

Includes 2009 ECAO Annual Report

The Ontario **ELECTRICAL CONTRACTOR**

ECAO
ELECTRICAL CONTRACTORS
ASSOCIATION OF ONTARIO

Volume 47 • Number 3 • Summer 2009



John Raepple
New Man at the Helm for ECAO
Hazardous Locations
Equipment Approval Requirements
Ontario Electrical Safety Code

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On The Cover: ECAO's New President — John Raepple

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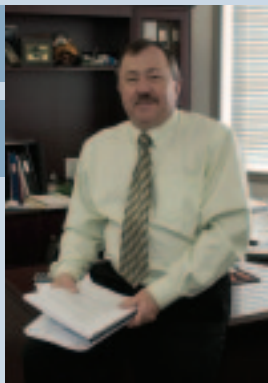
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ECAO's New President

— John Raepple



John Raepple

By Angela Altass



John Raepple is looking forward to his term as President of the Electrical Contractors Association of Ontario and says that association members can expect him to speak out.

"I always say what is on my mind," he states. "I am vocal and people will always know where I am standing on issues."

Describing himself as both easygoing and tense, Raepple comes to the role of President with a strong industry background. As the son of an electrician, Raepple always knew that he wanted to follow in his father's footsteps. With a brother who is also in the electrical industry and two nephews working at John Raepple Electric, electricity runs through the Raepple family tree.

"We are a family full of electricians," he proudly states. "I remember helping my dad and knowing this was what I wanted to do. I am very passionate about it."

Starting out in the industry at a time when it was possible to fast-track an apprenticeship, Raepple completed his apprenticeship in just over four years.

Raepple's first job was with Enasco Limited, where he apprenticed. From there he went to work for Kearsley Electric in the estimating, design-build and project management departments. Next, he moved to Nelco Mechanical as the Manager of the Electrical Division and then worked in project management for Birnie Electric before starting his own company in 1989. Raepple received his Master Electrical Licence in 1985.

"I started John Raepple Electric Ltd. out of my home in Kitchener from a basement office," says Raepple. "Four years later I moved the business to an industrial condo in Kitchener. I moved the business to Ayr in March 2002. We currently have 10-15 employees and generally average around 25 employees."

John Raepple Electric Ltd. focuses mainly on commercial and institutional work. Although Raepple does still go on site for some jobs, these days he finds himself concentrating more on being a manager and also on giving back to the industry through various association affiliations.

Raepple is President of the Electrical Contractors Association of Central Ontario, an association he has been involved with for the past 16 years. He has been a member of the Electrical Contractors Association of Ontario for 13 years, serving on the board for 10 years and recently working his way through the executive to his new position as President. He is also involved with the Electrical Trade Bargaining Agency and the Joint Electrical Promotion

Plan. Raepple is one of the three Contractor Directors of the Electrical Safety Authority. He notes that modern technology makes it possible for him to be so actively involved.

"Technology makes it a lot easier," says Raepple as he taps the keys on his laptop computer. "It allows you to do all the extra stuff."

He believes strongly in encouraging people to become involved with the industry through their local associations.

"I try to encourage contractors to get involved," he says. "It provides an opportunity to get to know other people within the industry — to see other people's concerns, problems and solutions. It is also good for one's career. It has never put me at a disadvantage and I would encourage anyone to contact their local association office to ask how they can become involved."

He acknowledges that there are some struggles ahead for the industry but maintains a positive outlook towards the future and notes that the *Green Energy Act* could create opportunities for contractors who make themselves knowledgeable on the issue.

"I think the number of man-hours is going to dip but we will see an improvement in the near future," says Raepple.

The amalgamation of local area contractor associations into a stronger regional association is one of his goals.

"We need to get some of the smaller local area associations to amalgamate together," he says. "We are stronger if we stick together for the larger cause instead of pushing ahead on mini-agendas as we all have the same issues to deal with."

He is also interested in an Ontario-wide commercial market recovery program, which he feels has many advantages and would be beneficial to the industry.

He calls electrical contracting an admirable career and something he loves doing.

Raepple, who notes golf and travelling as two of his favourite pastimes, lives in Roseville with his wife Mary and recently became a grandfather. His son, Jonathon, daughter-in-law Krystal and granddaughter Ella live in Edmonton, where Jonathon is completing his PhD in Sport Management.

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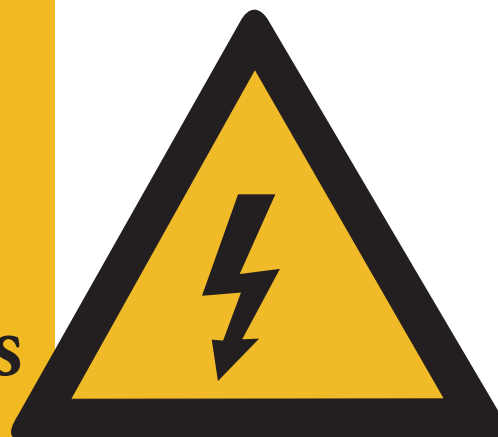
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HAZARDOUS LOCATIONS Equipment Approval Requirements

By Ted Olechna



Questions have been raised regarding whether electrical equipment that is to be located in hazardous (classified) locations could be field evaluated based on the requirements of the SPE-1000 “Model Code for the Field Evaluation of Electrical Equipment.”

Hazardous location equipment is not permitted to be Field Evaluated. The SPE-1000 excludes several items including Hazardous Area equipment from its scope. Clause 1.7(c) states that the Model Code

does not apply to the field evaluation of equipment for use in hazardous locations.

It is outside the scope of accreditation for Inspection Bodies performing field evaluations, under the program accepted by Standards Council of Canada.

Rule 18-050(1) Electrical equipment states that “Where electrical equipment is required by this Section to be approved for use in hazardous locations, it shall also be approved

for the specific gas, vapour, mist or dust that will be present.”

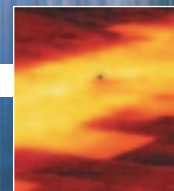
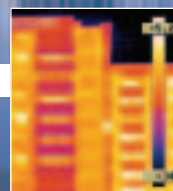
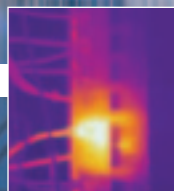
Hazardous Location electrical equipment is often of a unique nature or is custom-built for a specific application. The testing required to assess the safety of hazardous location equipment is at a level where the SPE-1000 does not provide a sufficient level of safety. Determining if a piece of equipment is actually suited for a specific Class and Zone/Division requires specialized

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testing equipment. This specific testing can only be performed at testing laboratories that are equipped and accredited to perform this testing.

Rule 2-024 states that:

- Electrical equipment shall be deemed to be approved if it has been approved according to the process set out in Section 2 of Ontario Regulation 438/07, or

- If electrical equipment that is used in or connected to an electrical installation is inspected in accordance with Rule 2-004 by the inspection department, it shall be deemed to be approved if the installation and electrical equipment pass the inspection.

What this means is that if a machine or electrical equipment is installed in a hazardous location, it requires to be approved

by an accredited Certification Agency in compliance with standards pertaining to hazardous locations.

If individual pieces of electrical equipment are certified by an accredited Certification Body for Hazardous locations, and is interconnected with wiring methods as per Section 18, then an inspector may accept the certified equipment as part of the installation as per Rule 2-024(3):

- i) In locations where approved devices (Class and Zone/Division) are installed in a permanent fixed manner;
- ii) In approved electrical enclosures (Class and Zone/Division);
- iii) Interconnected wiring and seals are as per Section 18 (Class and Zone/Division); and
- iv) Hard wired on site.

Examples of types of installations where the equipment is assembled on site and may be accepted as part of the installation:

- Control stations controlling different pieces of equipment;
- Any certified enclosure with certified devices;
- Contactors, controlling equipment installed in approved enclosures;
- Plus others.

