

Minutes of the ECRA Advisory Council Meeting

Date: Monday, June 15, 2020
Time: 9:06am – 1:05 pm
Location: Videoconference – Via Zoom

Council Members Present:

Joe Kurpe (Chair)
Sean Bell, Utility Contractors Association (Vice Chair)
Vince De Gasparis, Utility Contractors Association
Larry Allison, Consumer Advisory Council

Leo Grellette, ESA appointed
Cameron Hann, OEL
Debra Mattina, Municipalities Representative
Larry Shaver, ECAO
Matthew Aston, Municipal Representative
Catherine Taylor, Community at Large representative
Brian Smith, ESA appointed

Guests:

Jacques Levesque, Transform Management Consulting
Pete Karageorgos, Insurance Bureau of Canada
Sharmila Uruthiranandasivam, MGCS
Doug McGinley, OEL, Vice-Chair MEC
Rick Ball, MEC
Len Oosterhof, MEC
Fred Black, Chair of MEC

ESA Present:

Soussanna Karas, Director of Licensing, ESA
Esau Habibulla, Director of Finance, ESA
David Rinaldo, Senior Corporate Counsel, ESA
Borjana Bulajic, Director Communication and Stakeholder Relations, ESA
Reshma Sukhdoe, Health & Safety Specialist, ESA
Scott Eason, Project Specialist, ESA
Shana Hole, Licensing Advisor, ESA
Aisling O'Doherty, Government Policy Advisor, ESA
Ray Yousef, Code Engineer, ESA
Kelly Clairmont, Discipline Project Coordinator
Allison Hawkins, Communications, ESA
Margaret Campbell, Legal Counsel, ESA
Freda Lam, Epidemiologist, ESA

Regrets:

Steve Del Guidice, OEL

Tracey Gauley (Minutes)

**Agenda Item: 1 Call to Order
Notice & Quorum
No conflicts were declared with the Agenda**

Presenters: Joe Kurpe, Chair, Soussanna Karas, ESA, Borjana Bulajic, ESA 9:06am

The Chair welcomed everyone and asked that all attendees introduce themselves around the Zoom room.

The Council received and reviewed the Minutes of the meetings dated February 20, 2020 and April 3, 2020. A member pointed out that there should be a correction on the February 20, 2020 Minutes, specifically, item #7, 2nd line, 10th page, where it should say, "...and allows..." The Council accepted this revision.

Matters Arising

The Council reviewed the matters arising from the previous two sets of Minutes and their disposition. Management requested that one action item on the February 20, 2020 Minutes be moved to the next meeting. Action Item #02-20-06, Shana Hole prepared a short presentation for today but due to time constraints of the meeting it was decided to post-pone. The Chair queried if there were any further questions or comments, the only other question was with regard to Action Item #02-20-07, whether the next meeting will be virtual, this was confirmed by management

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Conclusions		
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Motions		
<p><i>On a motion moved and seconded it was RESOLVED THAT:</i></p> <p><i>The minutes of the meetings of the ECRA AC dated February 20, 2020 and April 4, 2020, are approved. (Moved by Leo Grellette, second by Brian Smith.)</i></p> <p style="text-align: right;"><i>Motion carried.</i></p>		
Action Items	Person Responsible	Deadline
<ul style="list-style-type: none"> Item #02-20-06, Shana Hole's presentation to move to the next meeting. 	Shana Hole, ESA	
Agenda Item: 2 Administrative Items		
Presenters: Joe Kurpe, Chair, Soussanna Karas, ESA, Borjana Bulajic, ESA		
Discussion	<p><u>Director of Licensing Report</u></p> <p>Management presented the Licensing Update, highlighting the changes due to COVID-19 and advised that ESA is ensuring the physical, emotional and psychological safety of employees, providing high quality service to stakeholders, all while continuing to carry out the safety mandate. The Health & Safety Specialist (in attendance at this meeting), has been working with both unions, management and employees on a phased approach to return to work, while following Government directives and public health authorities to inform decisions. There have been minimal delays in the processing of applications, renewals and documents, answering phones per usual even though this is a new situation for all. Volumes are down for new registrations for electrical contractors ("EC"), down 60% and ("ME"), 80%, also down are renewals, approximately by 15% compared to May of 2019. Calls volume are down approximately 13% compared to May 2019. ME examinations ceased due to restrictions. With regard to enforcement, cases where there is found to be Life and/or Property risks are moving forward to investigation/prosecution. Some courts are starting to reopen, ESA is working with Court administration in the different regions to see what their new processes will look like.</p> <p>The Council asked for insight as to the possibility of online examinations and also self-study courses. Management advised that the ESA Training Solutions department is working hard to put together a virtual classroom, a broader ability for ESA to offer same via Zoom or potentially another platform. With regard to self-study courses, this plan is also in a development process.</p> <p>The Council discussed the next ECRA AC and License Holder Meeting ("LHM") dates. As the Council is very flexible due to Zoom capabilities, management suggested November 16, 2020 for the full-day ECRA AC meeting to be held virtually via Zoom and to hold the LHM meeting separately on November 17, 2020. This was approved by the Council.</p> <p>Management queried the Council for creative suggestions on how to make the virtual LHM meeting engaging and valuable for everyone, useful for licence holders to attend, etc. The Council responded with the following suggestions:</p>	

