
October 15, 2020**9:30 a.m. to 11:30 p.m.****Meeting via Video-conference**

Present: Joe Kurpe, ECAO (Chair) Dave Ackison, OEL
Clint Attard, OEL Shawn Blacklock, OEL
Tony Minna, ECAO Rob Sloan, OEL
Ron Bergeron, OEL

Regrets: Mark Hopkins, ECAO Robert Smith, ECAO
Dan Williams, LEC Larry Shaver, ECAO
Ryan Delisle, ECAO

Guests: Sharmila Uruthirandasivam, MGCS

ESA Staff: Borjana Bulajic Earl Davison
Soussanna Karas Carol Keiley
Allison Hawkins Will Barrett

PRELIMINARIES

The Chair welcomed the members to the meeting and asked for a moment of silence for Larry Pearson, OEL Representative, who passed away this past summer.

The Chair then introduced Ron Bergeron as the new OEL Representative and invited the member to speak. Mr. Bergeron provided an overview of his background for the members.

Conflict of interest declaration – none declared.

Reminder of importance of risk management.

1. APPROVAL OF AGENDA AND MINUTES

Motion to Approve Agenda

MOTION to approve agenda Rob Sloan

Seconded by Dave Ackison

Carried

Motion to Approve Minutes

MOTION to approve Oct. 8, 2019 minutes by Tony Minna

Seconded by Rob Sloan

Carried

2. Review of Outstanding Action Items

The outstanding actions were reviewed and the status updated.

3. RISK-BASED OVERSIGHT AND OPERATIONS UPDATE

Vice President, Operations provided the Council with an update on the Operations and Risk-Based Oversight (RBO) activities to date. (please see attached presentation and RBO Guidebook)

RBO Update and Fee Schedule:

- RBO launched on July 6, 2020.
- Customer Service Centre (CSC) experienced influx of calls and wait times increased as a result. Wait times have improved greatly since July, but not quite back to target levels.
- New fee guide was revenue neutral for ESA and fees have not increased in three years. ESA did receive one complaint with regards to termination of the ACP program, after speaking with the individuals, agreed to disagree on the interpretation of the fees.
- ESA welcomes opinions on fee schedule in order to make improvements and encourage compliance and safety.
- Council member suggested that RBO needs reconsideration for small jobs, and indicated permit fees can be as high as the cost to do the work, discouraging consumers from hiring LECs.

ACTION: Vice President, Operations and Senior Inspector, Business Planning and Improvement to return and provide an RBO update to council.

HV Station Maintenance

- Prior to launch of RBO contacted companies that were at risk of losing status. Was moderately successful but some still lost status with launch and are at 100% inspection.
- This is not beneficial for either party. ESA welcomes a discussion on the requirements for preauthorized reconnections. (please see RBO guidebook).

Communication Notices from Inspectors

- The notices from Inspectors indicating “not coming out to site” are now at 85% receipt of messages. Three years ago that communication was at 40%. ESA recognizes that this is

an average and some groups are above the average and some below and are working to address those below and bring them up to the goal of 85% or above.

Invoicing Issues

- Are having some correspondence issues caused by the new system. Are working through the technical issues and have corrected a number of them but still working on some.

Ongoing Operational Items

- ESA is looking at making scheduling for the day more predictable for inspectors. ESA is looking at developing a digital tool that will route out the best map for an inspector to complete all scheduled inspections for the day. The tool will notify customers electronically when the inspector is about 40 minutes away.
- No Access Defects have been on the rise. Inspectors must have a contact mobile phone number to ensure the inspector is able to contact the appropriate person responsible for meeting them at the site.
- Are seeing an increase in notification time from LECs when installation is ready for inspection. ESA has seen an increase in 24-48 hour notice.

Comments from Council

- Council member advised that some new inspectors are giving the “no access” defects and are not following up with contact. Are they being instructed differently? ESA responded that instructions have not changed but will look into the statistics to identify any potential training issues.
- Council member would like to discuss the renewal fee for permits that are over a year. There is no cost to ESA to have the permit to continue. Vice President, Operations noted that ESA had waived the renewal fee for a four-month period during the height of COVID. During normal times, ESA wants to encourage permits to be closed.

ACTION: ESA to check into data on “no access defects” and determine if there are any technical issues or training issues and report back to council.

4. COVID-19: OPERATIONAL UPDATE

Vice President, Operations updated the Council on ESA’s operational response to the pandemic.

Vice President, Operations provided a high-level overview of ESA response to COVID-19. He noted that ESA volumes have returned to normal and volumes may be increasing due to “second wave”.

Continues to experience concerns related to access to sites as well as a lack of PPE; ESA is trying to keep Ontarians safe, as well as our staff/inspectors.

During COVID-19, ESA inspectors have passed 740 sites via remote inspection (photos/videos). ESA is developing a policy going forward to continue virtual inspections.

ACTION: Assistant General Counsel to present on remote inspections at next meeting.

Recent Fatalities

Vice President, Operations provided an overview of current information available with regards to two recent apparent electrical fatalities.

- Both fatalities are currently under investigation and limited information is available.

