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Standing Committee on Public Accounts

2020 Annual Report,
Auditor General:

Ministry of Government
and Consumer Services

Electrical Safety Authority

2nd Session
42nd Parliament

Wednesday 6 October 2021

Comité permanent des comptes publics

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vérificatrice générale :

Ministère des Services
gouvernementaux
et des Services
aux consommateurs

Office de la sécurité
des installations électriques

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Mercredi 6 octobre 2021

Chair: Taras Natyshak
Clerk: Christopher Tyrell

Président : Taras Natyshak
Greffier : Christopher Tyrell

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111, rue Wellesley ouest, Queen's Park
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON PUBLIC ACCOUNTS

COMITÉ PERMANENT DES COMPTES PUBLICS

Wednesday 6 October 2021

Mercredi 6 octobre 2021

The committee met at 0901 in room 151 and by video conference.

The Clerk of the Committee (Mr. Christopher Tyrell): Good morning, honourable members. In the absence of the Chair and Vice-Chair, it is my duty to call upon you to elect an Acting Chair. Are there any nominations for Acting Chair? Madame Gélinas.

M^{me} France Gélinas: Sorry, Chris. The sound was really, really low, and I missed what you said. Is there anybody in the room with you right now?

The Clerk of the Committee (Mr. Christopher Tyrell): I apologize. I will repeat. I said, "Good morning, honourable members. In the absence of the Chair and Vice-Chair, it is my duty to call upon you to elect an Acting Chair. Are there any nominations?" Currently, Mr. Hatfield is present in the room.

Madame Gélinas.

M^{me} France Gélinas: I will nominate MPP Hatfield, please.

The Clerk of the Committee (Mr. Christopher Tyrell): Does the member accept the nomination?

Mr. Percy Hatfield: I do.

The Clerk of the Committee (Mr. Christopher Tyrell): Are there any further nominations? There being no further nominations, I declare the nominations closed and Mr. Hatfield elected Acting Chair of the committee.

The Acting Chair (Mr. Percy Hatfield): Good morning, everyone. Thank you for electing me as your Acting Chair. We will now move into closed session for our briefing with the research officer and the Auditor General. I have a gavel to bang.

The committee continued in closed session at 0904 and resumed at 1230.

2020 ANNUAL REPORT,
AUDITOR GENERAL
MINISTRY OF GOVERNMENT
AND CONSUMER SERVICES
ELECTRICAL SAFETY AUTHORITY

Consideration of value-for-money audit: Electrical Safety Authority.

The Acting Chair (Mr. Percy Hatfield): Good afternoon, everybody. I'd like to call this meeting of the Standing Committee on Public Accounts to order. We're here to begin consideration of the value-for-money audit

on the Electrical Safety Authority from the 2020 Annual Report of the Office of the Auditor General of Ontario.

Joining us today are officials from the Ministry of Government and Consumer Services and the Electrical Safety Authority.

For those of you participating in person or remotely, if you'd like to make a point of order or if you'd like to be recognized to speak, please physically raise your hand to get my attention.

For the Zoom participants, please be aware that broadcast and recording will be controlling your microphones. Depending on the version of Zoom you're using, you may have been asked to grant permission to be unmuted when you joined. If you accepted, the broadcast operator will be able to activate your microphone once I recognize you. Participants using older versions of Zoom may still get a request to unmute their microphone before they are able to speak. Please wait for the unmute notification before trying to unmute.

If you get accidentally disconnected, please try to rejoin the meeting with the information you used to join initially. If you are unable to rejoin, please contact Andrew Kleiman from technical services. His email was included in the email which contained the Zoom link for this meeting.

If we are required to recess due to technical difficulties, please keep the device you are using to participate close at hand and wait for further instructions via email from the Clerk.

For any members present in person, I would ask that you stay a safe distance apart from your colleagues in order to maintain a safe distance between everyone.

To our presenters, I would invite each person to introduce yourself for Hansard before you begin speaking. You will have 20 minutes collectively for an opening presentation to the committee. We will then move into the question and answer portion of the meeting, where we will rotate back and forth between the government and official opposition caucuses in 20-minute intervals, with some time for questioning for the independent member.

I need to verify that we've been joined by Ms. Kusendova. Before we begin, I have to ask you to verify that you are here.

Ms. Natalia Kusendova: I am here in Ontario.

The Acting Chair (Mr. Percy Hatfield): Thank you for joining us. Congratulations on your recent marriage.

Ms. Natalia Kusendova: Thank you.

The Acting Chair (Mr. Percy Hatfield): To the presenters, you may begin when you're ready. Remember, you have 20 minutes collectively, so share your time. Welcome.

Mr. David Collie: I believe the deputy was going to speak first, Chair, if that's appropriate.

The Acting Chair (Mr. Percy Hatfield): Yes, that's appropriate.

Ms. Renu Kulendran: Hi. I just wanted to make sure that you could hear me.

Thank you very much for having us today. Good afternoon. It's a great privilege to address to the public accounts committee. My name is Renu Kulendran. I'm the deputy minister responsible for government and consumer services.

I'd like to take a moment to introduce the officials who are joining me today. With me are Michèle Sanborn, who is the assistant deputy minister of the policy, planning and oversight division at the ministry; Hussein Lalani, the director of the public safety and operations policy branch; and Samantha Pinto, the manager of the regulatory policy and oversight unit.

I would also like to introduce my colleagues at the Electrical Safety Authority. Today I am joined by David Collie, the president and CEO of the Electrical Safety Authority; Annette Bergeron, the chair of the board of directors; Joel Moody, the former public safety officer; Josie Erzetic, the chief regulatory officer and general counsel; and Earl Davison, the vice-president of operations.

I would like to begin by thanking the Auditor General and her team for their thorough and diligent work in compiling this comprehensive report. The role of the Auditor General is vital in ensuring democratic transparency and accountability in every aspect of the government's operations. The ministry takes the recommendations in the 2020 Auditor General's report very seriously and we are committed to examining areas where we can improve our oversight processes to provide greater assurances that the Electrical Safety Authority is meeting its public safety mandate in an efficient and cost-effective manner.

Upon receiving the report last December, the former Minister of Government and Consumer Services requested an action plan from the Electrical Safety Authority on how it intended to implement all 25 recommendations identified in the Auditor General's report. In the interest of transparency, a version of this plan that is updated regularly with progress reports is posted on the ESA's website. The ministry is tracking the ESA's progress very closely, and we are also collaborating on implementing the joint recommendations made by the Auditor General.

I would like to take a moment to explain the ministry's administrative authority model. Administrative authorities, which include the Electrical Safety Authority, are responsible for delivering critical programs and services, including ensuring that some of Ontario's vital consumer protection and public safety laws are applied and enforced.

The administrative authority model establishes an accountability and governance framework for delegating the

administration of legislation to these not-for-profit corporations which are independent of government. The administrative authority is responsible and accountable for the day-to-day delivery of regulatory services and operations, including financial responsibility. Each administrative authority is governed by an independent board of directors and is responsible for ensuring that it delivers on its statutory mandate and is accountable to the minister.

The administrative authority model is a unique co-regulatory model where the government plays a leading role in designing, authorizing and monitoring the statutory framework. And the administrative authority, through its board of directors, is delegated responsibility to administer designated legislation in accordance with an administrative agreement or similar accountability agreement with the government. The model is designed to be cost-neutral to government.

In the case of the Auditor General's review, many of the audit recommendations are operational in nature and fall directly under the purview of the Electrical Safety Authority. In a moment, the ESA will speak to the significant work being done to address the findings in a timely manner.

Oversight is the system and actions used by government to monitor an administrative authority's governance and execution of its regulatory responsibilities, and we take this oversight responsibility seriously. The ministry has demonstrated its commitment to ensuring its administrative authorities are more accountable and efficient, most recently through the Rebuilding Consumer Confidence Act that was passed by the Legislature in July of 2020.

In July 2020, key provisions of the Rebuilding Consumer Confidence Act came into effect. This act amends key oversight, governance, accountability and transparency requirements set in various administrative authorities' governing legislation. The legislation improves governance by enabling more skills-based boards of directors, increasing transparency and accountability, making information more publicly available, strengthening oversight by the government, and enhancing the Auditor General's authority to conduct audits of the administrative authorities. The changes give the government more consistent and stronger tools to address issues such as performance, and these changes will strengthen protection and promote trust and confidence for the people of Ontario at home, online and in our communities.

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As part of these modernization efforts, the ministry is currently updating its administrative agreement, the document that governs the relationship between the ministry and the authority. The ministry is currently working with the Electrical Safety Authority to update this agreement by March 31, 2022. We are pleased to see that the Auditor General found in her report that electrical safety in Ontario has improved over the last 10 years. Public safety is our top priority, and we're proud of this collective achievement, but we also know that there is always room for improvement.

I'd like to speak briefly about the actions taken so far by the ministry on two key recommendations directed to

us. The Auditor General found that the occurrence of unlicensed individuals performing illegal electrical installation work without notifying the Electrical Safety Authority is prevalent across Ontario—also known as the underground economy. While the ESA has developed numerous programs to monitor and address the underground economy, the Auditor General recommended that the ministry enable the ESA to directly issue monetary fines to provide for a more robust range of compliance tools. I'm very pleased to report that the ministry has worked with the ESA and developed a proposal for government decision-making that will enable the ESA to issue monetary fines to address illegal electrical work.

Using administrative monetary penalties would offer the ESA the opportunity to fill gaps where existing compliance tools do not provide an effective, efficient or proportional mechanism to change behaviours, as well as to deter non-compliance. Using administrative penalties would also be less costly and more efficient for the ESA and stakeholders than pursuing prosecutions. By enabling the ESA to directly issue administrative monetary penalties, the ESA can more effectively target those who perform illegal electrical installations.

Furthermore, the ministry is undertaking work with the ESA and stakeholders to address the prevalence of unsafe electrical products online. Through the administration of the product safety regulation, the ESA has oversight for product safety related to the approval of electrical products before they are sold, used, offered, advertised or put on display in Ontario. The federal government also has responsibility for the safety of post-market consumer products across the country through the Canada Consumer Product Safety Act, which was passed in 2010.

The pace at which the online market for all products, including electrical products, is evolving rapidly continues to accelerate. While the expansion of online sales has delivered benefits, there remains a need to ensure that public safety is not compromised. This is a complex issue, and many of these challenges are beyond the scope of the provincial authority. The issue of product safety is based on a variety of jurisdictional and boundary issues, as there are no borders for the Internet. The ESA and the ministry are working together to review the regulation and determine ways to address potential product safety concerns stemming from the proliferations of these online shopping websites, and that includes working with our federal partners.

We've also undertaken research activities in support of this recommendation and undertaken stakeholder engagement, including the launch of a multi-sectoral working group, the product safety task force.

The collaborative efforts of the ministry and the ESA to address the Auditor General's value-for-money findings will serve to strengthen the performance and accountability of the ESA in delivering its public safety mandate and reinforce our shared roles as guardians of public safety.

Lastly, I want to take a moment to acknowledge the ESA's continued support responding to challenging circumstances that arose from COVID-19. In the midst of

meeting their regulatory responsibilities, the ESA also contributed to the province's efforts to expand health capacity to protect Ontarians; supported Ontario's efforts to increase the supply of critical PPE and COVID testing materials; and supported the province's COVID-19 safety campaign in essential workplaces that presented heightened risk factors for the potential transmission of COVID-19, such as manufacturing warehouses and food processing facilities. ESA, thank you for keeping Ontarians safe during such difficult times.

Thank you, members, for your time this afternoon. I would like to hand the floor over to the ESA to address the committee.