The inspector will assess the overall assemblage of equipment, to verify if the wiring and seals, connected to the certified devices (Class and Zone/Division); comply with the requirements of Section 18.

Regardless of any past practice the Electrical Safety Authority has, the Authority Having Jurisdiction (AHJ) in Ontario will not accept equipment that is field evaluated using SPE-1000 for installations in hazardous (classified) areas. Complete electrical equipment or individual devices in hazardous locations requires certification by a Certification Body (CB) that has been accredited by Standards Council of Canada for this type of work.

Ted Olechna is a Provincial Code Engineer with the Electrical Safety Authority. He can be reached by email at ted.olechna@ElectricalSafety.on.ca.



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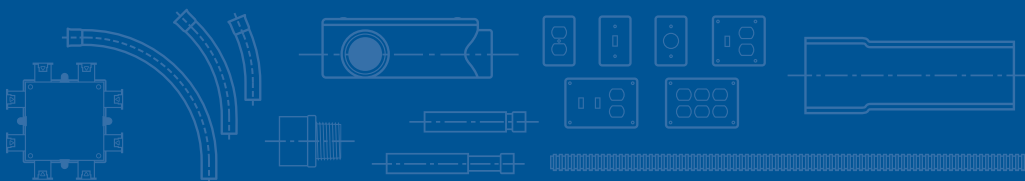
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Q&A to the 2009 Code Effective May 1, 2009

By Ted Olechna

T

The 2009 Code Training is well under way; have you had the opportunity to attend?

With the introduction of 2009 OESC, there were a number of issues that were raised during the training.

Sunlight Resistance Requirements - Rule 2-130

Question: Will Non-Metallic Seal tight, USEI90, TW, etc. all have to be marked with S.R. rating?

Answer: Yes, where exposed to direct rays of the sun insulated electrical conductors' raceways, etc., shall be marked with the specific purpose of use.

Raceways or Cable subject to Movement - Rule 12-012(12)

Question: Will every service entrance conduit require an expansion sleeve?

Answer: No.

Rationale: An expansion joint is only one of many ways to stop the damage from frost or settlement. Any conduit coming out of the ground and attached to a wall, pole, etc., will require a means to stop the damage.

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Kitchen Peninsula Receptacles in Dwelling Units - Rule 26-712(d) (v) and 26-712 (g)

Question: Is a receptacle on the side of the kitchen peninsula, under the counter required to be tamper-resistant?

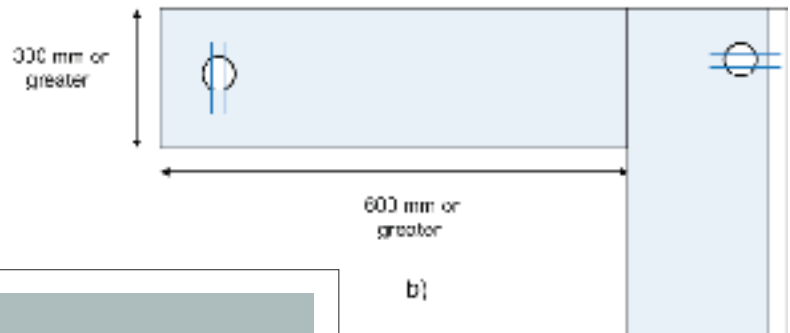
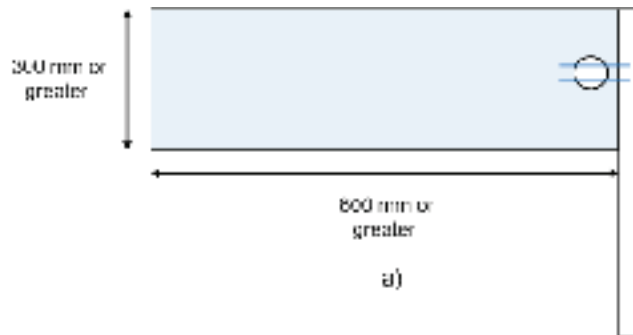
Answer: Yes.

Rationale: Receptacles that are located on the wall behind the kitchen counter are not required to be tamper-resistant. Rule 26-712 (d) (v) and 26-712 (g). The intended purpose of the TR receptacle is to prevent a child from sticking a metallic object into the receptacle. Receptacles that are located on the wall behind the kitchen counter are not required to be tamper-resistant. d. Rule 26-712 (d) (v) and 26-712 (g).

Kitchen Peninsula Receptacles in Dwelling Units - Rule 26-712

Question: Is a receptacle mounted on the wall beside kitchen peninsula considered to be a receptacle required for peninsula?

Answer: Depends on the peninsula design.
Yes for design a;
No for design b.



Rationale: The proposed answer is based on the kitchen peninsula design.

If the kitchen peninsula with a long dimension of 600 mm or greater and a short dimension of 300 mm or greater is attached to the wall then a receptacle on the wall meets the requirement of 26-712(d) (v).

If the kitchen peninsula with a long dimension of 600 mm or greater and a short dimension of 300 mm or greater is attached to the kitchen counter then a receptacle on the wall does not meet the requirement of 26-712(d) (v).

Ted Olechna is a Provincial Code Engineer with the Electrical Safety Authority. He can be reached by email at ted.olechna@ElectricalSafety.on.ca.



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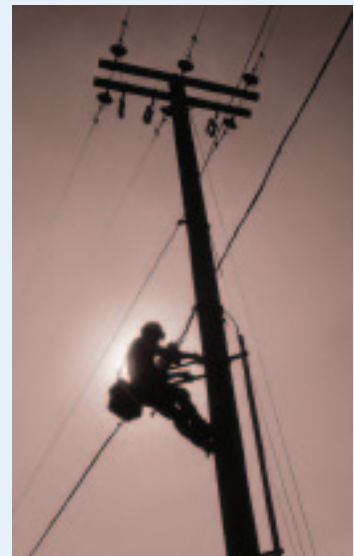
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2009 ECAO annual report

PRESIDENT'S MESSAGE

By Fred Black



When I presented my first annual report, I wrote about the challenges of living in interesting times and how such environments generate the kind of ingenuity and creative energy needed to see us through the difficult periods and towards a better future. These attributes are even more essential today as one considers the fundamental economic and political changes that have taken place in the past year.

I admit (as must most others) to underestimating the profoundness and the rapidity of the changes which took place all around us in 2008. A year ago the Canadian dollar was worth a dollar U.S., a barrel of oil was \$140, and the economy continued to grow around two per cent per year. Today the Canadian dollar is 80 cents, a barrel of oil is less than \$50 and the global economy is in a recession of "historic" proportions. Now that's what they call a turnaround!

At all levels, ECAO has responded quickly to the changing economic environment in order to ensure that its members can weather the storm and participate in the new opportunities that may arise from recession-fighting government spending programs and the dramatic shift towards green energy. Please take the time to read about these and other activities in this annual report and to say thanks to the ECAO members who volunteer their time to make it all happen.

Work Activity

2008 was a record year for ECAO mem-

bers, who collectively generated more than 20 million hours of work. Distribution of work was also better in 2008 compared to 2007. This year only two areas lagged behind with Niagara 20 per cent and Thunder Bay 25 per cent below their 20-year averages.

Most of the improvements appear to have come as the result of government spending on hospitals, universities and other institutions; capital investment by the foreign automotive sector; and momentum from higher commodity prices in the first half of the year.

In response to the economic meltdown in the last quarter of 2008, ECAO trimmed its man-hour forecast for 2009 to 16 million hours... a drop of 20 per cent. This action mirrors our experience of the last recession in 1990-1993 when the industry shrank by 50 per cent over four years. As I write this message, ECAO has not yet recorded any recession-type monthly hour reports as work already in the pipe continues, but we must be prepared.

One of my concerns going forward is the emphasis on infrastructure stimulus spending by government. A minority of the ECAO membership currently participates in this market as it tends to be more specialized or big-ticket work. We must avoid the situation where one segment of the membership is extremely busy doing public sector stimulus work, while members who rely on smaller private sector work are idle.

