



ECRA Advisory Council Meeting
 Minutes of Meeting
 February 20, 2020

ECRA ADVISORY COUNCIL MEMBERS	
Larry Allison	ESA Consumer Advisory Council
Cameron Hann – Teleconference	Electrical Contractors (OEL)
Sean Bell	Utility Contractor Association
Joe Kurpe	Electrical Contractors (ECAO)
Larry Shaver	Electrical Contractors (ECAO)
Brian Smith	Electrical Safety Authority
Catherine Taylor	Community At Large
Leo Grellette	Electrical Safety Authority
Steve Del Guidice	Electrical Contractors (OEL)
ECRA ADVISORY COUNCIL MEMBERS ABSENT	
ESA STAFF	
Soussanna Karas	
Borjana Bulajic	
Shana Hole	
Allison Hawkins	
GUESTS	
Stephen Sell	President (OEL)
Debra Mattina - Teleconference	Municipalities



ECRA Advisory Council Meeting

Minutes of Meeting
February 20, 2020

1 Notice & Quorum

- The meeting had quorum

2 Minutes of ECRA Meeting

The following motion was carried:

Motion: To accept the minutes of the November 19, 2019 meeting

Motioned by: Brian Smith

Second: Larry Allison

Motion carried.

3 Review of open action items

Action Item 2019-04-02 – Presentation of Notice of Proposal/Suspension procedure. This presentation will be given in today's meeting by Kelly Clairmont.

4 Membership Update – Soussanna Karas

1. The council was reminded of the importance of attending all meetings of ECRA Advisory Council (AC). Teleconferencing is always an option. Video conferencing will be looked into as an option as well, to facilitate better discussion and communication.
2. Debra Mattina's term on the AC has expired in October 2019, but at the request of AMCTO, she will remain on the AC until her replacement is approved by the Board of Directors.
3. Sean Bell's term on the AC expires in October 2020. Both of their respective Associations have provided candidates. Sean Bell is currently the vice-chair of the AC, and there will be a vacancy when his term ends. ECRA AC will hold an election for the new vice-chair.
4. Pursuant to the ECRA AC Terms of Reference, the Regulatory Affairs Committee of the ESA Board of Directors (RAC) will interview these candidates and provide recommendation to the Board for approval. Both candidates are meeting with the RAC sub-committee shortly and if approved, will be presented for approval to the Board. Once approved, the AC will be notified and sent a bio about each member.
5. The goal is for these new members to shadow those departing ECRA AC, to ensure smooth transition, providing mentorship and sharing knowledge.
6. Members were reminded to contact the ECRA AC Chair (Joe Kurpe) as well as ESA Staff Borjana Bulajic or Allison Hawkins (Stakeholder Relations) to report if they do not plan to continue with their term.

ACTION ITEM: The AC asked that if these candidates are approved, a brief bio is provided to the AC.

5 Workplan Review – Allison Hawkins

1. An overview of the 2020-2021 Workplan was provided.
2. Some highlights that were discussed:
 - a. Member Survey (Feb 2020 and Member Results (Feb 2020). This is an Advisory Council member survey that is conducted through Survey Monkey and is anonymous. This survey is bi-annual and the questions remain the same as previous years, so there is continuation and comparative analysis. The AC was reminded to provide their honest and thoughtful comments, and to answer all questions.
 - b. Terms of Reference – this is an ongoing item and can be discussed at any meeting
 - c. OCOT Updates – The council requested that OCOT updates be provided at each ECRA AC meeting

