



# ECRA Advisory Council Meeting

Minutes of Meeting

October 21, 2019

<b>ECRA Advisory Council Members</b>	
Joe Kurpe	Electrical Contractors (ECAO)
Cameron Hann	Electrical Contractors (OEL)
Sean Bell	Utility Contractor Association
Larry Shaver	Electrical Contractors (ECAO)
Brian Smith	Electrical Safety Authority
Leo Grelette	Electrical Safety Authority
Steve Del Guidice	Electrical Contractors (OEL)
<b>ECRA Advisory Council Members - Absent</b>	
Larry Allison	ESA Consumer Advisory Council
Catherine Taylor	Community At Large
Debra Mattina	Municipalities
<b>ESA Staff</b>	
Normand Breton	
Tracy Durant	
Shana Hole	
Soussanna Karas	

**1 Notice & Quorum, Minutes of ECRA AC Meeting**

- The meeting had quorum
- The following motion was carried:  
**Motion: To accept the minutes of the June 11, 2019 meeting**  
**Motioned by:** Brian Smith  
**Second:** Sean Bell  
**Motion carried.**

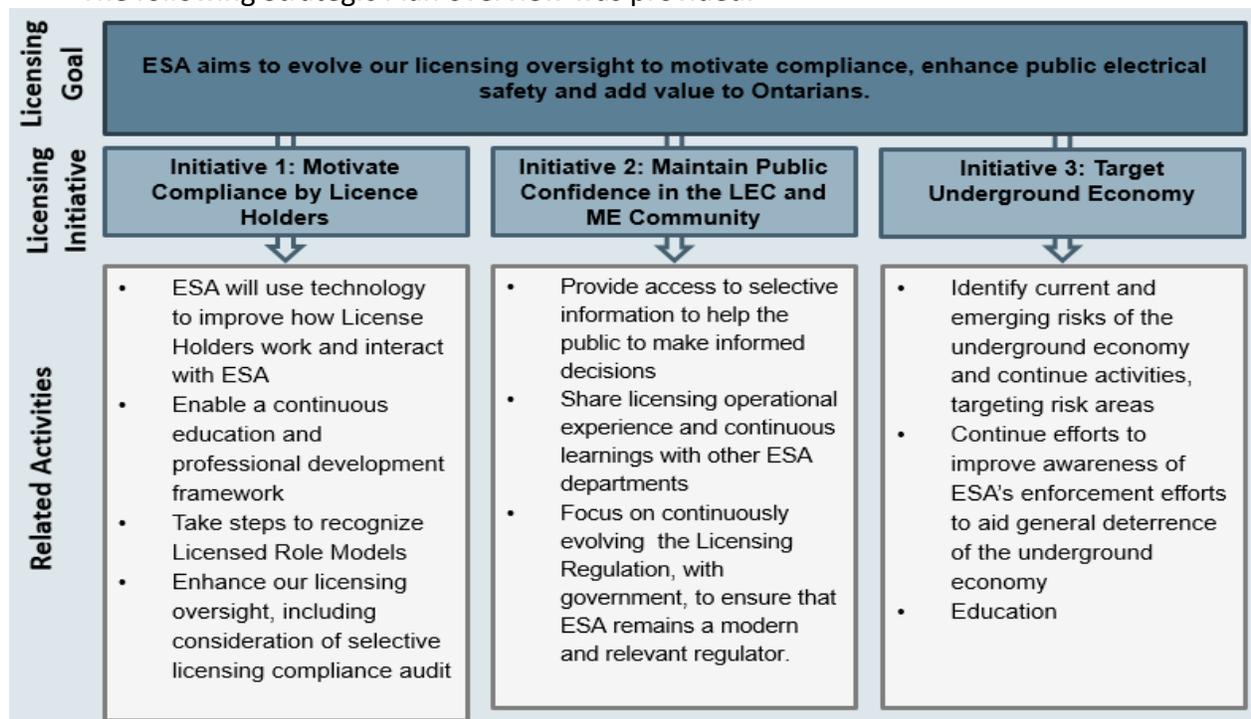
**2 Financial Update – Normand Breton**

- Overview of financial reports from the last two years was provided
- ESA was asked why expenses increased from 2018 to 2019  
 The management explained that the biggest increase from last year falls on Licensing Enforcement item. As ESA expanded its activities towards targeting underground economy, the number of investigations increased, which in turn resulted in the increase in this budget item
- ESA was asked to provide more details in the financial overview

ACTION ITEM: Provide more financial details at the next ECRA AC meeting on November 18, 2019, Normand Breton (Action Item # 2019-04-01)

**3 Licensing Strategy – Normand Breton and Soussanna Karas**

- The following Strategic Plan overview was provided:



