

**Meeting:** Contractor Advisory Council (CoAC)  
**Date:** Wednesday, February 14, 2018  
**Location:** CHSI, 5110 Creekbank Road, Training Room 3

<b>Present:</b>	Joe Kurpe (Chair)	ECAO
	Dave Ackison	OEL
	Mark Hopkins	ECAO
	Tony Minna	ECAO
	Larry Shaver	ECAO
	Rob Sloan	OEL
<b>Regrets:</b>	Scott Kelly (Vice Chair)	OEL
	Clint Attard	OEL
	Luke Bogdanovic	OEL
	Robert Smith	ECAO
	Dan Williams	LEC
<b>Guests:</b>	Sharmila Uruthiranandasivam	MGCS
	Phil Rumble	Rumble Electric
	Jodi Shanoff – Environics Research Group	
	Nicole Pageot – Environics Research Group	
<b>ESA Staff:</b>	Farrah Bourre	Bob Ebbinghouse
	Paul Shamess	Kevin Greer
	Serge Laflamme	Mark Taylor
	David McConnell	Jennifer Vatour
	Earl Davison	Carol Keiley

**18.01.01 AGENDA/MINUTES/ACTION ITEMS**

**Motion to Approve Agenda**

MOTION to approve agenda as amended by Tony Minna  
Seconded by Dave Ackison

Carried

**Motion to Approve Minutes**

MOTION to approve Dec 8 2017 minutes by Mark Hopkins  
Seconded by Tony Minna

Carried

**Review Outstanding Actions**

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

**19.01.02 WORKSHOP: RISK-BASED OVERSIGHT – PART 2**

Mark Taylor led the Council on a continuation of the Risk-Based Oversight (RBO) workshop that began at the December 8 meeting. The purpose of the workshop is to review the presentation that will be given at the upcoming province-wide RBO contractor Town Hall workshops that discusses the proposed changes under RBO, and address the benefits, challenges and outcomes of moving to risk-based inspection. ESA wants feedback on ESA's approach to the province-wide town halls if it is the right content and the level of information for contractors.

Mark Taylor used the presentation that will be displayed at all 14 town hall meetings and asked CoAC members to provide feedback on the content. The RBO Town Hall Workshops will run from Feb 21 – Apr 10; each one will be approximately 2-2.5 hours in length and will include breakout groups. See attached presentation for content.

A council member asked if high-voltage work currently under ACP will be excluded. Mark advised that it is included under RBO.

With regards to investigating the underground economy, a council member asked if it would be up to the inspector how he allocates his time.

Mark responded that how the inspector used their re-allocated time still has to be worked out. Since RBO is not going live until 2020, there is still time to work these details out.

Another member commented that some contractors won't pull a permit or will cut

corners if they know the work won't require an inspection.

The response was that the audit portion of RBO will give us the authority to audit contractors' work. ESA could review their records to look for drops in historical business and then do an audit.

Has the ESA audited a single contractor yet? Is there a program in place?

Under the licensing regime, ESA can do audits even though there is no formal program in place to audit.

A member commented that there could be a big reaction from contractors regarding the auditing of their business.

Under RBO, the current thought is that there will be a minimum volume per year before RBO inspection ratios begin. If a contractor pulls under 10 permits per year, they will be 100% inspected; if over ten permits, work goes through RIM.

Another CoAC member felt the history of the contractor is important, especially the length of time they have been in business.

There are two different viewpoints between ACP and non-ACP so RBO's impact on ACP is very important. A consideration for town hall workshop breakout sessions could be to split out ACP and non-ACP contractors. Non-ACP may look at the program as an additional cost; however, as ACP gets absorbed into RBO, annual membership could disappear and RBO looks like ACP for all.

Council member raised some additional considerations for RBO – defect ratio; dollar value of large permit jobs; "good work" will need to be defined (inspectors have a good idea of who's good and who's not).

ESA noted that contractors won't need to know the age of the building when pulling a permit. ESA has an agreement with Municipal Property Assessment Corporation (MPAC) to get ages of buildings. Other areas of the risk assessment will default to the highest risk scenario if information is unknown or unavailable.

