

**Date:** Monday November 23 & Tuesday November 24, 2015

**Location:** Fairfield Inn & Suites, 407 North Front Street, Belleville  
Quite Room

**Meeting:** Electrical Contractor Registration Agency (ECRA) Advisory Council

**Present:**

Fred Black	ECAO
Larry Allison	AMCTO
Louis Violo	OEL
Debra Mattina	AMCTO
Joe Kurpe	ECAO
Gary Oosterhof	OEL
John Buchanan	CAC
Brian Smith	ESA appointee
Sean Bell	UCAO

**ESA Staff:**

Normand Breton	ESA
Farrah Bourre ( <i>day one</i> )	ESA
Nancy Evans	ESA
Tracy Durant	ESA

**Guests:**

Lydia Ma	MCS
Kevin Greer ( <i>via conference call</i> )	ESA
Shana Hole	ESA
Christopher Jodhan	ESA
Joel Moody	ESA

**Absent:**

Diana Miles	ESA appointee
Samantha Pinto	MCS

15.05.01 **Review of Agenda**

Sufficient members in attendance for quorum.

Agenda Item 6, ***Licensing Industrial Exemptions*** was replaced with ***Licensing Residential Dwelling Exemptions***.

Agenda Item 14, ***Be Your Own Boss*** was added to the agenda.

*MOTION to approve agenda as amended by Joe Kurpe  
Seconded by Debra Mattina  
All in Favour  
Carried*

15.05.02 **Review of Minutes**

**Motion to Approve October 5 & 6 2015 Minutes & Review Action Items**

*MOTION to approve minutes by Joe Kurpe  
Seconded by Sean Bell  
All in favour  
Carried*

**Outstanding Action Items Were Discussed:**

***14.03.03 – To add discussion on the Tony Dean Report deferred to next meeting .***

It was noted that since the report was recently released, there has not been sufficient time to present the Council with enough information for a strong discussion to take place during this meeting.

Nancy Evans reminded the council that the Tony Dean report was commissioned by the government to look at Ontario College of Trades and determine whether there are any implications on the current licensing system. A detailed analysis of the report will be ready by the January meeting, and is to be added to the agenda for discussion. ESA will bring a summary of key findings and how they relate to Licensing.

**ACTION:** **Kamila Wojcik** to add to January agenda for discussion.

**ACTION:** **ESA** to summarize key findings re: licensing

***15.03.08 – To coordinate with each outgoing member and their nominating organization for find new candidates for ECRA.***

Item in progress.

**15.03.09 – To provide suggestions on topics to be added for presentation at future meetings.**

A list of topics will be sent out electronically prior to the January 28<sup>th</sup> meeting date. Based on feedback from the Council, topics for education sessions will be slotted into future meetings based on priority.

**ACTION:** Nancy Evans to provide the Council with a list of education session topics for consideration and feedback.

**15.03.10- To determine how the online process can be made more user friendly.**

Item in progress.

**14.04.05- Look at opportunities to better engage the insurance sector and invite to next ECRA meeting.**

The insurance sector has been invited to the January 28<sup>th</sup> ECRA meeting. In addition, a meeting has been scheduled between ESA and representatives from the insurance industry for December 8<sup>th</sup> regarding topics for discussion. Farrah Bourre will be sending e-mail communication to the Council to find out if there are any topics that council members would like to be discussed during that meeting.

The Council has also expressed that it would be beneficial to have a member of the insurance sector be part of the ECRA Council.

**ACTION:** ECRA Council to forward topic suggestions for insurance sector meeting to Farrah Bourre by December 1<sup>st</sup>.

**14.04.05- Post the Roles and Responsibilities of ESA Statutory Directors to the ESA Website.**

Item in progress. Completion anticipated by June 2016.

**14.03.03- Request OCOT to attend ECRA meeting.**

Item in progress. ESA will defer this meeting until the implications of the Tony Dean report on Licensing are determined.

ESA has met with MOL, OCOT and Tarion. All parties realized that there are challenges with the Regulations and ESA's enforcement of the regulations. Updates will be provided to The ECRA Council on a regular basis by Normand Breton.