invite stakeholders to submit questions in advance; review the Zoom platform's capabilities; RBO status update as it goes live July 6, 2020; cutting the Agenda to key items only; covering only subjects participants like to hear, enforcement – underground economy;

Management commented that the Chair of MEC is present at this meeting and explained that the plan was initially for the Chair to deliver a Report to the ECRA AC of the MEC's activities for last year, but in consultation with Fred Black, it was decided to postpone this Report until October. Consideration of this decision stems from ESA being in the early stage process of setting up virtual proctoring for ME exams. It is anticipated that by the next ECRA AC meeting, MEC will have more information to share and activities to report on.

The Licensing Department Plan Update was presented to the Regulatory Affairs Committee ("RAC") at the June 4, 2020 meeting and has been approved.

With regard to the Licensing Tour update, ESA met with ECAO, OEL, and this group in March and put together the response, it has been signed by the Chief Regulatory Officer, Josie Erzetic. ESA has been working on implementing the recommendations.

The Council commented that ESA's COVID19 page seemed to focus on the inspection requirements and safety of inspectors, providing little information with respect to how the public should be behaving, social distancing, wearing masks, etc. Management responded that ESA would certainly consider putting more information on its website. Currently, the COVID-19 section of the website contains a lot of valuable information. The reader can scroll through the COVID-19 Hub on the website, noting from March to present day, that ESA has issued approximately 20 guidelines on various topics. ESA was the first to post guidance for the temporary hospitals, proactively and efficiently providing information as emergency orders were issued as well as email blasts to the entire LEC and ME communities. Internally, all inspectors and employees are kept up to date. The Council also mentioned that Toronto is still in a different phase from other less populated areas, so messaging varies regionally.

Extension of Council Member Terms

Management advised that there are 2 items for discussion/vote:

1. Extension of three Council member's terms - the Council was asked to vote for their renewal to serve for another three years each:
 - Catherine Taylor, ECRA nominated
 - Brian Smith, ESA nominated
 - Cameron Hann, OEL nominated

The three members left the room for 5 minutes so that other members could vote. Debra mentioned that she cannot vote as this is her last day, new members should vote in her stead.

