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On the Cover: John Ferguson, K-Line Maintenance & Construction Limited, demonstrates the power line technician trade at the Future Building 2006 show in Toronto.

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Ontario Electrical Contractor

THE MUTUAL FUND CANDY STORE

By Stanley Temper

ou know the feeling you get when you walk into a candy store? That's right, the shop where the walls, counters and display cases are covered with every colour, shape, taste and name of sweet imaginable?

It all looks so appealing, and if you had your way, you'd buy one of each. But, with a limited amount of money (and your dentist's ominous warning), you really should only choose a couple of these treats, and make sure they are the ones that will satisfy you the most.

Why mention candy shops in an article about mutual funds? Because so many people feel that the mutual fund selection process is just like trying to choose candies from a giant confectionery.

In Canada today, there are over 4,000 different mutual funds available. In the battle to capture market share, they have been differentiated into so many colours, shapes, tastes and names that it has become very difficult to determine which funds will best suit your personal investment needs and objectives.

Here are a few of the adjectives you've got to sort through to make your selections:

Canadian Ethical
American Aggressive
Americas Fundamental
Far East Opportunity
Latin American Special Equity
European Precious Metals

Global Resource

Large Cap Science & Technology

Small Cap Infrastructure
Mid Cap Futures

Tax Class Telecommunication

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Ju-jubes
Ju-jubes
Smarties
Smarties
Caramels

Bubblicious

...and so on, it can't be any easier wrangling with mutual funds. If you make a mistake, the consequences can be a lot more severe than a cavity.

Even the Americans have it easier (on a per capita basis). There are 10 times as many people living in the United States than in Canada, but compared to our 4,000 funds, they "only" have to choose from over 10,000 different mutual funds.

Oh! Did I mention all the fee structures yet? How about:

Redemption fees Management expense ratios

Switching fees Front load
Trailer fees Back load
Distribution fees No load

It's a mutual fund overload!

How Not to Pick a Mutual Fund

Picking mutual funds can be a very involved process. In response to the confusion, a whole cottage industry has sprung up, offering seminars, books, indices, web sites, newsletters, computer analyses and rating reports.

When it comes to trying to pick this year's hot fund, everybody seems to have his or her own opinion. These opinions may be based on a fund manager's previous track record, on prognostications for the particular market a fund invests in, on technical charts and graphs, or on other guesswork.

But not everybody follows the headlines generated by



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<u>feature</u>

this cottage industry, the ones that boldly offer: "THE BEST FUND IN TOWN RIGHT NOW!" I do not get concerned when a fund that I recommend to a client fails to make someone else's "pick-hits-of-the-week" list. That's because the fund managers that I prefer rarely take the type of risks they might have to take to attempt to be #1 year after year. These preferred managers are chosen because of their success over longer time periods, and their consistency: they adhere to very disciplined investment principles and procedures.

In fact, often the best time to add to an investment with one or more of these choice managers is during a period of relative under-performance. The relative under-performance is usually attributable to having ideas in the portfolio that haven't come to fruition yet. The history of these managers suggests that a period of out-performance will follow soon after.

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exotic funds to have a properly balanced, well-managed portfolio.

Instead of the "mutual fund-du-jour" approach, which goes something like:

"since you don't have any exposure to Latin America, why don't you get a bit of the Amigo Fund; since you need something in the Orient, and this could be a good year for Japanese small cap companies, why not pick up some of the Honda 50cc Fund; because interest rates are so high around the world, try some of the Planet Discount Bond Fund; and so on..."

What is better is a balanced, well-managed portfolio built from some very simple fundamental rules:

- 1) It is important to diversify your investment portfolio in terms of: (i) asset class (stock, bonds, treasury bills, etc...); (ii) geographical distribution (Canada, United States, international); (iii) company size small, medium or large "cap"; and (iv) style of investment management (bargain buyers, growth, sector rotation, or the "top-down" macroeconomic approach).
- 2) When selecting individual mutual funds, a fund's published track record is just one consideration; it's even more important to examine the individual manager's track record and investment philosophy (managers often move from fund to fund); the fund's volatility (the degree to which its annual performance jumps around); significant changes in the size of the fund; and whether the investment philosophy of the fund is being consistently maintained. When a mutual fund passes these tests, we know we're dealing with a quality investment vehicle.
 - 3) Invest with a long-term horizon.
 - 4) Keep it simple.

This means that instead of owning a dozen international equity funds, you can do just as well with two or three that invest in companies all over the world, provided that each of these funds utilize different management styles. That gives you plenty of diversification.

By doing so, you let a small consortium of fund managers apply their in-house resources to determine where in the world they feel the best investments are to be made. You don't have to guess whether Mexico will be hotter than Japan this year (I'm not referring to the weather).

Similarly, you can cover the Canadian equity market extremely well by investing in two or three funds, diversifying them as to company size and management style as well.

If you feel strongly about certain other equity opportunities, then take a minor position in a specialty fund (like a resource fund) or a regional fund (i.e. one that only invests in the Pacific Rim).

A similar investing approach can be applied to the selection of fixed income funds, for those who chose not to own individual bonds in their portfolios. There are also a number of attractive "fund of mutual funds" offerings that package a broad selection of holdings into one concise package. I will write about these mutual fund "wraps" next issue.

Simplicity, diversification, quality

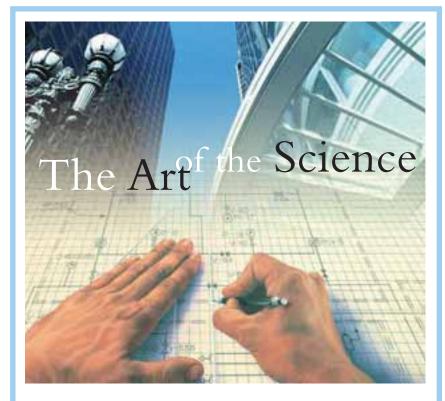
These are the hallmarks of a sound mutual fund investment strategy. This is also where the analogy between mutual funds and candy shops converges again. When picking sweets, you don't need to buy the whole store to keep you happy.

However, there is one mutual fund that I can't wait to buy. As soon as The Diversified Global Chocolate Fund appears, I'll be taking a big, tasty bite out of it.

Stanley M. Tepner, MBA, CA, CFP, TEP, is a First Vice President and Investment Advisor with The Tepner Team at CIBC Wood Gundy in Toronto. He can be reached by telephone at 416-229-5566 or 1-800-488-8688 or by e-mail at stan. tepner@cibc.ca.

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RESIDENTIAL TECHNOLOGY

The following article is reprinted with permission from the National Joint Apprenticeship and Training Committee's February 2006 News (USA).

hose of us in the construction industry who have been holding our fiscal breath for the past few years should have breathed a little easier after last year. Why? Because a 10 per cent increase in total construction for 2004 marks the largest annual increase in five years. The value of all new construction starts reached \$582.9 billion. A combination of low mortgage rates and robust home buyer demand fueled the residential market, which increased 16 per cent to \$328.5 billion last year. Nonresidential building starts fell flat in 2003, but they increased three per cent to \$160 billion in 2004. From early indications, this trend should continue into 2005. U.S. housing starts jumped 11 per cent in December 2004 from the prior month, and according to the Department of Commerce statistics, home starts are rising at levels not seen in 25 years. Even if this trend fails to continue into 2006, "the housing sector will still be a powerful engine that continues to fuel the nation's economy," explained Frank Nothaft, chief economist, Freddie Mac. Congratulations to those of you who did the math and recognized the number of jobs represented in the 56 per cent (and growing) residential slice of the construction pie.

What is the technological nature of all these new homes? Are they "smart homes" filled with wireless home computer networks, security systems and other home technologies? Is the "home of the future" happening today, or are smart homes still more fantasy than reality? To find out, Internet Home Alliance, a network of leading companies advancing the home technology market, surveyed more than 400 consumers nationwide who are either owners of newly constructed homes or prospective buyers of newly constructed homes. The purpose of the study was to better understand the wants and needs of consumers who own or expect to own a newly constructed home. It also asks how consumers will make decisions about purchasing, installing and maintaining home technologies; all critical information to those who are currently or plan to be installing, integrating

and maintaining high-tech residential systems.

The complete survey findings and information about the Internet Home Alliance can be found at www.internethomealliance.com. Some of the key findings of the survey indicated that:

- 1. About half of the target consumers (49 per cent) presented with at least one home technology option made a purchase. The most commonly purchased home technology option is a home security system, followed by pre-wiring for cable or satellite TV and a built-in home theater.
- 2. The home technologies that are most important to current and prospective newly constructed home buyers are pre-wired cable/satellite TV and a home security system, both of which consumers indicated should come standard in newly constructed homes. Voted "somewhat important" were structured wiring, multi-zone HVAC, an air purification system, a wireless home computer network, an energy management system, a community-wide high-speed Internet connection, a home control/automation system and lighting control. Consumers gave a "neutral" importance to Web-accessible cameras and an Internetenabled refrigerator.
- 3. A majority of consumers said they were either "somewhat" or "very familiar" with many of the technology options available. Most were not familiar with Internet refrigerators and home-based health management systems.
- 4. Outside of pre-wiring for cable or satellite TV, which comes standard in 63 per cent of newly constructed homes, the most popular technology is an intercom system and distributed audio, followed closely by a central vacuum and home security system.

feature

5. Most target consumers (69 per cent) considered making one or more technology purchases for their newly constructed home independent of their builder.

