrical Contractors (OEL)
- Normand updated ECRA on changes in the Communications and Stakeholder Relations department. Kathryn Chopp is temporarily filling the position of Vice President, Communications & Stakeholder Relations and Farrah Bourre is temporarily filling the position of General Manager, Communications & Stakeholder Relations
- Normand asked to have 2 items added to the agenda
 - o Makeup of the ECRA Council as detailed in the Terms of Reference specifically to discuss broadening the scope of acceptable candidates to represent Licensed Electrical Contractors (LECs). Add to the discussion of Membership
 - o Discuss how ECRA would like to thank Nancy Evans for her dedication to the Council

2 Minutes of ECRA Meeting

The following motion was carried:

Motion: To accept the minutes of the February 2, 2017 as read

Motioned by: Brian Smith

Second: Catherine Taylor

Motion carried.

The following motion was carried:

Motion: To accept the minutes of the June 20, 2017 as read

Motioned by: Larry Allison

Second: Debra Mattina

Motion carried.

3 Review of Open Action Items

- Action Item 2016-06-02: Add the Licence Holder Standards of Conduct to the Guideline
 - o The guideline has been updated and will be available on the ESA website once the amendments to Regulation 570/05 take effect in January 2018. The Guideline will not be reprinted, however printed copies will be provided to any participant in the Pre Masters training course. Completed
- Action Item 2017-01-01: How to best capture the interests of the public/consumer when publishing Contractor information
 - o Preliminary discussions have happened at the Consumer Advisory Council (CAC). Normand has asked Legal council for a decision on what information ESA can and can not publish. Normand is also working with Regulatory on this matter as well.
- Action Item 2017-02-01: Provide a list of Designations and an acronym cheat sheet to the members of ECRA
 - o This list has been provided to ECRA. Completed

4 Licensing Financial Review and Outlook – Normand Breton

- Fiscal year 2016 and 2017 were reviewed. Expenses are up across most areas
- Fiscal year 2018 both revenue and expenses are higher than fiscal year 2017
- ESA is anticipating Appeals and Enforcement costs to be higher
- Revenue from licensing fees and examination are the only source of revenue for Licensing. A small portion of the Communications and Stakeholder Relations budget is used to publicize things like convictions.
- ESA was asked about the increase in the Communications and Advertising budget from fiscal year 2016 to 2017.
 - o ESA had a campaign to reach property managers designed to increase awareness of the need to hire Licensed Electrical Contractors (LECs) through paid advertisements and editorials in their association publications. ESA also noted that the fiscal year 2018 budget should remain fairly flat from the previous year.
- In an effort to manage legal costs ESA has hired additional legal counsel in lieu of using outside legal counsel. As an additional benefit, in house legal counsel will have a more intimate knowledge of ESA, the regulations ESA is responsible for administering and ESAs internal processes and procedures.
- It was noted that 2 approaches to fees are
 1. to remain stagnant for a long period of time then have a larger fee increase to cover rising costs and expenses
 2. To have an small annual increases to the cost of a licence so LECs and MEs can better budget for their annual licensing costs
- The pros and cons of each method were discussed with no consensus being reached as to which method is preferable
- The Council had a lot of discussion around increasing the licensing fees to fund enforcement initiatives, reduce the administrative burden to LECs and MEs when renewing their licences, etc.
- ESA has been challenged with fee increases across the board, and has to engage in public consultations whenever fee increases are considered. While fee increases are not out of the question ESA also has a focus on an overall better use of resources before a fee increase is considered. Initiatives like Risk Based Oversight (RBO) will help focus ESAs resources on higher risk work such as enforcement.
- ESA reviews fees on an annual basis and will continue to seek cost savings thorough projects like the Licensing 5 year renewal and RBO
- ECRA was in agreement that they would like to see a more transparent accounting of what licensing fees are being used for and how they are being used to resolve issues like the underground economy. A better understanding of this information would assist ECRA in providing advice and feedback on current projects as well as recommending changes to current activities or new direction.
- ESA agreed to share the strategic planning process for Licensing at the next ECRA meeting for discussion with the Council.

- More information on ESAs [Strategic Plan: Harm Reduction Strategy 2.0](#), ESAs [Annual Business Plan](#), [Annual Report 2016/2017](#) and [Ontario Electrical Safety Report \(OESR\)](#) can be found on the ESA website

ACTION: ESA to present the strategic planning process including setting of priorities to the next ECRA meeting for discussion with the Council. Normand Breton (ACTION ITEM #2017-03-01)

5 Licensing the next 5 years – Normand Breton

- ESA is currently having internal discussion to determine what is needed over the next 5 years.