	<p>The Council voted and all three members were approved unanimously.</p> <p>The three members returned to the meeting and were informed that they have been renewed and offered congratulations.</p> <p>2. Selection of the Chair and Vice-Chair</p> <p>Management advised the Council that Sean Bell’s term expires in October, and read the Terms of Reference (“TOR”) applicable sections, outlining who is eligible to be voted as the next Vice-Chair in October.</p> <p>3. Chair’s update</p> <p>The Chair reported to the Council that Annette Bergeron was replaced on the RAC Committee by Adèle Malo. The Chair had a 90 minute call with Ms. Malo in April, discussing the following subjects: how ECRA AC was structured; Council members; underground economy and how it is being addressed with Kijiji, the Masters exam and how it was set up, the MEC function; future of continuing education for electrical contractors and master electricians; partnerships with insurance industry and possibility of getting ESA approval on the occupant permit before allowing to move in and occupy structures; previous and upcoming Agendas for the License Holder and MEC meetings, how they will be planned for the year ahead and, the Five-Year Licensing Department Plan, fulsome discussion about the Listening Tour.</p>
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Conclusions	
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Motions	
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	<p><i>On a motion moved and seconded it was RESOLVED THAT:</i></p> <p><i>The following ECRA AC member’s Council terms have been renewed for another three years (moved by Larry Shaver, second by Larry Allison):</i></p> <ul style="list-style-type: none"> • <i>Catherine Taylor, ECRA nominated</i> • <i>Brian Smith, ESA nominated</i> • <i>Cameron Hann, OEL nominated</i> <p style="text-align: right;"><i>Motion carried.</i></p>
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Action Items	Person Responsible	Deadline
<p>Action Item: Management will consider the following suggestions for the next LHM:</p> <ul style="list-style-type: none"> • Invite Stakeholders to provide input and questions in advance of meeting; • Ensure Zoom or other platform has capacity in the event of over 300 participants; • Status update for RBO; • Ensure LHM agenda includes subjects participants would like to hear, enforcement for example; • Financial presentations to be streamlined, kept simple, short <p>Action Item: Next ECRA AC meeting agenda is to include Fred Black Report on MEC's activities for last year.</p> <p>Action Item: Next ECRA AC meeting to include selection of the new Vice-Chair.</p>	<p>Management</p> <p>Fred Black</p> <p>Chair, Council</p>	

Agenda Item: 3 Membership Orientation		
	Jacques Levesque, Transform Management Consulting Inc.	10:15am
Discussion		
<p>Management introduced the guest speaker, Mr. Jacques Levesque. Mr. Levesque outlined the purpose of the presentation: to provide a general orientation for new ECRA AC members and some additional information to help understand the legislative role of ESA; review the TOR; explore governance best practices and their practical application for advisory Councils. With regard to governance best practices, they are continuously evolving, these are guidelines from a variety of different governments, organizations and agencies, that there is no 'one size fits all'.</p> <p>SEE THE PRESENTATION SLIDES FOR MORE DETAILS</p> <p>The speaker opened up the meeting for questions.</p> <ol style="list-style-type: none"> 1. The Council asked about the four components of the Chair, is there any best way to be. The speaker explained that Coordinate and Control (the two extreme ends) are not the most effective ways to manage the meetings, the best spot is in the middle between "Facilitate" and "Catalyze", but closer to catalyze is even better. It was suggested that the Chair may want to catalyze discussion a bit more. 2. The next question from the Council was about how many people work for the Licensing department out of ESA. Management advised there are a total of 11 employees comprising the Licensing Department. 3. This presentation should be provided to future candidates so that they know what to expect. 4. Another suggestion was that the presentation be reviewed by all annually, wise to have it on the Agenda once per year to remind people of what their responsibilities are. 		

5. The Speaker recommended a Position Description of roles and duties of Chair and Vice-Chair be drafted based on what they have learned in the roles, like a primer, then come up with a formal Job Description with ESA Management.		
Conclusions		
<ul style="list-style-type: none"> n/a 		
Motions		
<ul style="list-style-type: none"> n/a 		
Action Items	Person Responsible	Deadline
Action Item: Management to provide Jacques Levesque's presentation to all new members on an ongoing basis.	Management	
Action Item: Management to consider placing this presentation on the Agenda once a year to be re-reviewed.	Management	
Action Item: Chair and Vice-Chair to work with Management to draft roles and responsibilities of the Council Chair and Vice-Chair into a formal Job Description.	Chair, Management	

Agenda Item: 4 Break		
	11:00 – 11:15	

Agenda Item: 5 Discussion with Insurance Bureau of Canada		
	Presenter: Peter Karageorgos	
Discussion		

The Chair reconvened the meeting and asked that everyone around the Zoom room introduce themselves for the guest speaker. Shana Hole introduced guest speaker, Mr. Peter Karageorgos, Director, Consumer and Industry Relations, Ontario, at the Insurance Bureau of Canada. ESA invited Peter to speak to ECRA AC recognising that the insurance industry could be a great partner in reducing the underground economy, and acknowledging that ESA and insurance industry should work together towards increasing electrical safety in the province. .