We "were delighted to learn that the concept of the connected home is indeed becoming a reality," said Tim Woods, Internet Home Alliance's vice president of ecosystems development. "The understanding of, and keen interest in, a wide array of technological products for new homes validates our belief that we are moving quickly toward a turning point where many of the futuristic products and services will integrate into being standard components of new homes."

Woods' belief seems to be supported by a new report from Parks Associates, a home technologies market analysis group. The report, Home Systems: Home Controls (Seventh Edition), examines home control applications, including lighting, HVAC, entertainment, security and appliances, market drivers, new developments, and remaining challenges, while providing forecasts and descriptions of enabling standards. The conclusion of the report is that after 30 years of limited appeal in high-end and hobbyist niche segments, the convergence of digital technologies has the home controls industry poised to enter mainstream new

According to the report, the professional installation requirement of proprietary control technologies and structured wiring have limited most home control opportunities to high-end homes, a market representing less than one-tenth of one per cent of U.S. households per year. Similarly, products based on X-10 technologies have remained limited in their appeal, primarily to the hobbyist installer.

construction and retrofit markets.

New powerline-carrier and wireless standards, however, simplify installation and may be applied across market segments – from small homes to large commercial office buildings. They are rapidly becoming major forces in the home controls industry, especially because some have the capacity to carry not just control signals, but also data, streaming entertainment

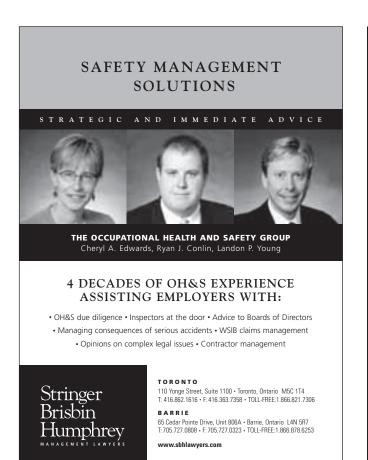


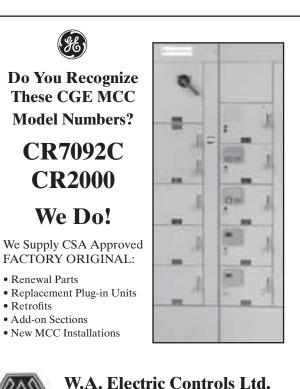


and voice, thus making it much easier to integrate different applications.

So, if these high-tech systems are rapidly becoming standard components of new homes, driven by a better educated and more demanding home buyer, who is doing the installation, integration and maintenance? Many major companies in this field list training as one of their greatest needs. Currently, there are over 10,000 individuals annually that need to be trained to provide the major players in this industry with the technical expertise they need. Electricians and electrical contractors can take advantage of this market by training and becoming certified through the Computing Technology Industry Association (CompTIA) as Home Technology Integrators (HTI). The CompTIA HTI+ certification is a cross-industry credential providing recognition that a Home Technology Integrator professional has attained a standard of excellence in the integrated home networks industry. The HTI+ certification is based on a set of standards designed to measure the mastery of core competencies regarding the installation, integration and troubleshooting of the following sub-systems: home security, audio/video, computer networks, heating/air conditioning systems, cable/satellite, broadband, and telecommunications.

To help address these training and certification needs, the NJATC has partnered with Cisco Learning Institute (CLI) to deliver HTI+ training to NECA and IBEW members. Cisco Learning Institute, along with a variety of partners including Aries Technology, Leviton, HAI, Cisco Systems, BlueVolt and Premise Home Automation Software, has developed a hybrid, Web-based and instructor-led training program to help prepare technicians for the home technology integration market using top-quality Web-based and printed curriculum, assessments, equipment and hands-on lab exercises. The NJATC makes this training available to local JATCs in order to approve them as authorized Cisco HTI+ training centers and



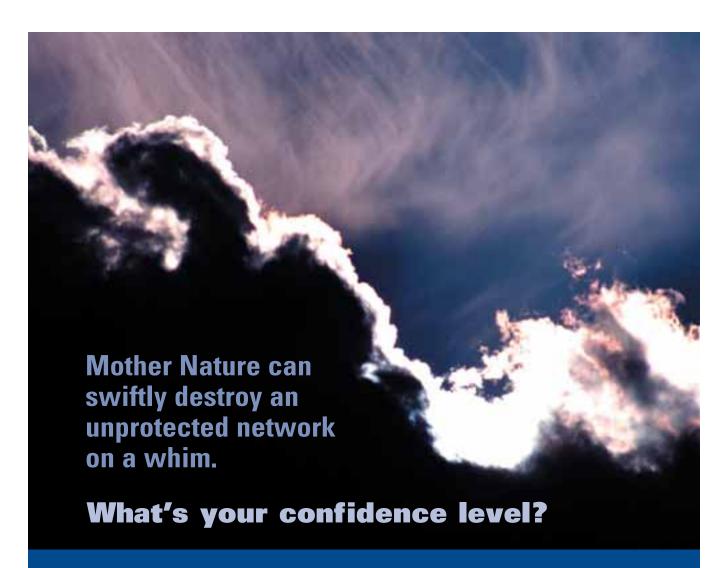


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to individual NECA and IBEW members to introduce them to the technologies being found in today's smarter homes.

The above article raised the question with the ECAO Human Resources Committee of available training for residential electrical contractors here in Ontario.

Currently training is available to an individual contractor through the manufacturers whose product is being used. To bring together various manufacturers for the purpose of training in a competitive marketplace would definitely be an asset to contractors, which would provide them with the necessary skills and abilities to increase their market share by capturing areas of work that traditionally have been hired out to others specializing in those fields. ECAO Human Resources Committee is researching the availability of training programs or the development of combined programs that could be offered here in Ontario.

As we know market share in the electrical industry has always been an ongoing battle for the contractor. It is becoming increasingly difficult to expand their markets. There is a very small group of electrical contractors who do their own installations of smart home technology. However, residential technology is a marketplace that can only continue to grow and expand as more and more residential projects are being designed to accommodate an ever-increasing demand for technological systems. As with most things, if we wait too long someone is bound to come along and capture this work and everyone else is going to think "why didn't we do that."

Susan Boorman, Manager of Human Resources for ECAO would encourage all residential contractors to contact her at sboorman@ecao.org or at 416-675-3226 ext. 316 for your comments and recommendations on this initiative.



ARE YOU AWARE?

By Richard Mei

As part of the Ministry of Labour's ongoing commitment to health and safety in the workplace, amendments to the *Occupational Health and Safety Act* Regulations for Construction Projects, Industrial Establishments, and Mines and Mining took effect April 1, 2006. Major changes include regulations for "electrical hazards" and "confined spaces" (see www.e-laws.gov.on.ca).

On April 1, 2006 Ontario Regulation for Construction Projects, sec. 181.(1) to Sec. 195.(3) under ELECTRICAL HAZARDS have been revoked, substituted and or added.

If your firm performs live electrical work or performs work on or near electrical transmission or distribution systems a complete review of this section is a must.

The changes under ELECTRICAL HAZARDS should be considered extensive and therefore when working under specific prescribed conditions your response in meeting all requirements must be a first priority. The words "practical and convenient" do not apply when working on or near energized sources.

All worker(s) shall be certified under the *Trades Qualification and Apprenticeship Act*, the *Apprenticeship and Certification Act*, 1998 or the *Technical Standards and Safety Act*, 2000.

The due diligence factor has been clearly stated, "Every reasonable precaution shall be taken to prevent hazards to workers from energized electrical equipment, installations and conductors." All contractors should be aware that due diligence includes arc flash hazard protection, even though the aforementioned statement does not specify this condition.

New responsibilities and specific requirements apply to work performed under certain circumstances as specified under the regulation. These requirements are placed upon owners, constructors, employers (sub-trades) and workers. It must be kept in mind that owners and employers may be deemed constructors.

Some provisions that may apply include, but are not limited to:

- written measures and procedures
- distribution/notification to specified parties
- training

- maintenance record(s), and
- documented employee participation.

On September 30, 2006 the existing regulations (O. Reg. 60 to 63) for confined space will be revoked from construction projects and replaced with Ontario Regulation 628/05. Confined space in industrial establishments and mines and mining are also revoked and contain newly amended revisions.

