



September 22, 2021

9:00 a.m. to 11:45 p.m.

Meeting via Zoom Videoconference

COUNCIL MEMBERS PRESENT	ESA EMPLOYEES PRESENT
Joe Kurpe, Chair	Emily Larose
Cameron Hann, OEL, Vice Chair	Soussanna Karas
Vince De Gasperis, Utility Contractors Association	Shana Hole
Larry Shaver, ECAO	Scott Eason
Catherine Taylor, Community at Large	Alejandro Gonzalez
Steve Del Guidice, OEL	Allison Hawkins
Brian Smith, ESA	Borjana Bulajic
Leo Grellette, ESA	David McConnell
Matthew Aston, AMCTO	
GUESTS	REGRETS
Alexander Janack, MGCS	Larry Allison, CAC
Laura Campbell, MGCS	
Stephen Sell, OEL	
Melissa Gallina, LURA	
	MINUTES
	Claire Loucks, ESA

AGENDA ITEM	Call to Order Notice & Quorum No conflicts were declared with the Agenda
PRESENTER	Chair

WELCOME AND INTRODUCTIONS

The Chair welcomed everyone and asked members to introduce themselves. Chair opened the meeting for business and briefly introduced the topics to be discussed.

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MOTION	To accept the minutes of the May 18, 2021 meeting.
MOTIONED SECONDED	Brian Smith Cameron Hann
	<i>Motion carried</i>
MOTION	To accept the meeting agenda
MOTIONED SECONDED	Leo Grellette Cameron Hann
	<i>Motion carried</i>

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Review of Open Action Items:

- Management to show year over year numbers from the last year to compare (in terms of fines, convictions & investigations) for **next ECRA meeting and the LHM in November** - Director of Licensing and Training
- Provide the Council with last year's general actuals for comparable review and will provide in new format (**Year-end is March 31 – financials will be available at November meeting**) – Director of Finance
- Working group for guidelines will be formed to update existing document – **ongoing**
- Members to provide ongoing feedback to ESA on remote inspections – **ongoing**

AGENDA ITEM	Administrative Monetary Penalties (Auditor General Recommendation #15) and Remote Inspections Update
PRESENTER	Assistant General Counsel

The Assistant General Counsel provided an update on the work conducted to date to address the Auditor General's recommendation to introduce Administrative Monetary Penalties and outlined potential categories of contraventions that could be subject to AMPs (please see presentation).

Comments:

- Member asked how funds will be redirected for safety.
 - Assistant General Counsel responded that any funds collected through AMPs will be segregated and ESA will be able to report on how funds are spent.
- Member asked how AMPs will work for LECs who receive repeated warnings.
 - Assistant General Counsel responded that more details are to come and ESA is looking for input into how AMPs can work together with other enforcement tools.
- Member asked how AMPs will be used to address failures to file notifications, for example when a contractor fails to file but the work completed is ultimately safe.
 - Assistant General Counsel responded that when considering AMPs, what category it would fall under and what the amount is has to be considered. The state of the work conducted should be taken into consideration.
- Member suggested that in addition to online ads, ESA should also include ads on vehicles and signs on front lawns.
 - Assistant General Counsel agreed that it should include all manners of ads; online ads were one example of many.
- Member stated that risk informed decision making should run through all actions taken and should be made explicit in programs such as AMPs; risk should drive

the size and focus of the penalty. Taking this approach will help to provide logic and diminish the appearance of bias.

- Assistant General Counsel responded that she appreciated the comment.

The Assistant General Counsel provided an update on remote inspections and the feedback from stakeholders gathered to-date, including from LECs surveyed on their experiences with the process. This feedback was generally positive and supportive. Next, ESA will undertake a project to design and launch a tool to integrate remote inspections more effectively with improved customer experience to enhance inspection process. Will continue to gather feedback.

