



**ECRA Advisory Council Meeting**  
 Minutes of Meeting  
 June 11, 2019

**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)
Larry Shaver	Electrical Contractors (ECAO)
Brian Smith	Electrical Safety Authority
Debra Mattina	Municipalities
Leo Grelette	Electrical Safety Authority
Steve Del Guidice	Electrical Contractors (OEL)

**ECRA Advisory Council Members - Absent**

Catherine Taylor	Community At Large

**ESA Staff**

Normand Breton	Tracy Durant
Borjana Bulajic	Soussanna Karas
Shana Hole	Cynthia Magill
Scott Eason	

**Guests**

Sharmila Uruthiranandasivam	MGCS
Doug M <sup>c</sup> Ginley	Masters Examining Committee

**1 Notice & Quorum**

- The meeting had quorum

**2 Minutes of ECRA AC Meeting – February 20, 2019**

- The term Labour Mobility appeared in the February 2019 minutes under item 8 Licensing Strategy
- It has been requested that the term Labour Mobility be revised to remove the reference to “mobility” as that term has different meanings for different organizations
- It was agreed by ECRA AC that the term would be changed to Labour Accessibility
- It was also agreed by ECRA AC to change the term “jurisdiction” in the same section to “province” in order to clarify the intent of the section as being related to “interprovincial” trade barriers (e.g. contractors coming to Ontario from another province)

The following motion was carried:

**Motion: To accept the minutes of the February 20, 2019 meeting as amended**

**Motioned by:** Cameron Hann

**Second:** Brian Smith

**Motion carried.**

**Minutes of ECRA AC Meeting – May 16, 2019**

- Under item 5 the second bullet was updated to add underground economy to show the 2 areas where the ECRA AC could provide the most value

The following motion was carried:

**Motion: To accept the minutes of the May 16, 2019 meeting as amended**

**Motioned by:** Larry Allison

**Second:** Brian Smith

**Motion carried.**

**3 Review of open action items**

- 2018-04-01 - ESA to amend the Terms of Reference with the request from the MEC and bring it back to the next ECRA AC meeting for further discussion
  - o The Terms of Reference has been tentatively updated to reflect the MECs request
- 2018-04-02 - ESA to invite the Chair of the MEC to the next ECRA AC meeting to be a part of the discussion related to the modification of the Terms of Reference to allow for a non represented Master Electrician on the MEC
  - o The Vice-Chair of the MEC has been invited to attend ECRA AC for this discussion
- 2019-01-01 - Work plan to be updated to include Relationship with OCOTs successor, Terms of Reference discussion for June 2019, and Safety Work Practices
  - o The work plan has been updated

- 2019-01-02 - Licensing Strategy to be added to the work plan
  - o The work plan has been updated
- 2019-01-03 - Add an additional meeting in April or May to Review Draft Licensing Strategy Document
  - o Meeting was held May 16, 2019
- 2019-01-04 - Provide upcoming Association Meeting Dates to Farrah
  - o Will be discussed with the item on Licensing Strategy
- 2019-01-05 - ESA will send ECRA AC the draft licensing strategy document as soon as it is ready so members can review it
  - o Strategy presentation was sent to ECRA AC
  
- It was noted that the work plan showed a financial update at the June 2019 and April 2020 meetings
  - o The financial update takes place in October each year so the Work plan will be updated to reflect this

ACTION: Update the work plan to remove the June 2019 and April 2020 financial update items. – Farrah Bourre (Action Item # 2019-03-01)

#### 4 OCOT Update – Normand Breton

- The provincial government passed the [Modernizing the Skilled Trades and Apprenticeship Act, 2019](#)
- The Ministry of Training Colleges and Universities is leading the process of modernizing the skilled trades
- ESA continues to monitor the developments and potential impacts to ESAs regulations

