



14.03.01 **Introductory Comments**

A moment of silence was given in honour of John Salmon, who passed away suddenly this past summer. As per the TOR, the ECRA Vice Chair, Fred Black, is acting as Chair until a new Chair is voted by ECRA.

14.03.02 **Review of Agenda**

Sufficient members in attendance for quorum.

Agenda Item 6 ***Update on ESA staffing changes***, will be provided by Bohdan Baluta. This will also be presented at the Licence Holder Meeting.

Agenda Item 16 ***Other Business***, items to be added for discussion:

1. Limiting an EC based on the DME's qualifications
2. Material for the Pre-Master Electrician course
3. Scheduling of meetings

14.03.03 **Motion to Approve April 23, 2014 Minutes & Review Action Items**

*MOTION to approve Minutes by Debra Mattina  
Seconded by Brian Smith  
All in Favour  
Carried*

**Outstanding Action Items Were Discussed:**

14.02.04 – ***Look into adding a checkbox to the LEC and ME renewals which would indicate the licence holder has read the LEC & DME Guide***  
There has been some movement; however, is still in progress.

**ACTION:** Cynthia Magill – Change the responsibility of any action items to Bohdan Baluta that were previously under Angela Jackson.

14.01.02 – ***Request Sunnybrook attend an ECRA meeting***  
Will be invited to the November meeting.

14.01.02 – ***Announce at the Licence Holder Meeting that ECRA contributes to Sunnybrook***  
This will be announced at November's meeting.

14.01.03 – ***Obtain speaker from insurance industry***  
Farrah has been in contact with someone from the insurance industry; looking to have him present at the November meeting.

12.02.02 – ***Implement a declaration where one timers will have to accept the terms and conditions***  
Remains in progress; Bohdan will check into it further.

11.01.04 – ***Continue to monitor the College of Trades' progress and provide update at next meeting***

ESA reported it meets with OCOT and that the two regulators are cooperating and working together where synergies exist e.g. individuals or companies violating both OCOT and ESA requirements.

Questions asked whether OCOT can take away an ESA/ECRA licence. Staff confirmed they could not. Jurisdictions are clearly separated.

The Council said it would be beneficial to have an OCOT representative attend an upcoming ECRA meeting to discuss how OCOT enforcement and ESA licensing enforcement function.

**ACTION:** Tracy Durant – Request OCOT to attend ECRA meeting.

14.03.04 **Council Governance Items**

Need to replace the positions that John Salmon held:

1. ECRA Member
2. ECRA Chair

*For new ECRA Member:* ECAO is identifying nominees. ESA's Regulatory Affairs & Governance Committee (RAGC) has already formed a subcommittee that is ready to interview nominees; tentative date scheduled for interviews is October 17<sup>th</sup>. After interviews are complete, the subcommittee will make its recommendation to the full RAGC, which in turn will make a recommendation to the ESA Board. The Board meeting is December 4.

*For new ECRA Chair:* as per the TOR, the ECRA Council members select a new Chair via a vote.

Staff asked whether ECRA wanted to adopt an approach of rotating the Chair's role among the contractor associations represented. Council determined it would not formalize such an approach as it could be limiting in the future.

Council determined that it would not proceed with the Chair vote until membership was at full complement.

*MOTION to hold ECRA Chair vote once vacant ECAO seat is filled. That is expected by December so Chair vote would occur the end of January, and in the event it is not we will make alternate arrangements by Brian Smith*

*Seconded by Debra Mattina*

*All in favour*

*Carried*

**ACTION:** ECRA Council – Vote on ECRA Chair to occur in January meeting, providing full membership is attained. Staff to issue a call for Chair candidates prior to the January meeting.

The ECRA TOR indicates that the two representatives from OEL and the two from ECAO shall be licensed electrical contractors. The TOR also indicates that the ECRA Chair must be a representative of a licensed electrical contractor. This resulted in much discussion as to whether or not the ECRA Chair must be, or is representing, a licensed electrical contractor, and whether the TOR is clear.