Confined space is newly defined as "a fully or partially enclosed space, that is not both designed and constructed for continuous human occupancy, and in which atmospheric hazards may occur because of its construction, location or contents or because of work that is done in it." In brief, amendments to construction projects include:

Regulations Prior to Entry of a Confined Space

- The development of a co-ordination document for employers working in the same confined space. (O. Reg. 221.4)
- The development of a written program including methods for recognizing, assessing, training and entry permit systems for confined spaces. The employer shall provide a copy to the constructor, who shall provide a copy to the project's joint health and safety committee or representative. (O. Reg. 221.5)
- Assessment of hazards that exist or may develop during the course of the work. (O. Reg. 221.6)
- The development of a written plan containing duties of workers, on-site rescue procedures and equipment, communication, clothing and personal equipment and devices, isolation of energy and control of materials, attendance, means of entry and exit, procedures for working in the presence of explosive or flammable substances, atmospheric testing, ventilation and purging of confined spaces. (O. Reg. 221.7)
- Training of safe work practices associated to confined space. Training records must be maintained and training shall be reviewed and updated at least annually. (O. Reg. 221.8)

Regulations for Working in a Confined Space

- Issuing of entry permits that include the location, description of work, description of hazards, time period, name of attendant(s), list of required equipment for entry and rescue, atmospheric testing results and a record of each worker's entries and exits. (O. Reg. 221.9)
- Safety personnel and equipment, including qualifications and inspections. (O. Reg. 221.10, 221.11)
- Personal protective equipment. (O. Reg. 221.12)
- Worker safety against the release of hazardous substances, contact with electrical energy, contact with moving parts and free-flowing materials. (O. Reg. 221.13)
- Use of attendants, including duties. (O. Reg. 221.14)
- Means for entering and exiting a confined space including provisions against unauthorized entry. (O. Reg.221.15)
- Testing to ensure acceptable atmospheric levels. (O. Reg. 221.16)

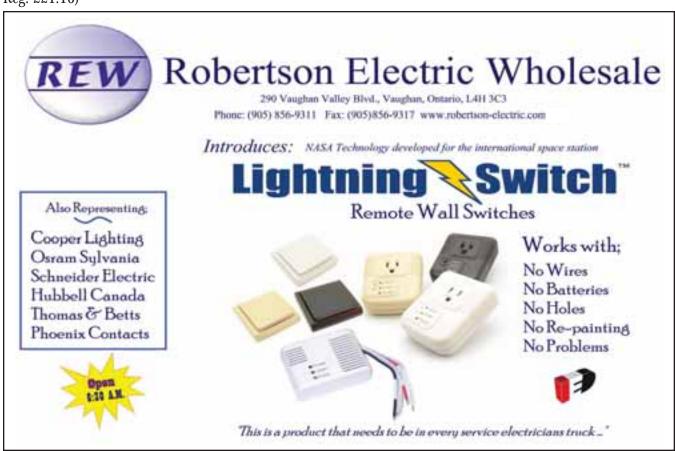
• Provisions for atmospheric hazards including both cold and hot work. (O. Reg. 221.17, 221.18)

The employer shall keep available at the project every assessment, plan, co-ordination document, record of training, entry permit, record of inspection, and record of a test including records of each sample. (O. Reg. 221.19)

The established policies and procedures for working in a confined space must be made available to every worker who performs work to which the program relates and to any other employer of workers who perform work to which the program relates. Plans and programs must be reviewed and updated continuously to ensure worker safety.

As an employer, it is your responsibility to ensure that your supervisors, foremen, and workers are fully aware of these changes and that proper steps have been taken to meet or exceed written regulated requirements.

Richard Mei is with the Quality Connection Health and Safety Program, and may be contacted at 1-800-270-1475 or rmei@sympatico.ca.





PASS THE TORCH OR BLOW IT OUT

WHO CARES IF THE FAMILY BUSINESS SUCCEEDS?

By Gordon D. Wusyk

It's a chilling thought to most owners of family businesses, but the overwhelming odds are that not long after the founder dies, the company will close up shop or be sold.

Unfortunately, the fate of the business is often decided by the banker and lawyer on the way back from the funeral about four cars back from the flowers.

Tragically, 70 per cent of family businesses do not make it through the second generation and only 10 per cent make it through the third.

Consider the following facts:

- 70 per cent of jobs created in Canada are from family businesses.
- 60 per cent of the GDP comes from family businesses.
- More than 65 per cent of tax revenues come from family businesses.
- More than 50 per cent of all charitable contributions come from family businesses.

Given these facts, "who cares if family businesses succeed?"

Widows, wives, sons, daughters, employees, suppliers, customers, advisors, governments, charitable recipients...and the list goes on. There is life after death and retirement, for someone who matters.

Dr. Leon Danco, in his best selling book Beyond Survival, stated, "if family businesses were to disappear, it would be a socio-economic disaster to our way of life."

If the perpetuation of the family business is so important to a vital society, why is succession so difficult? Why are family businesses such an endangered species?

The preservation of a family business is the greatest single challenge facing middle-aged owners in this country.

The disappearance of the independent

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Then the young lad respected his father, learned from him, took over running the business without asking for control, and cheerfully supported the old guy through his dotage.

business owner would be a social and economic disaster. Not only is it the embodiment of the North American dream, but vital to our economy. Wealth is created by entrepreneurs.

For these reasons I feel that the single

most important task of the president of a family-owned company is to prepare for succession so that the company will

The family business can represent all the hopes and all the dreams, all the challenges and all of the pain which man is capable of imagining. In order to fulfill the dream, which was built with suffering and sweat...in order to know the payoff of this suffering...one needs to know that what they created will live on

after them.

Prior to beginning a plan for succession you should ask questions like:

- · Does the founder want to continue family ownership in the business?
- Do the children want to become owners?
- · Are the children prepared for ownership/leadership?
- Will the founder leave the business, or is he/she too attached to consider selling or liquidating?
- Is the founder's wealth trapped in the business?

If you identify with these questions, you're not alone. Many families have faced these complex issues

and have discovered there is a process that can lead to a successful succession. In some cases succession is not an option within the family. There are other alternatives for continuation of the business that are worth considering.

business

You had the dream, ability and the guts to build something from nothing. Do you have the courage to accept the fact that perpetuation is also your responsibility?

Don't wait until a rewarding challenge becomes an unnecessary crisis. A successful succession can be the founder's final test of greatness. By preserving your family business, you will create a future for your children, jobs for your community, wealth for yourself and you will leave a legacy instead of a mess.



Gordon D. Wusyk is President, Predictable Futures – Business Family Centre.

This article is the first in the series "Perpetuate or Liquidate."

Please don't hesitate to contact Predictable Futures – Business Family Centre for additional information about their resources for Canada's family business owners at 780-702-2499 or toll free 1-866-241-2221 or by e-mail at solutions@predictablefutures.com.

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HIGH-SPEED J

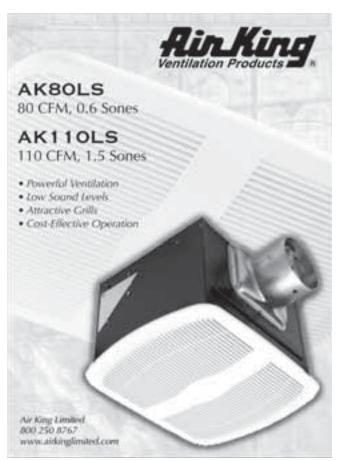
is the only fuse designed to meet branch circuit requirements and provide high-speed protection for electronic motor controllers. Today's drives and soft-starters contain sensitive power semiconductors - the majority of these controllers do not have internal high-speed fusing to protect them. And while branch circuit protection with traditional fuses or circuit breakers meets C.E. Code requirements, it leaves these controllers vulnerable to unnecessary damage.

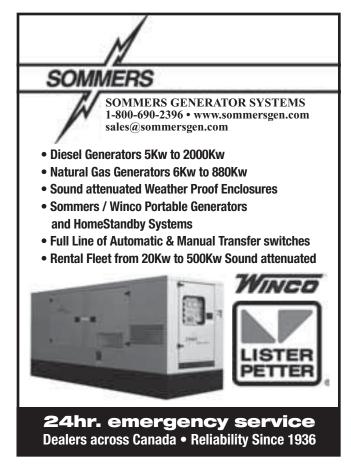
That's why our new Amp-Trap® High-Speed J fuse is specifically designed for the operating characteristics of electronic motor controllers. With the overload capacity and dimensions of a Class J fuse and the performance of a semiconductor fuse, it provides the branch circuit protection required by the C.E. Code and the high-speed protection you need to prevent costly damage and downtime.

To learn more, visit ferrazshawmut.com/hsj and download our article, "Caught Unprotected?" Call your Ferraz Shawmut rep or distributor and ask for your "High Speed Class J Fuse" bulletin. And keep one monster of a problem from destroying your productivity.















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PRESIDENT'S MESSAGE

By Brad Vollmer

espite an unusually short first term caused by the delayed AGM in 2005 and the early scheduled AGM in 2006, ECAO has managed to accomplish a fair number of its objectives since my appointment to President.

ECAO Strategic Plan

Foremost on the list was the development of a new strategic plan. In late January, 35 contractor members attended a two-day strategic planning session. From this collective effort, ECAO's new vision was identified:

ECAO strives continuously, in all its endeavours, as a member-driven association, to lead and support in providing products and services that promote its members' success and competitiveness in a self-managed, electrical contracting industry.

I want to highlight some of the salient points within the vision.

First, the association exists for the membership and by the membership. The contractor members are the primary beneficiaries of its efforts and the association's success or failure is dependent upon the leadership and participation of its membership.

Second, the yardstick by which we measure all the services and products generated by ECAO directly or in partnership with service providers, is the extent to which they contribute to the membership's success and competitiveness.

Third, ECAO strongly believes in industry self management. ECAO's leadership in developing province-wide licensing was only the beginning of our drive to regain control over our business. ECAO will continue to forge alliances with like-minded industry partners and government in other aspects of our industry such as trade certification.

Each of the ECAO committees has seized upon their accountabilities as identified in the strategic plan and has begun to develop work plans in support of the specific objectives. These initiatives are expanded upon in the committee reports contained in this Annual Report section.