The Acting Chair (Mr. Percy Hatfield): Somebody from the ESA, could you introduce yourself, please? Please go ahead.

Ms. Annette Bergeron: Good afternoon, Mr. Chair, Madam Vice-Chair and members of the committee. My name is Annette Bergeron, and I am here today in my capacity as chair of the board of directors of the Electrical Safety Authority. I'm also joined today by David Collie, president and chief executive officer of ESA. David will be speaking shortly to outline ESA's response to the 2020 value-for-money audit conducted by Ontario's Auditor General.

Ms. Lysyk, I want to acknowledge your presence today and thank you for your important work examining Ontario's electrical safety system oversight. ESA accepts your recommendations in full. Our board found the audit to be a useful exercise to reflect on our approach to delivering electrical safety in Ontario. ESA's staff appreciated the professionalism and understanding that your auditor's office provided as we worked together through the audit process and a pandemic simultaneously.

I am also joined today by Dr. Joel Moody, the chief public safety officer during the course of the audit, whom we wish well in his next endeavour as chief prevention officer and assistant deputy minister with the Ministry of Labour, Training and Skills Development. I would also like to introduce Josie Erzetic, general counsel and chief regulatory officer for ESA, and Earl Davison, vice-president of operations. David and team will be responding to your questions this afternoon.

We are also honoured to be joined today by the present deputy minister and assistant deputy minister from the Ministry of Government and Consumer Services, Renu Kulendran and Michèle Sanborn. The Auditor General's report provided recommendations directly to ESA, as well as recommendations to the ministry to which we report. Deputy Minister Kulendran will be available to speak to those.

Since receiving the public report, ESA and MGCS have worked diligently to set joint plans to deliver on these recommendations in an expedited manner, demonstrating our alignment with the Auditor General's view on the important work the ESA can do to improve the electrical safety system in Ontario. This work bolsters ESA's five-year strategy launched in 2020 by helping ESA find ways of improving operational effectiveness and becoming

more cost-efficient through its recently launched risk-based oversight program. This program progresses ESA as a forward-looking, modern regulator that will continue to improve its already exceptional approach to delivering electrical safety in Ontario. ESA has embraced the Auditor General's recommendations. We strive to live up to a high standard of transparency, completeness and fairness in the implementation of each recommendation. These are expectations we believe the committee shares with ESA.

My colleague David Collie will now speak to you more specifically about the steps we're taking in this regard. Thank you.

The Acting Chair (Mr. Percy Hatfield): Thank you, David?

Mr. David Collie: Thank you, Annette, for those remarks. I'd also like to offer my personal greetings to you, Mr. Chairman, Madam Vice-Chair, committee members and the Auditor General, for the opportunity to attend the meeting.

Before I continue, I'd like to recognize our board chair, Ms. Bergeron. In addition to her significant accomplishments in the business and academic world, she was recently awarded the Governor General's Sovereign's Medal for Volunteers. This award is the highest honour for volunteer service that an individual can receive in the Canadian honours system, and it's a testament to her incredible service ethic. Annette, we're very proud to have you as our chair of our board, helping to ensure ESA's governance remains effective, transparent and reliable.

As Ms. Bergeron indicated, our work with the Auditor General and her office was a helpful review and a timely assessment of how ESA is delivering on its electrical safety mandate. On behalf of our organization and our employees, we truly appreciate the time Ms. Lysyk's auditors spent with our staff to gain a deeper understanding of our approach to developing a robust electrical safety system in Ontario. Their professionalism and co-operation in working through the audit process, particularly during a global pandemic, was most considerate and truly appreciated by our organization and in particular by my team here today.

The Acting Chair (Mr. Percy Hatfield): David, you have five minutes. I'll give you a five-minute warning and a two-minute warning; you're at five. Sorry for the interruption.

Mr. David Collie: Thank you.

As mentioned, the ESA played an important role in support of the province of Ontario's COVID-19 public safety efforts. For example, our inspectors continued to work with local governments and health care providers to set up temporary emergency health care facilities and help industry retool in order to produce vital, needed personal protective equipment.

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At ESA, we take our responsibilities seriously, so we were very proud that the Auditor General noted electrical safety in the province had improved significantly over the last 10 years. At the same time, we appreciate the opportunity to further strengthen our operations and enhance our

effectiveness in terms of delivering electrical public safety, and we accept that challenge.

We were really pleased to note that many of the recommendations in the audit are directly aligned with our five-year strategic plan, which we launched in 2020. This marked a new era for ESA, further solidifying our role as a modern regulator ensuring that Ontario's electricity future is powered safely. It focuses on pillars of safety, compliance, organizational excellence and public accountability.

Let me be clear: We're absolutely committed to embracing the spirit and intent of the Auditor General's report and to implementing its recommendations, and significant progress is being made in this effort. When we received the final report, we took immediate action and carefully reviewed and developed a comprehensive action plan in co-operation with our minister. We established 50 deliverables that addressed the 25 recommendations in the report. We've already completed about 25% of the deliverables across those recommendations, and by the end of this calendar year, 2021, we estimate that about 50% of the deliverables will be complete. By next September, we expect to have almost 90% completed.

Additionally, and more broadly, we're continuing our transformation into a modern and results-based regulator by delivering against our strategic plan. As noted by our chair, of particular significance was the launch this last year of our risk-based oversight approach, or RBO. This aligns directly with the auditor's recommendations from an operational effectiveness and safety standpoint.

The program we implemented focuses on medium- and high-risk wiring installations, so that we can direct our inspectors and safety efforts to the locations with the greatest potential for harm—

The Acting Chair (Mr. Percy Hatfield): Two minutes.

Mr. David Collie:—while at the same time reducing burden on Ontario businesses. This is a very important shift in resources from low-risk to high-risk work, and creates more opportunity for us to assign more resources to the thorny issues, such as the underground economy, and to take an even more proactive approach to addressing non-compliance.

For three years prior to the launch, a comprehensive RBO team at ESA, including all our departments, worked tirelessly to ensure that the launch of RBO would be successful. The team conducted numerous consultations and training sessions, stakeholder surveys, monthly communications and an extensive trial involving over 60 of our inspectors right across the province. I'm very confident that RBO has made and will continue to make a significant impact on our ability to improve efficiency and safety at the same time.

Another program of note is our digital road map. We've committed to significantly expanding our digital capabilities, and are currently targeting specific areas of the organization where we can automate to realize cost-effectiveness as part of our drive towards organizational excellence.

Of course, we don't do any of this work alone. I'm profoundly grateful for the many contributions of the Ministry of Government and Consumer Services, our board, our employees, our union partners and stakeholders working in co-operation to ensure our ongoing progress, and specifically working to address the recommendations in front of us. Over the coming weeks, months and years, we're committed to partnering with our ministry to evolve and strengthen our public safety mandate.

Thank you for giving ESA the opportunity to share our progress on the important work we're doing to serve our electrical safety mandate and realize our vision for Ontario. I look forward to our discussion this afternoon.

The Acting Chair (Mr. Percy Hatfield): You had four seconds left. You could have used four more seconds, David.

We're going to begin the round of questioning with the official opposition. If one of them—ah, Mr. Tabuns. We go to you, sir.

Mr. Peter Tabuns: Thank you very much, Chair. I appreciate it, and I appreciate the presentations today. Chair, before I start asking questions, how many rotations will we have?

The Acting Chair (Mr. Percy Hatfield): We will follow the rotation of what we've set out: 20 minutes to the official opposition, 20 minutes to the government, three minutes to the independent for two rounds. For the third and final round, we'll split the time between government and official opposition, and allow the independent member three minutes at the end. So we'll have at least two full rounds and then a split-term round.

Mr. Peter Tabuns: Okay, that's great. I appreciate your clarity on that.

I think my colleagues may have questions as well, but I'm going to start off with the ministry. Ms. Kulendran, if you could speak to this point: The Auditor General says that you haven't fulfilled your oversight responsibilities. Can you tell me what you see as the shortfalls in your oversight responsibilities and how you're going to be addressing that in the year to come?

Ms. Renu Kulendran: Thank you to the honourable member for the question. I would say that the ministry takes its oversight responsibilities very, very seriously and we invest heavily in those responsibilities and activities. Those include regular meetings with all levels of the administrative authority from a staff level to senior levels on a regular basis. That includes tracking commitments that have been made by the administrative authority, ensuring the requirements of the administrative agreement are met, reviewing annual reports and business plans, and regularly updating the administrative agreements to include additional performance metrics. We are, in fact, in the process of updating our administrative agreement with the Electrical Safety Authority, which we expect to have completed by March 2022.

We do take these responsibilities seriously. There's always room for improvement, and we acknowledge the recommendations made by the Auditor General in this regard.

Mr. Peter Tabuns: So you've told me what you're doing. Can you tell me what your shortfalls are that you've accepted?

Ms. Renu Kulendran: I'm just going to repeat that we are continually looking at addressing how these recommendations that have been made by the Auditor General can be incorporated into the work we are doing, including enhancing our performance metrics.

Mr. Peter Tabuns: Okay. I may come back to you later on that, then.

I'm going to go to the ESA. One of the things that was noted by the Auditor General was that the names of contractors who have done unsafe installations are not made available to the public. I have had to hire electrical contractors in the past; I would have liked to have known if the people I was contracting have actually had a history of good work or bad work. So I guess the first question is this one: Why aren't you making public the names of those who do bad work?

Mr. David Collie: Thank you very much for your question. It's really important that we have good transparency with our consumers. We have a hierarchy on follow-up on licensed electrical contractors who perhaps don't do work according—I'm going to ask Josie Erzetic, our chief regulatory officer, to answer what we do in terms of disclosure.

Ms. Josie Erzetic: Thank you for the question, and thanks for unmuting me. It's a very good question. We do have current tools on our website. For example, we do have a contractor look-up tool and we have a number of other consumer protection tips and tools on the website. As both David and the deputy have mentioned, we have a culture of continuous improvement, and we take very seriously the Auditor General's recommendations.

We recently had an amendment—actually, it was a delegation of the minister's authority to provide disclosure under the Regulatory Modernization Act. As a result, we can provide more disclosure, so we are looking at the types of disclosure you're talking about, in terms of suspension of licence, revocation of licence etc.

The Auditor General report pointed us to what Technical Safety BC does, so what we have been doing is reviewing their disclosure and also we've been having discussions with our stakeholders. Once all of that is complete, we'll be making a report to the ministry for further action. Thank you.

Mr. Peter Tabuns: Okay. Well, I just took a quick look at your contractor locator tool on your site, and yes, it's a way to find a contractor. But I'm going to go back: Why have you not, historically, warned the public about contractors who did dangerous or unsafe or illegal work?

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Ms. Josie Erzetic: Yes, it's a very good question. As part of our five-year corporate strategy, we incorporated a licensing strategic plan as well, and part of that was to look at increased disclosure. As I've indicated, under the Regulatory Modernization Act, we required a delegation of the minister's authority to release information about licensees. So now we've received that delegation and now,

as part of our continuous improvement, we're looking at what Technical Safety BC discloses, we're talking to our stakeholders—because there are privacy concerns as well—and then we'll make a full report to the ministry to determine further disclosure.

Mr. Peter Tabuns: And so, historically, you haven't done it because you felt you were constrained by the laws that were in place at the time?

Ms. Josie Erzetic: It provided additional options for us to have the delegation under the Regulatory Modernization Act.

Mr. Peter Tabuns: Okay. One of the comments here was that rather than taking people to court, you were going to be issuing fines or having inspectors issue fines. Have I understood that correctly? Can you tell me the scale of the fines and whether or not you judge them adequate to actually cause change in practice? I deal with some businesses who are quite happy to pay a fine; they just see it as the cost of business and they move on, because it's a lot cheaper to carry on unsafe work or unsafe practices than to change those practices. Can you give us a sense of the scale of fines and whether or not you can tell us credibly that they will change practice?