ECAO (through the Energy Efficiency Contractors Network) is already training members in conservation work and will soon launch a program on renewable energy for commercial and residential customers. Based upon the experience in the USA, we believe this segment may have great potential for participation by all ECAO members.

Labour Relations

During 2008 there was little discussion with the IBEW regarding collective bargaining issues. The ETBA and ECAO Board have met together on two occasions to consider the renewal of the no-strike deal and to rethink the overall ECAO strategic plan in light of the new economic order. Based on the feedback from these meetings, there appears to be a consensus around the need for a strike-free industry as long as the deal is protected from rogue settlements like the \$7 demolition settlement in 2007 and is responsive to new and changing economic realities.

The parties will begin discussions for renewal in the fall of 2009.

Getting Paid

The seemingly endless consultations with the Ontario government over reform of the *Construction Lien Act* are progressing. ECAO has battled this issue in the courts and in the halls of Queen's Park for over five years. Currently the matter is the subject of a coalition of trades under COCA, which has made passage of the legislation their number one political priority. A suite

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of amendments, including the ECAO issue of lien rights over industrial process installations, is before the Attorney General and every indication is that legislative action will take place some time during 2009.

On our own behalf, the ECAO Task Force on Payment Issues presented their work plan to the ECAO Board in November. It was accepted and since then the Task Force has started work on building a knowledge bank of payment problems and solutions which will be accessible by PDA. Among the sources of information in the bank will be a registry of clients' payment practices. Like any bank, the value that the members take from it will depend on what they contribute.

Apprenticeship and Training

Tim Armstrong's report on compulsory certification was released a year ago. His

recommendation of a "College of Trades" was adopted by the government, which then commissioned Kevin Whitaker to develop an implementation plan. ECAO's support was well documented in the Spring 2009 issue of *The Ontario Electrical Contractor* magazine. We understand that enabling legislation is imminent.

ECAO has also been instrumental in advising government about interprovincial mobility and the Agreement on Internal Trade (AIT). In response to the announcement of a new amendment to the AIT, ECAO formed a task force on Inter-Provincial Business and Labour Mobility. The OEL and the IBEW were invited to participate. Such an unusual coalition is indicative of the unanimity of feeling around this issue. The task force submissions focused on promoting the Red Seal standard and cautioning government to carefully investigate the relationship

between labour and business mobility citing the 2006 *Ontario/Québec Agreement* as a "one-way street into Ontario, but a cul-de-sac into Quebec." Consultations will be carried on in earnest during 2009.

In closing, I want to thank the ECAO Board, ETBA, committees and task forces for their amazing efforts over my term as president. I am always pleasantly surprised that every day competitors can work together so effectively for the betterment of the industry. I also wish to express my gratitude to the ECAO staff for their support and making the job of president so rewarding. I look forward to my new role as past-president and hope to provide the same help to John Raeppe as was provided to me by Brad Vollmer.

Thanks to you all.

EXECUTIVE VICE-PRESIDENT'S MESSAGE

By Eryl Roberts



Before sitting down to write this year's message, I looked back at my previous report which was all about the renewal of the no-strike accord (Joint Proposal) just to make sure I didn't repeat myself. I also realized that the current message will be the only annual report opportunity to say anything at all about the 2010 round of bargaining before it is history. So I am doing the unforgivable...repeating myself in back-to-back annual reports. I rationalize this by acknowledging that my 2007-2008 message was really forged in the battle over the \$2.15 post negotiations wage adjustment. Now it's time to look ahead.

Elsewhere in this annual report you will see many references to strategic planning meetings where the topic of renewing the Joint Proposal was discussed. Let's face it. Regardless of the economy, regardless of the wage adjustment trauma, the renewal of the Joint Proposal is a priority ECAO issue.

In accordance with its terms, the Joint Proposal must be renewed by the ETBA and IBEW memberships prior to each round of collective bargaining. This is an escape clause insisted upon by the IBEW should the process ever fail to meet their

needs. Until now renewal has come to be seen as automatic. Most ECAO members are not aware of the intense negotiations which take place every three years during the renewal process. Indeed the renewal process has overtaken the actual collective bargaining process as the forum in which to get things done. In place of language negotiations at the bargaining table, the IBEW has recently made resolving language items a "precondition" to renewing the Joint Proposal. Perhaps, rather than fighting this trend, the ETBA should adopt it, thereby putting both parties on the same footing.

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This would be a significant policy change for ECAO. Until now we have clung to the original Joint Proposal design with its emphasis on interest-based (as opposed to power-based) language negotiation...even in the face of the union's refusal to participate. We should recognize that since 2001, there has been very little in the form of meaningful language negotiations at the bargaining table and in 2007 there was none.

The consensus of the two ECAO think-tank meetings was that we should not return to traditional, strike-happy bargaining, but that significant changes are needed to the bargaining agenda and the Joint Proposal if it is to be used again. These changes include elimination or modification of the wage adjustment formula, effective contractor-driven market recovery, specialty appendices for strategic markets and reduction of impediments to contractor mobility.

The wage adjustment process was agreed to as a commitment to the IBEW that by giving up the right to strike they would not fall behind their peers in other trades. That commitment is still valid in principle, but very difficult to explain to contractors who just swallowed the last mouthful of the \$2.15 adjustment from the demolition labourers. The IBEW is now so far ahead of their real peers, that elimination of the adjustment for 2010 is a realistic approach to avoiding whipsaw as the other trades scramble to catch up.

The desire for "effective contractor-driven market recovery" comes from the growing concern that IBEW business managers are only interested in employment numbers and not contractor market share. Full employment for the union caused by work for the "hydro," Infrastructure Ontario projects and economic stimulus work, doesn't mean that contractors who rely on private sector commercial work are busy. Many business managers either don't care or don't get it and are shutting down stabilization and market recovery in the circumstance where workers are fully employed, but the contractors are idle. This attitude leaves the most competitive markets wide open to the non-union.

The need for specialty appendices is really driven by the merger in public policy of the recession fighting stimulus packages with the drive for "green energy." Witness Ontario's *Green Energy Act*. These new markets are perfect for all ECAO electrical contractors, but require a different approach to performing the work if we, the mainstream contractors, are to be competitive against the non-union specialty firms. Opportunities to change strategic directions like this don't come along very often. The challenge for us will be to ensure that our labour pool and labour relations are assets, not liabilities, as we try to participate in this work.

Enhanced mobility makes the list of required changes due to fundamental

shifts in the Ontario economy and contractor businesses. In previous reports I have referred to the Ontario market as "Toronto plus 12 one-industry towns." For decades, area ECAs and local unions flourished servicing those industries, but today everything has changed. Ontario is becoming de-industrialized at an alarming rate. Many area ECA memberships have been shrinking for years and survival depends on looking further afield for work...not unlike the IBEW travellers. The preferred solution is the amalgamation of local unions and a corresponding reduction in the number of area ECAs, but this is too long-term for consideration before 2010. As an alternative, full mobility makes sense and may even make the need for amalgamation irrelevant.

The renewal of the Joint Proposal will not happen easily given the required changes and the current economic climate. All the more reason to begin soon. The latest renewal on record was January 12, 2001...another era when fundamental issues like name-hiring and mobility were on the table. Regardless, we managed to get it done.

The changes required are daunting, but achievable if we can reverse the damage done during the 2008 wage adjustment debacle and restore the practical and pragmatic approach to bargaining exhibited in the early days of the Joint Proposal.

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CONTRACTOR & INDUSTRY STANDARDS

Gary Beer,
*Jay Electric Ltd. &
Enerscan Control/*

John Salmon,
*A. R. Milne Electric Ltd.
(Chair)*

Wayne Crockett,
*Lockerbie & Hole Eastern
Inc.*

Ed Braithwaite,
*C & C Enterprises Electrical
Construction Limited*

Glenn Carr,
*Campbell & Kennedy Electric
(Ottawa) Ltd.*

Garry Fitzpatrick,
*Fitzpatrick Electrical
Contractor Inc.*

David Mason,
D. J. Mason Electric Co. Ltd.