Auditor General's Report

ESA is currently undergoing an Ontario Auditor General review. The report is expected to be released at the end of November or early December. ESA will present the report findings and recommendations at the first meeting in 2021.

5. LICENSING UPDATE

Director, Licensing provided the Council with an overview of licensing activities including digital projects underway, efforts to address the underground economy and the Regulatory Modernization Act. (please see attached presentation).

Licensing highlights:

- ESA is moving forward with **virtual ME exams** as part of its digital modernization strategy. There is an increased need for the virtual delivery of ME exams due to COVID related events and the required postponement of in-person examinations.
- Virtual proctoring will allow applicants to write the exam from the security and safety of their own home, as long as they have access to computer and reliable internet. The platform is designed to minimize opportunities to undermine or violate the security of the exam. The goal is to deliver the program by early 2021. Updates will be posted on esasafe.com.
- **In-person examinations** resumed in July. Licensing Department staff are working through the backlog on a priority basis. ME exam schedule is updated frequently on esasafe.com.
- **Digital Online Renewal** is going forward as part of ESA's digital modernization strategy. It will allow license holders to login to a portal and renew and make a payment online (LECs and MEs).
- The hope is to phase out paper submissions over time. We Aim to deliver the program in spring 2021.

The Council was asked for their support of the digital online renewal initiative.

- An update was provide on **the Kijiji initiative** (please see attached presentation).
- Between March and September ESA have issued 1,045 notices of violation to unlicensed contractors, 576 ads were removed.
- Focus is on underground economy, and safety and compliance.

- **WSIB pilot** is an educational and compliance focused initiative based on information shared by the WSIB. WSIB provides ESA with public information on who is listed with WSIB as an electrical contractor and ESA cross references this data with its list of LECs to see if there are any discrepancies.
- First set of letters are going out to contractors located in central region.
- Next steps are to review data from West, East and North. Program is in the early stages. Updates will be provided as the initiative progresses.
- **Regulatory Modernization Act** – The Minister has delegated her authority under this Act to ESA at the end of September 2020. It will help ESA to provide clarity on public disclosure to support safety and consumer protection. Will update the council and seek stakeholder feedback during development process.
- Council may wish to review Technical Safety BC, OMVIC and RHRA as examples of disclosure policies for regulatory oversight bodies and AHJs.

ACTION: Council has requested access to a Deloitte Report including recommendations on disclosure. Vice President, Operations will look into whether this report can be provided to the council.

6. FREQUENCY OF MEETINGS

Director of Communications, Government and Stakeholder Relations led the council in a discussion about the frequency of meetings and how often the council wished to meet.

Council had a discussion on terms of reference requirements of five (5) meetings per year and determined that it would proceed with five meetings provided that there were sufficient topics for discussion on the agenda.

Points raised:

- Previous meetings had been cancelled due to a lack of discussion topics. Members were solicited for suggestions and few topics were offered.
- Spring meeting was postponed due to COVID-19.
- Agenda items should be sufficient and value added. Want to ensure that meetings are productive and a good use of time. Members indicated that agenda items had been sent in past.
- Members agreed that if necessary they could meet in advance and provide agenda items. Members will try to make note of discussion topics as they come up in daily business activities.

ACTION: Director of Communications, Government and Stakeholder Relations to provide potential dates for November/December virtual meeting.

7. OTHER BUSINESS

Chair and Vice Chair elections will take place at next meeting. Interested candidates should advise Director of Communications, Government and Stakeholder Relations.

Council discussed the “deemed competent” interpretation within the legislation. Council member suggested that the property managers section of the guidance document is being misinterpreted by some property management companies. Some property management companies are interpreting employees as falling under the definition of “deemed competent” and are allowing them to perform electrical work. Director, Licensing indicated an internal review of those documents was underway and this section would be reviewed.

Council discussed the issue of material order backlog. Many materials are on back-order because of COVID and it is delaying work. How is ESA addressing this issue?

Members requested Customer Service Centre clarification on contact information for permits.

Council member requested data on the number of electrical plans submitted by Professional Engineers and LECs and the corresponding number defects received.

Director of Communications, Government and Stakeholder Relations requested that members who receive **payment for council meetings through a business should fill in the form (attached) as moving toward electronic payment**. Members who receive payment as individuals follow the same process as always. Please submit payment requests as soon as possible.

ACTION: Senior Director, Engineering and Regulation to provide direction on material backlog – guidance appeared in TA news and forwarded to members – COMPLETE.

ACTION: Plan Review Manager to present on Electrical Plan Review and provide information on common defects. Chief Public Safety Officer to provide data requested by member for presentation.

ACTION: Director, Licensing to review the document posted on ESA website under *Property Owner Obligations* to ensure consistency and clarity, especially as it relates to language in relation to “deemed competent”.

WRAP UP & ADJOURNMENT

Motion to adjourn by Ron Bergeron

Seconded by Tony Minna

End of Contractor Advisory Council Meeting

If there are any discrepancies to these minutes, please report them by email to Joe Kurpe and Carol Keiley.

Next Meeting: TBD

Location: ZOOM Conference Call