At the heart of the strategic plan is the goal of making the most of the relationship between the ECAO and its constituent area ECAs. In various presentations around the province, ECAO has characterized the relationship as a "two-way street." ECAO must strive to provide the leadership, representation and value-added services to the area ECAs to encourage membership strength and growth. The area ECAs must, in turn, give effective local leadership in labour relations, contractor education and promotion back to the province. It is a message that will be repeated often over the next few years, and a goal we must achieve if we are to be successful as an association built for our members' betterment.

Transfer of ECRA to ESA

Establishment of province-wide licensing by the transfer of the Electrical Contractor Registration Agency (ECRA) to the Electrical Safety Authority (ESA) will be concluded by June 30, 2006. A transfer agreement between ECAO and ESA was signed on March 17, 2006, and ratified by the ECAO board of directors the following week. The new ECRA of ESA will begin granting Masters and Contractor Licenses July 1. As part of the transfer agreement, ECAO worked to facilitate the smooth transfer of current ECRA registrants to the new licensing body prior to it being open to the general public. ECAO will continue to act on behalf of the membership by its representation on the ECRA board of directors. Many thanks to Glenn Carr for his continuing efforts on this front.

ESA Relations

Over the last few years, ESA has become an increasingly important industry partner to ECAO. ECAO members and staff participate in a growing number of ESA committees and project advisory groups. This involvement has raised the profile of the association and its members and has resulted in positive change for instance; the ESA fee increase for 2006 was postponed largely due to

input from the ECAO membership. Of more lasting benefit is the contractor-designed telephone satisfaction survey which will be used to measure contractor satisfaction with ESA. If you did not have the opportunity to participate in 2006, make time next year and help build a better ESA.

Kennedy Electric case last year. When the first appeal was denied in a split decision, ECAO stepped in to move the case forward to the Court of Appeal of Ontario. Beyond the legal case, the ECAO is committed to work with other industry partners to improve the payment practices and laws.

doing. The ECAO committees will complete their individual work plans and implement the strategies that they have identified. The ETBA in particular, faces the challenge of renewing the no-strike no-lockout accord and renewing the collective agreement by May 1, 2007.

Payment Issues

ECAO has been on the front lines of the Lien Act issue first raised by the

Looking Ahead

By Eryl Roberts

2005-2006 has been a period of planning. 2006-2007 will be a period of

ECAO looks forward to aggressively pursuing our strategic plan objectives and fulfilling our vision.



EXECUTIVE VICE-PRESIDENT'S MESSAGE

n 2006, the Electrical Trade and Bargaining Agency (ETBA) of ECAO, which is responsible for the ongoing relationship with the IBEW, will enter into negotiations to renew the no-strike no-lockout agree-

The bargaining agency enters into these labour negotiations with the knowledge that, overall, the man-hours worked and the demand for labour in this province

ment (Joint Proposal) and prepare for

renewal of the Collective Agreement by

May 1, 2007.

are at an all time high. In this situation it is tempting to assume that all is well. However, the high volume of manhours experienced in a few areas of the province is masking the true situation.

Contract negotiations that are driven by a fixation on man-hours will only result in short-term preservation of the status quo. Any underlying concerns about non-union competition, market share and productivity will be ignored. The high level of man-hours and localized labour shortages are only an indication that unionized electrical construction is at or near its own capacity. It is NOT an indication of the health of the unionized sector or its share of the market.

It is precisely in this type of situation that the non-union competition grows by expanding into construction work at the periphery of the IBEW contractors' niche. As the cycle progresses and the inevitable decline returns, we will find an even greater participation by nonunion contractors and a reduction of our unionized share of the market as the non-union competition expands into the work that we would not or could not perform.

In its strategic planning exercise earlier this year, the ECAO and the ETBA addressed the concerns of market share and productivity and undertook to bring these issues front and centre into the negotiations agenda and into our ongoing relationship with the IBEW. One of the first initiatives is the distribution of two NECA/IBEW member messages to every ECAO contractor – *State of Our Union* address by IBEW

president Ed Hill and Moving Out of the Comfort Zone message from NECA president Ben Cook and vice-president Milner Irvin. By now you will all have received and viewed your copies of these important messages and I am sure that, though the situation is more critical in the United States, you have recognized that the message is also applicable to the Ontario unionized construction industry. In a recent labour relations board case involving a high profile IBEW job in Ontario, the labour board found lack of productivity and a "clash of cultures" on the jobsite justifying supervision of the project by the International office.

Building on the NECA/IBEW messages, the ETBA is committed to bringing productivity issues to the bargaining table. As IBEW President Ed Hill has stated, "If contractors could knowingly build into their bids, an additional hour a day of productive work, it would have a significant impact on our ability to gain back market share." This produc-

tivity improvement is achieved with virtually no changes to the terms and conditions of employment in the collective agreement and would reduce the reliance on stabilization funding by 30-50 per cent.

The contractor's responsibility is to provide skilled management, trained supervision, sufficient tooling and materials, all within a safe working environment. The workers' responsibility is to provide a "fair day's work for a fair day's pay," to project a professional image on the job and to support the IBEW message that they are the most skilled, most productive craftsmen. The union's and the association's responsibility is to ensure that all workers are fully trained, to recruit apprentices and pre-apprentices, to reduce crew costs and ensure longterm manpower supply and to establish innovative programs for regaining the market.

The ETBA has also reconfirmed its

commitment to analysis of market share using the Electrical Safety Authority's (ESA's) permit data, not just for bargaining but on an ongoing basis with the market share results being published twice a year. The market share data can be used in collective bargaining, customized market recovery programs during the course of the collective agreement, or if necessary, for local area modifications of the collective agreement. The proper use of the market share information will result in collective agreements which make economic sense for each geographic area, sector or markets within sectors and will encourage contractors to bid work in markets previously abandoned due to lack of competitiveness.

The messages are clear – the unionized sector is losing market share and the only way to regain lost ground is by working together to improve productivity and develop a winning attitude.

CONTRACTOR & INDUSTRY STANDARDS

Glenn Carr, Chair Gary Beer George Boals

Ed Braithwaite

Wayne Crockett Garry Fitzpatrick Wayne Gatien Dan Lancia

Dave Mason Joe Spadafora Eryl Roberts, Secretary

he Contractor & Industry Standards committee undertakes to develop the accepted definition of what makes a qualified electrical contractor and works with other stakeholders to develop standards of safe and professional electrical installations.

Electrical Contractor Registration Agency and Provincial Licensing

The original purpose of the Electrical Contractor Registration Agency of ECAO (ECRA) was to administer a provincial system of examining and registering master electricians and electrical contractors.

The implementation of province-wide licensing requires the transfer of ECRA intact to the ESA. In the spring of 2006, the ECAO board of directors ratified the transfer of ECRA to ESA from ECAO, including the transfer of intellectual property, customized software, logos etc. This ensures that, when province-wide licensing takes effect, the familiar standards and programs on which master licensing is based, will continue.

The regulation enabling province-wide licensing was approved in November 2005 and the one year transition period commenced January 1, 2006. The ECRA of ESA will begin accepting applications for Master Electrician and Electrical Contractor Licenses on July 1, 2006 and aims to have all contractors licensed in time for the January 1, 2007 start date.

The new ECRA charter has been drafted and the interim board has been set. Glenn Carr and Gary Beer represent ECAO on the board and Glenn Carr is its first chairman. Other constituents of the board are from ESA, government, Ontario Electrical League and consumers.

Standard Practices

ECAO continues to be involved in the Kennedy Electric vs. Rumble Automation case where the courts ruled that the Construction Lien Act does not apply to the installation of process equipment in an industrial establishment or in an industrial building. In the court's view, the installation - however permanent - is not an improvement to the building. The ECAO, in partnership with the Mechanical Contractors Association of Ontario (MCAO), the Association of Millwrighting Contractors of Ontario (AMCO) and a number of other stakeholders, funded the appeal of this decision in the Divisional Court. In a split decision, the court upheld the original decision.

In March, the ECAO board approved supporting an appeal to the Court of Appeal for Ontario. At the time of drafting this report, a motion for leave to appeal has been filed, but not yet decided.

The same organizations listed above, are working with the Council of Ontario Construction Association's (COCA's) construction lien act committee to develop amendments which will, among other things, ensure that the *Construction Lien Act* covers industrial process work, regardless of the outcome of the legal process.

The Kennedy case has raised concerns generally about contractors getting paid for work properly performed. The new ECAO strategic plan makes the payment issue a priority and assigns the responsibility for education, research and policy development to the Contractor & Industry Standards Committee. A task force will be struck shortly to investigate and make recommendations on all aspects of payment law and practice.

ESA Relations

Maintaining relations with ESA is one of the more important roles of the Contractor & Industry Standards committee. The Contractor & Industry Standards committee supports ECAO representatives on a number of ESA committees and councils. The Contractor Advisory Council (CoAC) is comprised of 13 industry representatives, including, from ECAO:

- Gary Beer
- Glenn Carr
- Dan Lancia
- Frank Talenti
- Joe Spadafora, and
- Eryl Roberts

In addition to managing the relationship between ESA and the electrical contracting industry, the CoAC recruits contractor representatives to sit on various ESA committees including the Ontario Provincial Code committee, the Fee Restructuring committee and in future, Appeals Tribunals.