Wayne Gatien,
*PowerTel Utilities
Contractors Limited*

Paul Sheridan,
The Plan Group

Dan Toppazini,
Weinmann Electric Ltd.

Tom Vivian,
ECAO (Secretary)

Legal services provided by
Charles Weibe, Glaholt LLP

will need to be passed before existing “provisional” licences for line contractors expire during 2011.

ESA Relations

Maintaining an open dialogue with ESA is an important function of the Contractor & Industry Standards committee. Day-to-day issues between contractors and ESA operations are discussed at the ESA Contractor Advisory Council (CoAC). ECAO is represented on CoAC by:

Gary Beer/John Salmon

Glenn Carr

Dan Lancia

Sandy Ragno

Joe Spadafora

Eryl Roberts

The Contractor & Industry Standards committee undertakes to develop and promote the accepted definition of what makes a qualified electrical contractor and works with other like-minded stakeholders to develop standards of safe and professional electrical installations. The committee is very involved with the Electrical Safety Authority on matters such as provincewide licensing, codes and electrical safety and contractor/ESA relations.

In addition, the committee develops ECAO policy on sound commercial practices for electrical contractors and promotes industry-accepted standards for tendering, contracts and payment. This includes representing the views of members to government on issues such as the *Construction Lien Act* or other legislation impacting on industry commercial practices and may also include representation of individual members involved in potentially precedent-setting cases before the courts or other tribunals.

Provincial Licensing of Electrical Contractors

In 2008, the provincial licensing of electrical contractors through ESA/ECRA moved from start-up to full operations including enforcement of the regulations. The level of compliance has been

a pleasant surprise with nearly 7,000 bona fide electrical contractors being licensed. This level of registration is about 40 per cent greater than previous best estimates of the number of qualified electrical contractors in Ontario. 5,600 of the licences are full licences, while less than 1,400 are provisional.

ECAO is represented at ESA/ECRA by Glenn Carr and John Salmon. ECAO members John Raepple and Erv Krause are ESA directors on the ESA Regulatory Affairs committee, which provides oversight of licensing for the ESA Board.

ECRA Master Examining Board

The Examining Board develops the testing standard for master electricians. They also deliver the pre-masters exam course. Both the exam and the training program are being revamped to increase the percentage of safety, business practice and consumer relations. Glenn Carr and John Salmon represent ECAO on the MEB.

Line Contractor Licensing

The subcommittee struck to develop a line contractor licensing system has completed its work and will submit its policy paper to the ECRA for approval in early 2009. The policy paper will form the basis of an amendment to the current licensing regulation, which

Due to the importance of this dialogue with the industry's primary regulator, ESA was encouraged to review their “stakeholdering” practices. The ESA Board retained Singer-Watts management consultants to interview a variety of stakeholders including ECAO. ECAO's feedback response to the Singer-Watts report was submitted in early April.

CoAC also acts as a recruiting ground for subject experts to staff various ESA committees such as the Ontario Provincial Code committee, appeals tribunal, ECRA and MEB.

Task Force on Payment Issues

In November 2008, the Task Force on Payment Issues work plan was approved by the ECAO Board. The Task Force has developed an “electronic handbook” providing a database of information and strategies for “getting paid.” When complete, the handbook will be PDA accessible through the Members Only section of the ECAO website. A promotional video has been developed and is being reviewed by the area ECAs whose feedback will be incorporated into the handbook.

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HUMAN RESOURCES DEVELOPMENT

Gary Carr,
Robertson-Bright (Chair)

Fred Black,
Stevens & Black Electrical Contractors

Gary Ganim,
Betron Electric Ltd. /
Doug Vandemheen,
Earl Carr Electric Canada Ltd.

Ron Goode,
Ferguson Electric Limited

Scott Kenyon,
E. S. Fox Ltd.

John Wright,
Ontario Electrical
Construction Co. Ltd.

Susan Boorman,
ECAO (Secretary)

The ECAO Human Resources Development committee in 2009 focused on the College of Trades which was the key recommendation that came out of the Tim Armstrong report on Compulsory Certification. Kevin Whittaker was appointed the task of reviewing written submissions and conducting consultations on the governance structure for the College of Trades. ECAO submitted a report entitled "Industry Driven Trades Training for Ontario, an Implementation Strategy for a College of Trades." Along with this submission, ECAO president Fred Black and ECAO staff attended a private consultation with Mr. Whittaker to further expand upon the submission and discuss key points.

Implementation of the College of Trades will take place sometime in the latter portion of 2009. ECAO's HR committee will continue to follow the progress of the College of Trades and continue to provide input to the Ministry of Training, Colleges and Universities.

In 2008 and 2009, there has been a tremendous amount of activity with the Workers' Safety and Insurance Board (WSIB) which has kept the ECAO WSIB committee busy with written submissions on re-employment obligations imposed on contractors, occupational disease and mandatory

WSIB coverage and the executive officer exemption regulation.

The WSIB committee drafted a set of recommendations to the ECAO Board of Directors which they felt were of prime importance and would have the most immediate impact on the ECAO members. Those recommendations were: Experience Rating Review, Executive Officer under *Bill 119*, Communications with WSIB and as a long-term issue Unfunded Liability. A recent report prepared for WSIB for discussion with stakeholders was released entitled "Recommendations for Experience Rating." This report is currently under review by the ECAO WSIB committee, and a written submission from ECAO will be forthcoming. Anyone interested in reading the report can find it at www.wsib.ca/wsib/wsibsite.nsf/public/PreventionExperienceRating.

The second edition to the ECAO Guide to WSIB will be made available shortly to the ECAO membership in hard copy as well as being available for download on the ECAO website.

The Certified Fire Alarm Electrician (CFAE) program continues to be revised. In September 2009, the new Module I will be ready for launch with the expectation that Module II will be ready in the Spring of 2010.

In 2008 and 2009, the Labour/Management Health & Safety Committee (L/MH&SC) continued to work on the Diagnostic Tool Kit for Electricians which will shortly be made available on the CSAO website. Other areas that continue to be worked on are the revisions to the APEP module Dangers of Working Live. Recently a subcommittee comprised of labour and management representation from the L/MH&SC was established to review the issue of training and qualification in light of the new CSA Z462 standard that is coming online and other regulations such as *Bill C45*.

In 2008, CSAO published the revised 2008 edition of the APEP blue book. This edition is much improved with the inclusion of up-to-date illustrations and regulations. The APEP blue book can be obtained through the CSAO website at www.csa.org/t.tools/t5.products/index.cfm; search by title Electrical Construction and Maintenance Workers' Manual.

ECAO continues to be a resource with the Provincial Advisory Committee. In 2008, such issues as the College of Trades, training standards updates, curriculum standard updates, ratios, and solar panels have been discussed with many of these issues being on the agenda for 2009.

In 2009, the HR committee will be following the progress of the Realignment of Ontario's Safe Workplace Associations (SWAs). The revised proposal envisions the realignment of the 12 current SWAs into four. Each of the four SWAs will have its own support group, with a long-term goal that those support groups would ultimately become one. The revised proposal recommends that CSAO and E&USA amalgamate with common support staff. The new entity would also assume responsibility for aggregates, natural gas, pipeline and landscaping. ECAO staff and ECAO president Fred Black, met with Tom Beegan, Chief Prevention Officer for WSIB, to discuss ECAO's concerns and the impact the realignment would have on the electrical industry. This resulted in Mr. Beegan making a presentation to the ECAO Board of Directors this spring.

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MEMBER SERVICES

Brad Walker,
*Laframboise
Mechanical-Electrical Ltd.
(Chair)*

Ed Braithwaite,
*C & C Enterprises
Electrical Construction Limited*

Gary Carr,
Robertson Bright Inc.