Comments:

- Member thanked the Assistant General Counsel for the update and asked how to address the issue of photo quality, which can be dependent upon the technology used and what is considered in the requirements.
 - Assistant General Counsel agreed that this needs to be addressed and considered in design requirements.
- Assistant General Counsel asked if there are thoughts on what would be the average technology used by contractors.
 - Chair stated that it does not have to be high quality so long as it provides enough detail for the inspection, unless it is a specific situation that requires it.
 - Member stated that someone might not have cell phone service in all cases but might still have to take the pictures back to upload elsewhere.
 - Assistant General Counsel responded that an option being looked is to be able to capture images on site that can be sent/uploaded at a later time.
 - Member stated that a quality camera could be used, it does not have to be a phone. Camera photos can be uploaded later and people should check their quality before submission.
 - Assistant General Counsel responded that it is a good point to review photos before sending them.
- Member stated that he appreciates the work done on this.

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AGENDA ITEM	Administrative Items
PRESENTER	Chair, Director of Licensing and Training, Licensing Manager, Project Specialist, Licensing

- Director of Licensing and Training updated members on upcoming term expirations and the protocols for extension.
- Director of Licensing and Training reminded members of the Advisory Council expense guidelines and the need to submit expense forms following each meeting for payment.
- Licensing Manager stated that the Chair of MEC will provide an update on MEC activities at the next ECRA meeting in November.
- Director of Licensing and Training stated that the November ECRA meeting will be held before the next LHM to provide a year-in review update.
- Project Specialist, Licensing provided an update on the ME renewal and payment platform and explained enrolment process.
 - Director of Licensing and Training encouraged members to spread the word to increase the number of Master Electricians to use the platform to renew their ME licence and pay the renewal fees.

AGENDA ITEM	AGR 16 – Master Exam Questions Update
PRESENTER	Licensing Manager

The Licensing Manager provided an update on the work conducted on expanding Master Exam questions to meet the AG recommendation; a Working Group was established to review the current pool of questions and to increase it.

Comments:

- Chair stated that he thought there were already more questions in the pool in the past?
 - Licensing Manager responded that she was unsure where that discrepancy could come from.
 - Member responded that it could be because in the past, the exam included questions covering more than only Ontario content, which were subsequently removed. Member expressed disagreement with the AG recommendation because he knows ESA has been doing a great work keeping the ME exam current.
 - Licensing Manager stated that with adding more than 200 new questions to the ME exam pool, she is proud of the work that has been completed by the Working Group.
- Member asked if Working Group members were required to sign a non-disclosure agreement to ensure that exam questions are not leaked.
 - Licensing Manager responded that yes, all Working Group members were required to sign a confidentiality statement to preserve integrity of exam.

- Director of Licensing and Training stated that the Working Group members have done a tremendous work drafting questions and the exam includes a full complement of questions on the full Code, not just Ontario content.

AGENDA ITEM	AGR 12.1 – Low Risk Installations
PRESENTER	Acting Chief Public Safety Officer and Project Specialist, Licensing

The Chair asked the Acting Chief Public Safety Officer to introduce himself, who provided a brief introduction.

The Acting Chief Public Safety Officer provided an overview of AGR 12.1 and introduced the purpose of the presentation to collect feedback to enhance the report, without developing recommendations. The Project Specialist, Licensing provided a timeline of the work conducted to date, internal working group processes. Please see presentation for details.

Comments:

- Member expressed frustration with the AG recommendation stating that allowing MEs and CoQ holders do the work without the LEC licence will worsen the situation with underground economy and will put homeowners at risk.
 - Acting Chief Public Safety Officer responded that no decisions have been made yet and these are all good comments of the type we are looking for that.
- Member stated that this is 20 steps backwards and will push people away from the regulated trade and hurt public safety. ECAO does not support this and is in the process of getting in touch with MPPs.
- Member expressed agreement with the above statements and asked where to draw the line; if ESA's mandate is safety, safety is being thrown aside. Member stated he was appalled by this and that as an OEL representative, OEL does not support this. LECs will not accept this.
- Member agreed and stated that the proposal is asinine. As an ECRA member, he stated that he is willing to make a motion to stop work on this. Project Specialist, Licensing asked to hear opinions from all members. Chair asked to go around the table to get member input, particularly from non-contractor members. Member stated that from the utility side, we work hard to have work recognized and licensed and agreed that this is a step backwards; cannot support it. Member agreed and expressed the concern that people will not understand what the requirements are and that the requirements will be misapplied.
- Member asked if ESA has not already agreed to this proposal and asked whether we understand the motivation behind the recommendation. It seems contrary to recommendations in other areas, which are about plugging holes in safety. This will lead to safety issues.