ACTION ITEM: Update Workplan and present at the next meeting for approval

6 Underground Economy Brainstorm – Shana Hole

1. Shana Hole provided a summary of the brainstorming session held on January 20, 2020:
2. Who represents the Underground Economy?
 - a. licensed electrical contractors and homeowners who do not file for permits
 - b. contractors who are providing electrical contracting services without a license from ESA
3. Where do homeowners find contractors to do the work?
 - a. Word of mouth: family, friends, homeshows, tradeshow, real estate agents, home renovators
 - b. Social media: Kijiji, Home Stars, Facebook Marketplace, Building centres
4. What can we do prevent it?
 - a. More visibility with presence in trade shows and home shows, messages to appeal to warranty aspect, target areas mentioned study
5. Why do property owners seek unlicensed contractors?
 - a. The cost and belief that it is cheaper
 - b. No awareness of consequences (do not appreciate safety aspect)
 - c. Lack of knowledge – no understanding of requirement to file/obtain an inspection
 - d. Public doesn't understand difference between Electrician and LEC
 - e. Fear of uncovering other non-compliant work
6. Why would someone not apply for contractor's license?

- a. Fear of the authority, lack of knowledge, avoid paying taxes, cost, no DME, OCOT license suspended, unable to pass the exam
7. Short term initiatives to identify noncompliance were discussed - Following up on sites with just a service notification, partner with Kijiji, Angie's list, and all other relative social media to identify and address unlicensed contractors advertising electrical services.
8. A representative from Kijiji provided a presentation to the ECRA AC on January 20, 2020. ESA will continue to work with Kijiji to target the underground economy and remove their ads as well as educate the public.
9. Long Term Initiatives and Partnerships:
 - a. Report unlicensed persons to CRA
 - b. Building Departments – make it mandatory to require ESA Final Inspection prior to building occupancy
 - c. Insurance companies – General Inspection needs to be done by ESA
 - d. General Contractors – have them educate their clients that in addition to building permit they need ESA Certificate of Inspection
 - e. Real Estate Boards, Fire Departments, providing awareness materials to Home Depot
1. The ECRA AC agreed that external partnerships are vital in order to target the underground economy, specifically with Insurance agencies. It was suggested that ESA seek Insurance agency contacts and invite them to a meeting to discuss the benefits of partnering with ESA.
2. The AC indicated that there needs to be a large industry push for this to succeed and we need to brand our message in a way that will motivate the insurance agencies.
3. It was suggested that ESA leverage their corporate insurance with HUB, as HUB is an excellent conduit that deals with other insurance agencies. It was asked by all members of the AC to seek out any Insurance contacts they have and share that contact information with ESA.
4. The AC also mentioned that there should be more sharing of information amongst organizations such as CRA, Building Departments, Fire Departments and Insurance agencies. ESA is currently in discussion with CRA as a working group, and trying to pave the way of sharing information but it is a slow process due to privacy and confidentiality issues.

ACTION ITEM: – ECRA AC members to think of and provide ESA with the names/contact information of the insurance agencies. ESA to contact and engage Insurance agency contacts to attend at the next meeting of ECRA AC to discuss potential partnerships. In addition, invite Joel Moody to provide statistics and data in relation to non-compliance – Shana Hole

7 Chair Presentation to RAGC

1. The last time the Chair of ECRA presented to the RAGC was in December of 2018. It should have taken place in December 2019, however was put off until the licensing strategy is updated.
2. Currently the items the Chair is planning to review in this meeting are:
 - a. Targeting Underground Economy
 - b. Sale or Resale of Property – Mandatory ESA Certificate needed prior to purchase

ACTION ITEM: The Chair requested that ECRA AC members provide key items they wish to be discussed

8 LHM Questionnaire Results

1. At the License Holder Meeting on November 19, 2019, ESA conducted a survey on the subject of Continuing Education. There were 125 attendees and ESA received 66 responses. Key stats from this survey:
 - a. 83% strongly agree that Continuing Education/Professional Development is important
 - b. Over 50% surveyed agreed that to remain current, continuing education/professional development should occur yearly, approx. 30% chose bi-annually
 - c. The highest rated benefits to continuing education were personal development, career advancement, business advantage and recognition by ESA
 - d. 28 people of those surveyed have taken 1 continuing education course in the last year, 17 had taken 2-3 hours, and 11 have not taken a course
 - e. Topics of interest were Ontario Electrical Safety Code, Building Code, Legislation, Business Management, Roles and Responsibilities of LEC's and ME's
 - f. Other areas of interest were solar power, cross training to 442A, fire alarm and estimating.
 - g. The preferred method of training ranked at 61% in-class, 25% online and 14% Self Study (textbook)
 - h. Course Content, Location, and Scheduling (date and time) were identified as the top three items that influence the courses they attend
2. Small survey sample size was flagged compared to the total number of license holders. Location of the contractors may also be a distinguishing factor. Additional research and analysis is required in order to determine what the continuing education framework will look like.