Mr. David Collie: Thank you very much for the question. I think what's important is to look at the whole hierarchy of response that we use. First off, we start with just education and awareness. Many times, we find someone just might not be aware of exactly what the compliance rules are. That tends to be the largest. We find most come into compliance that way.

We have a whole escalation, and that escalation would go right up to prosecutions. For example, over the last five years—it's our last choice. The most severe disciplinary process we can use is prosecution. It's costly. It's time-consuming. We did pursue 140 cases over the last five years. That information is all publicly available on our website, which goes partially to your previous question as well. But there is a bit of a gap in there.

I'll say, for example, on one prosecution case, we spent significant efforts over almost two years. The fine they received, at the end of the day, was \$6,000. There have been larger ones, of course—some many, many thousands of dollars, depending on the nature—but that's a tremendous amount of work for a \$6,000 fine at the end of the day.

Now, I'm not taking away from what that means to a small business by any means, but we just think that having administrative monitoring penalties, in conjunction with our ministry looking at what the best models are, what the levels of fines are and making sure that's another tool that is well honed within the compliance framework, would help us be able to escalate where required. Thank you.

Mr. Peter Tabuns: Thank you for that. One of the comments of the Auditor General was that you hadn't followed up on unsafe installations, which I find pretty disturbing. Why is that the case? Why has that been the case? And what are you doing to ensure that we don't see that in future? Because I don't think it's acceptable.

Mr. David Collie: Thank you very much for the question and comment and the observation that came from

the report. One instance the Auditor General had mentioned was 3,500 instances over, I believe it was, a decade. Putting it in context, that's a very, extremely small amount relative to the almost half a million inspections we do each year. All of those were low-risk inspections. Now, notwithstanding there were very few, notwithstanding they were all low risk, we take any code violations seriously. We found—this was when we transferred one IT program to another and failed to produce one report—there were about 3,500 over 10 years that were not identified to our inspectors.

We really appreciate the Auditor General's work. They found that. We corrected it immediately. We have followed up on all of those defects, and I can report today that we have concluded well over 90% of them today. Again, it was small, low risk. Like you, we didn't find it acceptable. We appreciate the work and we've completed that.

Mr. Peter Tabuns: So, I think, from what you've said, we should take comfort that this will not be part of your operations in the future, that you have a tracking system, that unsafe installations will be followed up on.

Interjections.

Mr. Peter Tabuns: I see nodding heads. I appreciate that, but for the purposes of Hansard, a verbal response as well.

Mr. David Collie: Okay. I will verbally respond, and that is exactly correct. We have changed the procedure—again, thanking the Auditor General for finding that. It was a small variation, but it's been closed, yes. Thank you.

Mr. Peter Tabuns: Okay. I have one or two questions, but I'm just going to ask my colleagues, who also had questions, if they want to jump in.

Interjection.

Mr. Peter Tabuns: Yes. I yield the floor, Mr. Chair.

The Acting Chair (Mr. Percy Hatfield): Mr. Kernaghan.

Mr. Terence Kernaghan: I would like to thank you for your presentation. Our Auditor General has raised concerns—it was recommendation number 2—about the ESA's high inspection fees that could end up being a barrier and discourage homeowners from having inspections. To the ESA, are you aware of this problem? And what are you doing to address this barrier for homeowners?

Mr. David Collie: Sure. We start from a foundation of electrical safety—that's key and important—but at the same time, we do need to collect fees to pay for the overall safety system. Part of that goes to inspection, but it also goes to many other things that are included within the fees we charge.

I appreciate the fact that the Auditor General raised the question. We're always open to looking at fees. Interestingly, we haven't increased fees since 2016. So if we put that against inflation during that period of time, that's, in essence, 10% relative to inflation that we've absorbed.

Notwithstanding that great track record, we also took that very seriously. When we introduced our risk-based oversight, we looked at some of the compliance areas and we said, "What are some of the most common activities

that are done in a home? What are the fees associated with that and could we, in fact, reduce them?” One specific example—it’s one of the most common renovations that touches upon electrical work—is bathrooms. I think everybody would know it’s the most common renovation you do in your home.

Our fee prior to risk-based oversight to take out a notification—so think about the cost of a bathroom reno. It’s not insignificant. Our fee was \$79. Notwithstanding—I think that’s actually incredibly low—we reduced that to \$40 with the implementation of risk-based oversight. I would hardly think today that \$40 would be an impediment to someone taking out a notification and being able to ensure that their installation was part of the overall safety system.

We took the recommendation very seriously. Notwithstanding what we feel are very appropriate fees already, we have lowered them in those areas, and we’ll be able to monitor and see what impact that has on compliance. Thank you.

Mr. Terence Kernaghan: I see. So then, overall, the inspection fees will not be lowered, despite the Auditor General’s recommendation.

My next question is: One of the biggest problems is that the ESA board does not have a consumer protection member, or a member representing the interests of consumers. This would help consumers have a voice and help build trust and awareness between licensed electricians and consumers. I’d like to know how the ESA is addressing this and if you believe it’s in the best interests of the public to have a voice on the ESA board. When will this position begin, if the answer is affirmative?

Ms. Annette Bergeron: Thank you very much to the member for your question. I can report our success so far in making changes to our constating documents in order to facilitate the replacement of the CEO board position with a consumer interest member. We have initiated a process to recruit the new board member. Our target completion for this recommendation is the end of fall 2021.

Mr. Terence Kernaghan: Thank you very much. I also wanted to inquire as to whether you’re going to be developing publicly available inspection standards and checklists. Is there going to be a monitoring system to ensure compliance with these?

Ms. Annette Bergeron: Thank you for the question. My role as chair is to provide oversight and to ensure effective governance, reliable governance and transparent governance. On this subject, I would defer to David Collie and his team, who are here today, and ask David to answer this question.

The Acting Chair (Mr. Percy Hatfield): Just before you do that, David, it’s a five-minute warning. Thank you.

Mr. David Collie: Okay. Thank you very much, Chair, and thank you for the question. Earl Davison is our vice-president of operations. He has had charge of this file, so he can tell you the significant steps we’ve taken, consistent with this recommendation. Earl?

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Mr. Earl Davison: Thank you, David. Earl Davison, vice-president of operations. To the member’s question:

The development of inspection standards and checklists was a recommendation of the Auditor General. We did take it very seriously.

We have since gone and looked across the regulatory community, both in the US and Canada, and have developed a set of items that we would say people should be ready for when they’re expecting an inspection. It covers the most common work items that people would undertake that involve electrical work—renovations; rough-in for a new service—and those items have been collected. They are just in the approval processes now, and we expect to publish them by the late fall.

To the second point the member asked, which was on the inspection standards for our inspectors and if they are being monitored: Yes is the answer again. Concurrent with those lists being published, the lists will also form part of the performance-management process for our inspection staff.

Mr. Terence Kernaghan: Wonderful. My final question before I turn it back over to my colleagues on the official opposition is: The auditor found the ESA rarely did remote inspections, but with the advent of COVID, they had begun them. Will the ESA continue this very cost-effective measure once the pandemic ends?

Mr. David Collie: Thank you very much for your question. We were starting to do remote inspections using photo and video, and it has been a small part of our inspection process for many, many years.

We really embrace the Auditor General’s recommendation. In fact, again, this was completely in alignment with our strategic plan. In our digital road map, we had identified the expanded use of photo and video—where we can do it without compromise to safety; that always needs to be mentioned, of course. But where it can, that can be very efficient and can reduce burden on consumers, and the licensed electrical contractors as well.

We have put in place an extremely robust procedure now. That was in the works during the pandemic anyway and, again, was completely consistent with the Auditor General’s report: process, procedures, sign-off, accountability. And then we are doing literally thousands of them this year already, and that is only going to escalate after the pandemic, as well.

The Acting Chair (Mr. Percy Hatfield): We’re really close to the two-minute warning for the next speaker. Ms. Gélinas.

M^{me} France Gélinas: I don’t know if it’s a one-minute answer, so I may come back to it: the issue that only ESA-licensed contractors can legally perform electrical installation. I live in Nickel Belt, where we have tons of electricians, because they work at the mines and they work in the heavy industrial area, and I would say most people don’t know that. They hire the guys on their days off to do the electrical work that they need to be done. They work at the mines; they must be good electricians, but they’re not licensed with you.

What kind of education have you done recently for people like me to know that it is illegal to do that?

Mr. David Collie: Thank you very much for your question, and perhaps we will run out of time a little bit on this one. I would be happy to address it further in other questions as well.

We think it's really important for consumers to understand the individual roles and responsibilities. We have taken many actions over the last five to 10 years in terms of differentiating and educating consumers, but it still requires more and more. The Auditor General's report highlighted this, and we completely agree. We've been using increased social media, targeting specific audiences when someone might be doing electrical work—such as home renovation magazines, for example—and those sorts of things.

But most recently, we've engaged the Mike Holmes group. I think most people would be familiar with Mike Holmes and his renovations. He is seen as a highly influential expert in terms of renovation—Mike Holmes and his whole team. Our partnership with them has already produced tremendous results. They have a five-minute video out, which is Top 5 Things You Need to Know About Electrical Work. I'll just give you a snippet of it—

The Acting Chair (Mr. Percy Hatfield): Thank you, David. Perhaps we will get back to that later on, because it is a very important question.

It is now time to turn the questioning for the next 20 minutes over to the government members. I see Mr. Crawford has his hand up. Please go ahead, Steve.

Mr. Stephen Crawford: Thank you to both the ESA and the ministry folks for being here today. It's very interesting and very important work that you do.

I have a couple of questions for each group before I pass it off to one of my colleagues. My first question is to the ministry. I'm just trying to get a better handle on what you're doing to ensure the Auditor General's recommendations are fully implemented in a timely manner. Maybe you could get a little more specific as to how that's going and what little bit still needs to be moved on.

Ms. Renu Kulendran: Absolutely. Once we received the Auditor General's report last December, we worked with the ESA to develop plans and identify recommendations that were led by the ministry or the ESA, and to track the recommendations and follow-up.

Certainly, from a ministry perspective, while we have a number of performance measures in place to assess the ESA's performance—including incidents, public safety and compliance data, which are publicly reported—we are also now working with the ESA to establish additional outcome measures and performance targets, some of which have been recommended by the Auditor General, that focus on cost-efficiency and safety improvement in the sector. As well, as I mentioned, we are updating our administrative agreement with the ESA to ensure those recommendations are captured.

We're also working with the ESA and with our federal partners around the recommendations related to electrical product safety, recognizing that there is shared jurisdiction in this area. There has been a task force established to review issues in other jurisdictions, and some engagement has happened to move forward on that particular issue.

With respect to administrative monetary penalties, which was a recommendation to the ministry, we have developed a proposal for decision-making to allow for the use of administrative monetary penalties as a deterrent and an additional compliance tool for the Electrical Safety Authority.

Mr. Stephen Crawford: Okay, thanks. I'm just wondering, how does the ministry oversee the ESA? What kind of relationship do you have between you and the ESA? What's the communication like?

And the people you assigned who are, I guess, in contact with the organization, do they have specific knowledge of this particular industry? Because obviously there's a lot of nuances and details in this industry which might require a certain expertise. Do some of those folks that you have working have that knowledge?

Just characterize the overall relationship and some of those details. Thanks.

