



Meeting: Contractor Advisory Council (CoAC)

Date: Thursday, October 11, 2018

Location: CHSI, 5110 Creebank Road, Training Room 3

Present:

Joe Kurpe (Chair)	ECAO
Dave Ackison	OEL
Clint Attard	OEL
Shawn Blacklock	OEL
Mark Hopkins	ECAO
Tony Minna	ECAO
Larry Shaver	ECAO
Robert Smith	LEC
Rob Sloan	OEL

Regrets:

Scott Kelly (Vice Chair)	OEL
Dan Williams	LEC

Guests: Sharmila Uruthiranandasivam MGCS

ESA Staff:

Farrah Bourre	John Calabrese
Kathryn Chopp	Nansy Hanna
Earl Davison	Kevin Greer
Mark Taylor	Esau Habibulla
Carol Keiley	

18.03.01 AGENDA/MINUTES/ACTION ITEMS

Motion to Approve Agenda

MOTION to approve agenda by Tony Minna
Seconded by Dave Ackison

Carried

Motion to Approve Minutes

MOTION to approve June 13 2018 minutes by Mark Hopkins
Seconded by Tony Minna

Carried

Review Outstanding Actions

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

18.03.02 RISK-BASED OVERSIGHT UPDATE/ FALL TOWN HALL OVERVIEW

Mark Taylor provided the Council with an update on the Risk-Based Oversight (RBO) activities, including an overview of the material being presented at the fall 2018 town halls taking place across Ontario from October through November. See presentation.

ESA has drafted the fee model to review with contractors at the fall town hall meetings. January 2020 is the go-live date to implement RBO.

Council members viewed the new RBO overview video.

A council member asked if the age of the facility/building was being considered as an element of risk.

ESA hasn't changed the criteria for buildings – anything built in 2000 and over is considered new. ESA is waiting for database from MPAC; however, ESA will always default to the worst case scenario in the absence of that information. Contractors will not be asked about the building age.

Feedback from previous town halls indicates LECs don't want applying for notifications to be made more complex by asking more questions. CoAC feels that these additional questions (age of building and public exposure) would not be an issue.

New defects, administrative defects where incorrect info has been supplied on an application doesn't affect the defect ratio.

But under RBO, warning defects will be counted but at one fifth of the value of a technical defect; thus, five warnings are the equivalent of a standard technical defect. Warnings still represent noncompliance which ESA needs to look at.

The RBO Business Rules and Filters were also discussed.

A COAC member asked why central metering is included in the work that will require a visit regardless of risk – it's a simple job.

ESA responded that it's still looking for more contractor feedback from the town halls which may influence this decision; some contractors do it frequently, while others don't.

Another member asked why the defect ratio is going to be sent to contractors?

ACP members won't be grandfathered into RBO so letters will be sent to all contractors in 2019 giving them a year to become familiar with defect ratio calculations, and improve if necessary before RBO launches in 2020. New accounts will need at least ten permits (on a specific line of business) and a defect ratio of less than 4% to receive selective inspection under RBO.

Scheduling visits is very important to contractors – inspectors will notify contractors if an inspection is passed or rescheduled ahead; this will be available to all contractors.

A Council member asked when an inspections is pushed out, will they have to tell customers to wait all day until 4:30 for an inspection?

Yes, this is currently difficult for ESA to resolve; however, once RBO is launched, ESA will be able to look at scheduling issues.

Another member asked if there will there be a limit on mandatory visits per day so that some don't get bumped?

ESA said there should be enough room in a day if the inspector uses their discretion on what they visit; performance reports will be used to assess how the process are going.

RBO FEE MODEL

Kevin Greer provided Council with an overview of the proposed RBO fee model. See attached presentation.

A Council member commented that contractors need to know before 7:30 a.m. whether or not an inspector is coming; won't be able to capitalize on the savings otherwise.

ESA responded that there are pilots currently being conducted under the RBO model and generally notifications are sent between 6:00 a.m. and 7:30 a.m. As long as contractors could provide two or more days notice when an inspection is needed then ESA can provide one day notice for an inspection.

Small RBO trials currently underway are using the RBO model, but not the fees as they don't come into effect until 2020.

There are currently about 150 fee codes in total. ACP specific fee codes will be absorbed in to RBO so roughly 10 to 15 codes may change.

Another member commented that the RBO engine should have an option to provide an alternate contact (or multiple numbers) for a site.

The response from ESA was that this is currently being built into the model.

Comments on the fee model included:

- Anyone getting a discount under ACP now will complain, especially new residential contractors
- Any new residential starting in 2020 have not yet been bid on so there is time for contractors to incorporate these fees
- Each contractor quotes on jobs differently and so some will pass along increases to the customer
- Those working on subdivisions may require more advance notice on the fee changes
- Group development projects would require notice – large work won't be affected, won't be much difference

ESA meeting with high volume, low rise res contractors – those met with so far say a year's notice is sufficient.

A Hamilton contractor mentioned there was a desire to have town hall meeting in Hamilton.

A COAC member asked how ESA feels about the rollout.

ESA feels positive about it. It's a good product based in evidence and research shows a lift of 5-9% in compliance; internal endorsement is very strong as well. RBO results

in a level playing field and allows ESA to focus on high-risk work and the underground economy.

ESA chose an evolutionary path making RBO essentially ACP for all – and it will continue to evolve.

ACTION: **Farrah/Mark Taylor** - ESA to coordinate with Joe Kurpe to hold a meeting with contractors in the Hamilton area.