The speaker described the primary role of the Insurance Bureau of Canada ("IBC"), that they are the national trade association for the property and casualty industry, which are the companies that insure homes, cars and businesses. IBC works with other groups leveraging partnerships, helping consumers and society as a whole and are meeting today to discuss engaging and working with ESA.

SEE THE PRESENTATION SLIDES FOR MORE DETAILS

Questions and Discussion:

1. What are the ways insurance companies educate property owners and partner with ESA? Some examples of partnership include: having discussion as is happening today. Handing out brochures. Inviting ESA representatives to attend and present to a panel of senior claims personnel about opportunities on how to reduce the underground economy, working together on pilot programs.
2. Further points raised: home inspector's qualifications to inspect electrical systems on a property, the training they receive; that aluminum wiring if installed correctly is safe; benefits of having ESA do a mandatory general inspection before a purchaser buys a

home; inform home-owners to always keep their Certificates of Inspection to show insurers; tenants of high-rise buildings and their course of action when they know that their landlord is not complying with legislation.		
Conclusions		
<ul style="list-style-type: none"> n/a 		
Motions		
<ul style="list-style-type: none"> n/a 		
Action Items	Person Responsible	Deadline
Action Item: Shana Hole and Soussanna Karas to meet offline with Peter Karageorgos to chat about the different points that have been raised and what can be done, next steps, what messaging and measures can be undertaken, plans going forward.	Management	
Action Item: Tracey Gauley to send Peter’s presentation to all members.	Tracey Gauley	

Agenda Item: 6 Discussion of Licensing in Light of COVID-19		
	Presenter: Joe Kurpe, Chair, Soussanna Karas, ESA	
Discussion		
<p>The Chair asked for an update on what the inspectors have been doing during the COVID-19 period, he explained that contractors have on average 25% less work now due mostly to the pandemic restrictions, sanitization of equipment, wearing gloves and masks.</p> <p>Management explained that inspectors can accept pictures and videos in certain circumstances, so that we do not limit their ability to inspect. Safety is key, but there are some priorities with essential business lists, critical or emergency services, etc.</p> <p>Management asked that members of the associations share their experiences with the Council so that ESA has more of an understanding of what they are experiencing and seeing. The Council conveyed congratulations to the inspectors for applying the rules their own way knowing they have the right to refuse to work.</p> <p>Outgoing member Debra Mattina thanked the Council and ESA for the opportunity and time she has spent on the Council, that she appreciates the work that everyone does and wished Matthew Aston, her replacement, the best going forward. Ms. Mattina also mentioned that everyone should feel free to contact her if necessary. Management thanked Ms. Mattina for her contributions and expressed regret that the Council could not say thank you with a more formal goodbye due to COVID-19 restrictions, but stated that it was a pleasure working with her.</p> <p>At this point, guests were asked to leave the Zoom room for the in-camera portion of the meeting, and that they were welcome to re-join later for the Agenda Item #8, “New Business” if they wished.</p>		

Conclusions		
	<ul style="list-style-type: none"> n/a 	
Motions		
	<ul style="list-style-type: none"> n/a 	
Action Items	Person Responsible	Deadline
<ul style="list-style-type: none"> n/a 		

Agenda Item: 7 ESA Financials (In-camera) 12:20pm		
	Presenter: Esau Habibulia, ESA	
Discussion		
<p><i>The ECRA AC moved in-camera at 12:30 p.m. and exited at 12:50 p.m.</i></p>		

Agenda Item: 8 New Business		
	Presenter: Joe Kurpe, Chair	
Discussion	TWO SMALL ANNOUNCEMENTS, Shana Hole & Aisling O'Doherty	

Doug McGinley, Shana Hole and Aisling O'Doherty re-joined the meeting at 10:50am.

