

PLUGGED TM in

News, Views and Updates from the Electrical Safety Authority

Risk-based Oversight (RBO) Town Halls are Coming!



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**Electrical
Safety
Authority**

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No Wiring Fee Increase for 2019

After analysis and review of financial considerations, ESA has determined that it will **not** require an increase to wiring fees this upcoming year.

This will be the third year in a row with no wiring fee increase. We are always mindful of the impact of fee increases on all LECs and stakeholders. If you have any questions, please contact ESA. Stakeholder@electricalsafety.on.ca.

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Year to Date Convictions Apr. 1, 2018 to Aug. 31, 2018

Convictions of Unlicensed Individuals

Victory Renovations, Toronto

Residential rewire and panel change

- \$3,000 fine, plus \$875 victim surcharge
– no Electrical Contractor (EC) Licence

Gordon Cross, Alfred

Basement wiring

- \$3,000 fine, plus \$875 victim surcharge
– no EC licence

Jim Guerard, Thunder Bay

Kitchen renovation

- \$3,000 fine, plus \$875 victim surcharge
– no EC licence

Kevin Moss, Orangeville

Residential renovation

- \$4,000 fine, plus \$1,000 victim surcharge
– no EC licence

Mosad Machawi, Thornhill

Residential renovation

- \$1,500 fine, plus \$375 victim surcharge
– no EC licence

John Saari, Collingwood

Apartment renovation

- \$5,000 fine, plus victim surcharge
– no EC licence
- \$1,000 fine, plus victim surcharge
– failure to apply

Thomas Robertson, Gravenhurst

Bathroom wiring

- \$3,000 fine, plus \$875 victim surcharge
– no EC licence

998271-0 Canada Inc. c/o William Smith, Pembroke

Bathroom renovation

- \$4,000 fine, plus \$1,000 victim surcharge
– no EC licence
- \$4,000 fine, plus \$1,000 victim surcharge
– failure to apply
- \$4,000 fine, plus \$1,000 victim surcharge
– unsafe electrical conditions

Jason Jonkhout operating as Double 'J' Electric

Commercial wiring

- \$3,000 fine, plus \$750 victim surcharge
– no EC licence
- \$1,500 fine, plus \$375 victim surcharge
– failure to apply

Robert Ferrier, Balderson

Generator installation

- \$2,000 fine, plus \$500 victim surcharge
– no EC licence

DJI Electric (Apec 1531) c/o Denis Jobin, Ottawa

Residential wiring, multiple locations

- \$5,000 fine, plus \$1,000 victim surcharge
– no EC licence
- \$5,000 fine, plus \$1,000 victim surcharge
– failure to apply

John Brian Gallagher operating as JG Construction, Waterloo

Residential renovation, multiple locations

- Was convicted on March 5, 2018 and appealed on May 17, 2018. Penalty was reduced to:
- \$3,000 fine, plus victim surcharge
– no EC licence
 - \$3,600 fine, plus victim surcharge
– failure to apply

Convictions of Licensed Electrical Contractors

Alan Anderson o/a Tradescope Electric, Oshawa

Hot tub wiring, two locations

Was convicted on October 4, 2017 and appealed on April 11, 2018. Penalty was reduced to:

- \$2,000 fine, plus \$500 victim surcharge
– failure to apply (two counts)

If you are aware of anyone doing electrical work in violation of the Ontario Electrical Safety Code or electrical contractor licensing regulations, report it to ESA at 1-877-372-7233 or at esafe.com and you can do so confidentially. ESA looks into every such report we receive.

OESC 2018 – Upcoming Changes – Section 10

One of the major changes in the proposed Ontario Electrical Safety Code (OESC) 2018, is the revised Section 10 “Grounding and bonding”. The 2018 changes aim to clarify this section requirements.

The new definition **solidly grounded systems** identifies important requirements of grounding electrical systems. A solidly grounded system is not only the connection of a grounded conductor to a grounding electrode, but also the connection of a system grounding point to the non-current-carrying parts of an electrical system (now defined as a **system bonding jumper**).