- Acting Chief Public Safety Officer stated that although he was not involved in the initial process but the assumption could be that this will offer services at a lower cost, whether this is true or not. ESA has only agreed to work on this process and provide feedback to the Ministry and has not agreed to do more than that.
- Director of Licensing and Training stated that it is important to clarify that this process is not to support that these categories should be implemented but rather to get feedback and provide it back to the Ministry. ESA agreed to look into categories to present to stakeholders and agreed to go through process; not that we support the recommendation or that we will do this.
- Member clarified that the purpose is to explore, without agreeing that there is a problem and committing to fix it.
 - Director of Licensing and Training responded that is correct. ESA provided an enormous amount of data and background to the AG, who then developed recommendations. ESA provided education to challenge recommendations but it was ultimately up to the AG to present the recommendations as they chose to do. The AG concluded that allowing this work may provide consumers with broader choice and decrease underground economy.
- Member stated that this destroys the licensed contractor program and that he would not want MEs to do work without oversight or insurance. Seemingly “lower-risk” work is not simple. He was not sure that what the AG is trying to achieve will actually be achieved.
- Member stated that after hearing the comments from everyone and looking at the AG’s conclusions drawn thus far, he does not support this at all. He trusts and supports other ECRA members for their experience and input on the impacts. The proposal takes us in the wrong direction and will not help the situation; it will encourage the underground economy. If the public heard these conversations, they would agree that it is going in the wrong direction.
 - Member echoed above comments.
 - Member stated that this is a big step backwards.
- Member made the following motion:
 - To reject all four categories proposed.
- Chair stated the unanimous support to reject all four points presented to ESA.
 - Seconded by a member.
- Chair stated that he would like to send the AG a letter expressing ECRA’s vehement disagreement.
 - Director of Licensing and Training proposed including all of this feedback in the report for the Ministry: that ECRA does not agree with the framework at all and that four categories proposed have been denied as low risk categories.
 - Member and Chair agreed.

- Director of Licensing and Training explained that the minutes of this meeting will include all input and will be the foundation of the comments to the Ministry.
- Representative from the Ministry stated that he understood comments made and that the Ministry is also in the process of receiving feedback; the status quo could be recommended.
- Acting Chief Public Safety Officer stated that ESA is working through the process and appreciates that it is not a personal issue directed at ESA.
- Member apologized for his passion but as a professional, he cannot support people trying to get work done for cheaper, whereas it undermines the safety of the homeowners.
 - Acting Chief Public Safety Officer stated that there is no need to apologize, it is excellent feedback and we need this feedback.

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AGENDA ITEM	Update on AGR 17 – Continuous Education
PRESENTER	Director of Licensing and Training

The Director of Licensing and Training provided an update on AGR 17 on the continuous education framework. ESA has gathered reports from ECRA, CoAC and CAC, along with open submissions via email and an online survey; LURA assisted in this to submit feedback to the Ministry. The Ministry is currently reviewing the feedback and determining the next steps; will then make a decision on whether this framework will be implemented.

Comments:

- Member asked when ESA’s report will be made public.
 - Director of Licensing and Training stated that the consultation that you heard was presented, which included the four different models, required for MEs only, on the Code and later expanding to electives, with a frequency of every five years. That members preferred model 3 transitioning to model 4. ESA did not add anything that ECRA did not hear.
 - Member asked if models 1 and 2 were presented.
 - Director of Licensing and Training responded that ESA presented members’ feedback as it was communicated. The Minutes of the meetings with each of the stakeholders (ECRA AC and CoAC) were used as a foundation for the report.
 - Member stated that he is not suggesting anything shady is happening but is just asking because we did not see what got presented.
 - Director of Licensing and Training responded that it is in the minutes that are publicly available.