3. It was discussed that members of OEL and ECAO are meeting with ESA in the near future as a part of an Educational/Training Framework working group. The working group consists of representatives of key stakeholders in the area of education and training. Its purpose is to design a framework for continuing education. ECRA AC role in this process is to identify and provide feedback on the content, topics and context of the potential training, while the working group will look at the framework in general: training model, providers, etc.

9 LEC and ME Guideline Update – Shana Hole

1. January 1, 2021 is the deadline for organizations in Ontario to make website and web content accessible to be A.O.D.A Compliant (***Accessibility for Ontarians with Disabilities Act***)
2. ESA is being proactive with this and is refreshing their entire website. The launch will be at end of March 2020.
3. The Guideline to the Duties and Responsibilities of LEC's and ME's has not been updated since 2014.
4. ECRA AC is open to refreshing the Guideline, however the intent is to work from the information they currently have, and include new updates. The AC agreed that they would review the Guideline collectively at the upcoming ECRA AC meeting. It was suggested by the AC that at least 2 of the original members from the last working group be included in the review. It was noted that a member from the MEC would also like to participate.
5. Areas that will be addressed are:
 - a. Is the Guideline communicating what you want it to?
 - b. Is the Guideline reaching who it should?
 - c. Is the length appropriate?
 - d. Any other suggestions?
6. A council member mentioned that this Guideline should also be a topic of the Continuing Education working group. He mentioned that some members of his Association don't know these roles and responsibilities of the LEC and ME.
7. It was discussed that the Guide is currently 75 pages. Though it is all vital information, perhaps sections can be broken down better.
8. Another suggestion was to add a disclaimer to the license renewal that that the Guideline has been read.

ACTION ITEM: Distribute Hard Copy of the Guidelines to the AC members

ACTION ITEM: Agenda Item for June 2020 Meeting: Review of Guideline to LEC's and ME's – Shana Hole

10 RMA Delegation Update – Aisling O'Doherty

1. Today, within ESA's current regulatory framework, there is a degree of ambiguity around the authority to publish information.
2. Section 113.15(7) of the Electricity Act addresses the authority around publishing documents and information. It states:

A Director may publish or otherwise disclose documents or information obtained under the powers conferred on the Director under this Part.

3. ESA has consulted with ECRA AC in the past on what types of information may be beneficial to publish; at that time, there was a lack of clarity around ESA's authority to publish certain types of data.
4. ESA is seeking delegation under S.10(4) "Publication of Information" of the Regulatory Modernization Act to provide clarity around its authority to publish information.
5. Aligns ESA with other regulators and the Government's position on access to information and open data
6. Following clarification of authority, ESA will work with stakeholders to identify potential information that may be published.
7. Proposal to delegate Section 10(4) Publication of Information of the Regulatory Modernization Act anticipated in June, 2020
8. If approved, ESA will engage with ECRA AC (and other stakeholders) once clarification obtained from Government
9. It was discussed that as a part of the current licensing strategy, there is an initiative for an online registry. Currently it is very limited as to what can be published. Once ESA receives clarification from the Minister, the hope is to add more information such as LEC's qualifications, training, languages spoken, and specialties (i.e. solar panels).
10. This would enhance businesses to be more competitive and allow the public to make informed choices.
11. A member of the council asked if "bad contractors" would be highlighted on the ESA Website. The response from ESA was that they are taking a very thoughtful and conservative approach. If the delegation is approved, ESA will get input from ECRA AC first, and it will be done in consultation with ECRA and Licensees.