Two Announcements:

1. Aisling O'Doherty:

Proposed Temporary Ban – ESA wanted to share an important announcement made last week from the Provincial Government. This is a proposal to amend the Commercial Tenancies Act, which would allow for the temporary banning of evictions of smaller businesses (such as LEC's) who may be operating or renting commercial spaces. The proposal has not been passed yet, but if it does go through, it will go through quite quickly. Businesses must be considered eligible for the Canada Emergency Commercial Rent Assistance program:

- a) businesses are eligible if they pay \$50,000 or less a month for rent;
- b) generate no more than \$20 million in gross annual revenues; and
- c) have experienced at least a 70% drop in revenue due to the COVID-19 pandemic

If the amendment/legislation is passed successfully, ESA will send a note out to ECRA AC to let them know and include a link to the announcement. The ban would take effect on or after June 3, 2020 and last until August 31st, 2020. So this would reverse evictions that occurred on or after June 3, 2020. Any business affected during that time period would be eligible for this protection under the new revised legislation.

The Council asked that the legislation or any new information be sent to the Council when it becomes available.

2. Shana Hole

Meeting with Kijiji Representative – Underground Economy

ESA met with the Kijiji representative as part of a special session that ECRA AC held on the underground economy on January 20, 2020 and have been working with Kijiji since that time.

ESA and Kijiji made a significant progress with respect to a number of initiatives targeting unlicensed advertisement on Kijiji.

1. Disclaimer notice that shows on the 'Trades' page. ESA drafted and Kijiji has implemented a process that if a consumer is searching for an electrician to do repairs, there will now be a statement at the top of the advertisement that says, "*Electrical work is risky and the best way to keep your family and home safe is to hire a licensed electrical contractor for the job. Ask your contractor to show you a Certificate from the ESA.*"
2. If the person is posting an ad offering electrical services, another disclaimer will appear that says, "*In Ontario it is the law that no person shall operate an electrical contractor business without first obtaining an electrical contractor license issued by ESA. Visit ESASafe.com for more information.*" There will also be a link to the ESA website that ESA can track how many people click on this link that will take them to ESASafe.com.
3. Kijiji is now also taking down ads of unlicensed contractors that do not comply, on ESA's behalf. After ESA's 3rd attempt to try to educate the individuals that they are not in compliance, ESA notifies Kijiji and Kijiji will take down the ad and send out a message on ESA's behalf about what the licensing requirements are in Ontario.

The Council mentioned that the wording Kijiji uses, should say, "Certificate of Inspection", not "Certificate".

Other New Business:

Home flippers, as sub-contracting issues were discussed, a known potential case was reviewed with management. Management advised the Council that from the Licensing Department compliance perspective, there are guidelines for LEC's and ME's that do address the subject of sub-contracting, the responsibility is on the DME to ensure all work done by the LEC is performed in accordance with legislation. If ESA learns about some suspected activity that might not be compliant, ESA follows up with the LEC, requesting a response addressing the allegations. The goal is to motivate compliance, and educate. In choosing what compliance measure to use, ESA considers circumstances of the case, gravity of the non-compliance and available mechanisms to bring about compliance.

The Council thanked ESA for all the work that went into the meeting, specifically the Agenda, the orientation, the Kijiji partnership work, the financials etc.

Conclusions

- n/a

Motions

On a motion moved and seconded it was RESOLVED THAT:

The meeting be adjourned. (Moved by Catherine Taylor, second by Cameron Hann)
Motion carried.

Action Items	Person Responsible	Deadline
<p>Action Item: Aisling to send the legislation or any new information when she receives it.</p> <p>Action Item: Shana Hole mentioned that the language “Certificate of Inspection”, has been agreed upon, but would look at how this could be clarified in other messages.</p> <p>Action Item: Shana Hole will provide a more fulsome update on the Kijiji partnership at the next ECRA AC meeting.</p>	<p>Aisling O’Doherty</p> <p>Shana Hole</p> <p>Shana Hole</p>	

Termination of Meeting

There being no further business the meeting was terminated at 1:05 p.m.