**14.02.04- Look into adding a checkbox to the LEC and ME renewals which would indicate the licence holder has read the LEC & MEC Guide.  
-and-**

**12.02.02- Implement a declaration where contractors will have to accept the terms and conditions when applying online. One timers will be added at another date.**

Item in progress. Normand Breton is currently working with the Customer Service Centre and the IT Department on the legalities and mechanics of this change. Anticipated completion time is six months due to the release of the Guideline.

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

Item ongoing. Pending feedback from the Tony Dean Report.

15.03.03 **Terms of Reference**

Currently there is a six year maximum service term for members on the ECRA Council.

The Council held a discussion regarding extending terms based on two options:

1. Extraordinary extension, on an extraordinary basis
2. Extending total maximum years from six to seven, eight or nine

The Council agreed that a six year term is too short, and expressed interest in extending service terms up to a maximum of nine years with a vetting process taking place every three years. The Council also felt that it would be beneficial to also extend terms based on an extraordinary basis. This would allow members who are involved on special projects to stay on as non voting members and remain involved, allowing to serve until the project is finished.

The following revision was agreed to by The Council on pg. 4 of the Terms of Reference document:

*Members of ECRA shall be appointed for a term of up to three (3) years and may serve no more than ~~six (6)~~ nine (9) consecutive years, unless otherwise permitted by the Regulatory Affairs and Governance Committee and Board of ESA. ECRA may establish processes to manage the terms and renewals of its members, once appointed.*

*MOTION to revise the Terms of Reference to extend the service term for ECRA members from six (6) to nine (9) consecutive years. Also, to include language regarding non-voting members on sub committees and procedures on management of this process made by Brian Smith*

*Seconded by Louis Violo*

*All in favour*

*Carried*

15.03.04 **Financial Update**

Kevin Greer provided The Council with an overview of Revenue and Cost allocation for FY 2014 and FY 2015.

The revenue and cost chart showed relatively stable results, with revenue up by 6.5%, largely due to the impact of the licensing fee increase three years ago. Costs are up by 8.3%; this is due to three components:

Communications/Advertising, Appeals/Discipline and Corporate Support. These three drivers are the key to the increase for FY14 and FY15.

Moving forward, Ontario is looking at a 2% projected economic growth, which was used as a basis for forecasting a slight increase in licensing revenue.

15.05.05 **LEC Campaign Update**

Nancy Evans provided the Council with an update of the LEC Campaign for 2015 and 2016.

The key take away from the 2015 spring campaign is that consumers who see the ads are twice as likely to hire an LEC.

The awareness campaign targeted the sensible suburbanite consumer segment. This group makes the majority of household renovation decisions.

For the 2016 campaigns, the target consumer segment will be intercepted while they are in the “Doing” and the “Dreaming” phase of renovation planning. Consumers will be driven the ESA website to actively search for an electrical contractor.

Kimberley Seldon, a third party interior design expert, has been signed to help connect design trends and reno projects with electrical implications. Kimberley Seldon has a notable personal following on social media.

Third-party content will be launching in the spring, and she will be doing a media tour to piggy back on the interior designer’s profile.

The Digital “Doing Phase” is currently wrapping up and will resume in February and March, due to the Holidays.

A campaign update will be provided in the spring.

The LECstore.ca website has had a total of 28 orders, this includes downloads of free materials. A total of 20 contractors have placed an order for merchandise. This initiative will run into spring, however, ESA will not keep investing into the online store if it does not generate enough interest.

15.05.06 **Licensing Residential Dwelling Exemptions**

Normand Breton presented The “Residential Dwelling” Exemption.

Regulation 570/05 indicates that you must be licensed unless you are an owner or occupant (the exemption).

Section 2(3) of Regulation 570/05 sets out the Exemption and reads as follows:

3. Work done on electrical equipment or installations within a residential dwelling if done by an owner or occupant of the dwelling.