12. ESA will also take into consideration what other DAA's publish.

11

Admin Items – Soussanna Karas

1. ECRA Meeting Locations for Remainder of 2020:

- a. June 15, 2020 - ESA proposed to the council to change the June 15 ECRA AC meeting location from CHSI to the ESA office in Mississauga. The council was in agreement of this. Their reason for the location change was budget, convenience and flexibility.
- b. October 19-20, 2020 – Sudbury was selected as the next regional meeting location for the joint ECRA and License Holder meeting. The Holiday Inn Sudbury has been reserved for October 19-20th for these meetings
- c. Nov 16-17, 2020 – ESA mentioned that they were having difficulty finding a location in the Mississauga area for the joint ECRA and LHM for these dates. The AC suggested to look for a location in the Richmond Hill/Vaughan area. Their reason was that there was high attendance for the License Holder Meeting in Richmond Hill years ago. ESA agreed to look for accommodations in the Vaughan/Richmond Hill area.

ACTION ITEM – Find a meeting location for November 16-17 in Vaughan area – Miliana Savovic

2. Membership Orientation Review:

- a. The ECRA AC agreed since there will be 2 new council members attending the June 2020 ECRA AC Meeting, a Membership Orientation Review is required. This is for good governance, and as a refresher to those currently on the AC. It was also requested by the current council that they receive membership binders at this June meeting.

ACTION ITEM – June 15, 2020 - ECRA AC Meeting – Provide presentation of Membership Orientation and provide Membership binders to council

3. RBO Update:

- a. ESA confirmed RBO's go live date will be May 4th 2020. The AC asked what happens with ACP effective May 4th and ESA confirmed that any permits opened prior to May 4th will continue under ACP until it is closed.

4. Corporate Strategy Update:

- a. ESA confirmed that the 5 year Corporate Strategy Update will be provided to the ESA Board in March 2020. Their hope is that it will be approved and launched in April 2020.

12 MEC Reporting at June ECRA AC Meeting – Chair

The Chair of MEC, Fred Black will be attending the ECRA AC Meeting in June. He will be providing an update on the committee's activities. It was also mentioned that Fred's term on the council ends in December of this year, and he does not intend to continue. Fred is a member of ECAO, and their association will be nominating a new member to replace him.

13 Financial Reports – Chair

ECRA AC is requesting that ESA provide more details in their financial reports. The AC wants more transparency, specifically with corporate overhead expenses. The AC requires more details on how the contractor's fees are utilized by ESA.

ACTION ITEM: Provide a report on overhead breakdown of Corporate Expenses – Soussanna Karas

14 Listening Tour Working Group Update – Soussanna Karas

1. The joint letter from OEL and ECAO to ESA dated November 1, 2019 (Joint Letter) went before the ESA Board of Directors and an ESA Working Group was formed earlier this year in response to the letter. The members are:

- a. Soussanna Karas, Director of Licensing, ESA
- b. Josie Erzetic, Chief Regulatory Officer & General Council, ESA
- c. Earl Davison, Vice-President - Operations, ESA
- d. Borjana Bulajic, Director, Communications and Stakeholder Relations, ESA
- e. Dale MacDonald, ESA Board Member
- f. Christopher Hoper, ESA Board Member

2. The mandate the ESA Board gave this working group was:

- a. Schedule a meeting with ECAO (took place on February 10)
- b. Schedule a meeting with OEL (taking place on February 26)
- c. In these meetings take all suggestions, amend or improve licensing strategy and ECRA's function
- d. Meet with ECRA AC to discuss (Scheduled for March 2)

3. Due to the fact that the Joint Letter comments relate in part to the Licensing Plan, the decision was made to hold the finalization of the Licensing Plan until the Listening Tour is complete to ensure that input from OEL, ECAO and ECRA AC has been received and incorporated into the Licensing Plan. Anticipate to present the Licensing Plan to the Board for approval in June, 2020.