Bob Ritzmann,
Sutherland-Schultz Inc.

Joe Spadafora,
Procon Niagara

Lyndsy Miceli,
ECAO

Lucy Roberts,
ECAO (Secretary)

Member Advantage Program

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. ECAO has teamed up with key providers to the electrical industry to help members save on items and services they use every day through negotiated price reductions and value-added packages. These benefits of membership are only available to current members of ECAO and are provided by:

- Avis
- Choice Hotels
- Canadian Electrical Contractors Association
- Canadian Equipment Leasing Corporation
- Digital Internet Group
- Enterprise Rent-A-Car
- Esso
- Federated Insurance
- Firstbrook, Cassie & Anderson Limited
- Graybar
- Jim Peplinski's Leasemaster National
- Lumbermen's
- Mark's Work Wearhouse
- MERX
- Mobilizz
- MPH Graphics
- MWG Apparel Group
- National Electrical Contractors Association
- NEBS
- Petro-Canada
- Quality Connection Health & Safety Program

- Residence & Conference Centres – Canada
- Skipwith & Associates Insurance Agency Inc.
- Staples Advantage/Corporate Express
- Storstac

Contact Us

Visit the members section of the ECAO website at www.ecao.org (you will need your username and password) and click on "Services for Members" or contact the ECAO office at 416-675-3226 or 1-800-387-3226 to get all the details!

Feedback

In order to keep the array of services up to date and of high-quality, the member services committee surveys the members' opinions with respect to the quality of existing products and services and the need for new or additional lines. ECAO will be conducting future surveys online in order to save members time and money while obtaining this valuable feedback.

Associate Membership

The purpose of the associate members program is to organize and promote the activities of those persons, firms and corporations who are directly or indirectly involved with the electrical contracting industry; to promote better relations between electrical contractors and those who provide support services to the contractors; and to promote high professional standards for the conducting of business to the betterment of the industry and the consumer. Associate Members receive the highest priority for

networking opportunities with the membership and are listed prominently on the ECAO website.

Associate Member Executive Council

Debbie DeCaire, *Skipwith & Associates Insurance Agency Inc.*

Bob Lawday, *Hesco Electric Supply*

Dan Leduc, *Ogilvy Renault LLP*

Rob Milner, *Flir Systems Ltd.*

Steve Moreau, *Moeller Electric*

Colin Moore, *Graybar*

The Associate Members' Executive Council which advises ECAO on Associate Member relations is comprised of representatives from five categories of associate membership: Inspection or Certification Agency, Manufacturer, Distributor/Supplier, Consultant/Soft Services Supplier, and Other as well as members of the Member Services committee. The Council welcomed two new members this past year, Dan Leduc, Ogilvy Renault LLP, and Colin Moore, Graybar. Thanks to retiring member Steve Moreau, Moeller Electric, for his past participation.

The Associate Members and other industry partners will be participating in a Product Exposition to be held in conjunction with the ECAO Annual Industry Conference in Kingston, June 2010. The trade show will provide delegates with valuable resource information and an opportunity for education and networking with our industry partners. A Product Exposition will be held every three years in conjunction with ECAO conferences held in Ontario.

The Associate Members' Executive Council also produced the 2009 ECAO Calendar, which was sent to the members last November; it provided an informative and relevant planning tool for electrical contractors. The Council is currently planning the 2010 edition.

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PUBLIC RELATIONS & COMMUNICATIONS

Jack Gibson,
Aecon Industrial (Chair)

Ken Crawford,
C & M Electric Ltd.

Chris Krueger,
*PowerTel Utilities
Contractors Limited*

Bob Lawday,
Hesco Electric Supply

Dan Lancia,
Holaco Installations Limited

Ed Norman,
Martin Electric (1986) Limited

John Raepple,
John Raepple Electric Ltd.

Robert Steven,
*Corroll Technologies /
Scott Kenyon,
E. S. Fox Ltd.*

Lyndsy Miceli,
ECAO

Lucy Roberts,
ECAO (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. The PR committee has welcomed three new members: Dan Lancia, representing the Hamilton area, Ed Norman, representing the Quinte-St. Lawrence area and Scott Kenyon, representing the Niagara Peninsula area. Thanks to retiring members Robert Steven, Corroll Technologies, and John Raepple, John Raepple Electric Ltd., for their past participation. Congratulations to John Raepple who steps down from the committee to focus on his new position as ECAO president.

Communications

ECAO continues to use its website as the primary source of information for members. A new electronic handbook on Getting Paid has been developed by the Contractor & Industry Standards committee and is available to members on the site. This "e-Handbook" is also viewable on Personal Digital Assistants (PDAs), making it a truly mobile resource. The "Find a Contractor" 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 currently have a web presence. It is also the focus of promotion efforts by ECAO at

trade shows such as the PM Expo/Construct Canada show held in early December and the Springfest show held in April every year in Toronto.

ECAO continues to promote the use of electronic correspondence to its members where possible. Electronic correspondence reduces the costs associated with communicating timely information to the membership and allows ECAO to make the best use of valuable resources. ECAO member email penetration is currently at 82 per cent.

The Public Relations & Communications committee is responsible for ECAO's quarterly magazine, *The Ontario Electrical Contractor*, published by MediaEDGE, our partners since 2003. The Public Relations & Communications committee has recently announced the formation of an Editorial Advisory Board and thanks the following members for volunteering their assistance in driving future content: Jack Gibson, Aecon Industrial, John Salmon, A. R. Milne Electric Ltd., Bob Lawday, Hesco Electric Supply and Debbie DeCaire, Skipwith & Associates Insurance Agency Inc.

Annual Meetings/Industry Conferences

The Public Relations & Communications committee is responsible for planning and promoting the Annual Industry

Conferences. These events provide an opportunity for members and their spouses to share best practices, avoid pitfalls, keep current and network with their peers, as well as enjoy each other's company and their surroundings.

ECAO held its very first European conference in 2008 in the Costa del Sol area of Spain. Delegates enjoyed this very successful event. The 2009 Annual Industry Conference will be held in Halifax, Nova Scotia, June 24-28 at the Halifax Marriott Harbourfront Hotel. The Annual General Meeting will be held during the conference in Halifax on June 27, 2009. The 2010 Annual Industry Conference and Product Exposition will be held at the Four Points by Sheraton in Kingston, Ontario, June 23-27, 2010. The Annual General Meeting will be held during the conference in Kingston on June 26, 2010.

Member Recognition

ECAO's Scholarship Program, which began in 2005, 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 winners of the 2008 Scholarship Awards were Bryan Cuthbertson of Sarnia, Ontario, and Joe Miles of Denfield, Ontario. 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 announce that Ed Norman, Martin Electric (1986) Limited, was the 2008 recipient. ECAO also recognizes those member companies with exemplary safety records through the R. H. Carroll Safety Awards. Congratulations to Advantage Electric Thunder Bay Ltd., Aecon Industrial, Gemor Electric, K-Line Maintenance & Construction Ltd., Mid South Contractors Ltd. and Vollmer & Associates for their 2008 wins.

ELECTRICAL TRADE BARGAINING AGENCY

Peter Bryant,
Esten Electric Ltd.
– ECA Northern Ontario (Chair)

Rick Ball,
White Pine Electric Ltd.
– ECA Thunder Bay

George Docherty,
Guild Electric Ltd.
– Greater Toronto ECA

Doug Dinniwell,
*Western Mechanical Electrical
Millwright Services Limited*
– Georgian Bay ECA

James Kellett,
*K-Line Maintenance & Construction
Limited - Line Contractors*

Erwin Krause,
Ecco Electric Limited
– Niagara Peninsula

Dario Maola,
DMW Electrical Instrumentation Inc.
– ECA Sarnia

David Mason,
D. J. Mason Electric Co. Ltd.
– ECA Hamilton

Al Gordon,
Al Gordon Electric Limited
– ECA London

Edward Norman,
Martin Electric (1986) Limited
– ECA Quinte-St. Lawrence

Ron Johnson,
Local Electric
– ECA Oshawa & District

John Raepple,
John Raepple Electric Ltd.
– ECA Central Ontario

John Salvatore,
Mid South Contractors LTD. (Electrical)
– Windsor ECA

Mike Caletti,
Univex /
Mike Sharp,
Black & McDonald Limited
– ECA Ottawa

**N/A, Industrial Contractors
Association (ICA)**

**N/A, Electrical Power Systems
Construction Association (EPSCA)***

Eryl Roberts, ECAO (Secretary)

**non-voting member*

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 Industrial Contractors Association (ICA) and Electrical Power Systems Construction Association (EPSCA). The latter two have not been active in the ETBA for some time. 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 including the Ontario Labour Relations Board (OLRB).