The rewrite introduces the concept of “single-point grounding” through Rule 10-210 d). This Rule requires that there is no connection between the grounded conductor (neutral) and the non-current-carrying conductive

parts of electrical equipment **on the supply or load side of the grounding connections.**

This represents a significant change to the current practice for services, where the meter is on the line side of the service box, since the OESC 2015 only required no connection to the grounded conductor **on the load side of the service.**

When a consumer service is grounded at the service box, the service box is required to be supplied with a bonding screw as a system bonding jumper, as per the applicable Canadian product standards. A bonding conductor is routed to the meter-mounting device from the service box. The neutral bus in the meter-mounting device is to be isolated from the enclosure based on Rule 10-210 d) requirements. The other option is to ground the consumer service at the meter-mounting device,

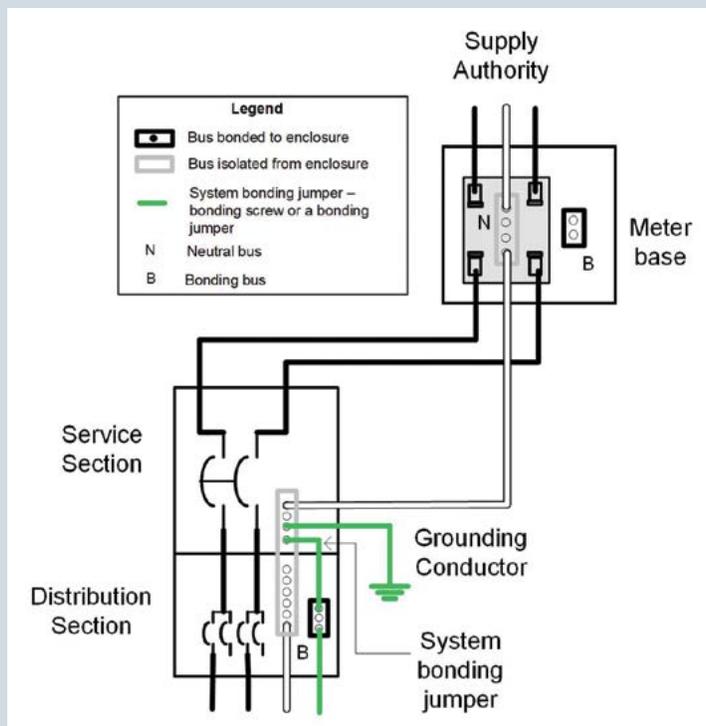
the system bonding jumper is required to be factory installed or if field installed be sized as per Rule 10-614. The bonding jumper provided with the service box is removed, and a bonding conductor is routed to the service box from the meter-mounting device.

However, CSA C22.2 No. 115 “Meter-mounting devices” does not include requirements to accommodate grounding at the meter-base. Also, does not include requirements for installation of bonding bus, nor requirements for the neutral to be isolated from the enclosure, to accommodate either of these options. ESA is working with the manufacturers to provide solutions to align with the new Code.

In the meantime, ESA will be permitting the below arrangement (as per current 2015 OESC).

Only for:

- Single consumer service when a meter-mounting device is on the line side of the service as permitted in Section 6, and both are located at the same building; and
- Non-metallic wiring methods are used between the service box and a meter-mounting device



ESA Pierces the Corporate Veil in Pro-Teck Legal Appeal

In a recent decision by Justice O'Donnell, ESA successfully won its appeal in the Pro-Teck Electric case. The owner of Pro-Teck Electric Mr. Antonio Merante pleaded guilty to multiple charges and was fined \$537,500 due to the death of the victim. Over the course of the trial and sentence hearing, the defendant tried to shield himself from the fines by improperly transferring the corporation's assets into a newly created corporation.

ESA appealed in order to be able to recover fines from the owner personally and from the related corporation and

send a message that a corporation that is convicted and fined can't transfer its assets to a new business and/or personal accounts to avoid paying the fine.

As you may recall, on April 5, 2014, an elderly gentleman fell on the floor in the bathroom of his Niagara-on-the-Lake home where Pro-Teck Electric had installed an in-floor heating system. The man suffered second

and third degree burns from the over-heated floor and succumbed to his injuries weeks later in hospital.

Justice O'Donnell found that Merante acted fraudulently by transferring Pro-Teck's assets to himself and the related corporation in order to avoid paying fines. The Court found fines levied against Pro-Teck may be recovered from Merante personally and from the related company.



An ESA investigation revealed the floor system's heat sensor had not been installed, and the heating system was wired to an incorrect voltage level.

Results from ESA's Multi-Stakeholder Accountability Survey

One of ESA's five-year strategic goals is public accountability: ESA must use its powers responsibly and be accountable to the public for the execution of its mandate. To monitor performance in this area, ESA surveyed our stakeholders to gauge their perception of ESA. ESA received an overall score of 8.2 out of 10, an increase from the last survey conducted in 2015.