In 2005-2006, the CoAC was instrumental in developing a contractor-designed telephone survey regarding contractor satisfaction with ESA and its services. The survey will be conducted in the last two weeks of May by an independent survey company who are targeting all contractor permit takers. If proven successful, this contractor survey will replace the existing ESA sponsored survey.

2006 ECAO annual report HUMAN RESOURCES DEVELOPMENT

Fred Black, Chair

Gary Carr

Ron Goode

Scott Kenyon John Wright

Gary Lehman, Consultant

Susan Boorman, Secretary

NECA Management Education Institute Seminars

The Human Resources committee has actively promoted the NECA MEI series of seminars this spring through a show of interest, which has resulted in a number of contractors indicating their interest to participate in the *Marketing Made Easy* seminar.

Marketing Made Easy is a five-hour seminar which offers something for contractors of all sizes. Participants will learn how to effectively manage their business communications, handle tough questions from clients and competitors and get the word out about their good work. Instructors of this seminar are Rob Colgan and Meghan O'Connell.

The HR committee is strongly committed to encouraging more contractors to participate in the various education seminars that are available to them.

Provincial Advisory Committees for the Electrical Trades

The HR committee continues to send representatives to the electrical trade PACs to act as a resource to the government on industry issues concerning the electrical trade.

Over the years the PACs have not been effective and as one of the action plans from the strategic planning sessions ECAO will be actively lobbying government to improve the effectiveness of the PACs.

Construction Compulsory Trades Committee

The Construction Compulsory Trades committee resurrected from 2001 met in November of 2005 to develop a position paper on provisional licensing. The committee included representation from labour and management for electrical, sheet metal, operating engineers, refrig-

eration and plumbing trades.

Their hard work resulted in a comprehensive document on provisional licensing, which was presented to the Ministers of Labour, Training Colleges and Universities and Citizenship and Immigration outlining recommendations for their consideration. Subsequent interest in this document by the Ministers indicates that the process was effective.

With the success of all of the construction compulsory trades working together to express their position on trade issues it was the consensus of the committee to continue with this process.

Industry Wage Survey

The Human Resources committee of ECAO has developed its first-ever Industry Wage Survey, the results of which will be tabulated by an independent source and shared with all ECAO members.

Annual Ontario Technological Skills Competitions and Future Building 2006

The HR committee is committed to bringing awareness to the electrical industry by being active in the Annual Ontario Technological Skills Competitions and Future Building 2006.

Future Building 2006 saw 16,000 students over a period of three days, participating in an interactive career fair featuring all of the construction trades. Again this year the electrical pavilion was by far the most popular offering numerous interactive activities demonstrating the skills required for electricians, powerline technicians and network cabling specialists.

ECAO/IBEW participated in the Ontario Skills Competition held annually in Waterloo. This year's event hosted 15 participants in the post secondary competition and 17 in the secondary

competition. The gold medalist for 2006 is a member of Local Union 353 and will be going on to compete at the National Skills Competition in Halifax. These annual skills competitions showcase the electrical trade to bring awareness to elementary and high school students and the general public. This year's event was well attended and preparations are already being made for the 2007 Ontario competitions.

Labour Management Health & Safety Committee – APEP Program Review

HR committee representatives actively involved in the LMHSC through the Construction Safety Association of Ontario have been participating on a subcommittee to review the Accident Prevention Educational Program (APEP) for Electrical Construction & Maintenance Workers. Three sections of the APEP program under review are Tool Hazards, Electrical Hazards and Installing Wire and Cable. Each of these components is being upgraded to include current OSHA and Code regulations as well as giving the whole program a facelift. The HR committee continues to ensure that the message of safety is delivered to the industry, especially those apprentices entering the trade. This review will improve upon a program that already has an excellent track record and will continue to be promoted to all local ECAs and IBEW locals.

Network Cabling Specialist

In order to promote the network cabling specialist (NSC) certification program a letter of understanding in the Principal Agreement, dated February 12, 2004 stated "....effective May 1, 2007 all Communications workers above the classification of cable installer shall either have obtained their NCS certificate of qualification or have commenced the NCS apprenticeship training program." To this end, the Joint Electrical Promotion Plan

(JEPP) has developed and is implementing a communications strategy to inform communications contractors and workers about their obligation under the Principal Agreement.

As well, the Ontario Communications Training Trust Fund is making every effort to facilitate pre-exam training in order to assist the process.

Registered Fire Alarm Contractor (RFAC) & Certified Fire Alarm Electrician (CFAE) Programs

In order to more effectively promote the fire alarm programs, JEPP has developed

marketing material for ECAO. New integrated logos have been designed for both programs and have been incorporated into new brochures and new marketing material for registered fire alarm contractors.

The Certified Fire Alarm Electrician program is currently developing, through JEPP, an internet based updating course which will be available in September 2006.

Pre Apprenticeship

MTCU has renewed the ECAO/ IBEW pre-apprenticeship program for 2005/2006 and the January 2006 report indicates that ECAO/IBEW has a total of 320 active pre-apprentices participating in the program.

Other Projects

Other projects that the HR committee is currently working on include:

Mandatory Retirement

WSIB - Early Safe Return to Work

Electrical Safety Awareness (www.elecsafe.info)

Electrical Project Supervision

MEMBER SERVICES COMMITTEE REPORT

Brad Walker, Chair

George Boals

Ed Braithwaite

Gary Carr

Greg Galbraith

Bob Ritzmann

Lucy Roberts, Secretary

Member Advantages

The member services committee of ECAO uses the collective purchasing power of the entire membership in order to obtain products and services at discount rates, which would not ordinarily be available to individual companies. Current benefits of membership provided through the member services committee include:

- Health & Welfare Insurance and Group RRSP/Pensions for non-bargaining unit employees provided by Skipwith & Associates. Our relationship with Skipwith & Associates spans a decade and is one of our most valuable member advantages.
- Fuel discount group purchase plans provided by Esso and Petro-Canada. By partnering with two competing service providers, the fuel purchase program has not only expanded the members' opportunity to obtain discount fuel but has increased the overall benefit to the association and therefore its members.
- Federated Insurance provides ECAO members with preferred rates on commercial general liability and property insurance as well as personal lines such

as home and auto. Federated's Fleet Management Program also provides clients with loss prevention for company vehicle use.

- Jim Peplinski's Leasemaster National provides ECAO members with an individualized leasing experience at fleet leasing rates.
- **Choice Hotels** discount plan provides discounts for business and leisure accommodations for owners, employees and mobility workers.
- Corporate Express discount plan provides office and facilities supplies and office furniture and equipment.
- ECAO has partnered with **Avis** to provide members with great discounts and value-added offers on leisure and business travel.
- **Publications** produced by ECAO, the Canadian Electrical Contractors Association (CECA) and the National Electrical Contractors Association (NECA) in the U.S. ECAO members have access to publications at member prices through ECAO's affiliation with CECA and NECA.

• The **Quality Connection Health & Safety Program** provided by the Joint Electrical Promotion Plan which is available exclusively to ECAO members.

Details and contact information of the above "Services for Members" is available on the Members' section of the ECAO website.

Feedback

In order to keep the array of services up to date and of high quality, the member services committee regularly surveys the members' opinions with respect to the quality of existing products and services and the need for new or additional lines. The survey is also useful in identifying areas of concern with certain product lines. For instance, in the area of commercial general liability insurance, it highlighted a need for more dialogue between the insurance industry and the membership so that the buyer and the seller could better appreciate each other's needs. Several meetings have been held with Federated Insurance in order to assist in identifying issues and make recommendations for change in order to improve the business relationship.

New Products

Responding to member's input regarding the need for new products and services, the ECAO is currently planning the following:

- Website development and design for ECAO member companies through Digital Internet Group.
- Business printing and products (cheques, work orders, invoices) designed specifically for contractors from NEBS Business Products Limited.
- Identity merchandise (uniforms, corporate clothing, corporate gift programs, novelties and mementos) from **Image**-

wear by Mark's Work Wearhouse.

Associate Membership

The newest responsibility of the member services committee is to manage the Associate Member class (non-contractor firms who supply goods and services to the electrical contracting industry). The Associate Member class has increased steadily requiring a rewrite of the Associate Member Council Terms of Reference to accommodate new categories. Associate Member's receive the highest priority for networking opportunities with the membership and are listed prominently on the ECAO website.

The Associate Member Council which advises ECAO on Associate Member relations is represented by the following:

- Bob Stelzer, Electrical Safety Authority (Inspection or Certification Agency)
- Steve Moreau, Moeller Electric (Manufacturer)
- Gerry Skipwith, Skipwith & Associates Insurance Agency Inc. (Consultant/ Soft Services Supplier)
- Rob Milner, Flir Systems Ltd. (Other)
- George Vassallo, Hesco Electric/Electric Depot (Distributor/Supplier).

PUBLIC RELATIONS

Jack Gibson, Chair

George Boals

Doug Cormier

Ken Crawford

John Raepple

Robert Steven

Lucy Roberts, Secretary

The Public Relations committee is responsible for maintaining communications between ECAO, its members and the public. It is also responsible for the development, promotion and administration of industry recognition awards.