Principal Agreement & Renewal of the No Strike Accord

There was little collective bargaining activity in the middle of the existing collective agreement. Most of the activity in 2008 focused on coming to grips with the post-negotiations wage adjustment of \$2.15 per hour granted to the IBEW in a January 2008 arbitration. The adjustment has cast a pall over the whole No-Strike system and combined with the radical economic changes in the latter part of the year, it has also seriously affected competitiveness in a number of markets.

In order to reassess the situation regarding the No-Strike Accord, the ETBA together with the ECAO Board met in August 2008 and again in February 2009. Out of those meetings came a consensus that the industry

should remain “strike-free,” but fundamental changes have to be made to the wage adjustment system and to market recovery in order to deal with new economic realities. Among these new realities is the growing importance of the commercial market as the Ontario industrial base continues to erode. It will take a concerted labour/management effort to overcome the competitive challenges in this market.

Another recurring theme is the need to reduce barriers to mobility through reductions in the number of local unions and ECAs or other mechanisms. Many local areas no longer have a strong local contractor population, resulting in many projects being done by non-resident contractors employing unknown local workers with mixed results.

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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 renewal of the Joint Proposal will commence in Fall 2009. All of the options will be explored and the final decision to renew or reject the 2010 Joint Proposal will be the decision of the members.

The Joint Proposal was first ratified in 1991 and renewed in 1995, 1998, 2001, 2004 and 2007. By the expiry of the current agreement, the ETBA and IBEW-CCO will have been strike-free for 20 years.

The Communications Agreement has been one area of collective bargaining with the IBEW in 2008/2009. The parties have recognized the importance of controlling the training and apprenticeship system for Network Cabling Specialists in order to be successful. At the time of writing this report, the parties are seriously considering becoming a Training Delivery Agent for NCS apprenticeship and supporting this with a JAC type administration system.

ETBA has also asked the IBEW to consider scope changes to the communications agreement in order to address technological advances in communications protocol building systems.

Ontario Labour Relations Board

The ETBA continues to be involved in grievances about the use of the General Presidents' Agreement (GPA) on work covered by the Principal Agreement. Some of these cases have been through Judicial Review and are now under Appeal in the Courts. Traditionally the ETBA has agreed not to challenge the long-term GPA's so long as they are not used for electrical construction and are not expanded beyond the sites traditionally serviced by the GPA.

Grievances over inside/outside jurisdiction have been put on hold pending a decision from IBEW Vice-President Phil Flemming.

The arbitration over the legality of the "Older Employees" clause continues. The argument over the ETBA's motion that

the clause is unlawful will be heard in June 2009.

In late 2007, LU 303, IBEW signed an illegal agreement with a general contractor to construct a cogeneration plant within an existing paper mill. The illegal agreement scraps contractors' hiring, mobility and transfer rights and imposes an additional Building Trades tax for every hour earned. The Local Union provided the general contractor with direct-hire IBEW electricians including a master electrician so that the general contractor could be licensed as an electrical contractor.

In February 2008, ETBA filed notice that the work is covered by the Principal Agreement; the IBEW-CCO signed membership cards from the direct-hires and filed an application for certification at the OLRB. The OLRB has also since published a decision which places cogeneration stations squarely within the Industrial, Commercial and Institutional sector of the construction industry and the scope of the Principal Agreement.

The case has now morphed into an unwieldy "sector determination" with so many lawyers at the table, there is no room for the clients. As the case staggers towards hearing dates in November 2009, certain ECAO contractors have been told they might be thrown off the job if they do not sign the illegal agreement. Regardless, ETBA supports their members and will continue to work with them in response. In that vein, ETBA and IBEW-CCO amended the Principal Agreement for ECAO contractors to accommodate the key job site issues (hours of work, etc.) at the co-gen job.

Members presented with a grievance are reminded that ETBA provides no-cost initial consultation on grievances and related matters, which can be accessed by contacting ECAO staff. If a grievance affects a provincial clause and/or a decision may have provincial policy implications, the ETBA may intervene.

Research

The ETBA continues to perform labour re-

lations research including unionized industry market share. The development of universal licensing through the Electrical Safety Authority has the potential to simplify data gathering in this exercise. The ETBA is also reviewing studies from the USA where NECA and IBEW have made strides in the renewable energy market.

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
- James Kellett
- Dave Mason
- John Raeppele
- Eryl Roberts
- Mike Sharp

Along with their IBEW counterparts, these members are responsible for governance of all joint activities between the ETBA and IBEW-CCO.

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
- John Raeppele
- Eryl Roberts
- John Wright

JEPP has concluded its area marketing research and launched its regional pilot promotion campaign in Southwestern Ontario.

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The campaign focuses on community involvement and outreach by the area ECAs and Local Unions. North Western Ontario (Thunder Bay) is scheduled next.

JEPP's most recent marketing effort has been in backing the industry-wide coalition promoting the "Don't Work Live" campaign. The campaign gets its official launch at E&USA in June 2009.

In addition to its promotion role, JEPP is very involved in market research. Much of

this relates to measuring its own marketing and advertising effectiveness, but is also applicable to new market development. JEPP has adopted an area request for a thorough review of the NECA and IBEW experience and approach in the burgeoning renewable energy market. The report will be available in mid-2009.

JEPP is responsible for developing top-quality management and worker training and will be responsible for the application for Training Delivery Agency status for

communications apprenticeship discussed above. JEPP produces courses on Electrical Estimating, Project Supervision, Fire Alarm Installation and Testing.

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Electrical Trade Bargaining Agency*

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The Power & Utility Sector committee is responsible for representing the interests of all ECAO members whose work includes the design, construction and maintenance of overhead or underground transmission and distribution systems whether on public or private property. These interests include labour relations with the IBEW and other unions, regulatory affairs at the Ontario Energy Board (OEB) and Ministry of Energy, and manpower training and safety in partnership with the Electrical & Utility Safety Association (E&USA) and Ministry of Training, Colleges and Universities. All of these activities are guided by the ECAO Line Contractors Standing committee which has

the status similar to an area ECA at the ETBA and at the ECAO Board.

Collective Bargaining

The committee is responsible for negotiations with the IBEW for all matters related to Section 17 and the Provincial Line Work Agreement. The negotiations and contract administration takes place under the auspices of the ECAO/IBEW Provincial Joint Line Committee. The current agreement implemented with the addition of new contractor funds directed at providing fire-retardant apparel for line workers and to fund apprenticeship training at the E&USA Skills Centre. Both funds are included in the

collective agreement under the appropriate wages and benefits clauses.

The clothing fund is geared towards providing a standard set of all-season clothing of the highest quality at prices only available to large volume purchasers. While originally available only to line contractor subscribers, other contractors may also participate in the future once the logistics are set in place. The chosen supplier is MWG Apparel.

The tuition fund is also subscriber based and aimed at helping to rebuild the pool of contractor trained apprentices and journeypersons. Only participating line contrac-

2009 ECAO annual report

tors and their apprentice line workers may benefit from this fund. The apprenticeship program eligible for tuition support is the E&USA program delivered at the Skills Centre or affiliated E&USA training facility.