Ms. Renu Kulendran: For sure. The relationship is governed by an administrative agreement that's between the minister and the board. I have colleagues on the line here today who actually work on a daily basis with the Electrical Safety Authority. ADM Michèle Sanborn is responsible for policy and oversight of all the administrative authorities. We have the director of the public safety branch, Hussein Lalani, and the manager of the electrical safety unit, whose specific job is maintaining that relationship on a daily, weekly and monthly basis, reviewing business plans and reports, assessing the data and performance measures, asking questions about certain policies and instances, and ensuring broader compliance with guidance.

I would say that the relationship happens at all levels. I meet with David Collie, my counterpart. The minister meets with Annette, as chair of the board. That relationship runs through the whole organization so that we have a good sense of what's happening at all levels of the organization and how that work is progressing. So there is a fair amount of accountability and regularity in that relationship at all levels.

As I said, we're in the process of updating that administrative agreement. That administrative agreement is binding in terms of the performance of the electrical authority and it is the instrument on which we base all our oversight activities.

Mr. Stephen Crawford: Okay. From your point of view at the ministry, what's the biggest improvement that the ESA has implemented with the AG's advice, and what gap does that take care of in terms of any sort of issues, in your view?

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Ms. Renu Kulendran: Firstly, we're pleased that the Auditor General recognized that electrical safety has improved over the past 10 years, but we recognize that there is more work to be done. The cumulative impact of all the recommendations, because many of them are interdependent, I think will certainly support our continuous journey towards greater electrical safety and accountability as a system.

Mr. Stephen Crawford: Okay. Just a final question for the ESA—maybe your take on that same question. What's

the most substantive change you've implemented, and what sort of impact do you feel that's had?

Mr. David Collie: Thank you very much for the question. I know you didn't ask this but I would just comment on the relationship. We really respect the relationship with the ministry. We realize we have different roles to do and so we will respect those differences in roles. But our process is always very open and transparent and making sure that we have full disclosure with the ministry—a very appropriate working relationship.

It's hard to pick out one particular item. Maybe the largest—I don't know if it was necessarily; they're all impacted. But the largest one was our risk-based oversight program. We had been building this program for three years prior to the Auditor General's arrival in our offices. We were delighted that quite a number of the recommendations were exactly in alignment with risk-based oversight. Actually, while the Auditor General's team was there, we launched it right in the middle of the pandemic and it has worked incredibly well for us.

We have had great stakeholder acceptance. It's allowed us to increase safety, shift some resources over to these emerging areas. It's allowed us to further increase the customer experience so that homeowners, licensed electrical contractors can have an advance notice of when we're coming or if we don't need to come to a particular site. And it's allowed us to use more digital transformation. We've seen probably a 5% efficiency, which again allows us to put resources in other emerging areas.

So, it's hard to pick out one. Every area of safety is important, but that's probably the largest, I think, involvement from the ministry, ourselves and our staff and stakeholders. It's been extremely well received.

Mr. Stephen Crawford: Thanks. I'm just wondering, is there anything more that the ESA can do? Non-compliance is obviously an issue and we all know the demand for the profession is only going to grow exponentially over the next decade. We know about the housing boom and renovations, and safety is paramount, obviously. No one wants to put anyone's lives into jeopardy, because the work that the people who are part of your organization do is critically important.

Is there anything that you can do to make the public aware of how to interact with your organization? I guess you're the go-to organization if there is non-compliance or issues. What could be done to make the public more aware?

Mr. David Collie: Thank you for that. First of all, obviously acknowledging the safety role we play—that's why we get up every day. But, yes, as part of the safety system, we have our responsibilities to do, but we also can help that safety system by further educating consumers.

Maybe I'll tag on to the answer—we ran out of time—a little bit more, but if you think about our relationship with Mike Holmes—and this is just one, by the way, of many safety educational awareness programs. They cover home safety. They cover power line safety. They cover worker safety. But I will focus just in this one particular area that you asked about.

The quote that Mike Holmes has posted recently—it's on my own LinkedIn. It says: "In the province of Ontario, licensed electrical contractors (LEC) are the only businesses that can legally tackle electrical work in your" home. "Any electrician you hire should work for a licensed electrical contractor"—because that's really about consumer protection—"and have an ECRA/ESA"—which is the acronym for our licensing group—"licence number on their business card, vehicle and estimate." Those are really good tips coming from Mike Holmes, in addition to our media campaign.

Then he goes on to say a lot of the general contractors were handymen that said they could do electrical work, but it's important to know to have a professional and that they have to hire a licensed electrical contractor, so ask them about that. And then it goes on to the relationship and so on.

Again, that's just one example of a very broad media campaign that we've increased for consumers so that they can be empowered. Again, they're not the only ones responsible. We have to be responsible as well, and all the safety partners in the system. But that's one of the educational pieces.

Mr. Stephen Crawford: Okay. Thanks very much. I'm done with my questions. I believe MPP Bailey is next in the queue. Thank you.

The Acting Chair (Mr. Percy Hatfield): Yes, the tradesman from Sarnia-Lambton has a question.

You're muted, Bob.

Mr. Robert Bailey: I'm trying to unmute myself.

The Acting Chair (Mr. Percy Hatfield): There you go.

Mr. Robert Bailey: There. Thank you, Chair, and thank you to the ESA and Ministry of Government and Consumer Services that are here today. I was going to, actually, have Mr. Collie follow up on where he got cut off before, because he ran out of time. Is there anything else you'd like to add to that before I ask a question, or did you pretty well cover that? I'm very well interested in how you've interacted with the public through these commercials with Mr. Holmes. Is there something else you'd like to add to there that you felt you didn't have time to cover?

Mr. David Collie: Well, thank you. Again, I just used one example, which was really about people doing renovations, but that's not always where electrical safety harms appear. If you think about it, there are hundreds and, sometimes the case, thousands of critical injuries that take place that show up in emergency rooms. Many of those are children. We have had very targeted media campaigns at parents so that they can identify electrical harms within their homes. We used a woman who was working with us who very sadly took their young child to an emergency room. They'd had an electrical shock. If you think about it, no electrical shock is good, but when they're small children and their bodies are so small, it can have a detrimental impact on their nervous system. So we've targeted that specifically on home safety.

Those are the types of campaigns that—if we stepped back for a moment and looked at our overall approach to

harm reduction and electrical safety, it's about really understanding the data, exactly where these incidents are taking place, and then targeting, whether it's a change in a regulation, whether it's a change in education, whether it's a change in something else, to prevent that type of circumstance from happening.

We're delighted, and thank you, MPP Bailey, for asking that question. We've talked about our safety record, but over the last 10 years, ESA's safety record is beyond reproach. We haven't seen any jurisdiction globally—in North America, for sure—that has achieved the types of reductions in critical injuries and electrical fires that we have. Thank you for asking.

Mr. Robert Bailey: Well, I'll ask a couple of other questions now, but thank you for covering the safety. I worked in industry long before I got this job, so it was something we dealt with every day.

Back to the Auditor General's report: There were some issues raised. My question is, how has the electrical safety organization refined its risk-based inspection approach so that fewer inspections of low-risk installations and more inspections of the higher-risk installations are performed? And then, has a target been set for the reduction of low-risk inspections, and how well is the ESA performing on those targets to date?

Mr. David Collie: Thank you very much for the question. I've probably spoken to RBO at the high level, on what some of the benefits have been from RBO, but at this point, I'll ask our vice-president of operations, Earl Davison. He has charge of implementing the RBO project, which went live in 2020. Earl, do you want to comment on the high, medium and low process?

Mr. Earl Davison: Thank you. The question is right on point in terms of what I would term one of the biggest programs to try to target the use of our resources a bit more effectively.

A quick overview of how RBO works: Every time someone takes out an electrical permit—we call them an applicant, or a notification—it is scored based on the type of installation, who is doing the work and where it is located, and it is given a risk reading. The risk is assessed as being low, medium or high.

We have used the data that comes in—and we process about 400,000 of these notifications a year, so we have an extensive database. I must give a shout-out to Dr. Joel Moody, who was instrumental in the design of RBO and the mechanics behind how the theory works. We've used that data over a 10-year period to assess what types of installations pose the low, medium and high risks. Then that information is given to our inspectors who—

The Acting Chair (Mr. Percy Hatfield): Five minutes to go.

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Mr. Earl Davison: Thank you. Along with their own knowledge and judgment at a local level, they will use the information to assist in their assessment as to whether they need to go to visit a site. We've set targets to reduce our use of resources on low-risk items and we've also set targets for high and medium. To give you a specific

example, we've seen a 15% improvement in resources allocated to medium- and high-risk notifications. That 15% came out of effort that was previously spent on low-risk notifications. All in all, it is data-driven. It is heavily based on science as well as observed behaviour and data over the last 10 years.

Mr. Robert Bailey: Okay, another—I think I've got a couple of minutes yet. I think that's what the Chair said anyway. The other question I had, and it arose out of the Auditor General's report, as well, about ESA—I don't know who this will go to, maybe management. Would the ESA have reviewed their fee model, and what steps were taken to reduce the organization's operational cost? I think you maybe touched on it earlier just a bit, but maybe you'd like a chance to expand upon that. Thank you.

Mr. David Collie: Yes, thank you very much for the question. This isn't new for us. Over the previous five years, before the Auditor General's review, one of our top priorities was reducing costs where we could and it not impacting safety. As I mentioned, we've been very successful in keeping our fees flat since 2016, which is about a 10% productivity improvement over that period of time.

But, notwithstanding, we also had identified, consistent with the Auditor General's review but prior to its arrival, targeting in our next five-year strategy, which we're currently in, a further 10% productivity improvement—same as I'd mentioned around fees. So we've been able to hold fees. That efficiency component comes from many different ways. One of the key elements in our current strategy, in addition to what Earl had mentioned about RBO, is a digital road map. Without a doubt, we realized before the pandemic that—and certainly the pandemic has made that entirely clear—manual processes, we can automate those, we can reduce costs and, at the same time, provide a much better customer experience for the public and for licensed electrical contractors as well.

Mr. Robert Bailey: Do I have any time left, Mr. Chair?

The Acting Chair (Mr. Percy Hatfield): Two minutes, Mr. Bailey.

Mr. Robert Bailey: All right. Well, I've got one other question. Has the ESA had an opportunity to ensure a timely follow-up on any unsafe installations that have been found by your inspectors? What's the timeline for that?

Mr. David Collie: Sure, thank you. We're probably short on time. Earl Davison could expand in more detail than myself on the specific timelines, but I won't necessarily pass it over to Earl at this point. We have certain standards that we do for—actually, Earl, why don't I have you expand on it? You know this area best.

Mr. Earl Davison: Thank you. Very quickly: Any defect that is noted is again categorized as to whether it's a life and/or property hazard or whether it's a technical defect. On technical defects, the inspector is required to follow up with the installer within 30 days. But if it is life and/or property, the inspector either arranges for immediate disconnection from energy supply at the moment or they must be followed up within 14 days if there are

other implications, such as they need to order parts or they need to arrange an outage or things that they just cannot deal with. But it must be cleared inside that 14-day time frame, and the inspectors take this very seriously. That is their primary purpose, to clear defects in a timely manner.

Mr. Robert Bailey: Thank you very much. I have nothing further, Chair.

The Acting Chair (Mr. Percy Hatfield): Thank you, Mr. Bailey. I'm just double-checking if Mr. Blais has rejoined us. I saw him on the chamber screen earlier; he was introducing a bill. He may be in the House. Stephen, have you come back to the committee? No? Okay.

Then, in that case, we'll move from the time allotted for the independent member back to the official opposition. Ms. Gélinas, yes, please go ahead.

M^{me} France Gélinas: I just wanted to give you a chance—I know that you had an opportunity to answer my questions when you were answering others. Aside from the work you have done with Mike from Holmes on Homes, was there anything? And then my follow-up question is, what happens when electrical work gets done by a non-ESA licensed contractor? What happens when you find out? Who is responsible? What kind of punishments? How often does that happen? How does that happen, that people actually find out that the electrician they hired that had an electrical ticket was not actually allowed to do work in their homes? How does this process work?