The Council expressed concern over the lack of education of a homeowner regarding the code and permit requirements. During the open discussion period it was suggested that if a homeowner is looking to obtain insurance for a new home, they will need to have an electrical inspection.

However, it needs to be proven to the insurance industry that this poses liability issues.

Furthermore, some council members also suggested that there are safety concerns with homeowners that do their own electrical work, or who hire unlicensed individuals for residential renovation work.

**ACTION:** Norm Breton to look at the intent of the Residential Dwelling exemption and report back at next meeting.

The Council inquired about the TSSA exemption and how it was changed regarding Gas fitters. Nancy Evans informed the Council that the TSSA exemption also excludes homeowners who can conduct the work, but it requires an inspection prior to being active for the first time. Therefore, the two Regulations are actually in parallel. Some retailers do control distribution but this is not due to the regulation.

15.05.07 **Legal Review**

Chris Jodhan presented the Council with a Legal Review discussing legal requirements and implications to the Guideline and Standards of Conduct document. In addition, the roles and responsibilities of the Statutory Director within Licensing were explained.

In its current state the Guideline and Standards of Conduct is a white paper on expectations which needs to be put into legal language that is defensible. Based on the legal review, the Guideline will function as an internal document outlining how discipline decisions are made, with a condensed version made available on the website for stakeholders.

The Statutory Director Policy is currently being drafted, and the two papers should align for consistency. The Legal Department will have the internal guideline ready in January.

Shana Hole will be reworking the Standards of Conduct document using examples of the LEC and DME Responsibilities Guideline. The Legal Department will then review the drafted document.

15.03.08 **Other Business**

*Membership:*

Diana Miles has resigned from the ECRA Council. ESA is in the process to find an appointee to replace Diana.

ESA is also currently working with OEL for a replacement for Gary Oosterhof as this is his last ECRA meeting.

This is John Buchanan's last ECRA meeting. In addition, his term with CAC is also wrapping up at the end of this year.

Cameron Haan has resigned as Chair of the MEC. ESA is currently in talks with OEL about an appointment to fill his position on MEC.

The process for RAGC interviews is scheduled after February, but interviews dates will be finalized as early as January. Potential appointees will be extended open invitations to future meetings.

*Meeting Dates:*

The following meeting dates for 2016 have been finalized:

- January 28<sup>th</sup>
- April 28<sup>th</sup>
- June 16<sup>th</sup>
- October 3<sup>rd</sup> & 4<sup>th</sup> and Trade Show (East Toronto)
- November 14<sup>th</sup> and 15<sup>th</sup> (Kitchener)

*Multi Year Renewal Status Update:*

Normand Breton provided the Council with a quick update of the Multi-Year Renewal project. RAGC and ESA's Executive Management Team were updated, and feedback has been positive from both parties. ESA will launch public consultation no later than next week.

Re-programming of the SAP system will take months.

*MOTION to adjourn made by Joe Krupic*

*Seconded by Deborah Mattina*

*All in favour*

*Carried*

**DAY TWO – November 24, 2015**

15.09.09      **OESR**

Joel Moody provided The Council with a presentation on the Ontario Electrical Safety Report.

Electrical fatalities, encompassing electrocutions and burns, electrical fires, and total electrical, have been reduced by more than 30%.

There have been no fatalities of electrical workers in 2014, only critical injuries.

The Bird's Triangle was discussed. It was highlighted that the data for fatalities, critical injuries and near misses is actually under recorded.

Another big issue remains on how to encourage people to report near misses. The Council suggested that near misses could be positioned as "good catches" to encourage on the job reporting.

Electrical injuries have been identified as a high priority in ESA's strategic plan.

15.05.10      **Sale of Distribution Products to Non LEC's**

Normand Breton presented the Council with a document discussing considerations for potential regulatory change. The Council held a dialogue on the subject of regulatory change to restrict sale of distribution products to non LEC's.

It was examined whether it would be easier to convince the Government to have individuals produce a permit in order to make a purchase, which would

ensure an electrical inspection. It might be a lot simpler to go after a change like that, while recognizing a person's right to do work at home.