ECRA council agreed the intent was that the Chair be an LEC. There is no need to reword the TOR.

It was noted that Fred Black is not currently an LEC and this was known and accepted by ESA at the time he joined the ECRA council.

Since voting of the ECRA Chair will not take place until the January meeting, it will need to be decided whether the new ECRA Chair will be appointed to serve the remaining months of John Salmon's term (to April, 2015) or for a full two year term.

Fred still holds the position as Vice Chair; he is only temporarily filling the role of the ECRA Chair, therefore, this position does not need to be filled. The intent of the Vice Chair is to chair a meeting in the Chair's absence.

If ECAO has named their nominee before the November ECRA meeting, it was requested that the nominee attend and observe the November meeting. This was agreed upon by the council.

If anyone is interested in becoming the ECRA Chair or would like to nominate someone, they are asked to email ESA the nominations. In December, a communication of the nominees will be provided to the council so that voting can take place at the January meeting.

#### 14.03.05 **MEC Membership**

MEC consists of six members, four of which are MEs. Need to replace the position John Salmon held on the MEC. As per the TOR, MEC members are approved by the ECRA council. A name has not yet been forwarded by ECAO to ESA for the replacement. Once it has been, ESA will provide it to ECRA for approval.

**ACTION:** **Farrah Bourre** – Send follow up letter to ECAO regarding bringing forward a name for MEC membership.

#### 14.03.06 **Update on the Call Centre**

Bohdan has been the interim Director of the ESA Call Centre since May 2014. The permanent replacement will start towards the end of October 2014.

Bohdan reviewed the various activities at the Call Centre. A portion of calls to the Licensing department are pertaining to licence renewals. If a licence is going through a renewal and the licensee is late in submitting their renewal documents, the calls back and forth can be three to four calls just to chase one

application. This process may also involve sending letters to the licensee including NOP's. There are six FTP's in Cambridge who manage over 20,000 renewals annually.

Of the nearly half a million calls to the Call Centre, the vast majority are permit related.

Bohdan acknowledged the service level problems at the Call Centre and reported on the significant action ESA is taking to fix the problem. ESA's goal is to achieve a standard of 70% of calls answered within 30 seconds. There are times where someone may wait longer (peak times). Focus is to get the service level back.

ESA activities to address the problems include bringing in call centre specialists to help identify the problems and best solutions. That work is complete and an action plan has been developed to fix the problems.

14.03.07 **ECRA Member Survey**

Last year there was a 60% response rate. This year it was a 100% response rate. The survey results will be presented to RAGC and the Chair's report will be provided to David Collie by the end of the year. Every council participates in a member survey.

Members discussed the challenge of addressing the needs of contractors who do not belong to any association, which is estimated at about 60 per cent of all LECs.

14.03.08 **Licence Holder Meeting Update**

There was an overview of the LHM agenda.

14.03.09 **LEC and DME Guide**

The Council reviewed the completion of the Guideline project: there were many discussions and revisions to the draft, a lot of contractor associations and stakeholders help, resulting in the publication of the Guideline and mailing to 14,000 LECs and MEs in August. Every new EC and ME will receive a copy.

In addition to the work of the ECRA council, Farrah Bourre and Tracy Durant were recognized for all the work they did on the Guide. Everyone was congratulated.

The Guide included a dedication to the memory of John Salmon. Staff shared feedback it had received about the process followed to add the dedication. After discussion, members agreed that although there is complete respect for John, ideally this should have been discussed with the ECRA council or at least the Guideline sub-committee. There have been others that have provided contributions to ECRA and were not recognized, need to keep it consistent for all.

OEL representative had sent in some questions regarding the process for adding the declaration. ESA will prepare a response based on the discussion with ECRA.

**ACTION:** **Nancy Evans**– Respond to OEL regarding the note on John Salmon that was added to the EC & DME Guide.

14.03.10 **Priority Setting**

Code of Ethics:

Staff reported that to date it had been the understanding that to develop a Code of Ethics for licensees would require a new regulation.