Mr. David Collie: Thank you for your question. I'll start off the question, and then maybe pass some of it over to Josie Erzetic.

As I mentioned, we have a hierarchy of compliance. If it's a minor infraction and someone was doing some work and perhaps they're licensed but did not take out a notification, that might be a gentle reminder about the case and procedure. That could escalate, of course, to someone who knowingly did electrical work and was not licensed, and as I said, in those particular cases, we would pursue more aggressive compliance with them. We have done that in 140 cases over the last five years. That is really the last resort. Those are for people doing egregious work where they really have created a potential harm to the public.

As we said, we are very interested, working with the Ministry of Consumer Services, in having the additional tool, which would be administrative monetary penalties, which fits in between, which would allow not our inspectors but our investigators—that's a different role we have within the organization that is independent of our inspectors—to follow up on circumstances like you've described and, depending on the nature of what that work was—again, this is to be defined—to then be able to issue an administrative monetary penalty as a rather quicker deterrent in those situations. But those details still have to be worked out. We're working with our deputy in the ministry in terms of what that administrative monetary penalty regime would look like.

M^{me} France Gélinas: I'm told that there's sort of a loophole in that, as in, if you are the homeowner, you are allowed to do your own electrical work. Is that true?

Mr. David Collie: So, legally, homeowners can do their own electrical work. That is true. They can do their own work. What our role is, is to ensure that they understand the nature of that work. They still are legally required to take out a notification so that work is inspected.

Mr. Davison talked about our risk-based model. It has a number of attributes that look at who's doing the work, the location of the work, the complexity of the work and so on. But when a homeowner is doing the work, that's very different from a professional, experienced, licensed electrical contractor. As you might imagine, the risk rating in that circumstance goes to high risk. That means we would be inspecting all of that work, 100% of that work. That is the system that exists.

The other thing we do with our educational programs, though, is to provide as much information to homeowners so they understand the limits of their capabilities. That also is very consistent with your earlier question and our discussion around using well-known renovation experts like Mike Holmes so that they can talk about and consumers can really understand the complexity of this work. The electrical code is about 1,000 pages, so you might imagine that's a pretty daunting thing for homeowners to take on. We also educate them so they understand those limits.

M^{me} France Gélinas: Coming back to the people that are ESA-licensed contractors but offer not to ask for a notification so that they could get a discounted price to their customers—the AG talks about this in her report. What are you actively doing to deal with that?

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Mr. David Collie: Thank you for the question. Prior to the Auditor General's report, we already had a number of compliance programs to tackle—I guess more broadly, we might call it the underground economy, or contractors that are unlicensed offering electrical services. So we have expanded those programs significantly.

One I will just hone in on, which is a program that we've worked on co-operatively with Kijiji: We hunt down ads for services that are being offered. Where we find those people who are unlicensed, again, through our hierarchy of compliance—sometimes, it's just a gentle warning; other times, we've taken more aggressive approaches with them. Kijiji has been very supportive and has been willing to take down those ads where we've been able to find that those people are unqualified to do that work.

M^{me} France Gélinas: Basically, you categorize most of that work as the underground economy, as in, this is where the problem lies, that people don't want to pay taxes. People want to get this done cheaper.

We had a nine-week strike at Vale this summer. Vale is the big mining giant in my area. A nine-week strike: That means we had 300 electricians on strike. I guarantee you, everybody in Sudbury had their electrical work done during the nine-week strike because we had all of those electricians available, and everybody thought they were doing the right thing. Everybody thought that by hiring an electrician, "He has a licence. He works at the mine. He

handles things that are way more dangerous than renovating my bathroom, putting in a plug for outside,” and the list goes on and on and on. Renovating a house, I can tell you—I won’t—many of my neighbours did that during the summer.

All of this is simply underground economy and ignorance? They’re good people. They usually follow the law. They have an MPP as their neighbour. But they’re still doing it.

Mr. David Collie: Thanks for your observations. I guess I would step back and take a look at the safety system and the consumer protection system. There’s a reason why these roles are defined within the electrical safety system.

Having a licensed electrical contractor means that we know who they are. We know where they’re doing the work. We know there’s consumer protection and follow-up, which we have done, and we know that they have all the proper insurances. I’m not going to comment or speculate on activities that took place, but this regime is there for a reason.

There were recommendations within the Auditor General’s report for the ESA to consider roles and responsibilities. I’ll ask Josie Erzetic to expand a little bit on the activities we’re doing to address that recommendation. Josie?

Ms. Josie Erzetic: Hi. Thank you for the question. I would take a step back and I would say in response, MPP, to your point of how are people being made aware, that one of the Auditor General’s recommendations was to take a look at our communications materials. We have done that. We’ve used some pretty sophisticated behavioural research to think about: When do people go out and want to hire a licensed electrical contractor? When are they coming up with ideas for their home? When are they undertaking the work? When do they hire a general contractor etc.? What we have done is target specific materials to different points within that process so that we can make sure that we are most relevant when these decisions are being made.

For example, people are searching social media. You may have experienced this yourself: You’re looking for someone, so you will go on YouTube. David mentioned what we’re doing with Kijiji. We’re using social media and using things like YouTube to increase our presence so that we make sure people know who to hire safely. Again, David has given you the example of Mike Holmes and the Holmes Group because they are very present in some of these social media channels. So we are doing a lot to make sure that people are educated and they get the message to hire a licensed electrical contractor.

I think the other part of the question that David forwarded to me was around the work we are doing in order to assess the categories of low-risk work that the AG suggested we take a look at. I would say the importance, and what we think is paramount, in terms of hiring a licensed electrical contracting business is that these businesses hold both WSIB and \$200 million in liability insurance. It’s very important for your constituents, very important for homeowners and consumers of Ontario.

When we look at master electricians—and again, we have now created communication materials so people will understand the difference. What a master electrician does is they supervise the qualified electricians who work within the licensed electrical contracting business. As we look at those other categories, we have to really remind ourselves that those C of Q holders or the certified electricians and the masters do not hold the WSIB or the \$2 million in insurance. So we need, as a safety regulator, to think very carefully about safety and consumer protection.

We’re doing all that work now as well as discussing with stakeholders, and we will be presenting a report to the ministry.

M^{me} France Gélinas: Okay. That brings me to the not-so-good electricians who do not-so-good work.

When you answered that question, you talked about the technical safety that BC had brought forward—that you are thinking about it, that you are talking to stakeholders. Because the act has been modernized, you now have delegations that allow you to do this, but you talking to stakeholders when the AG has told us that you don’t have a consumer representative on your board leads me to believe that you will be talking to a whole bunch of electrical contractors, who have no interest in having their bad work made available to all.

How will you make sure that at the end of your process, we will know when somebody puts in a complaint against an ESA-licensed contractor who has done poor work, who has not finished work, who has left a big mess behind, whatever it is? The consumer needs to know that. Nothing in what you’ve answered my colleague reassured me that we will end up there. Talking to stakeholders, to me, means you’re talking to electrical contractors who have no interest in getting to the end goal that we want to get to.

Ms. Josie Erzetic: I can continue with that question. David has his hand up. What I would indicate is that we do have a consumer advisory council, but I see David’s hand is up as well.

Mr. David Collie: Well, that’s it, Josie. The consumer element is a very important voice within all of the actions we take across every area. We have a really robust consumer advisory council. These are strong representatives. These types of issues are the types of issues that they work and deal with.

We also, a few years ago, designated a senior executive within the organization to have the customer experience voice, so they are a champion. We track all complaints that come in to us and we have a system for that. There are very few, frankly, but we do track all of those. When we are consulting on any major change in our systems—roles, whatever—we also do ad hoc consumer engagement processes through our communications department.

I completely agree with you. It has to be a balance. Stakeholders, in our mind, represent the public as well as those we regulate, in making sure that there’s the appropriate balance. At the end of the day, our organization exists to protect the public from electrical harms and from consumer protection standpoints, so I completely agree.

M^{me} France Gélinas: Okay. You give me hope. Thank you.

The next one—again, it has to do with the consumer—is your call centre employees. The AG tells us that they are not trained to answer any technical questions, no matter how basic they are. They refer them to your inspectors, who told the AG that they do not have the time to respond to these calls. This is not good consumer service and this is not good consumer protection.

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The Acting Chair (Mr. Percy Hatfield): France, we have five minutes left.

David?

Mr. David Collie: Thank you for the question. We agree with the observation that the Auditor General has. It's a complicated area. As we said, the electrical code is a thousand pages deep, so it's not something that we are going to be able to educate a homeowner on, all the complexities of the electrical code. That notwithstanding, we do provide some technical information and some education materials that we can point them to.

Earl, I believe you were going to answer this question for us, or was it Josie? No, Earl. Thank you.

Mr. Earl Davison: Thank you very much for the question. We did take the Auditor General's recommendation very seriously. It is true that a contact centre agent is not trained to answer technical questions. As David said, the electrical code is a thousand pages long—all in number 8 font, I might add.

What we have done is collect all of the freely available technical information that is in the public domain, both from ESA and the Canadian Standards Association, and we are in the process of putting it all on a website that our contact centre agents can forward or refer the customer or caller to, so that they can do the research or gain the knowledge they need.

The electrical code was written specifically to be used by knowledgeable individuals. Of course, callers to the contact centre span the spectrum of knowledge, but our goal is to make the freely available information in a central location so that the inspector doesn't have to answer the question, because they, of course, are busy and we want them to be inspecting medium- and high-risk installations. We fully agree with the Auditor General's recommendation, and we're in the process of implementing it. Again, it will be in place this fall.

M^{me} France Gélinas: Just a quick parenthesis that I forgot to ask: For your master electricians, do you agree and do you have a time frame as to when they will have to do continuing education to renew their licences?

Mr. David Collie: Yes, thank you for that question around the continuing education. That's an important component. We were already considering continuous education when the Auditor General came in and did her review. Josie Erzetic and her team can update you on our next steps that we've taken.

Ms. Josie Erzetic: Thank you for that. Yes, as part of our five-year corporate strategy, we had already planned on—

The Acting Chair (Mr. Percy Hatfield): And I plan on two minutes, so you have a two-minute warning.

Ms. Josie Erzetic: Okay. Thank you. We had planned on incorporating continuous education as part of that under our licensing strategy. At this point, we again have undertaken a jurisdictional review to see what kind of education regimes exist out there, not only in the electrical sector but also in other sectors, for continuous mandatory education.

Again, we're doing a stakeholder review, because that's very important. I believe a number of folks have referred to ECRA, which is our committee that has representatives of contractors and also representatives of the public on it, which provides advice to us with respect to things like education. So we're taking a close watch of what our stakeholders are saying about it and we'll be providing our information back to the ministry. We would expect to have this well under way spring or summer of next year.

M^{me} France Gélinas: I'll plant the seed for my last question, but you won't have time to answer. It has to do with products that are coming in that are not certified—in my neck of the woods, especially portable heaters. So I'm just putting it out there: What can be done? Is there a legislative way? Do you need our help to make sure that we don't burn down anymore homes in Nickel Belt because they ordered all these portable heaters that caught on fire?

The Acting Chair (Mr. Percy Hatfield): There's only 20 seconds left—

M^{me} France Gélinas: And you have 15 seconds to answer.

The Acting Chair (Mr. Percy Hatfield): Fifteen seconds left.

Mr. David Collie: Okay. I obviously can't do justice to that one. We would be pleased to talk about electrical product safety. The deputy mentioned it, as well. That's a large file.