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AGENDA ITEM	Update on Sunnybrook
PRESENTER	Director of Licensing and Training

The Director of Licensing and Training provided an update on ESA entering into the agreement with for donation for further five years to support Sunnybrook’s Ross Tilley Burn Centre. Planned activities include working with them to recognize the input and efforts undertaken to support people who have received electrical burns, physical and mental health initiatives.

The Director, Communications, Government and Stakeholder stated that ESA is working with Sunnybrook’s communications team to align activities, news releases and videos.

Comments:

- Member asked to make sure that ECRA is included and stated that it is important to know that ECRA is contributing half of this. This is a joint-effort.
- Director of Licensing and Training and Director, Communications, Government and Stakeholder agreed and stated that communication will include the reference that these donations are made in alignment with ECRA AC.

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AGENDA ITEM	Planning for LHM
PRESENTER	Director of Licensing and Training and Licensing Manager

The Director of Licensing and Training provided an overview of the work to prepare for the LHM and stated that feedback from participants on last year’s meeting was that they appreciated the format and the opportunity to have technical questions answered. The Director of Licensing and Training encouraged members to block off time in their calendars; invitations will be sent out.

The Licensing Manager stated that the first hour will be presentations with updates, then Q & A, then technical advisors will answer questions.

Comments:

- Member stated that he wants to make sure that ECRA does not get updates in advance of the LHM, so that the material is new when the LHM occurs.
 - Licensing Manager responded that this is a good point and that presentations will be short to keep things moving.
 - Member emphasized that he does not want a review of the LHM material during the next ECRA meeting and then have to attend the LHM the following day.
 - Licensing Manager responded that this will be kept in mind and that the information received ahead of time will be more detailed than what is presented during the meeting.

- Licensing Manager stated that the meeting will have a keynote speaker this year, an individual who was treated by Sunnybrook and can speak to the importance of electrical safety.

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AGENDA ITEM	Update on Online Exam and Virtual Proctoring
PRESENTER	Licensing Manager

The Licensing Manager provided an update on online exams and the virtual proctoring process, including virtual, in person electronic and written totals and pass rates. See presentation for details.

Comments:

- Member and Chair expressed their support for this work.

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AGENDA ITEM	Closing Remarks and Next Steps
PRESENTER	Chair

The Chair asked if there was any new business to declare.

Comments:

- Member stated that he received an email from a colleague who requested that he be contacted via phone or text, not email, but the inspector emailed anyway. He then got a defect on the work because he was not present to take off a panel and he did not see the email from the inspector informing him that he needed to be present on site. He also received an invoice for the recovery cost. Member asked how further action against this can be taken and stated that when it is not our fault, we should be able to send the invoice in the other direction.
 - Director of Licensing and Training responded that this sounds like a contractor operational issue for Operations and that these types of issues can be brought up at CoAC, where the VP of Operations is present and can answer. She suggested delegating the issue to a colleague at CoAC for response, as CoAC seems to be the better venue for this inquiry.
 - Member stated that he will have it passed along to a CoAC member.
- Project Specialist, Licensing stated that he would to send email address in the chat for members who want to share any further thoughts on the AGR 12 presentation. This feedback will go directly to LURA for compilation.
 - Director of Licensing and Training stated that members can follow up through regular email as well.
- Director, Communications, Government and Stakeholder reminded members that the invitations to the Safety Awards were sent and it will take place on

September 30, 2021. She encouraged members to participate and stated that she is looking forward to seeing everyone there.

MOTION	To adjourn meeting.
MOTIONED SECONDED	Cameron Hann Leo Grellette
	<i>Motion carried</i>

ADJOURNMENT

End of ECRA AC meeting

If there are any discrepancies to these minutes, please report them by email to Claire Loucks.

Next Meeting: November 17, 2021

Location: Zoom Videoconferencing