However, staff pursued clarification on this with ESA legal and the Ministry, and have determined that a Code of Ethics would not require new regulation as the Electricity Act under section 113.2(2) already deals with the reasons for refusal or suspension (noted on page 39 of the LEC and ME Guideline). The Ministry retains the responsibility of the Act, but because the ministry delegated it to ESA, it is up to ESA to interpret it and its Regulations.

Disciplinary Guideline:

The role of such a guideline was discussed. It would assist the Statutory Director(s) in making decisions and provide transparency, fairness and consistency. Council agrees that this is an important piece of work to be begun.

An appeals process has already been established so that decisions of the Statutory Director can be appealed; there are three levels of appeal. The appeal panel consists of multiple stakeholders.

Members requested that ESA provide a flow chart of all the Directors, VP's, etc at ESA so that there is an understanding of where everyone fits in.

**ACTION:** **Normand Breton:** Present flow chart on ESA staffing (Directors).

To create the Disciplinary Guideline, it was proposed that this be tasked to a working group(s). Background material and best practices examples will be provided to the group as a starting point.

**ACTION:** **Nancy Evans** – Ensure Disciplinary Guide remains on the workplan.

New Workplan:

Staff and members brainstormed on items that should be included in ECRA's workplan for the next 12-18 months.

Ideas included:

- Development of guidelines relating to refusing, suspending, limiting, etc on why and when ESA would act. (thresholds)
- Development of guidelines on options for refusing, suspending, limiting etc
- Distinguish between a) suspend and revocation b) limitations and discipline
- Next steps on EC and DME Guide. Include as part of training or a course? Educational initiatives to licensees/system for it. (address all licensees)
- Acknowledgement step for licensees to renew
- How to engage the non-represented/engage the full contractor community
- Review of merits of continuing education or QA requirements
- Alignment of requirements with what OCOT is doing
- Customer service
- Timing of licence renewal, 5 yrs or 2 years? With requirements attached?
- Education re: the role of ESA Statutory Directors
- Training program for licensees – recommendations
- Safe Work practice requirement for licensees
- Enforcement strategies
- Regulatory 'load'/burden considerations
- Practical analysis

Suggestion was made to include an educational component to Plugged In with specific issues being targeted and explained. Licensee's can constantly be educated and reminded about what their responsibility would be under certain circumstances. Also with respect to continuing education, it does not have to be that the licensee takes a course, but rather every quarter sends a document that would establish x hours spent on reading certain material.

Another suggestion is for a work plan to be drafted for EC's which will provide an opportunity for ESA and ECRA to put in important ideas which is believed the licensees should focus on.

Discussion was held re: the merits of a 5 year licence renewal option opposed to a 1 year. Instead of the day to day burdensome work, resources could be shifted to do other things. Details will have to be worked out pertaining to invoicing annually, fee increases, etc. Council members did not oppose this consideration.

Based on the ideas brought forward today, ESA will cluster the similar ideas and draft the workplan with a suggested order. This will be provided to the ECRA council at the next meeting. This will be a multiyear outlook; anything overlooked can still be added to the list.

**ACTION:** **Nancy Evans** – Update ECRA workplan based on input provided by ECRA council.

14.03.11

### **Compliance & Enforcement Update**

All convictions are posted on the ESA website. The largest conviction yet in 7 years of Licensing was captured in Plugged In. Electrical work was performed at multiple school locations and in one case serious hazards were identified.

Warning Notices are issued to LECs. Notice of Violations (NOV) are issued to non LECs. Suspensions are mainly as a result of not meeting the requirements, e.g. loss of a DME.

Approximately 400,000 notifications a year are obtained with 85% by LECs. Remaining 15% are obtained by HVAC contractors, homeowners, etc. Part of the risk based approach is looking at the profiles of contractors and their trends.