1. ECRA AC was provided with the Licensing Strategy draft document for review and feedback.
2. The group provided the following feedback and input:
  - a. It is important to educate the public on importance of applying for ESA Certificate of Inspection
  - b. Recommendation to partner further with other agencies such as Insurance, Real Estate and Building Departments of Municipalities
  - c. Public awareness of risks to safety and property in hiring non-LEC
  - d. A stronger communication and partnership with other safety partners: MOL, MOF, CRA, other DAAs, etc. to target underground economy
  - e. ESA can do more to explain and promote benefits of hiring LEC
  - f. ESA should have a better partnership with Insurance Companies – the requirement to pull permits and work with ESA should be explained to homeowners purchasing home insurance
3. Overall, ECRA AC members expressed their support and provided positive feedback regarding Licensing Strategy
4. The Group identified Underground Economy and Continuous Education as the two most important initiatives in the Licensing Strategy. ECRA AC believes that their expertise and skills would be most effectively used in providing strategic advise, consultation and support to ESA on those two activities
5. ESA provided an overview of the consultation feedback received over the summer months from both internal and external stakeholders. ESA highlighted that industry was very interested in becoming more involved in the education and professional development initiatives and that ESA would be reaching out to the various industry stakeholders to better understand and then bring this information back to ECRA AC for further discussion

**4 Compliance Update – Shana Hole**

- Report Statistics for Fiscal Year 2019:



- ECRA AC requested that ESA provide an example of the Notice of Proposal/Suspension process

- Top Compliance trends are: not filing notifications, not displaying license number, LEC with DME that expired or failed to renew, no DME and Subcontracting
- With the Licensing Strategy ESA's initiative is to motivate compliance
- ESA's aim is to work in partnership with License Holders to understand barriers to compliance and identify opportunities to simplify and clarify regulatory requirements
- Discipline Framework was provided as a refresher on how ESA administers the discipline process in a progressive manner



**ACTION ITEM:** Provide a presentation of the Notice of Proposal/Suspension procedure, Shana Hole (Action Item # 2019-04-02)

## 5 Renovation Inspection Program Update – Shana Hole

- ESA established the Renovation Inspection Program aimed to reduce the amount of electrical work being performed in the underground economy, reinforce the need and obligation to take out wiring notifications, increase compliance with the OESC, enhance ESA's oversight and enforcement effort, and increase safety
- The objective is to complete 500 inspections into suspected non-compliance to the OESC. The program will be implemented on a rotational basis throughout the province focusing on licenced and unlicensed individuals who are not taking out required electrical permits
- Fiscal year 2019 Program results

Sault Ste Marie, London, Kingston/Belleville, Vaughan

(Apr 1/18– March 31/19):

Number of Inspections conducted: 587

Number of LEC's working without permits: 154

Number of Unlicensed Individuals: 72

- 57 owners
- 15 unlicensed contractors

- April 30 – September 3, 2019 Program results:

**Brampton, Hamilton, Niagara**

Number of Inspections Conducted: 519

Number of LEC's working without permits: 40

Number of unlicensed individuals: 97

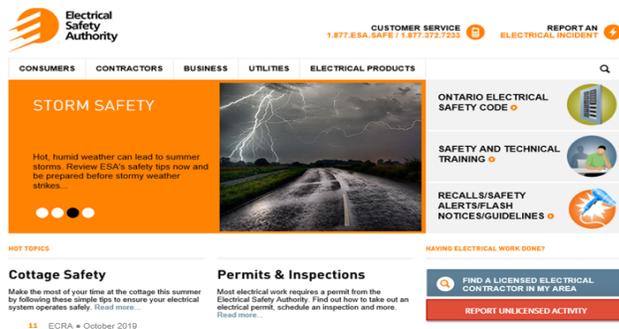
- 82 owners
- 15 were unlicensed contractors
  - 6 investigations
  - 1 charge
  - 1 was closed unable to locate
  - 4 are ongoing

- 3 Residential Pilots currently underway

1 – Team Goal - ESA inspectors have a team goal to find 6 non-compliant persons either doing renovations without a required permit or working without a licence

2 - Afterhours Pilot- A selected team of inspectors will work after business hours (nights and weekends) following up on non-compliant leads

3 - A dedicated anonymous web based platform has been set up on the front page of esasafe.com for members of the public and stakeholders to use to give ESA leads on underground work being performed



- Next Steps:

- Reviewing outcomes of building permit program and the three pilots
- Working group meeting
- Explore partnerships with building departments.
- Plan for FY21

**6 Update on Professional Development Working Group – Shana Hole**

Working Group Objective:

Phase 1 (short term for delivery in FY21)

- Develop recommendations for criteria for the content of a course [for the proposed course type/subject matter]
- Report to ECRA Advisory Council on working group feedback
- ESA to review recommendations

Phase 2 (longer term, FY21 and beyond)

- Review and consider various models of continuous education, professional development and training opportunities that can assist LECs and MEs in building their brand, enhance professionalism and provide additional clarity with respect to compliance.