The logistics related to the introduction of these two programs has been difficult. It is expected that the Line Contractors will be able to fully implement them in 2009.

Contractor Licensing

The scope of electrical contractor licensing and the scope of work performed by high-voltage contractors overlap to a certain degree. To resolve this issue, qualified line contractors have been granted Provisional Electrical Contractor licences with a five-year time limit. In the interim, the Electrical Contractor Registration Agency (ECRA) is working with the industry to develop a "Line Contractor Licence." Since May 2008, the committee of ECAO and other line contractors has met to develop an industry policy paper on line contractor licensing. The report recommends that qualified powerline technicians be permitted to write the

existing master exam. The recommendation will be presented to ECRA in May 2009.

Compulsory Certification

The key building block in contractor licensing is the base worker qualification of the trade being licensed. Without compulsory certification of the electrical trade, the licensing of electrical contractors to a consistent standard would be very difficult. The powerline technician trade remains voluntary and therefore difficult to standardize. It is understood that the proposed "College of Trades" will contain a mechanism for compulsory certification of new trades and the line contracting industry should be among the first to use it.

Regulatory Affairs (Utility Competition)

The primary issue has always been the monopolistic approach of the transmitters and distributing companies towards "contestable" work. ECAO was successful in 2007-2008 in clarifying the contestability rules related to Hydro One connection procedures. In that case and subsequent review, the OEB upheld that the transmitter could

not compete against contractors for work on customer-owned connection facilities and equipment.

The challenge for ECAO going forward is to ensure that these high level decisions are effective in everyday contracting.

In response to distributors and their unions "backing into" ECAO contractors' work connecting wind farms to the grid, counsel for ECAO has attempted to engage the distributor in a dialogue regarding what work is contestable and what work isn't. The meetings were unsatisfactory so ECAO redirected the question to the Compliance Office for the OEB. An initial opinion is expected imminently.

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MEMBERSHIP

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 have 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.

- ECA Central Ontario
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- ECA London
- ECA Northern Ontario
- ECA Oshawa & District
- ECA Ottawa
- ECA Quinte-St. Lawrence
- ECA Sarnia
- ECA Thunder Bay
- Greater Toronto ECA
- Georgian Bay ECA

- Niagara Peninsula ECA
- 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.

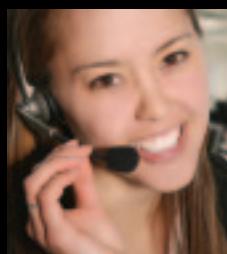
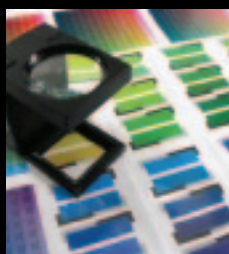
OBJECTIVES

- 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 co-operation 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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Toolbox Talks

031: FIBRE OPTICS, OUTDOORS

Basic Concepts

The primary safety hazard unique to optical fibre is broken shards of fibre. These are, in effect, microscopic glass needles. They make terrible splinters, and can be very hazardous to your health if ingested.

A major hazard unique to optical fibre is that the light passing through fibres is invisible to the human eye. So, you can look at a fibre, see nothing, and still burn your retina. This is a significant concern on higher-power optical systems. Cable TV networks and some data transmissions use power sufficient to cause such damage.

Outdoor cables are commonly of the loose tube design, and most contain water-block gel. In addition to being unpleasant to work with, this gel on a smooth floor can create a significant slipping hazard to people walking through the area.

Any conductive optical cables must be properly grounded when entering a building, to protect the facility and people working in it from ground currents and external voltage surges, such as from a nearby lightning strike.

General Safety

Do not inspect live cable ends. Fibres must be dark when inspected. Use a power meter to determine the fibre status.

Wear eye protection at all times. If you are working with live cables, wear eye protection specified for infrared filtering.

Post the appropriate warning signs and erect the appropriate barriers (such as tape) before performing splicing or termination work.

Do not touch your eyes or handle contact lenses until you have thoroughly washed your hands.

Do not allow any food or drink in areas where fibre termination is being done.

Clear your workstation after doing any work involving termination, or anywhere there may be broken pieces of fibre. Gather all stray pieces of fibre and place them in a sealed container for disposal.

Pat yourself down with adhesive tape when you complete any work involving termination of fibres. Ensure you have no fibre optic fibres on your clothing. Wash your hands at the nearest handwashing facility.

Read and understand the MSDS for any solvents you use.

Installing Cable

Roll the cable off the spool, rather than spinning it off the spool end. This prevents damage to the cable, while also reducing the chances of a whip-like injury.

When laying cable out for a long pull, use a figure 8 on a safe, clean, flat surface. This prevents twisting. A twist in the cable makes it harder to work with, and thus a strain or muscle pull more likely. It also creates a tripping hazard.

Use a swivel-pulling eye to reduce the chances of twisting.

Attach the cable to a pulling line by using the method recommended by the cable manufacturer. This prevents a loss of cable during a pull. A sudden loss may cause people who are pulling the cable to overextend themselves.

When pulling, use a smooth force so you don't break the cable. Tension meters are available, as are breakaway swivels. A fibre cable does not have to break in half to be damaged. If pulled improperly, the fibres can develop micro-cracks, which can render them unusable even while the cable exterior looks fine.

Make sure that any loose tube cables containing water-block gel are properly sealed. Otherwise, the gel can seep out over time and create a significant slipping hazard.

For long outdoor runs, carefully plan the cable installation. Long pieces of fibre cable can be surprisingly heavy, especially if the cable contains a messenger wire. Be sure to use proper lifting equipment and techniques.

Below Grade

Special care must always be taken in any sort of manhole, especially when the manhole contains current-carrying equipment. This is a double concern when installing fibre cables that have any metallic component. Such components can be armour, sheaths, conductors, or strength members. Identify all the components of your cable before installing it near current-carrying equipment.

When outdoor cables enter a building, any metal components (save system conductors) must be properly grounded. Also, if the cable is not rated for indoor use, it must be terminated close to its entrance point.

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By Stanley Tepner

10 Tax Strategies

“What’s the difference between a taxidermist and a tax collector? The taxidermist only takes your skin.”
- Mark Twain