M^{me} France Gélinas: Okay. Next round.

The Acting Chair (Mr. Percy Hatfield): We're going to move on to the Conservatives for 20 minutes. Following that, there's probably 10 minutes left for each side before we run out of time. Ms. Kusendova has the first question.

Ms. Natalia Kusendova: Thank you to members of the ESA, as well as MGCS, for their thorough presentation today. I'd also like to take the opportunity to thank the Auditor General, Bonnie Lysyk, for her very thorough and informative work, not just in this report but in many previous reports, including pandemic readiness and response in long-term care, which I have read all 100-and-some pages of. It has certainly been an important piece of information for us as we move forward. Even today's long-term care announcement was thanks to the thorough work you've done, so thank you for that, Auditor General.

I wanted to talk a little bit about the illegal electrical installations. As the auditor concluded, "The law that prohibits certified electricians and master electricians from offering their services to the public is one of the contributing factors to the widespread problem of illegal electrical installations."

I recently became a homeowner, because I moved in with my husband, and I have to say, I'm a laywoman when it comes to any trades. It's certainly not my area of expertise. We recently did have some electrical work done on our home, and I must admit I don't even know whether the electrician who came to our home was one who was licensed with the ESA, because that's not something that was top of mind for myself. I certainly will check with my husband when I get home whether that's something that he checked for.

But I think that just goes to show that homeowners, perhaps, are not aware that this is a requirement by law, actually, to see whether electricians are licensed with the ESA. So I was wondering if you could explain, just in layman's terms, what is the difference between a certified electrician, a master electrician and a licensed electrical contractor? I know it was touched on a little bit already, but how can we effectively communicate this to our constituents and the public at large?

Mr. David Collie: Thank you very much for the question. In a moment, I'll ask Josie Erzetic to answer the last part of your question, which is differentiating between those different roles. I would just reiterate a little bit of what I said before, which is that we agree with the Auditor General's recommendation that more work needs to be done. As I said, we've done a number of campaigns that are escalating now, which we believe will have a very positive impact in that regard.

Josie, did you want to expand a bit on the roles themselves?

Ms. Josie Erzetic: Yes. Thank you for that question. I guess I would start with the licensed electrical contractor, if you can think of it as a bit of a hierarchy of responsibilities here. The licensed electrical contractors—or the LECs, as we talk about them—are licensed by the ESA, and they are a business. As I responded to one of the earlier questions, they are required to carry both WSIB as well as \$2 million in liability insurance. What happens with the LEC is that they actually employ master electricians, and we'll talk about that in a second, but the master electrician is then responsible for supervising the work of other certified electricians, or what we call certificate of qualification holders, within that company.

The master electrician, then, in order to attain that status, has to have been a C of Q holder for a minimum of three years, but they also have to have relevant industry experience, and they also have to pass an exam, which they take through us. You'll recall that was another one of the AG recommendations, to look at that exam. I can inform the committee that we have looked at that exam, and we have created over 200-plus additional questions for that. So we're just waiting to complete all of our work there, but it is quite a robust exam. The masters are also subject to a standard of conduct which we hold them to, and they're also licensed by the ESA.

The third category that you mentioned, the C of Q holders or the certified electricians, are not licensed by the ESA. They are under the jurisdiction of a body which is OCOT, or the Ontario College of Trades and apprenticeship, which is transitioning to something called Skilled

Trades Ontario, which is part of the Ministry of Labour, Training and Skills Development—sorry, I was just getting that acronym correct there. There are two types of C of Q holders: Some of them have the ability to work in a broader field, including construction sites, and some of them do not have as broad an authority, so there's a differentiation there. You have to take an apprenticeship program to be qualified in this manner and you also have to take an exam.

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Again, those latter two categories do not carry WSIB or the liability insurance, and so that is probably the biggest differentiation, and that is why, as we examine categories of work that could be devolved to either the masters or the C of Q holders, we need to think carefully about safety and we need to think carefully about consumer protection as a regulator. I hope I've answered the question there.

Ms. Natalia Kusendova: Yes, thank you; a very thorough answer. So I was wondering, as a consumer, if I need an electrician to come to my home, am I then allowed to ask them to show me whether they're licensed with the ESA?

Ms. Josie Erzetic: Absolutely. I feel like we've referred to the Mike Holmes video and Mike Holmes family frequently, but we are trying to get this message out. The ESA has been educating in this regard for a long, long time, but as you yourself have mentioned, until people are in the position of either buying a home or renovating or doing other things, it's not as relevant. We are really trying to impact people when they're making these decisions, so part of the most recent campaign is around "hire an LEC" and what to look for. Make sure they're giving you their qualification number. It's on the estimate and it's on the invoice. So, absolutely, you should ask.

Ms. Natalia Kusendova: Thank you. I wanted to ask another question with regard to municipalities because, as has been noted by the Auditor General, some municipalities actually do not require proof of ESA inspection. Are you doing any awareness campaigns at that level with our municipal partners?

Mr. David Collie: Thank you for the question. We were, again, really pleased that this was highlighted in the report. The relationship between the municipalities, ourselves and the province is an important one. If you think about the whole safety system, you could think about people taking out building permits or being knowledgeable within the municipality of what's taking place in terms of renovations or new construction. So we do think there is potential opportunity for coordination between two ministries here, and that is a project that's being undertaken in co-operation with the deputy and her team. I'd be pleased to have her comment further.

Ms. Renu Kulendran: Thank you, David, for starting to respond, but it is something we're looking into and working with our partners at the Ministry of Municipal Affairs and Housing in terms of the connection to the building code inspections. So that is certainly something we are following up on.

Ms. Natalia Kusendova: Thank you. And my last question, before I pass it on to my colleague Christine Hogarth—I wanted to shift gears a little bit and talk about the fiscal impact of the ESA. You’ve talked about the five-year strategy and the operational effectiveness and the aspirations of being a modern regulator. I was wondering whether there is any opportunity to reduce the fiscal impact of the ESA.

Mr. David Collie: Thank you very much for the question. We addressed a little bit of this earlier but, obviously, reducing our fiscal impact where it doesn’t have an impact on electrical safety is important for us. We’ve been able to do that very successfully over the last five years.

In the report, it made reference to other administrative authorities, and I think that’s important as well, so we do have a great coordination group that works together amongst the administrative authorities. That was a recommendation as to one of the reports that was highlighted in the Auditor General’s recommendations. That group has been able to come together and share best practices, share some joint procurement together and take advantage of the provincial government’s procurement program. So all of those are good efforts in terms of reducing costs.

And then, going forward, in our five-year strategy, we’ve outlined a number of efficiency improvements we can do, in addition to risk-based oversight and, obviously, our digital plan, which can reduce costs going forward as well. We have a very aggressive program that we had in place, and we’re carrying forward on that, going forward.

We’ve targeted a 10% productivity improvement in this current five-year strategy. I see the deputy has indicated to add in as well.

Ms. Renu Kulendran: Thank you, David. I had mentioned that we are working with the Electrical Safety Authority with respect to updating our administrative agreement which governs our relationship and sets performance metrics. Some of the areas we’re looking at, in terms of the agreement, that we want to have updated by the end of March is not only enhanced transparency requirements around the public posting of some policies and a more robust information-sharing protocol, but also developing an annual burden reduction plan. In terms of promoting efficiencies and potentially impacting whether it’s cost or processes etc., we see that as an area we can focus on.

Ms. Natalia Kusendova: Thank you, Chair.

The Acting Chair (Mr. Percy Hatfield): Christine, it’s over to you. You have nine minutes remaining on the clock.

Ms. Christine Hogarth: Great. Thank you very much. I’ll be fast, because I’m going to pass it off to my colleague MPP Cuzzetto. I have one question for each, and I’m going to start with the ESA. I appreciate an interesting conversation talking about electrical work. Many of us watch HGTV and a lot of us are renovating these days, so obviously it’s something that is important, right? If you have fires in your homes—you have to be safe. It’s not just for anyone to do, even though it looks really easy on TV.

My first question is: Obviously, we want to have the top skills in our communities looking after our homes, renovating probably our most expensive asset we’ll actually invest in. How often does the ESA plan to update their master electrician exams with new questions to make sure that we have the top-rated electricians in the country, or maybe even in the world?

Mr. David Collie: First off, thank you very much for your question. There are a couple of things in there that I think are important just to unpack. One is around, obviously, electrical safety in our homes. We’re really pleased that we’ve seen the number of fires reduced about—I think it’s 33% in the last five years. So that’s tremendous improvement, heading in the right direction. At the same time, any injury or fire is too many, so we do want the top talent in our organization, to make sure that we’ve got that oversight and we want to make sure the master electricians who are out there are also of that calibre. But I’ll ask Josie Erzetic—she was speaking earlier about some of the changes we’re doing in our master examination process—to highlight the last piece you asked about.

Ms. Josie Erzetic: Thank you for that question. We are in the process of updating the master electrician exam. We’ve actually done some analysis of it and retained some external expertise to assist us in that as well. We currently have, I’d say, about 208 or so additional questions. We are just looking to finalize all of that and then we will put that in place.

Ms. Christine Hogarth: Thank you. I think it was Earl who had spoken about the document, the manual, being 8 font, which—I can’t see anything anymore, so 8 font is difficult. It will be interesting how it will move in the future, that these might be electronic versions in multiple languages. So if I speak English, French, Italian, whatever I speak, it’s translated universally and electronically. A lot of people don’t carry the book around. They all carry these things around now, so they’ll have it at their fingertips. But it’s obviously a discussion for another day.

My last question is for the ministry. I know that MPP Tabuns touched on this, but how is the ministry supporting the ESA to address the illegal electrician installations? And how are you ensuring that the ESA is committed to transparency and accountability, moving forward?

Ms. Renu Kulendran: Thank you for the question, to the honourable member. We acknowledge the Auditor General’s recommendations and are working closely with the ESA around them. The current system does provide public assurance that electrical safety work that is conducted is safe and completed by qualified individuals. We are working with the ESA. And just related to the question about the different classes of electricians that do this work, I just wanted to acknowledge that in response to the recommendations of the auditor—

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The Acting Chair (Mr. Percy Hatfield): Five minutes. You have your five-minute warning. Sorry for the interruption.

Ms. Renu Kulendran:—we are working with the ESA to reassess the current restrictions on those who can perform electrical installation work to see if other arrangements are possible for master electricians and certified electricians, with a view that safety is the paramount concern, but also recognizing the auditor's recommendations around certified electricians or master electricians being allowed to perform lower-risk installation work.

As Josie indicated, there's consultation that's taking place. This work also involves the Ministry of Labour, Training and Skills Development to consider findings. As the auditor recommended for us to take a look at this and to look to see if there are opportunities to open up work for a broader group of electrical workers, as long as they're qualified and as long as safety issues are paramount, that work continues, in terms of addressing the illegal economy.

With respect to the other tool we talked about, in terms of the development of administrative monetary penalties to support additional compliance and allow for the ESA to leverage that to bring more immediate, effective and swifter compliance: As David outlined earlier, prosecutions can be lengthy and expensive and don't necessarily result in an intended outcome for the consumer. We see this as a way to deter illegal activity.

So I would say we're working on a couple of fronts to address illegal electrical installations.

Ms. Christine Hogarth: I'll pass it over to my colleague MPP Cuzzetto, please. Thank you.

The Acting Chair (Mr. Percy Hatfield): Are you there, Rudy? Michael Parsa was there earlier. Are you there, Michael? Do you have a question, sir?

Mr. Michael Parsa: Yes, if my colleague Rudy Cuzzetto is not available. Do you mind if I go, and then maybe Rudy can go right after me?