#### 5 Licence Holder Meeting Update – Shana Hole

- Notice of the Licence Holder Meeting (LHM) was sent via PluggedIn in June
- New for this year ESA will be recording the presentations from the November LHM so they can be available on the ESA Website
- ESA will also be including the Technical Hour at the end of the LHM
- Other suggestions for getting the message about the LHMs out included
  - o Include with the ESA statement of account
  - o Include highlight of what will be discussed in the invitation
  - o Ask the ECAO and OEL to include them in their calendar of events
    - The ECAO and OEL have the LHMs on their calendars and ESA Inspectors that attend chapter meetings also remind attendees of the dates
- ESA was asked if we would consider having kiosks or a trade show (products, suppliers, tools, etc.) at the October LHM as well
  - o ESA will look into the logistics of having kiosks or a trade show at future Licence Holder Meetings

### 6 Update to the TOR requested by the MEC and MEC Activities (Action Items: 2018-04-01 and 2018-04-02) – Doug McGinley and Scott Eason

- Normand prefaced the discussion by clarifying the role of the MEC and providing background on having a guest at the MEC
  - o The MEC is a subcommittee of ECRA AC that provides recommendations to the ECRA AC. The ECRA AC reviews any recommendations from the MEC and makes the final decision. The main task of the MEC is to review exam questions for the ME Exam.
  - o An LEC (not affiliated with any contractor association) and DME approached ESA a few years ago and indicated he is interested in contributing and asked if he would be able to participate on the MEC. ECRA AC endorsed his participation as a guest. As a guest he has attended almost every meeting and has provided valueable feedback. The MEC is asking that ECRA AC to revise the TOR to recognize his participation on the MEC.
- ECRA AC would like to encourage participation and they had some questions about how to best go about this
  - o Voting or non-voting member
    - It was felt that adding a non-voting member to the MEC would be the easiest route at this time as it would be the easiest change to the TOR
  - o There were concerns about this person not representing an organization
    - This person could be viewed as representing the group of independent LECs
    - The main focus of the MEC is development and review of exam questions so it shouldn't matter if they represent an organization
    - His input has improved the exam
  - o What group would this position be a part of
    - It was suggested that this non-voting member be an ESA nominated member as it would provide the most flexibility for filling this position in the future
- ECRA AC would like to see the final proposed TOR updates at the October meeting for approval to send to the RAGC

Does ECRA AC support having an ESA nominated non-voting member participate in the Master Examining Committee meetings?

**Motion:** Amend the Electrical Contractor Registration Agency Advisory Council Terms of Reference Attachment A (A) to allow for an ESA nominated non-voting member on the Master Examining Committee

**Motioned by:** Debra Mattina

**Second:** Brian Smith

Motion Passed

Can a non-voting member be eligible to be part of a MEC sub-committee?

**Motion:** Amend the Electrical Contractor Registration Agency Advisory Council Terms of Reference Attachment A (B)(9) to allow participation in MEC sub-committees by a non-voting member

**Motioned by:** Cameron Hann

**Second:** Brian Smith

Motion Passed

**ACTION:** Amend the Terms of Reference to allow for an ESA nominated non-voting member on the Master Examining Committee. To be presented at the October meeting for approval to send to the RAGC. Scott Eason (Action Item # 2019-03-02). N. Breton provide further context in that ESA will be considering conducting a broader review of membership for all committees which may impact this action item.

### **ME Exam Update** – Doug McGinley

- The pass rate for the ME Exam in FY2018 was 89%.
- Since the introduction of the exam criteria (Sep 1/18 – May 31/19) the pass rate is 83%
- 25% of those that failed the ME Exam was as a result of the new pass criteria
- Of those that failed the ME Exam the OESC is the section of the exam that caused the most issues

### **7 Licensing Strategy** – Normand Breton and Soussanna Karas

- The three pillars of the Licensing Strategic Plan were reviewed
- ESA was asked what the term ‘Underground Economy’ meant to them
  - o For the purpose of the strategy , the Underground Economy are people that are unlicensed and work outside the regulations
  - o If a LEC works outside the regulations this is considered a compliance issue and not part of the underground economy
- The breakout session notes were provided to ECRA AC for review. ECRA AC will review the notes and provide feedback to ESA by June 30, 2019
- The slides that will be presented to the RAGC were reviewed
  - o ECRA AC has asked to see the final slides that will be presented to the RAGC before the presentation is made