Based on 7400 EC's:

- The business obtains an average of 38 notifications per year
- Approximately 7% do not obtain any notifications
- Approximately 30% of the businesses obtain up to 10 notifications per year

As part of its oversight activities, ESA randomly audits 100 contractors who takes out less than 10 notifications per year and issues a Request for Information letter, looking to get a better understanding of why they have a low permit volume. ESA then proceeds to further investigate based on the response they receive. It was explained that without a notification ESA is unable to inspect the work and the homeowner may be under a false impression as they have hired a LEC

#### 14.03.12 **Corporate Strategy Update**

Staff took members through the key elements of ESA's new draft Corporate Strategy which will be in effect starting in April.

Among the elements discussed: An internal working group developed an integrated approach to improving electrical worker safety. It includes working closely with MOL on a lot of items; looking at working closer with them.

Nancy also reported on some new consumer research that included insights on the DIY audience and the best way to intercept them. ESA was in Home Depot for a short period of time, ESA is relooking at how to use the DIY retail channel.

Some council members said that if a distribution product is sold there should be control on who can purchase it e.g. only an EC. It was discussed that a homeowner is allowed by regulation to do work in their own home.

Also, would like to get the insurance company onboard who could provide some type of communication on their policies; reminders can be included on the annual renewal papers.

#### 14.03.13 **LEC Campaign**

Home renovation was targeted to give awareness. Radio ads were province wide. Kijiji.ca was targeting driving consumers to Pluginsafely.ca. When someone “likes” ESA on Facebook they receive constant updates from ESA. Spending on consumer awareness was not increased last fiscal year, but impressions were increased.

14.03.14 **Contractor Summary Report**

The Contractor Summary Report will go out in the next Plugged In mail out. It is a complimentary report which has information that is more geared to the contractor community and focussed on what they are interested in.

14.03.15 **Reporting of 2014 FY Financial Matters**

Highlights from FY 2014 financial were presented and included :

- Growth in Licence revenue driven mostly by fee increase of 2 year ago
- Key driver of cost increases are wage inflation and rising Pension/OPEB Costs, legal fees, higher ministry fee and variable exam costs
- Small surplus of 1% of revenue in FY2104

14.03.16 **Other Business**

***Limiting an EC based on the DME’s qualifications***

Norm shared a licensing-related question raised at the Contractor Advisory Council: can a DME oversee staff who hold different C of Qs. For example, should a 309C Domestic and Rural electrician be permitted to be a DME and provide direction to 309A Construction & Maintenance electricians on staff? It was concluded by ECRA council that there is no need to make any changes to align the C of Q at this time.

The current Regulation also allows for CTechs and CETs to be a DME for a company. There are many requirements of being a DME; it is not just based on Code work. The Regulation indicates the DME is responsible “for ensuring that the electrical work is carried out in accordance with applicable law...”, the Regulation does not state that the DME must carry a specific C of Q.

Limitations are imposed in situations where, for example, there is only one trade employee who is a 309C Domestic and Rural electrician or a 434A Powerline Technician certification . Audits on permit notifications are conducted on an annual basis to ensure there is compliancy. The Regulation permits this.

***Material for the Pre-Master Electrician Course***

MEC is looking for direction from the ECRA council. MEC has suggested including more information on the Roles and Responsibilities of DMEs and to include the EC & DME Guide as part of the course as an awareness tool.

MEC's recommendation is to expand the training to include this; however, the issue is that if additional content is included it will add a day to the training.

Also considering other items such as the Fall Arrest Regulation, however, Feedback from the Training Department was that the Fall Arrest would affect a small group.

### ***Meeting Dates***

Next two meeting dates were agreed upon:

January 21, 2015

April 21, 2015

### **Adjournment**

*MOTION to adjourn*

*All in favour*

*Carried*

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## **End of ECRA Advisory Council Meeting**

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If there are any discrepancies to these minutes, please report them to Normand Breton by email.

### **2014 Meetings:**

January 22, 2014	Mississauga
April 23, 2014	Mississauga
May 9, 2014	Teleconference (Guide)
September 23 - 24, 2014	Thunder Bay
November 3 - 4, 2014	Mississauga