Nancy Evans noted that this issue needs to be treated as a decision tree and the next steps need to be done in a particular order. Furthermore, the Council needs to determine whether this is a safety issue regarding non-licensed individuals doing electrical work or is it a compliance issue, or both. The next step would be to develop a series of solutions. When approaching the Government, ESA needs to prove that a number of options have been examined.

In terms of a process point of view, there are many options to explore concerning the sale of distribution products to non LEC's. One option would be to create a working session, or to have a series of working sessions to identify the existing and the missing data. Next, utilize this information to work through the decision tree utilizing sub-committees.

*MOTION for ESA to look at issue of homeowner / unlicensed group doing electrical work as a safety issue made by Nancy Evans*

*Seconded by Debra Mattina*

*All in favour*

*Carried*

**ACTION:** **Nancy Evans** to set up a sub-committee for the purpose of assessing regulatory impact regarding the sale of distribution products to non LEC's

**ACTION:** **Management** to provide proposed approach and background material to be by next meeting.

#### 15.05.11 **Charitable Donations ESA/ECRA**

Both of ESA's \$25,000 charitable contributions to Sunnybrook are now finished. The Council was asked if it would consider contributing to other charitable organizations than Sunnybrook.

Nancy Evans stated that Sunnybrook currently has a proposal in draft and ESA is waiting to hear from the organization regarding setting up a future meeting. It is anticipated that an update on the donation will be available for discussion and presentation by the January ECRA meeting.

#### 15.05.12 **Licence Holder Meeting Review**

The Mississauga Licence Holder Meeting was successful in attendance with 301 participants. There were 128 surveys received back from attendees. Breakdown of participants is as follows: ECAO18, OEL18, neither at 70, and 20 participants which checked both ECAO and OEL.

Feedback from the trade show was positive. ESA will consider adding another trade show to the next ECRA GTA meeting.

ESA asked the Council for suggestions regarding extending invitations to parties of interest for the next meeting.

The Council liked the seating arrangement, and the involvement of inspectors with the Q & A session at the last ECRA meeting.

Licence holder meeting set up for the Belleville meeting was discussed.

15.05.13 **ME Exam Pass Rate**

Shana Hole presented background and examples of scores based on other organizations to help determine whether there should be a pass rate for the ME exam:

1. Alberta- 75% overall pass, with no less than 60% on either section
2. OCOT- 70% to pass the exam
3. Certified Fire Alarm Electrician Exam- 60% to pass exam or 60 correct answers
4. Florida Electrical Contractor Exam – 75% on each of the two parts of the exam to pass

Actual examples of the Master Electrician exam results were shown to illustrate that using a 60% section pass rate and 70% overall only one out of five candidates would pass.

When using a 70/70 pass rate, only one candidate would pass, and all would fail the code section. The ECRA Council felt uncomfortable having an ME who would fail in the code section of the examination. There were more questions from the Council regarding statistics of the candidates; however, the data was not available since the sample was very small.

More data will be prepared for the January meeting.

**ACTION:** **Shana Hole** to pull reports to illustrate data regarding increasing the pass rate for 60/70 and 70/70.

15.05.14 **Be your Own Boss**

A publication out of a contractor magazine in British Columbia was presented to the ECRA Council for discussion.

The article communicates how easy it is to operate illegally, defy all regulations and work outside the system without getting caught.

It is a solicitation to break the law.

It was identified that ESA needs to make it easier to comply, and this means improving the Licensing process.

A significant challenge when dealing with these types of issues is that ESA does not receive enough feedback from outside sources such as contractors about non LEC's, since they are hesitant of reporting complaints on others in the industry.

*MOTION to adjourn meeting by John Buchanan  
Second that Debra Mattina  
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.

**2016 Meetings:**

- January 28<sup>th</sup>
- April 28<sup>th</sup>
- June 16<sup>th</sup>
- October 3<sup>rd</sup> & 4<sup>th</sup> and Trade Show (East Toronto)
- November 14<sup>th</sup> and 15<sup>th</sup> (Kitchener)