4. The ECRA AC Chair (who is a member of ECAO and was present at the February 10 meeting) provided details about the items discussed:
- a. Financials
 - b. Member orientation
 - c. Terms of Reference
 - d. Increased engagement between ECRA AC and ESA Board
 - e. An invite from the Chair for a standing invitation for the President of OEL and Exec Director of ECAO to attend ECRA meetings as a non-voting members (to be discussed later on in meeting, Item #17 below)

15 Notice of Proposal/Suspension Procedure – Kelly Clairmont

1. A presentation was provided on Notice of Proposals (NOP) and Suspensions. Some key information that was covered:
2. There are 2 types of NOP's:
 - a. Administrative (no DME, Suspended or expired DME, Invalid Insurance, etc.)
 - b. Failing to meet licensing obligations according to the Act, examples:
 - i. The License Holder does not carry out the activities in accordance with the law, or
 - ii. The License Holder does not carry out the activities safely, or
 - iii. The License Holder lacks the basic resources necessary to carry out the activities of the license.
3. According to Section 113.4 (1) of the Electricity Act the License Holder has the right to request an appeal and hearing of the NOP before the proposed action described in the NOP is carried out.
4. In order to request the hearing, the license holder needs to file a written request within 15 days after NOP is issued. The only exception to this rule is if there is a threat to safety or safety concern, which allows the Director to provisionally move to a suspension.
5. In 2019, there were 175 NOP's and 87 Suspensions issued. All 175 of these NOP's were issued due to administrative reasons. More importantly, not all 175 NOP's resulted in suspensions, which means that the license holder met licensing requirements and came into compliance.
6. The AC asked if anyone has ever challenged a Suspension in the court of Law and the response from ESA was no.
7. ESA explained that if the license holder does appeal the NOP it then "stays" (freezes the time), the Notice of Proposal ad allows the license holder to continue to operate, until a decision has been made by the Director of Appeals.
8. The council asked for the name of the Director of Appeals and ESA confirmed it is Patience Cathcart.

16 Associations' Representatives attending ECRA AC meetings as non-voting – Chair

1. As part Joint Letter recommendations, ECRA AC Chair shared the desire of both ECAO and OEL to have the Executive Director and President from their Associations to have a standing invitation to all future ECRA AC meetings. The intent is to have them there as observers and participate in discussions, however as non-voting members. Their reason for this is to ensure information discussed in these meetings is being filtered through to their Associations. The Associations feel that the content of ECRA AC meetings are more watered down, and it is more about ESA then the Contractors, and they simply want another set of ears from their Associations in attendance.
2. There was no consensus on this issue. Some ECRA AC members expressed concern around governance, and this might disrupt the balance of the AC.
3. The other council members reminded the rest of the AC that ECRA AC exists at the discretion of ESA. They asked everyone to remember that ECRA is an Advisory Council, and members must wear a “different” hat when they participate in these meetings, representing various organizations with the common goal of enhancing licensing framework to ensure consumer protection and electrical safety in the province.
4. Council member requested additional information and detail with respect to certain statements made in the Joint Letter.
5. AC agreed that clarity around ECRA AC Terms of Reference and ECRA AC role as advisory council would be helpful in order to understand governance requirements and limitations.
6. Members were concerned that the 2 hour meeting scheduled for March 2, 2020 may not provide enough time to discuss all of the issues raised in the Joint Letter. Members asked that if necessary, a 2nd meeting should be scheduled in early April as a follow up.

ACTION ITEM – If the follow up meeting is required, look into meeting dates for ECRA AC for early April – Miliana Savovic

ACTION ITEM – Email ECRA AC the links to Terms of Reference and Meeting Minutes from ESA Website

Motion: To Adjourn the meeting

Motioned by: Catherine Taylor

Second: Larry Allison