Electronic Communication/Web Development

ECAO continues to use its website as the primary source of information for members. New sections have been added such as a "Services for Members" page and a listing of educational offerings available through ECAO.

The "Contractor Locator" section continues to be a primary target within the ECAO website and is an important marketing strategy for the members, particularly those that do not yet have their own site.

ECAO continues to promote the use of electronic communication to its members where possible. Electronic communication reduces the costs associated with communicating timely information to the membership and allows ECAO to make the best use of valuable resources.

ECAO has targeted 70 per cent as the percentage of members receiving electronic mail by the end of 2006, up 5 per cent from its current ratio.

Annual Meeting/Industry Conference

Unfortunately, last year's conference in Cancun, Mexico was cut short due to Hurricane Wilma, however not before the delegates had a chance to network with their Mexican counterparts. For many of the "survivors" the experience was both challenging and rewarding. ECAO members demonstrated their ability to manage a difficult situation which resulted in a positive outcome.

This year, ECAO and ECA British Columbia have partnered to host the National Industry Conference in Victoria, British Columbia. Attendance at this year's conference will be the greatest since the National Industry Conferences began in 2000.

Next year, ECAO will host the 2007 National Industry Conference in Ottawa, Ontario. With a theme of "Change is Good," the conference will also feature a tradeshow component, building on the success of the one held in conjunction with the 2004 conference in Windsor, Ontario.

Member Recognition

2005 was the first year that the ECAO scholarship was awarded. Justin Arsenault (E. S. Fox) from St. Catharines, Ontario was the first recipient. The scholarship program is open to children of ECAO members or employees enrolled in a post-secondary institution. Preference is given to those entering into a field of study related to the construction industry. The Public Relations committee continues to administer the Douglas J. B. Wright Award in recognition of ECAO members or employees who have made a significant contribution to the electrical contracting industry. ECAO is pleased to advise that Peter Bryant, Esten Electric was the 2005 recipient. ECAO also recognizes those member companies with exemplary safety records through the R. H. Carroll Safety Awards. Congratulations to Black & McDonald, S & S/Bolton, Vollmer & Associates, Gemor Electric and Comstock Canada for their 2005 win.

ELECTRICAL TRADE BARGAINING AGENCY

Peter Bryant, Chair, ECA Northern Ontario

Rick Ball, ECA Thunder Bay

George Docherty, Greater Toronto ECA

Dave Duffy, Georgian Bay ECA

Wayne Gatien, Line Contractors

Erv Krause, Niagara Peninsula

Dario Maola, ECA Sarnia

Dave Mason, ECA Hamilton

Brian McDonnell, ECA London

Ed Norman, ECA Quinte-St. Lawrence

Ray Porter/Bill Debosky, ECA Oshawa & District

John Raepple, ECA Central Ontario

John Salvatore, Windsor ECA

Johannes Ziebarth, ECA Ottawa

Tony Fanelli, Industrial Contractors Association (ICA)

N/A, Electrical Power Systems Construction Association

(EPSCA)*

Eryl Roberts, Secretary

*non-voting members

The Electrical Trade Bargaining Agency (ETBA) is the exclusive bargaining agent representing ECAO contractors in their negotiations with the International Brotherhood of Electrical Workers Construction Council of Ontario (IBEW-CCO). The ETBA is made up of one representative from each of the area ECAs as well as one representative from the line contractors committee, the ICA and EPSCA. The ETBA negotiates and administers the provincial agreement with the IBEW-CCO and represents the interests of unionized electrical contractors with government and various industry tribunals.

Collective Agreement

During the past year, the ETBA implemented the post-negotiations wage adjustment effective November 1, 2005. Along with the adjustment came a 50 cent minimum stabilization fund. The result was that the last two areas without a funded market recovery plan, Thunder Bay and Northern Ontario, were required to establish one.

The ETBA was required to intervene in only one grievance at the Ontario Labour Relations Board last year. The on-going case involves inside/outside jurisdiction and the installation of high tension cable inside buildings. Regardless of the outcome, ETBA

will be seeking a long term solution to this issue with the IBEW.

The ETBA has reviewed its responsibilities under the ECAO strategic plan and its impact on the 2007 negotiations agenda. Market share and productivity will be the main themes in the upcoming bargaining round.

Renewal of the Joint Proposal (No Strike/No Lockout)

Prior to establishing the formal bargaining agenda the ETBA and the IBEW-CCO needs to renew the Joint Proposal. The no strike accord must be renewed by the parties and ratified by the area ECAs and the IBEW members before each round of negotiations.

The first discussions take place in May and June 2006 with the ratification vote expected in the early fall.

Reasearch

The ETBA has reconfirmed its commitment to the accurate measurement of market share through use of the ESA permit data. Research assistants will be hired to help local parties with the statistical analysis. The study will be published frequently on an on-going basis so that real-time results will be readily available to help the ETBA and area ECAs customize the collective agree-

ment. The results will indicate loss or gain of union market share allowing the local parties to better focus their market recovery efforts or to launch Local Area Modification applications, where justified.

Response to the ETBA income tax survey of local union benefit plans has been poor. The few unions that responded provided excellent information about their income tax reporting methods, but do not make up a sufficient sample for developing a "best practices" guide for contractors. Tax reporting will likely end up as an ETJB policy matter where the ETBA and IBEW-CCO will establish a standard for reporting applicable across the province.

Electrical Trade Joint Board (ETJB)

During the term of a collective agreement, the ETBA participates in ongoing policy matters and grievance resolution in partnership with the IBEW-CCO through the ETJB under the guidance of the independent chair, Paul Gardner. The ETBA representatives on the ETJB are:

- Peter Bryant
- George Docherty
- Wayne Gatien
- Erv Krause
- Dave Mason

Ontario Electrical Contractor

- · Ray Porter, and
- John Raepple

During 2005-2006, the ETJB implemented the wage adjustment memorandum, including the article permitting local ECAs to request ETJB intervention in cases where there is a concern about market share in particular sectors. Under this provision, the ETJB intervened in two areas, Niagara Peninsula and Quinte-St. Lawrence. In both cases a memorandum of agreement was reached, but the Niagara memorandum was turned down by the local union membership. Where an intervention is unsuccessful, the area ECA may file an application for a Local Area Modification to the collective agreement.

The ETJB also heard and successfully resolved grievances about mobility and shift work.

Joint Electrical Promotion Plan (JEPP)

JEPP is a not-for-profit corporation directed jointly by the ETBA and the IBEW-CCO, whose objectives are to promote the unionized electrical contracting industry, to promote the superior quality and skills of unionized electricians, communication workers and contractors, and to develop leading edge management, technical and safety training programs.

ECAO representatives on the JEPP Board of Directors are:

- Rick Ball
- Peter Bryant
- Dave Mason
- Greg Pahomey
- Eryl Roberts
- John Wright, and
- Johannes Ziebarth

In 2005-2006 JEPP made its first foray into e-learning. The fire alarm updating course is being rewritten for the Internet so that the mandatory updating of certificates can be handled more efficiently.

JEPP is also developing a program to enlist all communications workers in the Network Cabling Specialist (NCS) program. The goal is to have all workers qualified as NCS journeypersons or enrolled as apprentices.

JEPP continues to evaluate its role in industry promotion and has undertaken research on advertising effectiveness. Based on the findings and advice from NECA in the U.S. JEPP will redesign its advertising strategy in 2006 for implementation in 2007.

POWER & UTILITY SECTOR

James Kellett, Chair Ed Braithwaite Tony Decuzzi George Docherty Bent Hudson Rick Hyatt Mike Krueger Dave Radtke

Gary Lehman, Consultant Susan Boorman, Secretary

Transmission/Distribution Systems Codes

ECAO continues to participate in the ongoing development of the transmission and distribution systems codes taking the position that construction, upgrading and maintenance of transmission/distribution systems should be open to competition by the private sector. Most recently, ECAO has made submissions in the review of the distribution systems code where ECAO argued that connection charges should be the same regardless of whether a customer has elected to employ the distributor or a private contractor for the performance of

the work. This position counters the practice of many utilities charging exorbitant connection fees when the client chooses a private contractor to perform the work thus making the connection fee a barrier to developing a free marketplace.

ECAO continues to be vigilant in enforcing the Affiliate Relationships Code (ARC) which governs the relationship between a distribution company and its subsidiaries that may perform competitive work. In addition to ongoing cases at the Ontario Energy Board involving Whitby, Ottawa and Toronto hydros, ECAO has intervened in an application by Lakeland Power to be exempted from

the ARC for streetlight maintenance.

In all the above actions, ECAO and/ or the local area ECAs are acting in the role of the "policeman" to enforce compliance of the various codes and standards. The association is meeting with the Ontario Energy Board (OEB) compliance group frequently to discuss how the OEB can take on more responsibility in this role.

Industry Position Paper

ECAO/IBEW met with the Minister of Energy to deliver an industry position paper developed by the Provincial Joint Line Committee (PJLC). The paper outlined the state of the power industry and the challenges it

presented to ECAO Line Contractors. It then presented solutions to those challenges particularly in the area of contracting out, competitive work, training and skills shortages.

The Minister was informed that in order for private sector contractors to build and sustain their capacity to a meaningful level, they require contract work. This contract work needs to be released from LDCs and transmission companies.