ESA's favourability among LECs increased 4% - from 83% to 87%. What's particularly encouraging about these results is that the number of LECs and MEs who are strongly supportive of ESA increased by 14% to 59%.

As ESA implements the Risk-Based Oversight model (RBO) and other

key projects, we are committed to maintaining our strong focus on stakeholder management and engagement. It is critical that ESA is mindful of ESA's role, responsibilities, and accountability to LECs, MEs and other stakeholders.

Full research results are available on ESA's website at www.esasafe.com/stakeholderresearch



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Commercial Renovation Program Update

In the summer 2018 issue of Plugged In, we let you know about ESA's proactive investigation program. The program targets electrical work in the commercial renovation sector that is done without a permit or EC licence. The program, which focuses on increasing safety by ensuring electrical work is accounted for and inspected, continues to deliver positive results.

From April to July 2018, ESA conducted investigations in the Sault Ste. Marie and London areas.

Results to date:

191 investigations were completed

Of the 191 completed, **85** sites were found to have no permits as required.

5 related to unlicensed contractors

6 were property owners or companies who performed work without permits but did not require an electrical contractor's licence

74 involved Licensed Electrical Contractors (LECs) who did not obtain permits.

There were two further investigations of unlicensed persons based on the program findings. ESA also issued 60 warning notices to remind LECs that the Code and licensing regulation require them to take out permits.

Please be sure that you notify the ESA Customer Service Centre of the full scope of electrical work and request permits within 48 hours of the work being done.

We need your help



We need your help in identifying unlicensed individuals operating outside of the law. Have you seen someone working illegally? If so, we want to hear from you.

What do you need to do? It's easy! Just send an email to ESA.cambridge@electricalsafety.on.ca with the details:

- 1 name of the person or company performing electrical work (if known)
- 2 date work was done
- 3 site address (we need the full address to follow up)
- 4 type of electrical work

Together we can help keep Ontarians safe by taking action against the underground economy.



Master Electricians Contracting for Electrical Work Without a Permit

Although an individual may hold a Master Electrician's licence from ESA, this does not authorize the individual to engage in or propose to carry out electrical contracting work. Unless exempted by the Licensing Regulation, every electrical contracting business is required to hold a valid electrical contractor licence issued by ESA. For more information please see www.esasafe.com/licensing/master-electrician/licensing

Change to Defect Notices as Appealable Orders

On July 3, 2018, ESA added an escalation process to provide both stakeholders and ESA more time to discuss issues when they arise. Defect notices are no longer considered to be appealable orders after this date.

The process before July 3, 2018 provided only 15 days for the person to whom the defect was issued to decide whether or not they wanted to appeal the defect. The escalation process provides a more practical approach that focuses on resolving the issue. The escalation process gives the person to whom the defect was issued an opportunity to discuss the issue first with the Inspector, Senior Inspector, Technical Advisor and General Manager to attempt to resolve the issue. If the matter cannot be resolved, the General Manager will issue an Order for the defect to be remedied or the person to whom the defect was issued can request an Order to be issued. This Order can be appealed. The escalation process is currently used to successfully resolve contentious matters. This change acknowledges that effort and also provides more time for resolution.

Any defects issued prior to July 3, 2018 will follow the former process.

The appeals process does not involve any matters that fall under ESA's complaint process (e.g. complaint regarding ESA's process for inspection, inspector behaviour, ACP status, etc.).

The escalation process provides a more practical approach that focuses on resolving the issue.

For any inquiries and FAQs, please visit the Appeals section of ESA's website:
<https://www.esasafe.com/about-esa/appeals/>

2018 OESC Next Steps

The plan for adopting the new OESC 2018 Edition is ongoing. ESA staff is working with the Ministry of Government and Consumer Services (MGCS) to answer any questions they may have to prepare for the adoption of the Code into regulation.

In consultation with the MGCS, Rule 10-808 (installation requirements for bonding conductors) of the existing 2015 OESC edition will be part of the Ministerial recommendation package as an Ontario-specific amendment. This Rule was unintentionally omitted from the 2018 CE Code during the re-write of Section 10. Due to this oversight, ESA has included this Rule in the Code adoption materials submitted to the MGCS. Reintroducing Rule 10-808 does not introduce any new requirement to the industry.

The proposed date of the OESC 2018 adoption is late fall with enforcement May 2019, pending MGCS approval.