Two ideas emerged from group discussion on questions raised with respect to the Professional Development Framework:

### 1 – OESC Update Training:

- ACP had it as a requirement
- Offered by ESA, but could recognize [courses offered by third parties] others
- It is available online (so accessible to everyone with a computer)
- Available now – value add is providing recognition
- Is already an existing course, ready to roll out anytime

### 2 - Obligations and Responsibilities under the Act and Regulation

- Online modules (LEC, DME, ME)
  - Offered free of charge by ESA
  - Use existing Guideline as a basis for the training
  - Would be a new course to create, no other providers
  - Is good for new and experienced ME/DMEs
  - Could be a compliance tool
- A group discussion for what ESA could do to make these courses more valuable:
- Could consider recognizing training they have taken elsewhere
  - There is no fee for the Obligations and Responsibilities training and it is online
  - They should be able to meet the basic resources requirement for license holders
  - Demonstrate the value – ME / Public
  - Would consider different levels of training (longer term), min vs. max levels of professional development
  - Helps to show due diligence, more aware of rules and prevention
- Code Update training - no timeframe to complete the course, online

During the ECRA AC meeting a suggestion was made to have Directors Bulletins sent directly to Contractors. Material that could be included is trends in defects, stats, major incidents and fatalities.

Director Bulletins may substitute the The Obligations and Responsibilities course for the time being by providing information, targeting specific issues and answering questions that arise from or relate to Guidelines

- The following motion was carried:

**Motion: Approval of recognition of 2020 code update training**

**Motioned by:** Cameron Hann

**Second:** Brian Smith

**Motion carried.**

### 7 Revision of Terms of Reference – Normand Breton

- As part of corporate governance ESA is in process of review of all Advisory Councils Terms of Reference including the ECRA AC. The objective is to ensure consistent requirements across the various Councils, making Terms of Reference easy to use, clear and reflect current practices. ESA recognizes that ECRA AC occupies a unique position among ESA Advisory Councils as it provides advice and feedback to the Committee of the ESA Board of Directors
- Review and modernization of the Terms of Reference is undertaken as part of the ESA Corporate Strategy goals such as Organizational Excellence, transparency and improving Stakeholder relations.
- As part of this review, the intention is to include a provision in the Terms of Reference to allow for non-members to be invited to provide their contribution and/or input to Committees and/or Working Groups of the Advisory Council. Those non-members may be reimbursed according to the provisions of the Terms of Reference.
- The following motion was carried:  
**Motion: Open the ECRA AC Terms of Reference to make changes that will also address the previous action item of including a non voting member as part of the MEC**  
**Motioned by:** Larry Shaver  
**Second:** Brian Smith  
**Motion carried.**

### 8 Membership Update/OCOT Update – Normand Breton

- ESA provided a brief update on recent government announcement, see link below:

OCOT Update: On September 23, a news release was made on Ontario webpage, <https://news.ontario.ca/opo/en/2019/10/statement-from-premier-doug-ford-5.html>

- Minister of Labour (Monte McNaughton) will now oversee training and skills development which had previously been part of Colleges and Universities (MTCU).
- It was noted during the discussion that followed that the contractor members were not aware of this announcement and thanked ESA for keeping them updated
- Membership Update: Debra Mattina's terms have come to an end. ESA has been in touch with the municipalities for a replacement. Debra has agreed to fill in with ECRA AC until a replacement has been found. The association has agreed to have Debra continue as their representative until a suitable candidate is found.

**9 Update on Implementation of Undue Hardship Clause – Aisling O’Doherty**

- Definition of Undue Hardship:
- An undue hardship is a circumstance or experience that creates an excessive or disproportionate burden or obstacle, usually beyond a person’s control, that directly causes the person to be unable to complete the renewal application process in the specified one year timeframe
- The undue hardship clause will be granted in the most genuine and serious of cases and will be evaluated on a case-by-case basis
- Applicant must follow published process (Will be posted on ESA website in December 2019)
- The undue hardship clause will take effect January 1, 2020

<https://www.ontario.ca/laws/regulation/050570?search=2%2F12>

**Motion:** To adjourn the meeting

**Motioned by:** Brian Smith

**Second:** Joe Kurpe



# ECRA Advisory Council Meeting

Minutes of Meeting

October 22, 2019

<b>ECRA Advisory Council Members</b>	
Joe Kurpe	Electrical Contractors (ECAO)
Cameron Hann	Electrical Contractors (OEL)
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Shana Hole	