6 Commercial Renovation Program – Shana Hole

- In the Commercial Renovation Program ESA cross references building department records with permits with ESA. Any time no corresponding ESA permit is found, an investigation is started and an inspector is sent to the site to investigate.
- The purpose of the program is to reduce electrical work performed in the underground economy, make LECs aware of their obligation to take out permits for inspection, increase compliance with the Ontario Electrical Safety Code (OESC), and enhance ESAs oversight and enforcement efforts.
- Data from the first Commercial Renovation Pilot showed that a large number of sites where work was done without a permit for inspection was done by a LEC.
- Building departments have been very helpful in supplying building permit information
- Once contractors in an area have become aware of the commercial renovation program happening in their area ESA has seen an increase in permits from that area
- The Council agreed that this is a good example of something that LECs would like to know more about and ESA should look at communicating this to LECs.

7 Compliance Update – Shana Hole

- ESA has seen an increase in the number of permits being taken out by LECs. A spike was seen in 2016 most likely due to LECs submitting permits before the updated OESC being released.
- Working without a permit is still the number one complaint that ESA investigates and in one such investigation ESA was advised by a LEC if they insisted on having their electrical work inspected they would not be able to get any work.
- Another trend that is on the rise is the falsification of the Certificate of Inspection.
- ESA is also working to make LECs aware of the requirement to use licensed electrical contractors when subcontracting work
- ESA introduced the idea of publishing all permit history under the premise that full transparency will drive the public to require electrical inspections. It is also noted that some building departments publish all their building permits online in the public domain.

- After some discussion ECRA decided that they would like to see some more information around the impact of publishing this kind of data (financial, privacy, etc.) before making a motion to recommend this course of action to the Regulatory Affairs and Governance Committee (RAGC)

ACTION: Provide an impact assessment on making permit history available in the public domain at the next ECRA meeting so the council can make an informed decision whether to recommend further consideration of this idea to the Regulatory Affairs and Governance Committee (RAGC). - Earl Davison and Kathryn Chopp (ACTION ITEM #2017-03-02)

8 Membership Update – Farrah Bourre

Member Term Renewals

- Sean Bell and Brian Smith are both coming to the end of their terms.
- Discuss at the next ECRA meeting the best way to go about renewing their terms. In the past it has been done by a sub-committee or a vote at a Council meeting. The Terms of Reference don't specify how it is to be done

ACTION: Discuss at the next ECRA meeting the best way to go about renewing terms of ECRA members. – Farah Bourre (ACTION ITEM # 2017-03-03)

Chair and Vice Chair Positions

- After discussion with ECRA it was decided to keep the status quo with two co vice-chairs until ECRA has a full complement of members. Once ECRA has a full complement of members, nominations and a vote for Chair and Vice-Chair positions can take place.

New Member Recruitment

- Communications and Stakeholder Relations has been working with OEL to get members for ECRA as well as fill the vacant ESA appointee position

Terms of Reference (TOR) – Normand Breton

- When ESA assumed responsibility for ECRA the composition of its membership was unchanged
- The Terms of Reference (TOR) are very specific about who can represent LECs on the Council and this has proved to be challenging when trying to recruit new members
- ESA has indicated that there are other excellent candidates that could represent LECs on ECRA such as a retired LEC or a DME that works for a large LEC
- The LEC members have indicated this is something that they would like to discuss with the respective organizations
- ECRA would like to discuss this further at the next meeting and have asked for ESA to forward a copy of the current TOR to facilitate the discussion

ACTION: ESA will send a copy of the Terms of Reference to all ECRA members so they have the appropriate time to prepare for the discussion at the next ECRA meeting. – Farrah Bourre (ACTION ITEM # 2017-03-04)

13 LEC Campaign Update – Kathryn Chopp

- ESA outlined the current Compliance Campaign strategy Hire a Licensed Electrical Contractor (LEC), the target markets for current media (print, radio, TV and online), and the positive results ESA has seen
- Partnerships with [Kimberley Seldon](#) and [House & Home Magazine](#) were highlighted
- ESAs strategy on publicizing convictions was shared as well as some of the challenges in getting media across the province to pick up a news story about a conviction

14 Summary Report to Licensed Electrical Contractors (LECs)

- The [Summary Report to LECs](#) is a complimentary to the ESA Annual Report
- This report will be handed out to all that attend the Licence Holder Meeting