The Acting Chair (Mr. Percy Hatfield): All right. Go ahead, Michael.

Mr. Michael Parsa: Thank you, Chair. Just a quick question, just to build upon one of my colleagues who was asking: Certainly during the global pandemic a lot of people started renovating their homes. It was quite popular. They had the time. They were spending time at home, so they were able to do that. Many started purchasing products virtually and online and started getting it delivered to them.

I just want to know the role of the ESA when products are sold virtually. You touched on this earlier. I'm just wondering: Whether it's online or in retail settings, how is the ESA protecting consumers with products that are safer for people, as opposed to those that are not? I just want to know if you can just expand on the ESA's role on that, please.

Mr. David Collie: Thank you very much for the question. I was hoping that this would come back up again later. We do an awful lot in terms of campaigns for consumers and what to look for in a particular product. You will notice one coming up very soon in conjunction with Christmas lights and so on that you'll see. But without a doubt, the product-safety area is one that rapidly changed

pre-pandemic, and certainly has been exacerbated during the pandemic. In a moment I'll ask Josie Erzetic to talk about our response to the Auditor General's recommendation, but we were already developing an enhanced product safety plan and we're completely in alignment with the AG's recommendation in this regard.

We can't address this problem on its own. Even if we had all the money in the world, it is a global challenge. I think anyone can appreciate that the online sale of products has escalated enormously over the last few years, and it's not going to go away. It's not an Ontario-alone problem. It's not even a Canada-alone problem; it's a global piece, but we have a role to play.

Josie, maybe you can outline the steps we're doing in our consultation.

The Acting Chair (Mr. Percy Hatfield): And you can do so in 35 seconds.

Mr. David Collie: Okay. That might be hard.

Ms. Josie Erzetic: Wow. How fast can I talk?

It is a really big problem. We are doing a lot of work. People have referred both to the analysis we've done, as well as to the task force we've undertaken. If there is additional time available to expand further, I would love to do so, because it is a challenge, and I would say we are vigorously taking on that challenge.

The Acting Chair (Mr. Percy Hatfield): Thank you. There are only 10 seconds left, Michael. You won't get another question in in this round. However, we do have time remaining, and we're going to split it evenly. We haven't heard from Mr. Blais. It's 15 minutes for each side at this point.

The official opposition: Ms. Gélinas, if you could kick us off, please.

M^{me} France Gélinas: I will continue down the path that I had started and MPP Parsa continued. If a piece of electrical anything is made in Ontario, sold in Ontario, you are able to make sure that it is safe. I would say, explain to me that process.

The second part of my question is that, for everything that gets ordered online, I take it that there is no process for you to oversee that?

My third question, all regarding the same topic: Is there a jurisdiction in the world that does good on that? I have heard that Israel was doing good, but I don't know why. I was wondering if you guys know who does good, why, and what do they do that we're not doing? So, many questions, but all about the same topic as to a whole bunch of electrical stuff.

The Auditor General told us that they actually ordered six pieces—"Six of 13 products we purchased from a large online retailer were uncertified, including a portable heater, light fixture, lamp, heated blanket and two cell phone chargers. Five of these six uncertified products did not pass safety tests." I leave it to whoever wants to start.

Mr. David Collie: Thanks. I will start and just acknowledge that this is a very large area.

We have a role to play in Ontario. Josie Erzetic can outline what we've done in terms of bringing all the key participants to the table to help work collectively to outline

the procedure and some of the global reviews we've taken to see what other countries are doing, because every country, every province is dealing with the same challenge. Josie?

Ms. Josie Erzetic: Thank you for the question. I really appreciate that we're able to have this kind of a discussion in this forum.

I've made a note, actually, about your comments on Israel. Israel is one jurisdiction we have not examined, but I will confirm with you we certainly will do so after we get off this call.

We've examined a number of jurisdictions internationally, including the UK, the United States and different states within the United States. We have also examined South Korea and Australia. I can tell you with great certainty this is a global problem. Online products, as one of the other MPPs alluded to, do not know national or international boundaries. People are ordering them from all over.

We do currently, under the regulation, have responsibilities for online as well as what you alluded to, brick-and-mortar stores. But what makes this very complicated is this is a shared jurisdiction. It is not just the province and the ESA as its regulator; it is also the federal level and Health Canada as its regulator. Health Canada has jurisdiction over consumer products.

Not only do we have the task force working group, which includes ourselves, our ministry and Health Canada, but also brick-and-mortar retailers, online retailers, consumer representatives, manufacturers and distributors. We're all sitting down to talk about how we can tackle what is, quite frankly, a big problem and then provide our advice back to government.

We are very mindful, as I'm sure everybody on the call is, that you cannot boil the ocean. We are a provincial regulator. In every jurisdiction we have examined, the federal level has a role to play. We need to think about that very carefully and we need to, in effect, stay in our swim lane as a provincial regulator.

We are also evolving our thinking in terms of risk-based oversight, looking at the areas of highest risk and addressing those first. So that's a very quick way of talking about a very big problem.

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M^{me} France Gélinas: From what you've just shared with us, does that mean that if I go to a buck store right now—Dollarama, whatever you want to call them—and buy a new charger for my phone, do I know that it is a certified product or no?

Ms. Josie Erzetic: If I can continue answering the question, you would look at the product to see if it has a certification label. If it is a consumer product—and that's what you're talking about—and there is a certified label on it, that becomes the jurisdiction of Health Canada if there is a problem with that product. If it is an unapproved product—so in other words, it is pre-market—that is where we get involved. But we do work very closely with Health Canada, so we are reporting back and forth in terms of either reports they receive or reports we receive.

M^{me} France Gélinas: How confident are you that most of the electrical products we buy in Ontario—so if we use the example from the auditor of a heated blanket, a lamp, a light fixture, a portable heater. Portable heaters I really hate, so I'm interested in those. How confident are you that all of the products that Home Hardware sells—let's focus on portable heaters—all the portable heaters that Canadian Tire, Home Hardware and all of those bricks-and-mortar stores in little communities in Nickel Belt pass the testing to be safe?

Ms. Josie Erzetic: If I can continue answering the question, it's very difficult for me to speculate on particular retailers or particular products, but I would say that on our task force, we do have some of the retailers you've mentioned working with us. Part of the campaigns we do around product safety is we ask homeowners and we ask retailers to ensure that they have certified products that they're selling, so they're selling CSA-approved, UL-approved products.

M^{me} France Gélinas: Okay. So what kind of a relationship exists? Give me an example with whoever you want: Home Hardware, Canadian Tire. You don't even have to name it. But how do we know that you are holding them accountable? What is this accountability to make sure that every single product they sell us that is electrical has your blessing? Does such a thing exist?

Ms. Josie Erzetic: Maybe I'll take that again. Our accountability in that regard is to ensure that there are certified or approved products for sale. It is a joint accountability, as I said earlier, with Health Canada, so with the federal level as well, because we have joint accountability for consumer products.

M^{me} France Gélinas: You're still leaving me with those very uncomfortable feelings that although they are bricks and mortar, although they are a recognized brand—it doesn't matter the joint accountability between you and Health Canada—there could still be a lot of uncertified products available for sale in a bricks and mortar. And we multiply this once we go online.

Ms. Josie Erzetic: It is a difficult situation to talk about in a holistic way. We really have to look at it in a fact-specific way to determine where particular problems could exist.

I think that as with our other awareness campaigns and as to what we were talking about earlier to ensure you're hiring a licensed electrical contractor, our role is to make sure that people are aware of the requirements and aware of safety. Vis-à-vis retailers, we ensure that they know they should be selling products that are certified, that are approved. It's the same with online retailers.

I can go back to our jurisdictional scan. Different jurisdictions are taking a different look at some of these things. I'll give you an example of California, where there is some legislation that has recently been considered about whether consumers could directly sue online retailers, because is it the platform or is it the specific seller who is accountable for this thing? So different jurisdictions are looking at different ways of addressing the problem, but there's no one solution to everything right now, I would say.

M^{me} France Gélinas: I get from this that the accountability is not that proactive if a—

The Acting Chair (Mr. Percy Hatfield): Five minutes, France.

M^{me} France Gélinas: Okay. If a store wants to do good, they make sure that what they buy is certified. If a store did not want to do good, they could buy stuff that is not certified, and unless somebody complains, nobody would ever know.

Ms. Josie Erzetic: They are required by law to sell certified products.

M^{me} France Gélinas: Okay.

I will let my colleagues—sorry I took so long. Peter or Terence.

Mr. Terence Kernaghan: Thank you very much. My question is for the ministry, for the deputy minister. I'd like to ask what, in your opinion, could the ministry do to better work with and support the ESA?

Ms. Renu Kulendran: Thank you to the member for the question. Just for a point of clarification, are you talking about with respect to the issue of electrical safety products or more generally?

Mr. Terence Kernaghan: More generally.

Ms. Renu Kulendran: In terms of the work that has been identified as a follow-up to the Auditor General's recommendations, which we endorse and support: the work we are doing to enhance the measures and expectations arising from the administrative agreement; the collaborative work we're doing on the product safety piece—and we are certainly a partner in that work, as is the federal government, in terms of identifying a holistic approach to how we can solve that from a compliance perspective, from a potential regulatory legislative perspective and from an implementation perspective.

There is also the ongoing work we do on oversight that we do collaboratively and on a regular basis, as I've talked about before, and there is work we do interministerially. We also work very closely with the Ministries of Labour, Training and Skills Development, Municipal Affairs and Housing, and our other partners, in terms of in that broader enforcement compliance regime with respect to broader consumer protection and health and safety issues.

Our role is strong oversight in ensuring that the Electrical Safety Authority fulfills the terms of the administrative agreement, which governs the day-to-day operations and regulatory work. For example, when issues come up that need a regulatory or legislative review, we are advancing those issues and consulting on them so that we can improve the framework, improve the governing legislation.

The Acting Chair (Mr. Percy Hatfield): Two minutes.

Ms. Renu Kulendran: As I've mentioned before, we did introduce the rebuilding consumer confidence legislation last year that enhanced tools that the minister has with respect to the oversight relationship and allowed for more transparency in terms of policies. That legislation not only will help us improve the way we support the ESA and we support consumer protection and safety, but also with

respect to how we work with the broad spectrum of delegated administrative authorities.

Mr. Terence Kernaghan: Thank you.

In the remaining time, I'll pass it over to MPP Tabuns. It's go time.

Mr. Peter Tabuns: I'm now unmuted. Thanks very much.

One of the things that was mentioned by the Auditor General is the setting of targets by the ministry. Ms. Kulendran, can you tell us if you have set the targets that the Auditor General suggested you have in place?

Ms. Renu Kulendran: Thank you for the question, to the honourable member. I mentioned that we do take our oversight relationship seriously, and we welcome the Auditor General's advice on how we can do that job better. We do have, as I mentioned, performance and compliance targets that are in our existing administrative agreement, but we are in the process of updating our administrative agreement with the Electrical Safety Authority and are considering the recommendations of the Auditor General in this regard. That includes working to identify some of the additional measures that the Auditor General had identified in her report.

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The Acting Chair (Mr. Percy Hatfield): Thank you so much. There are five seconds left, not time enough for a question and an answer. We're going to move on to the government side, which will have 15 minutes, if there's a government member with a question. Mr. Parsa, the floor is yours, sir.

Mr. Michael Parsa: Thank you, Chair. I appreciate it. I'm wondering if they can just finish off—I believe one of the members, I'm not really sure exactly who, was going to elaborate on the point earlier to the other question that I asked. There was a reference to bricks and mortar as opposed to more digital sales. I'm wondering if you can just elaborate on that for me, because the confidence in bricks and mortar certainly is different than those being sold online and virtually. As I said, there are a lot of people who are going and are purchasing it online, so I'm just wondering if you can expand on that, please.