LEC RBO Fall 2018 Town Hall Meetings

Fall 2018 Town Halls

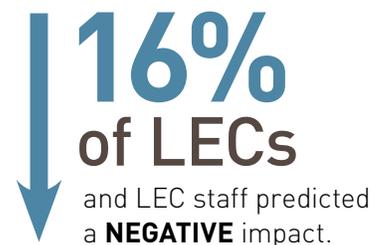
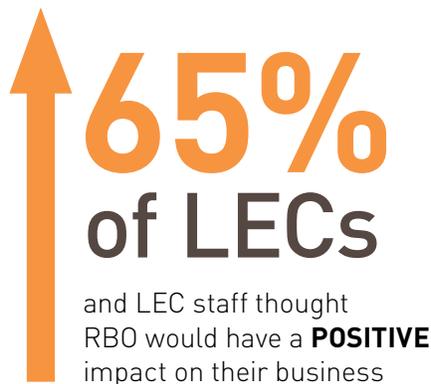
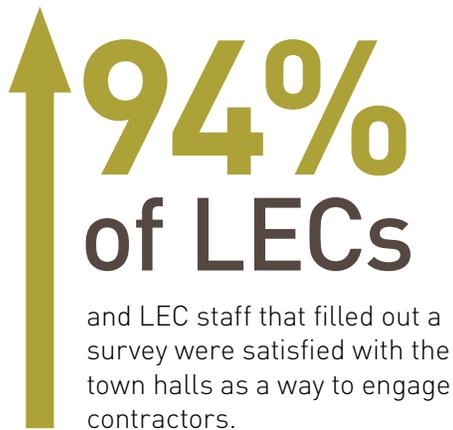
ESA is now hosting the next round of RBO town halls. Discussion at these town halls is focussed on the proposed fee model for RBO and how ESA plans to implement RBO – including decisions on the Authorized Contractor Program (ACP). Registration and schedules for the town halls, as well as the presentations made at these events, are available at esasafe.com/rbo. If you are unable to attend and want to comment on any aspect of RBO, ESA asks that you email any comments to RBO@electricalsafety.on.ca.

Results from Winter 2018 Town Halls

More than 490 people attended one of the 15 RBO Contractor Town Halls that were held across Ontario between February and April 2018.

Participants completed a short survey after the town halls, and results were very positive. 94% of LECs and LEC staff that filled out a survey were satisfied with the town halls as a way to engage contractors. 65% of those surveyed thought RBO would have a positive impact on their business, and only 16% predicted a negative impact.

Survey Highlights



Join us for “Ask a Technical Advisor” at the fall RBO Town Hall Workshops. ESA will be hosting a 30 minute session where you can ask an ESA Technical Advisor questions about the OESC.



Unused Openings and Missing Cover Plates – 12-3024

Over the past year, ESA inspectors have identified more than 5,000 defects regarding missing cover plates and unused openings in electrical enclosures. Rule 12-3024 of the Ontario Electrical Safety Code (OESC) requires unused openings in boxes, cabinets, and fittings to be effectively closed by plugs or plates affording protection substantially equivalent to that of the wall of the box, cabinet or fitting.

Missing cover plates or unused openings left unplugged in electrical enclosures with energized conductors – such as panel boards, electrical outlets, disconnect switches, etc. – represent a shock hazard to individuals that have access to this area. It can also be a fire hazard if an object falls inside one of these enclosures and

causes an arcing fault between energized conductors or if the electrical device fails in close proximity to combustible. For example, a receptacle with missing cover plate may cause the adjacent wood panels to catch on fire in event of failure. The cover would usually mitigate that hazard.

ESA strongly recommends maintenance staff and facility operators perform periodic inspections to ensure unused openings in electrical enclosures are filled properly and all cover plates on electrical devices are in place.



What's Happening

REGISTER TODAY FOR THE 2018 LICENCE HOLDER MEETING

GTA – Nov.27, 2018
Mississauga Grand,
35 Brunel Road, Mississauga.

To register visit:
www.esasafe.com/licensing/lhm

Online Training Registration Coming November 2018!

Access your Training information Online 24/7.

- View ESA's Training Schedule, Register for Courses, Print Your Training Certificates and much more.
- Further details will be provided soon. Watch the Safety & Technical Training section of www.esasafe.com for updates.
- Training is a non-regulatory service offered by the Electrical Safety Authority (ESA). For more information visit www.esasafe.com/about-esa/non-regulatory.

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We'd like your input

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