15 Discuss how ECRA would like to thank Nancy Evans for her dedication to the Council – Normand Breton

- It was decided an appropriate gift and card for Nancy Evans in recognition of her dedication to ECRA

ACTION: A card and gift will be brought to the next ECRA meeting for everyone to see and sign. – Normand Breton (ACTION ITEM #2017-03-05)

16 Meeting Dates for 2018

- February 13, 2018
- June 12, 2018
- October 15, 2018 and October 16, 2018 (Ottawa)
- November 26, 2018 and November 27, 2018 (GTA)

Meeting Adjourned

Motion: To Adjourn the meeting

Motioned by: Brian Smith

Second: Sean Bell



ECRA Advisory Council Meeting
 Minutes of Meeting
 October 17, 2017

LOCATION

ECRA Advisory Council Members

Larry Allison	ESA Consumer Advisory Council
Cameron Hann	Electrical Contractors (OEL)
Sean Bell	Utility Contractor Association
Joe Kurpe	Electrical Contractors (ECAO)
Debra Mattina	Municipalities
Larry Shaver	Electrical Contractors (ECAO)
Brian Smith	Electrical Safety Authority
Catherine Taylor	Community At Large

ESA Staff

Normand Breton	Rod Lawrence
Farrah Bourre	Mark Taylor
Shana Hole	
Scott Eason	

Guests

Mary Beth Fazzari (teleconference)	MGCS

1 Notice & Quorum

- The meeting had quorum

2 Enforcement Update – Scott Eason

- A total of 2,136 complaints were received, 1,202 of which were unlicensed contractors
- For the unlicensed contractors, there were 133 formal investigations, 29 charges laid and a total of 20 convictions resulting in fines of \$42,350 on convictions related to regulation 570/05
- There are 3 important things to remember when a contractor is fined
 1. The Provincial Courts determine the fine amount
 2. Licensing charges seldom appear on their own. They are usually accompanied by charges and fines related to other regulations such as the Ontario Electrical Safety Code, Electricity Act, and other regulations
 3. All fines levied are paid to the provincial coffers
- There has been a trend upwards in the average fine per convicted unlicensed contractor
- ESA has recently been successful in convicting general contractors and facility owners that have hired unlicensed contractors
- ESA was asked if we are able to recover the costs associated with prosecution. The Regulation doesn't provide for ESA to recover these costs.

3 Master Exam Update – Scott Eason

- An update on the progress and next steps for the electronic exam was provided
- Exam platforms have either a very high cost or very few of the required features for running an online exam so finding a vendor has been challenging
- Locations that provide computer labs where an electronic exam are disappearing and those that remain are charging very high fees
- ESA was asked about using cloud based platform. ESA has not ruled out any platforms at this time, it is more about finding platforms that will offer the features we require at a reasonable cost

4 Risk Based Oversight (RBO) – Mark Taylor

- Risk Based Oversight (RBO) is regulatory oversight of electrical installations based on an assessment of the safety risk of the installation; the likelihood an incident will occur and the severity if it does. ESAs objective is to be able to allocate more effort on higher risk work, and less on lower risk work, while not compromising safety.
- RBO uses a risk-informed model with 9 attributes to determine a risk ranking, then the risk ranked installations are put through a filter of policies and procedures to determine how the work will be inspected.
- RBO and the risk-informed model will be able to adapt to changing levels of risk based on data fed into the system from current inspections and feedback
- ESA will also have an internal audit component to RBO to ensure the process is working as intended and make any necessary adjustments

- In situations where ESA does not have all the necessary information to rank the 9 attributes the most conservative scenario will be used

5 New Business

- ECRA would like to see ESA increase its efforts on educating the public and tackling the underground economy
- ESA is developing a strategic plan on how to tackle the underground economy
- Normand will also be presenting the 5 year strategic planning process at the next Council meeting
- The workplan should be reviewed at the next meeting
- ECRA needs to have a discussion at the next meeting as to what their focus should be
- ESA has LEC and consumer research on attitudes toward the underground economy and can provide this for discussion at the next meeting

ACTION: Provide research about attitudes toward the underground economy at the next meeting. –
Farrah Bourre (ACTION ITEM #2017-03-06)

- There is the feeling that ECRA doesn't have anything to focus its efforts on
- Agreed that the workplan and 2 year strategic plan should be reviewed at the next meeting

6 Meeting Adjourned

Motion: To adjourn the meeting

Motioned by: Sean Bell

Second: Cameron Hann