## 1 ESA Corporate Strategy Update – Normand Breton

### 1. Corporate Strategy 2021-2025, Goals:



- New: Organizational Excellence : Third pillar is new and has a focus on how ESA facilitates burden reduction: better customer experiences, less red-tape, more efficient processes, more digitization of work internally and externally

### 2. ESA Stakeholder Consultation Feedback:

- The process for consultation on ESA's next 5 year strategy included running a questionnaire of 6 questions. The questionnaire was accompanied by an information package that gave context to the strategy
- ESA sent the invitation to review the material and take the questionnaire to all account customers and other stakeholder contacts
- We recieved 23 respondents who provided 30 comments to us
- The majority of respondents were master electricians and LECs. We did also hear from manufacturers, LDCs and organizations that are similar to ESA.
- The large majority of responses were aligned with ESA's next 5 year strategic direction.
- The main theme that came from LECs was around communication between inspectors and contractors; bettering that communication and using more electronic methods to communicate. We hear this feedback and ESA is looking to see how we might incorporate some of the ideas we have been given

### 3. ECRA AC inquired if they had met our previous 5 year strategy targets?

ESA responded that we are on track with goals, however since the current 5 year strategy is not completed until March 31, 2020 final results will be determined and reported on later in 2020.

## 2 Enforcement Update – Cynthia Magill

- ESA pursues charges against individuals where there is a strong likelihood of conviction and where we can make the greatest impact on safety
- ESA's mandate is to administer and enforce the Electricity Act and the Regulations. As part of this mandate, ESA investigates breaches of the legislation and pursues charges where warranted

### - Enforcement Goals:

- 1- Stop the offending individual from working as an unlicensed contractor
- 2- Dissuade others from doing unlicensed work
- 3- Encourage people to hire licensed electrical contractors

### Report Statistics:

1. Last year ESA issued 659 Notice of Violation's, this includes where work was performed as well as where someone is advertising electrical contracting services without the electrical contractor's licence
2. 153 formal investigations were initiated.
3. 36 charges were laid and 36 convictions received.
4. The total fine amount issued by the Courts was \$188,000 plus the victim surcharge fee which is typically an additional 25%

### 3 RBO Update - Normand Breton

- Risk based Oversight (RBO) is the oversight of electrical installations that is based on an assessment of the safety risk of the installation
- It is expected to launch in Spring 2020
- The Authorized Contractor Program (ACP) and associated Program discounts will end upon the initiation of RBO, and there will be no "grandfathering" for ACP Accounts (meaning ACP contractors will not automatically roll from ACP to RBO)
- All contractors can benefit from: selective inspection, pre-authorized connections, after hours emergency connections, same day emergency connections, "small job visited at a 1-in-10 ratio, 1-in-10 visits for HVAC work, 1-in-5 visits and pre-authorized connection for Pole Line and HV substation maintenance
- All contractors will be eligible for RBO benefits in 2020 if 10 or more notifications are taken out in a 12-month period (depending on the benefit) and maintain a low defect ratio(depending on the benefit)
- Methods to file and schedule notifications will NOT change
- On-line customers will notice changes to the application screen
- The small jobs form will become obsolete – more details will be provided in the future
- Schedule new for all medium and low risk inspections
- Contractors who provide 48 hours notice receive notice, via text or email, either the day before or the day of a scheduled visit, that the notification has been PNVS or rescheduled to another day
- Contractors who did not receive a PNVS text/email message are to assume ESA will attend the site and ensure access until 4:30 PM
- High-risk notifications will be scheduled on the day the Inspector services the area.
- LECs will still be able to request a site visit, regardless of the risk-ranking

#### 4 Awareness Campaign – Scott Eason

1. ESA's Hire an LEC campaign continues to exceed expectations – more than 67 million impressions for our campaign
2. More than 50% of Ontarians are aware of the requirement to hire a Licensed Electrical Contractor for any electrical work
3. ESA also knows through research that homeowners are twice as likely to hire a LEC after viewing one of our ads
4. ESA has added on two high-profile spokespeople to our campaign to help share our messages: Mike Holmes Jr and Frankie Ferragine (known as the gardening expert – Frankie Flowers)
5. Ontario Regulation 570/05 requires that an LEC prominently display their Licence number in all situations where they are communicating with the public within 90 days of the date of issuance of their licence. Examples may include: Business Card, Invoice, Vehicle, Website and online ads such as Kijiji

#### 5 Review of Licence Holder Meeting – Normand Breton

1. It was discussed that the numbers of registrants for this years meetings is lower than in the last few years.
2. It was mentioned that the Contractors might be feeling meeting "fatigue" since there are contractor meetings held around this particular time
3. Feedback was requested on how to get a larger turnout of contractors, and it was agreed that some changes will be made to attract the crowd for a larger turnout, including giveaways and prizes

**Motion:** To adjourn the meeting

**Motioned by:** Cameron Haan

**Second:** Larry Shaver