Members asked what additional info will contractors have to provide at permit time? Contractors will have to provide information in two new areas: Public exposure (e.g. how many people exposed to the wiring work) and environment factor (e.g. wet area).

A member advised another area of potential risk could occur if the building has never been seen or inspected by ESA.

ECAO members were asked how the recent RBO presentation at ECAO was received by the members.

Joe Kurpe responded it was well-received by ECAO members and they are eager to move forward.

A member commented that for some contractors it comes down to money/costs—customer service will be asking more questions related to work environment. This will result in more time on the phone when taking out permits.

Mark noted that this information helps the ESA inspector be efficient; under RBO the inspector will have better planning control. Also that if LEC does not know information such as Environmental Factor it doesn't matter, that RBO will just default to the most conservative ie worst case answer, ie wet as opposed to dry.

How much will the application form to change and will it result in more work?

It is anticipated that ESA will be asking two new questions and contractors will be expected to provide this info.

It was recommended by a member that there be an RBO transitional period for contractors where both the current and RBO systems are running. Change can be difficult for some contractors and it may take them a while to figure out the new system.

ESA has two years to perfect this and a goal of RBO is not to not complicate things.

Will service connections be 100% inspection?

Preauthorized connections will be based on certain criteria such as a good defect ratio.

Central Meters – contractors who do a lot of this work may not require inspection, they know what they're doing. This may need to be reworded for the town hall presentation.

Members indicated that treating all electricians working under one contractor the same is not a good idea; there are differences of skill within a company. The ME has too much responsibility and there should be more accountability for those that have a CofQ.

Mark asked what if ESA added a place for the C of Q – would contractors be willing to supply this?

It could be difficult to add at the time of pulling the permit; could be requested when there is a defect identified or at the time of inspection. Some contractors may not want to supply this info; however, if contractors want to correct behaviour related to defects, there should be ability to add this.

Other suggestions included having electricians sign a release form to supply their OCOT number so that ESA knows who within the company is responsible for the defect.

A member said that homeowners should be made aware of RBO through communications, advertising, etc.

What happens if the usual inspector is on vacation and a new inspector covers for them?

The inspector filling in will look at work the same way..

Couldn't the CSC call the homeowner and schedule a mutually beneficial time? As ESA relayed that as RBO moves toward the 2020 implementation date, ESA can explore this possibility. However, contractors' expectation of 24 hours notice may be unrealistic and ESA will be asking during Town Halls if 48 hours notice could be provided.

What about new residential inspections under RBO?

One of the filters currently under consideration would require a mandatory inspection of new homes.

When the contractor takes out a permit, ESA envisions letting them know at that time if the work is considered low, medium or high risk..

A member commented that it would be better to know if ESA is definitely coming rather than only hearing that they're not coming to inspect.

The current thinking around RBO is if the inspector planned to go and can't, the inspector will let the contractor know.

Another question raised was how to deal with contractors who are not doing good work and have a lot of defects.

If the work has a lot of defects, this could potentially increase the inspection ratios as there is more of a chance this could push work from low to medium or high risk. This is where requiring OCOT number would be effective – so contractors and ESA know who is doing the work on the site. At the same time, ESA needs to know what the defects are and needs the data – it is an opportunity for learning.

How to treat very large job (versus number of permits) still has to be worked out. The categories of defects may need to be considered.

What about areas where inspectors are only available once every couple of weeks? ESA and contractors will know ahead of time when work is low-risk and doesn't require an inspection; the inspector may then have more time to inspect other work.

Would inspectors consider accepting pictures?  
This depends on the work involved and the contractor.

Fees  
The fee structure is not developed yet. ESA is still assessing fee models. The fee codes will likely remain similar to today as they are used to calculate some of the risks.

What will service connections look like under RBO?  
Preauthorized connections would require minimum ten permits before allowed.

If ACP disappears what is it replaced with?  
Perhaps there is a new term like “contractor in good standing”; ESA wants to keep any potential transition process smooth.