18.03.03 RBO OUTREACH TO GENERAL CONTRACTORS

ESA is looking for contractors' advice on how to communicate RBO with General Contractors who only hire ACP contractors for electrical work.

Most contractors who work for utilities have to be ACP so they will have to be informed about the requirements.

Suggestions for outreach from Council members:

- School boards and the education minister
- Municipalities

Other comments included:

- Contractors will have to stop using ACP info on their materials
- ACP is considered efficient, e.g. after hours reconnections, and some customers look for that just to make things easier

ESA's replacement for after-hours reconnections will be a ***pre-authorized eligible*** status or something similar. This was identified as the most important benefit of ACP, which lets all LDCs and supply authorities know you have pre-authorized connections. The status is something you earn, not pay for.

Additional comments from council:

- Some areas will not maintain a minimum number of permits for a particular line of work
- All licenced contractors should have pre-authorized connections

18.03.04 MEMBERSHIP REVIEW

Farrah Bourre provided COAC with an update on membership.

Members were reminded that a couple of terms are set to expire or their terms have been completed. ESA is working with the associations (OEL and ECAO) to find suitable replacements and there will be a transition phase.

A new chair will also be chosen so a call for nominations will go out to the Council and a vote will be held.

If anyone in COAC knows of potential association members to attend as a guest, please let Farrah know.

18.03.05 DEFECT OF THE MONTH: CABLE NEAR HEAT DUCTS RULE 12-506 (4) (A)

John Calabrese reviewed the defect of the month – non-metallic-sheathed cable near heating ducts.

Over the past year, ESA inspectors have identified more than 3,500 defects related to the installation of non-metallic-sheathed cables (NMSC) near heating ducts. The Ontario Electrical Safety Code (the Code) contains installation requirements for NMSC as part of Section 12 of in the 500 series of rules. The practices prescribed for NMSC installation by the Code are intended to prevent damage or injury to the cables during and after installation. Failure to adhere to OESC requirements may cause electrical shock and fire hazard.

An electrical incident related to this was also reviewed.

18.03.06 2017 ONTARIO ELECTRICAL SAFETY REPORT (OESR)

Saad Pervez shared safety data from the 2017 OESR, which educates and informs members of the electrical safety system, and guides ESA's corporate goals and strategy. Findings from the report are used for development of safety programs.

Highlights included:

- There has been a downward trend in the rates of electrical-related fatalities, electrical fire fatalities, and electrical injuries in Ontario
- The largest share of fatal injuries occur among 40-59 year olds
- The majority of electrical fatalities occur in the months of July, August and December
- On average, at least one electrical tradesperson will die from an electrical-related incident – however, there were no tradesperson deaths in 2017

Additional findings and case studies were reviewed and copies of the report were distributed to COAC.

18.03.07 REGULATORY UPDATE: ONTARIO ELECTRICAL SAFETY CODE

Nansy Hanna provided an update on 2018 OESC major changes and CE code section 10 omission that will be reinstated in OESC. See presentation.

An omission in Section 10 of the CE has been reinstated as new Rule 10-611 – Installation of equipment bonding conductor (the same as Rule 10-808 in OESC 2015).

Enforcement of the new Code comes into effect May, 2019 with contractor training taking place in March, 2019.

18.03.08 OPERATIONAL Q&A

ESA is looking for contractor insight as to how it can manage an increase in permits taken out right before the new Code launches.

Feedback from Council included:

- The last Code update had a significant change with AFCIs that cost contractors a lot of money so that caused the influx at that time.
- There doesn't appear to be any outstanding changes in this code that would drive an influx of permits before the next code implementation.
- There may be some increase in the high-rise category.
- When RBO goes into effect in Jan 2020, there may be a rush from ACP contractors to get permits in.
- Fee changes are more of a driver.

18.03.09 APPEALS ADMINISTRATION REVIEW PROJECT (AARP)

Soussanna Karas provided COAC with an overview of the Appeals Administration Review Project (AARP) and how ESA is currently seeking individuals to be members of its Review Panel Roster.

The Roster is used to select an independent panel of cross-sector, industry and external representatives that will conduct individual appeal hearings.

ESA delegated to create and administer appeals review panels. An overview of the appeals review process and the review panel was provided.

ESA will be recruiting new members for the review panel, and is looking to make the process more efficient and modernized.

Panels consist of three people – two from industry and one presiding member of public; at least one of the two from industry will represent the industry the appeal comes from.

A council member asked who is overseeing the re-writing the rules of procedure. Are electrical contractors involved?

These procedures are very technical/legal and are not part of the review panel. How the rules change is oversight of sub-committees of the Board of Directors where there is contractor representation.

ESA will be accepting applications for the review panel from November 7 – December 7, 2018.

There are currently eight on the review panel (all represent industry) and the goal is to have 15 with five having adjudicative experience; the other ten would be a mix.

A COAC member asked what the financial compensation is if you're a member of the review panel.

The compensation policy has not yet been approved. Three years is the appointment time, but it can be renewed for an additional two years.

Another member asked if there are any electrical contractors on the review panel now.

Currently, there is one on the review panel roster.

COAC was asked to pass along this information to anyone they think may be interested.

18.03.10

OTHER BUSINESS

2019 Wiring Fee Adjustments

There will be no wiring fee increases for 2019.

2019 meeting dates

The meeting dates are:

- Feb 13 2019
- Apr 25 2019
- Jun 12 2019

- Oct 8 2019

Expenses overview

Carol Keiley provided Council with a reminder on the expense process.

Motion to adjourn by Tony Minna
Seconded by Rob Sloan

End of Contractor Advisory Council Meeting

Next Meeting: **November 29, 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.