### **9 Continuing Education** – Shana Hole

- ESA and the working group will start reviewing and considering various models of continuous education and professional development
- Year 1 and 2 will see
  - o A customer experience survey
  - o Developing the continuing education direction
  - o The launch of one non mandatory training opportunity
  - o Development of a journey map for LEC and MEs to better understand their needs
- Some suggestions for training

- Be more focused on the DME and ME as their role and responsibilities are much different than that of the LEC
- Focus on Safety
- Focus on the OESC
- Focus on Regulations
- ESA wanted to be clear that continuous education training courses, depending on their content, would not necessarily be done by ESA. ESA may consider recognizing training done through other providers

### 10 Enforcement Update (Unlicensed Contractors) – Cynthia Magill

- Notice of Violations issued has decreased (FY18 – 769 to FY19 – 659) while still seeing a rise in the total number of formal investigations (FY18 – 107 to FY19 – 153)
- While ESA has laid fewer charges (FY18 – 50 to FY19 – 36) the conversion rate from charges to convictions (FY18 – 30 to FY19 – 36) has increased
- This has resulted in a slightly higher fine amount (FY18 – \$131,164 to FY19 – \$139,538)
- The fine amount per conviction has also increased from \$656 in 2008 to \$5222 in 2019
- Recent convictions were shared and can be found on the [ESA Website](#)

### 11 Discipline Update – Shana Hole

- Licensing complaints are down from the previous year (FY18 – 2263 to FY19 – 2013)
- The number of complaints that relate to LECs or MEs saw a decline as well (FY18 – 1568 to FY19 – 1057)
- The ratio of complaints about LECs and MEs to warning notices issued remain fairly constant at about 68% (FY18 – 1072 to FY19 – 727)
- There has been an increase in the number of conditions placed on a licence (FY18 – 18 to FY19 – 26)
- The number of Notices of Proposal to Suspend has seen a small increase (FY18 – 199 to FY19 – 217) as well as the number of licence suspensions increasing as well (FY18 – 75 to FY19 – 92)
- When a licence is suspended the licensee has 1 year from the date of suspension to come into compliance with the regulation. When the licensee comes into compliance ESA will review and reinstate the licence. If the licensee has not come into compliance within a year of suspension the licence expires and an individual will be required to reapply for a new licence.

### 12 Renovation Inspection Program – Shana Hole

- The Commercial Renovation Investigation Program has been updated to include residential locations as well and is now the Renovation Inspection Program
- The goal of the program is to target those performing electrical work without filing for notification and operating outside the licensing requirements
- The program rotates throughout the province with the goal of completing 500 inspections into suspected non-compliance to the OESC
- In FY2019 587 inspections were conducted
  - 154 LECs were identified working without a permit
  - 72 unlicensed individuals were identified working without a permit (57 owners and 15 unlicensed contractors)

- Residential pilots were conducted September to December 2018 using building permits and January to March 2019 using a letter to homeowners
- ESA is going to continue to run the program in FY2020 in the commercial renovation sector and pilots in the residential renovation sector
- ESA has noticed that during the course of the program permits in the targeted area will increase and continue at elevated levels for a short time after the program has left the targeted area
- It was noted that ESA has only received 2 external reports of work being done by unlicensed contractors in the last several months
- ESA asked ECRA AC if there was a way to anonymously report contractors working without a permit would we get more reports
  - o ECRA AC agreed that anonymity would increase the number of reports and thought that a phone app would increase the number of report even more

### 13 DME/ME Undue Hardship Clause – Normand Breton

- The Undue Hardship Clause established in Regulation by government will provide ESA's Director of Licensing with discretion to approve additional time to meet the Master Electrician Licence renewal requirements to individuals who are not able to satisfy the requirements in the stipulated time frame due to extenuating circumstances
- ESA will provide a guideline for licensees as part of the next steps in this initiative

### 15 New Business

- ECRA AC Membership
  - o Debra Mattina has been on the ECRA AC for 9 years completing her 3<sup>rd</sup> 3 year term

**Motion:** To Adjourn the meeting

**Motioned by:** Debra Mattina

**Second:** Cameron Hann