Two aspects of competitive work were outlined to the Minister. One involved the need to tighten up and enforce the participation by LDCs and transmission companies in private sector work. The other recommended a process to verify the true cost of self performed new asset construction by LDCs and transmission companies to ensure competitive costing.

With regards to training and skills shortages, it was recommended that

ECAO line contractors can provide well trained and diversely experienced line workers to the industry only if they are provided a continuity of contract work from LDCs and transmission companies.

Lastly, a request was made to make the trade of powerline technician (434A) compulsory to improve safety standards and make the trade more attractive to potential new entrants.

Inside/Outside Jurisdiction

The issue of the jurisdiction of work between inside wiremen and powerline technicians has never been officially resolved. ECAO line contractor representatives met with the IBEW International to table their concerns and potential solutions to the dispute. The dialogue is expected to continue well into the contract negotiations phase.

Green Power

To complement the burgeoning wind farm market, JEPP at the request of the PJLC is funding an initiative to outfit all ECAO line contractor workers with suitably imprinted fire retardant lime green long sleeved jerseys. The imprinting will promote ECAO line contractors and IBEW workers in this renewable power sector.

Provincial Joint Line Committee (PJLC)

The Provincial Joint Line committee finalized their Power & Utility Strategic Plan which resulted in eight priority areas that will be focused on during 2006. Two of the key areas that will be focused on are capturing market share and promotion. The PJLC is continuing to meet on a regular basis to monitor and implement the strategic plan.

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*Deceased

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ECAO represents only bona fide electrical contractors. There are two categories of membership for contractors. Contractors may join on a direct individual basis, or they may be members on an individual basis but their dues paid for through an Area ECA. Companies and organizations that are not electrical contracting firms but have an interest in the industry are eligible for Associate Membership. There are presently 13 Area ECAs.

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ECA Northern Ontario
ECA Oshawa & District
ECA Ottawa
ECA Quinte-St. Lawrence
ECA Sarnia
ECA Thunder Bay
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Windsor ECA

Membership in the Electrical Contractors Association of Ontario affords membership in the Canadian Electrical Contractors Association (CECA), which gives ECAO members access to both CECA and National Electrical Contractors Association (NECA) products and services at member rates.

OBJECTIVES

- •To present a favourable contractor image to our customers and industry colleagues
- To provide information by news media and research reports, which will keep members up to date on industry and business trends
- To develop, promote and administer training programs, which will advance the technical and business management skills of our industry

- To promote the safe use of electricity
- To respect the role each group plays within the electrical and construction industries and recognize those areas where cooperation will advance the opportunity for all segments to provide satisfactory customer service at a profit
- To maintain economically sound labour/management relations in the

best interests of our customers

- To encourage the free flow of communications between ECAO and government
- To work with other government organizations toward the expansion of our national economy, a high level of employment and the development of the individual

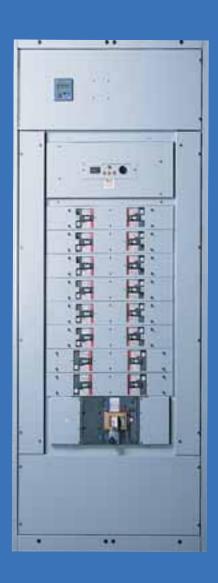
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FIRST AID TRAINING IS A REQUIREMENT OF WSIB IN ALL WORKPLACES

In the electrical industry our first priority to our workers is to ensure that they are properly trained in all aspects of health and safety to prevent illness and injury on the jobsite. But, have you remembered to meet the WSIB compliance for your office staff?

All employers covered by the *Workplace Safety and Insurance Act* are required to have first aid equipment, facilities, and trained personnel in all workplaces.

Regulation 1101, incorporated into the *Workplace Safety and Insurance Act*, states what each employer is obligated to provide. First aid requirements will differ slightly depending on the number of employees in your company. These range from not more than five workers in any one shift at a place of employment to 200 or more workers. Full details of the first aid requirements are laid out in the First Aid Requirements which can be downloaded in PDF form at www.wsib.on.ca. Click on Reference and then locate Prevention; choose Health and Safety and the Law; you will find it under First Aid Requirements (Regulation 1101).

forwarded their training schedule to ECAO is F.A.S.T. Rescue Inc. For further information on their course availability please contact Lorie Tiffin at Phone: (416) 907-9565 or (866) 706-7283, Fax: (905) 751-0655 or email: lorie@fast-rescure.com or their website at www. fast-rescue.com.

Please take some time to discuss the importance of this training with your staff and determine who will be the

approved first aid training providers which can be

located in the same section as the fist aid requirements

(Regulation 1101). One such training provider who has

Please take some time to discuss the importance of this training with your staff and determine who will be the individual that will be in charge of the first aid station. Many trainers will work out a rate package to train all of your employees as a group. As a reminder ensure that your staff already trained in first aid has a current certificate and take the time to review the WSIB first aid requirements with them. The following page contains the items required in the First Aid Boxes located in your First Aid Station.

The WSIB Website also provides a list of all WSIB-



FIRST AID BOXES PER THE WSIB FIRST AID REQUIREMENTS REGULATION 1101

- **8** (1) Every employer employing not more than five workers in any one shift at a place of employment shall provide and maintain at the place of employment a first aid station with a first aid box containing as a minimum
 - (a) a current edition of a standard St. John Ambulance First Aid Manual
 - (b) 1 card of safety pins
 - (c) Dressings consisting of
 - (i) 12 adhesive dressings individually wrapped
 - (ii) 4 sterile gauze pads, 3 inches square
 - (iii) 2 rolls of gauze bandage, 2 inches wide
 - (iv) 2 field dressings, 4 inches square or 2 four-inch sterile bandage compresses
 - (v) 1 triangular bandage
- **9** (1) Every employer employing more than five workers and not more than 15 workers in any one shift at a place of employment shall provide and maintain a first aid station with a first aid box containing as a minimum
 - (a) a current edition of a standard St. John Ambulance First Aid Manual
 - (b) 1 card of safety pins
 - (c) Dressings consisting of
 - (i) 24 adhesive dressing individually wrapped
 - (ii) 12 sterile gauze pads, 3 inches square
 - (iii) 4 rolls of 2-inch gauze bandage
 - (iv) 4 rolls of 4-inch gauze bandage
 - (v) 4 sterile surgical pads suitable for pressure dressings,

- individually wrapped (vi) 6 triangular bandages (vii) 2 rolls of splint padding (viii) 1 roll-up splint
- **10** (1) Every employer employing more than 15 and fewer than 200 workers in any one shift at a place of employment shall provide and maintain at the place of employment one stretcher, two blankets, and a first aid station with a first aid box containing as a minimum
 - (a) a current edition of a standard St. John Ambulance First Aid Manual
 - (b) 24 safety pins
 - (c) 1 basin, preferable stainless steel
 - (d) Dressings consisting of
 - (i) 48 adhesive dressings, individually wrapped
 - (ii) 2 rolls of adhesive tape, 1 inch wide
 - (iii) 12 rolls of 1-inch gauze bandage
 - (iv) 48 sterile gauze pads, 3 inches square
 - (v) 8 rolls of 2-inch gauze bandage
 - (vi) 8 rolls of 4-inch gauze bandage
 - (vii) 6 sterile surgical pads suitable for pressure dressings, individually wrapped
 - (viii) 12 triangular bandages
 - (ix) Splints of assorted sizes
 - (x) 2 rolls of splint padding
- **11** (1) Every employer employing 200 or more workers in any one shift at a place of employment shall provide and maintain a first aid room equipped with
 - (a) a current edition of a stan-

dard St. Jon Ambulance First Aid Manual

- (b) instruments consisting of
 - (i) dressing scissors
 - (ii) dressing forceps
 - (iii) safety pins
 - (iv) graduated medicine glass
 - (v) tongue depressors
 - (vi) applicators, cotton-tipped
- (c) denatured ethyl alcohol
- (d) dressings consisting of
 - (i) adhesive dressings, individually wrapped
 - (ii) sterile gauze pads of assorted sizes, individually wrapped
 - (iii) gauze bandages of assorted sizes
 - (iv) adhesive plaster
 - (v) absorbent cotton
 - (vi) triangular bandages
 - (vii) splints of assorted sizes
 - (viii) splint padding
- (e) furnishings consisting of
 - (i) hot and cold running water
 - (ii) 3 washbasins, preferably stainless steel
 - (iii) 1 instrument sterilizer
 - (iv) 1 cabinet for surgical dressings
 - (v) 1 enamel foot bath
 - (vi) 1 sanitary disposal receptacle with lid
 - (vii) 1 first aid box containing as a minimum the items required by subsection 9 (1), for use by the attendant at the scene of an accident before the patient is moved to the first aid room or general hospital
 - (viii) 1 couch curtained off or in a separate cubicle
 - (ix) 1 stretcher
 - (x) 2 blankets

011: BLOODBORNE PATHOGENS

General concepts

While most of us are aware of the HIV threat due to extensive press coverage of AIDS, many other illnesses are also transmitted by contact with blood. These include hepatitis, the West Nile virus, and other illnesses that many of us have not yet heard any descriptions. Many of these cause intense suffering and death.

You can contact blood simply by helping a coworker bandage a cut finger.

You can contact bloodborne pathogens if someone else fails to follow the rules. Even on a dried surface, hepatitis B can be active for two weeks.