A council member who is also on ACP felt there is a benefit to paying into the ACP program as his money is made back through discounts and off-hours service reconnections; the ACP status generated more business this way.

ESA should not say the fee for ACP will disappear (it’s really absorbed into RBO) because costs (fees) don’t decrease.  
There is a level playing field if everyone is paying the same fees.

Will ESA be changing the fees all at once when we get to RBO pricing model or will changes happen bit by bit?  
This has not been determined yet.

### 18.01.03

#### REGULATORY UPDATE

Nansy Hanna provided COAC with a high level overview of proposed Ontario amendments to the Canadian Electrical Code (CEC); there are approximately 262 approved proposals. See presentation.

The Ontario Electrical safety Code (OESC) project plan:

1. CEC impact assessment
2. Development
3. Public Consultation (Mar 6 to Apr 20 2018)
4. Submission to government
5. Adoption
6. Enforcement

Presented some of the proposed amendments:

Administrative changes:

- Rule 2-004 – Changes to the application process to accommodate inspection in relation to RBO
- Rule 2-005 – Scope – If TSSA has authority, do not require permit from ESA (i.e. elevator regulation)
- Rule 2-010(1) – Plans and Specifications

Section changes:

- Rule 12-022 – Wiring installed in or below metal roofing systems
  - This will address some of the safety concerns raised by the roofing industry
- Rule 26-656 – Arc fault protection of branch circuits for dwelling units
  - Delete Subrule (1)(a) and (b), exclusion for AFCI requirements for kitchen and bathroom.
  - The proposal has been submitted by Electro Federation Canada Arc fault protection – delete sub rule exclusion for AFCI reqs from kitchen and bathroom (submitted by Electro Federation Canada)
  - Comments needed from the contractor community so this will be included in the public consultation
- Rule 28-500 – Control required
  - Require field marking of manual motors controllers not suitable for motor disconnects
- Section 64 Energy Storage Systems
  - changes to address new technology (renewable energy and energy storage)
- New Rule 66-104 – Overhead wiring or New Rule 2-204
  - To address structures such as event tents, concessions, amusement rides, etc. from being placed under or adjacent to overhead powerlines.
  - Proposal has been issued to the CEC New rule to address structures and ensure enough clearance from powerlines
- New Rule 68-072 for a disconnecting means for pools and hot tubs

**18.01.04**

**COMMERCIAL RENOVATION PILOT**

Bob Ebbinghaus gave a presentation on the Commercial Renovation Pilot to the Council as a way to address pilot details and discuss contractor questions related to the pilot. Phil Rumble of Rumble Electric Co Ltd. attended to provide a contractor's perspective on the pilot. See presentation attached.

Feedback received has been mixed. Many contractors like the portal and would like to use it more; however, it is restrictive and limited based on fee code.

Changes have been made to the pilot recently where there is now a 1 in 10 inspection

ratio if the contractor is in good standing.

Contractor Perspective – Philip Rumble

Philip likes the pilot program. There is flexibility to file the notification on an easy-to-use portal. The certificate is provided after the fact.

As the contractor, he can arrange mutually beneficial time to meet with the inspector, even two weeks out and he isn't waiting for an inspector. He can very quickly pull the permit online and get a notification the same day.

These are small jobs with small fees you can pass along; it's good insurance for the contractor when doing a lot of small jobs.

**18.01.05 ELECTRICAL INCIDENTS**

Malcolm Brown, Technical Advisor at ESA, provided a review of several serious electrical incidents that have taken place in Ontario. Incidents were analyzed and root cause provided.

**18.01.06 Q&A'S**

No questions were submitted.

**18.01.07 OTHER BUSINESS**

**CoAC Member Cross-Sitting on the Utility Advisory Council (UAC)**

Farrah will be discussing this with UAC at their Feb 15 meeting.

Motion to adjourn by Tony Minna  
Seconded by Dave Ackison

**End of Contractor Advisory Council Meeting**

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**Next Meeting:** April 20, 2018  
**Time:** 8:30 am – 1:30 pm  
**Location:** Centre for Health and Safety Innovation  
5110 Creekbank Road, Training Room 3

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