Mr. David Collie: Sure, thank you very much. Josie Erzetic went through all the detail in terms of what we're doing for the consultation process, so I won't go into that component at all, but maybe it's important to differentiate that with bricks-and-mortar, well-established businesses, they know their responsibilities under the law. They know, whether they're ordering hockey equipment or whether it's electrical equipment and parts, that it needs to be certified, and they have the staff and capabilities to look for that sort of thing. Cases where a product is uncertified showing up in, we'll say, traditional bricks and mortar are much less.

This really, now, what we're speaking about, is a more modern phenomenon, obviously: the ordering of things online where a consumer can order something from anywhere around the world. Josie mentioned like a phone charger or something which you can order and pick up. We're not going to be able to stop every single phone charger. No jurisdiction we've looked at can look at that.

Dr. Joel Moody is here. He was our chief public safety officer at the time, doing the report. I'd be happy to have him talk about the safety aspects of it. But looking at some of those, those are not high-risk ones if it's a phone charger, for example. Some of the others might be. When we look at our response to electrical products, we again want to apply risk-based oversight.

I can say, it was part of the Auditor General's recommendation to put more resources in this area, and we've done so. We are currently today following up on 100% of any incident of any electrical product that comes to our attention and taking appropriate responses, including talking to vendors and having those removed where those might be a harm to the public online.

Dr. Moody, did you wish to comment at all in terms of the safety implications?

Dr. Joel Moody: Thank you very much, Mr. Collie, and I appreciate the honourable member's question. From the data, we use a population-based epidemiological approach to really understand what are the causes of either injury or, unfortunately, fatalities that arise when certain products are used. What the data are showing us is that we are not seeing a massive amount of injuries or fatalities coming from these different products.

Now, with that being said, with injuries and fatalities, one is one too many. As the Auditor General has verified and elaborated upon, we have seen marked improvement in electrical safety over the last 10-year period.

As Ms. Erzetic was saying, the construct around approved products in bricks and mortar, working with those standard development organizations such as the CSA, the UL, the ULC, to ensure that that supply chain is robust, that is really a very important step in the process. But the data are clear that, at this time, you're not seeing those adverse outcomes that are very important. That's a very important piece of risk that we take into account at the Electrical Safety Authority, when I was part of the organization, to help us identify those areas of highest risk and therefore creating tailored, specific intervention in order to minimize those risks to the population.

The Acting Chair (Mr. Percy Hatfield): Go ahead, Josie. Do you want to finish off what David was saying? Josie, yes. Can you—

Ms. Josie Erzetic: Sorry, I was muted there. I just wanted to follow up on the bricks and mortar and the 100% review that David had mentioned as well. If we receive a report and it's with respect to a bricks-and-mortar store about an uncertified product, we will attend at the store. We'll send a warning letter to the store. We will attend at the store, and when we've attended and indicated that those products should be removed from the shelves, they are removed from the shelves. So it's based on follow-up to a report.

Mr. Michael Parsa: Thank you very much. Chair, I'm going to pass it over to my colleague MPP Deepak Anand.

The Acting Chair (Mr. Percy Hatfield): I have seen him waving his hand all around, and I was wondering when we were going to get to him. Deepak, go ahead, sir.

Mr. Deepak Anand: Thank you, Chair. Do you know what? If I will not ask this question, it's not going to be well done, because—I just want to say thank you to the ESA because they're physically located in, of course, the most beautiful riding of Mississauga–Malton. So I just want to say thank you for that.

My question is: Often I hear a lot from my residents, and they will have an issue and they will say, "Oh, we want you to help us out with the ESA"—or other organizations, for that matter. In terms of the consumer, how are consumer interests represented and considered within your organization? If there is any problem, how would a consumer or resident get in contact, and what are the obligations, duties of the authorities that we have?

Mr. David Collie: Thank you very much for the question. The consumer voice is really important with the ESA. We understand our regulated community, but we go back to and say, "Well, why do we exist?" We exist to protect the public and the consumers, and that can be on the safety side or consumer protection or other types of issues. So yes, making sure that's built in right across the organization at all decision points is really important.

Our board chair spoke about consumer representation on our board of directors, which, from a staff perspective, we certainly think is terrific, as well. I would speak to the actions I've taken on behalf of the organization, which are to include a senior executive who is responsible for making sure that consumers are consulted at every process change we do. So that voice is present at all our major decisions: system changes, regulatory changes and the like.

Then again, we have—and it's important to have that—a very strong consumer advisory council. That's a cross-section of representatives from every geographic or other diversity lens you would expect in the consumer voice. That's a really important balance.

Also, on our licensing, Josie had mentioned ECRA, which is our acronym. It's the electrical registration authority that's part of the ESA. We have a balanced view there as well. So yes, the regulated community is there, but it's balanced against consumer voices as well, and we think that produces the best results at the end of the day.

And then, we're not satisfied there either, because for every interaction that we do at our customer service centre and with our field inspectors, we do a sampling. We get consumer feedback on how well that went. I can tell you, we always score very high, in the eighties—that's excellent. Comparing it, we always want to go higher, but that's a strong number. Then we do periodic surveys, as well. All of that together gives us a very strong consumer voice, making sure that we're making the right decisions for the right reasons. Thank you for that.

Mr. Deepak Anand: And just on that, are there any seminars that you do—I mean, especially now, we can do those things online as well. I know you have a section on DIY where you talk about if you have to take on a job yourself, how you do it. But often, at the end of the day, those who are doing it—I mean, it's typical: You buy a machine, you start fixing the machine and halfway, when

you're stuck, only then do you take out the manual and read it and say, "Oh, my goodness. I should have started from the beginning." Are there seminars done on that?

After that, if any of my colleagues want to jump in, they're more than welcome. If not, then I just want to ask you about the Auditor General's report. I can't thank the AG enough, as my other colleagues did. What is the game plan? What is happening with that? Back to you.

1440

Mr. David Collie: Maybe I'll address the last piece. Very similar to my opening comments, we embrace the Auditor General's review. I spoke directly to Ms. Lysyk in my office when we started the process. I said, "You would have 100% support from me and our team. We want to be the best safety regulator we possibly can be. We want Ontario to continue to be a leader across Canada. We have been, and we think this report would make us even better." So we fully embraced it.

I've set a process in place. Our board chair can talk about the board oversight elements, but I can tell you that we have a team and that we've assigned every single action item to an executive in a senior management team. They have—

Mr. Deepak Anand: Thank you so much. I would like my colleagues to ask the next question.

Mr. David Collie: Thank you.

Ms. Christine Hogarth: I just want to thank the AG for bringing this forward today. It's very timely, because a lot of us are looking at renovating, and hey, it's one of my favourite channels to watch, the renovation channel. My husband says it's probably the most expensive channel we have in the house.

My comment is: One thing we can take out of this is that there are changes, and people need to be careful to make sure our homes are safe. What advice would you share with all of us that we can pass along to our constituents to make sure that they're doing things safely, that they're making sure that whoever they hire for their home is certified? Any parting words that you can share with us that we can share with our community members?

Mr. David Collie: Sure. Well, thank you very much. I think we all know the world has changed dramatically with the pandemic. We all know it will never be the same after. And, yes, many people are working remotely. I think while there's been this huge renovation boom, there probably will still be a lot of that taking place later.

I think that in anything that you're getting done in your home, it is important. Many of the members have said today that it's probably the largest purchase you'll ever make and it's the most you'll continue to invest, but it's where you live. It's where your family lives. It's where you sleep. It's where you bring people over as guests. It's really important to make sure that that home is safe.

Obviously we're biased, but we think the electricity system is the most important investment of net safety within your home, and so it's worth just taking a little bit of time, being an informed and educated consumer. We have lots of things that we can help do for the consumer, and then a number of those have been highlighted where

we can do more in the Auditor General's review, which we've embraced.

So the final word is that we will do what we can. We're enhancing our capabilities, but we want to help you to be empowered as a consumer to make the right informed choices.

Ms. Christine Hogarth: And if people have questions, how do they contact you?

Mr. David Collie: It's very easy to contact the Electrical Safety Authority. Our website is up and available with links. There are simple links to go there, and you would get somebody right away. If you phone our contact centre—yes, this is a true stat—the majority of the time, you will get a live body speaking to you within 30 seconds. That's how importantly we take the customer service element. They will be able to handle any issues for you. Then, of course, we're on Twitter and all these other social media contacts as well.

Ms. Christine Hogarth: Okay. Thank you once again. There are no further questions from me.

The Acting Chair (Mr. Percy Hatfield): We do have two minutes. Seeing no—oh, yes, Mr. Parsa. Go ahead, Michael.

Mr. Michael Parsa: Were you going to wrap up early there, Chair?

I wanted to ask a very, very quick question. First of all, as always, I want to thank the Auditor General, just like my colleagues. Great work, as always. Thank you and your team for bringing this forward. It's incredibly helpful to us, especially as we look to protect the consumers. Thank you very much, Auditor.

A question that I have, Chair, and probably the deputy minister or perhaps somebody from our ministry can answer: I'm always curious to know, when we look at good or bad, where we are. In the middle? I always like to benchmark ourselves against other jurisdictions. I'm wondering how much of a scan is done, especially in light of the report here, for us to be able to say where we are now and where we need to be, to make sure there's better protection for the people. I'm just wondering if you can just give me a quick update on that lens, if possible, please.

Ms. Renu Kulendran: Sure, absolutely. I'm going to turn it over to some of the team here, because they're really the ones who work most closely with the ESA and do that policy work, oversight work and interjurisdictional work. Perhaps I'll turn it over to Michèle Sanborn, who is the assistant deputy minister, and she may turn it over to the specific branch that's responsible for oversight. Thanks.

The Acting Chair (Mr. Percy Hatfield): The only problem we have is we have 40 seconds left, so it's going to be quick responses.

Ms. Renu Kulendran: Maybe I can just make a general comment and get back to you specifically on the work that we do with the ESA to benchmark against other jurisdictions. Although I will say that David mentioned earlier that the ESA safety record is probably one of the most outstanding in terms of benchmarking.

We in the ministry do our ongoing policy work and oversight work to see where other jurisdictions are as well.

We work collaboratively to understand where Ontario is situated and where we can do better. So—

The Acting Chair (Mr. Percy Hatfield): Thank you, Deputy. Unfortunately, we do have time constraints and we have hit that time limit.

Our time for questions this afternoon has concluded. I want to thank everyone for being here.

On a personal note, it's taken me back almost 50 years. Back in the early 1970s, when I was working at CHOV television in Pembroke, I'd get an extra \$15 a week to go down to the Pembroke arena and be the ring announcer for Big Time Wrestling, and I'd have to give a "five minutes, five minutes" warning so the actors could get themselves ready for the big finale. So thank you for that.

I'd like to thank you for appearing. My script says, "You are dismissed." We are not dismissing your work, but you are free to leave at this point. Thank you very much for coming.

Thank you to the Auditor General and her team for everything, all the work they've put into this audit and annual report.

We're going to take a pause now, briefly, as we go into closed session so that the committee can commence its report writing. Thank you all.

Colleagues, we'll get back to you shortly, once we know that what we're talking about isn't being broadcast.

The committee continued in closed session at 1447.

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Mr. Peter Tabuns (Toronto–Danforth ND)

Also taking part / Autres participants et participantes

Mr. Terence Kernaghan (London North Centre / London-Centre-Nord ND)

Ms. Laura Mae Lindo (Kitchener Centre / Kitchener-Centre ND)

Mr. Jamie West (Sudbury ND)

Ms. Bonnie Lysyk, Auditor General

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