While bloodborne pathogens can bring serious consequences to you, these are not so prevalent or so easily transmitted that you should fear helping a bleeding coworker. With the right practices, you can help that coworker and be safe. It's not an either-or situation, except in very rare circumstances.

The Basic Steps

The basic steps: fortify, contain, isolate, clean up, notify, evaluate and follow up.

Fortify. Your body's immune system is a major line of defence against pathogens. If your immune system encounters them in a weakened condition, it can prevail. Pay attention to your nutritional needs (plenty of dark green vegetables), get adequate rest, and consult your doctor if you lack energy or have other symptoms of being run down.

Contain. If you incur a bleeding injury or assist a coworker so afflicted, staunch the flow of blood. Use absorbent materials to soak up blood, so it doesn't – for example – drip onto surfaces people are likely to touch before a cleanup can occur.

Isolate. Get the injured person to an aid station right away. Do not let an injured person continue to work with a bleeding wound. Keep the number of people in contact with a bleeding person to the minimum required. Use only disposable materials for a cleanup – don't spread contamination by using a mop or other item that will be re-used. If a person bleeds on a vehicle seat, tool, or other item, quarantine that item until cleanup is complete. Putting red tape around the area is not an over-reaction.

Clean up. Dispose of any materials you initially used to clean up the blood. Use an approved cleanup kit to finish the job. Discard all materials in a designated red wastebasket or other receptacle if one is on site. You may also use sturdy plastic bags marked "biohazard." Do not throw any of these materials into the regular trash.

Notify. Tell your foreman as soon as you can that there is a blood-related problem. Make sure your foreman knows where the incident occurred, the path taken to the aid station, who was involved, and where the used cleanup materials are.

Evaluate. With your foreman, evaluate the actions you took. The goal of this is not to place blame, but to identify further necessary action.

Follow up. Take the follow-up actions instructed by your foreman, until the condition is clear. Your foreman will need to file a report. Make sure you provide any pertinent details before clocking out.

General Precautions

Know the location of the aid station before doing any work on a site. If there is no aid station, ask your foreman what the designated equivalent is.

Follow the instructions on the blood cleanup kit.

Toolbox Talks



Do not handle blood directly, if you can help it. Use rubber gloves, if they are available and time permits. If you do touch blood, wash thoroughly with soap in cool (not hot) water.

If you have an open cut, avoid contact with another person's blood to the extent possible. If a wound is minor, instruct the other person how to restrict the blood flow, and call for assistance.

If you must choose between possible infection and saving another person from a gushing wound, understand that your decision is irrevocable either way. You should discuss this decision with your spouse and/or religious counselor if you have one, before such a situation arises. You should discuss it in terms of being the wounded person and being the rescuer.

If you have tested positive for bloodborne pathogens, you should keep a care kit handy, complete with rubber gloves and mouth dam, to protect those who would come to your aid. Discuss this with an EMT or other person trained in first responder operations.

This Toolbox Talks article is reprinted with permission from 100 Safety Training Toolbox Talks for Electrical Construction Work, 2003, National Electrical Contractors Association (US). The complete set of 100 Toolbox Talks is available in Canada through the Canadian Electrical Contractors Association (CECA). Visit the CECA website at www.ceca. org to place your order or call 1-800-387-3226.



LIABILITY FLOWS FROM WORKPLACE INJURIES AND CONTRACTED SERVICES

By Michael J. McQuaid

The popular use of contracted services has many strategic business advantages in which the construction industry has capitalized on for quite some time. However, what is emerging from recent case law and legislation are liabilities flowing to a "user" of contracted services; liabilities never contemplated or knowingly assumed.

It can get really crowded on a jobsite with owners, general contractors, subcontractors and their respective employees. The answer to who is responsible for a workplace injury is found not so much in the business relationship between these parties, but the legal one.

DAMAGE PREVENTION ocate Embedded www.graffconcrete.com And it becomes more interesting when contracted relationships are involved. The courts may interpret these relationships as an employeremployee relationship and impose the same liabilities. The defining criteria of who is responsible would include who has control of the job site, who owns or has exclusive control of the equipment, and who is responsible for direction, supervision or control of the work being performed.

This most recent Court of Appeal decision sets a precedent for users of contracted services and their potential liabilities arising from their workplace injury.

In Ontario (Ministry of Labour) v. Pioneer Construction Inc., a contracted dump truck driver was unloading a mixture of sand and salt from a truck to a low-level loader at an industrial site controlled by Pioneer Construction. The driver was performing an operation seen previously by Pioneer's supervisor. The driver was trying to dislodge sand mixture from the dump truck's box when a large portion of sand fell onto the conveyor belt catching the driver's left foot and causing the driver to lose balance. The incident resulted in the driver having to have both legs amputated.

The ensuing Ministry of Labour investigation found the conveyor belt was missing proper guarding devices. It also found the injured worker never received specific training on how to use the low-level unloader. Finally, the unloader belonged to Pioneer and was left unattended and running.

Following a trial, Pioneer was found guilty as an "employer" for failing to equip the unloader with proper safeguards and failure to provide proper information, instruction and supervision. In this case, the company was fined \$100,000; \$50,000 for each violation. The court also imposed a 25 per cent victim fine surcharge. An appellate court recently upheld the 2004 conviction.

This case, and its appeal are very illustrative in many respects:

- The expansive statutory definition of an employer includes not only the employee relationship but the relationship of contracts for services. The Court of Appeal upheld the lower case decision that imposes liabilities to both the company and its directors.
- The law extends the responsibility of an employer to protect "employ-

ees" in locations (job sites) outside the employer's workplace. The Canada Labour Code extend the employer's duties to "every work activity carried out by an employee in a work place that is not controlled by the employer, to the extent the employer controls the activity."

- Under the Canada Labour Code and OHSA, fines and penalties can be levied against the company, and/or its directors and officers. In the Pioneer case, the company only was fined. But in other case law, *R. v. Raglan Industries*, the court sentenced the director to pay a \$10,000 fine, the company a fine of \$55,000 and the supervisor, \$5,000.
- The law will impose severe penalties for directors, officers or any other person exercising managerial or supervisory functions if you direct, authorize, assent to

or acquiesce in a violation of its workplace health and safety provisions.

Contracting services still remains an effective means of loss control provided the relationship or work performed does not mimic an employer-employee relationship. Understanding the potential liability flowing from contracted services should overcome any complacency or confusion in managing these relationships and reinforce the concept that workplace safety is everyone's business.

Michael J. McQuaid is V.P. Corporate Risk, The Insurers Financial Group. He writes for various publications on risk and insurance. He can be reached at mmcquaid@ifgcanada.com.

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AWARD PRESENTATION



Wayne Gatien (right) and Ken Hewett (left) present Peter Bryant, Esten Electric Ltd. with the 2005 D.J.B. Wright Award during ECA Northern Ontario's Ladies Night Dinner/Dance.



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IBEW Local Unions 105, 303, 353, 804 & 894; ECA Central Ontario, Construction Safety Association of Ontario, Toronto Joint Apprenticeship Council, IBEW Construction Council of Ontario, Joint Electrical Promotion Plan, Kearsley Electric, Trade-Mark Industrial Inc., Ontario Communications Training Centre, Canadian Standards Association, K-Line Maintenance & Construction Ltd., Electrical & Utilities Safety Association.

Howard McFadden, IBEW Local Union 353, shows students how to "fish" at the Future Building 2006 show in Toronto. Ontario.

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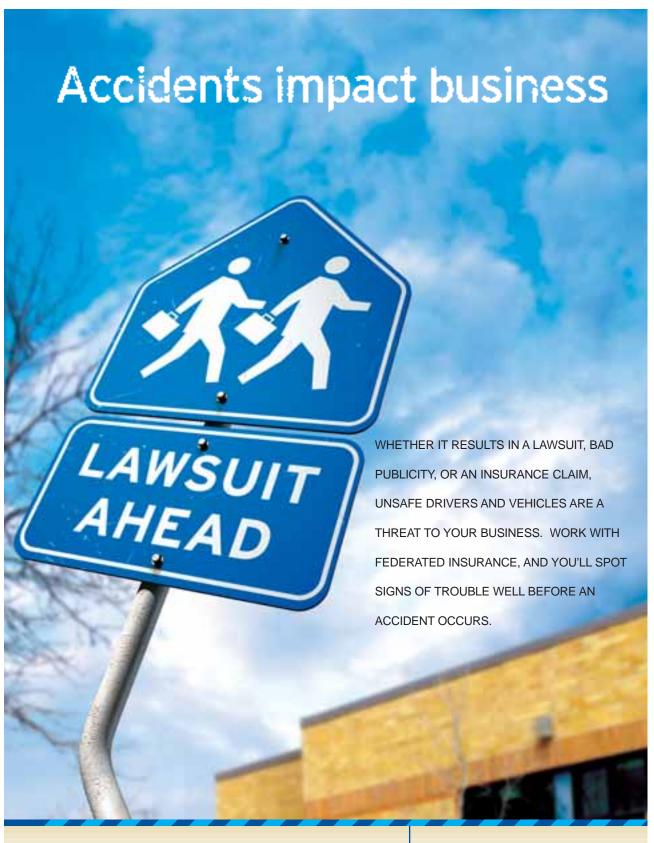






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