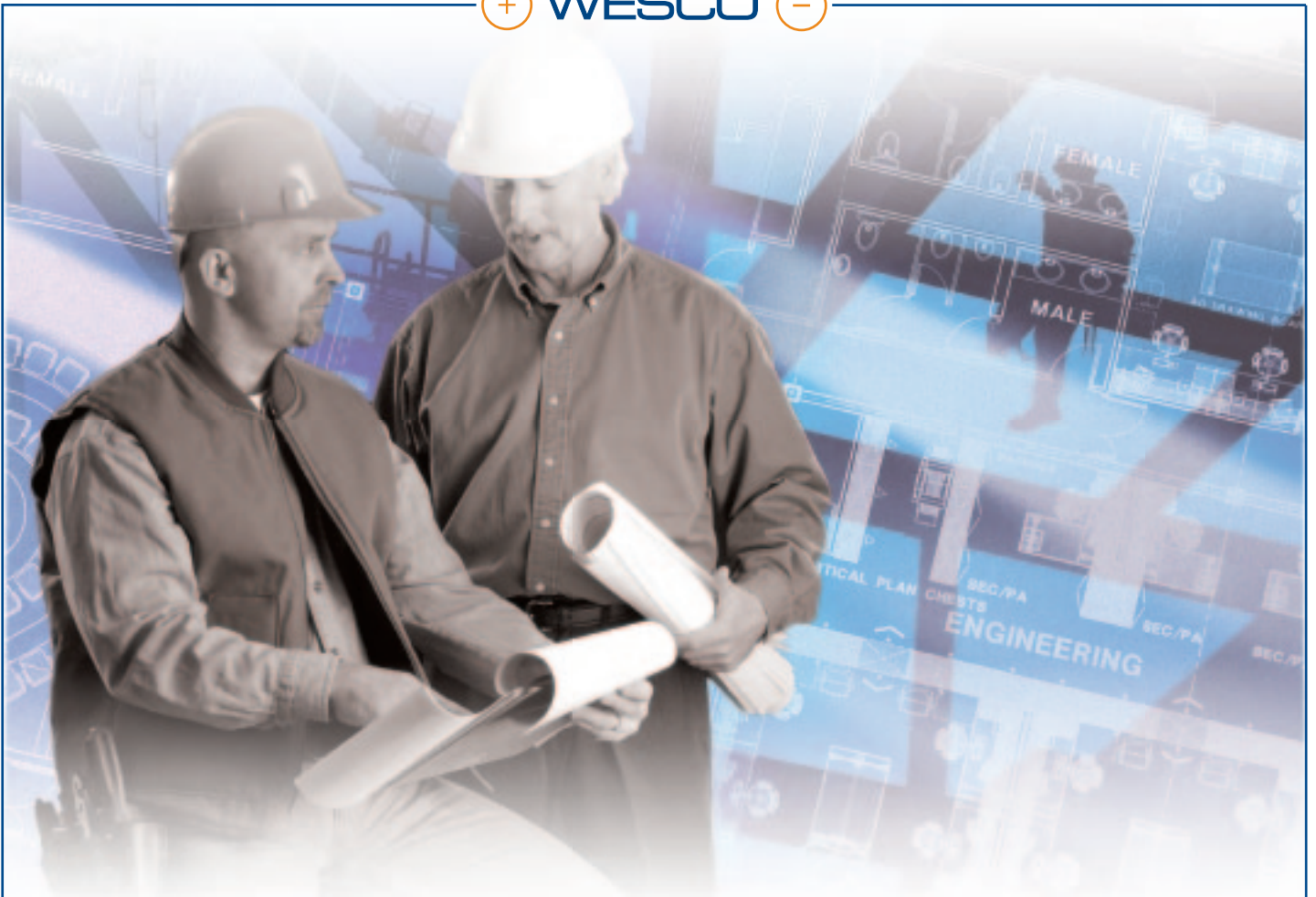
Every Investor Should Know - *Part II*

Top 10 lists are everywhere nowadays. From David Letterman’s television show to the www.top10list.com website, you can find anyone’s favourite list of anything condensed into this common ranking system.

At least Letterman always rhymes off his dime of dingers in one fell swoop on TV. Our list of 10 tax strategies requires two segments, the first of which appeared in the Spring 2009 edition of *The Ontario Electrical Contractor*.

In that issue we looked at four strategies you can employ to maximize your after-tax investment dollars:

1. You should take advantage of the fact that different forms of investment earnings (e.g., interest, dividends, capital gains) are taxed at different rates, making certain forms of income more desirable on an after-tax basis;
2. You should restructure your portfolio to minimize the potential tax bite by allocating certain investments to your tax-sheltered registered plans (such as the Registered Retirement Savings Plan (RRSP) or the new Tax Free Savings Account (TFSA));
3. Mutual fund investors should avoid double taxation on their earnings by carefully tracking the adjusted cost base (ACB) of their investments, especially when their fund’s distributions are automatically re-invested in new units of the fund; and
4. Mutual fund investors should also:
 - i. be aware of the potential tax cost of purchasing new fund holdings late in the calendar year;
 - ii. calculate the capital gain or loss on every disposition of a fund holding they make, especially when they do so on a systematic (periodic) basis;
 - iii. be aware that certain mutual funds may have large, “built-in” capital gain accruals that could be distributed and trigger



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a tax liability in the hands of a new investor;

iv. mutual funds structured as corporations may provide more opportunities to defer tax; and

v. consider using the "new breed of tax-busting mutual fund."

We noted that the key to successful investment tax planning is following the "3 Ds": Deducting, Deferring and Decreasing.

- Deducting means that you should consider all the available tax deductions that you may claim to reduce your personal or family's taxable income
- Deferring simply means to structure your investment holdings so the tax bill you would have paid today will be paid tomorrow
- Decreasing means seeking ways of paying less tax on your investment income.

In part II, we look at six additional, effective strategies that you can follow to deliver greater after-tax investment returns using the "3 Ds." As John Maynard Keynes said, *"the avoidance of taxes is the only intellectual pursuit that carries any reward."*

5. RRSP Contributions

a. **The basics:** If you had "earned income" in a previous year, you may be entitled to make a tax deductible RRSP contribution. Your contribution is deductible for a given year if you make the contribution within that calendar year or within the first 60 days of the following year.

Your contribution limit is determined by three elements:

- i. A specific dollar maximum (for 2009 it is \$21,000; it will be \$22,000 for 2010 and indexed annually thereafter);
- ii. Eighteen per cent of your previous year's "earned income" ("earned income" consists of your gross salary before deductions, net business or professional income from self-employment, net rental income from real estate, taxable spousal and child support, net research grants,

CPP/QPP disability pension income and royalties; minus any deductible employment-related expenses, net business losses, real estate rental losses and deductible maintenance, alimony and child support paid); and

iii. Your pension adjustment (the pension adjustment is an amount reported by your employer that reflects the amount of benefits deemed to be accrued through contributions to your pension plan in the previous year), if any.

b. **Age considerations:** You can make deductible contributions to your own RRSP up to and including the year of your 71st birthday (but no later than December 31 – the 60-day extension will not be available). If you continue to have “earned income” after age 71 and have a spouse or common-law partner who is young enough to have an RRSP, you may be able to make a tax-deductible spousal RRSP contribution (see below). These contributions may continue up to and including the year in which your spouse/partner turns 71.

6. Spousal RRSP Strategies

The mechanics of a spousal RRSP contribution are straightforward: you as the contributor make a contribution to an RRSP that has been designated as “spousal” in the name of your spousal or common-law partner. You get the tax deduction; your spouse or common-law partner gets the investment asset.

There are several advantages to creating and building spousal RRSPs. It is one of the tools that can be used to equalize taxable incomes between spouses/partners in their retirement years. Spousal RRSP contributions can build an investment asset in your spouse/partner's name that may reduce your overall tax bill in retirement, when income is drawn from the RRSP and its successor, the RRIF. When there are withdrawals from a spousal RRSP/RRIF to a lower-income spouse, the tax paid may be lower than it would have been had the withdrawals been made from the personal RRSP/RRIF of the higher income spouse.

A higher-income spouse should not automatically make spousal RRSP contributions to a lower-income spouse,

though. For example, the lower-income spouse may have a smaller (or no) RRSP contribution room, but may be entitled to a large retirement income from the accumulation of other assets. When deciding whether a spousal contribution is appropriate for future income splitting, consider whether how your spouse/partner's future taxable income may be affected by the existence of other assets, such as a pension plan, an investment portfolio, personal business or real

estate interests, or the potential of a significant inheritance.

If your spouse/partner has earned income in a previous year, she/he may be entitled to make her/his own personal contribution in the same year that you are making a spousal contribution.

Finally, beware of the “three-year rule,” that states that if you make a spousal contribution to *any* spousal RRSP in the



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year of a spousal plan withdrawal or in the two preceding calendar years, the withdrawal will be *taxed in your hands*, not in your spouse/partner's hands. This also applies to a withdrawal from a spousal RRIF that is in excess of the annual minimum RRIF

withdrawal. This rule was created to prevent a higher-income spouse from contributing to the spousal plan in one year and making a withdrawal at the lower-income spouse/partner's tax bracket within that three-year window.

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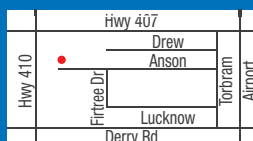
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7. The \$2,000 RRSP Over-Contribution

If you have maximized your RRSP and your TFSA contributions and you still have assets whose income you would like to shelter, consider making a one-time \$2,000 over-contribution to your RRSP or to a spousal RRSP. The \$2,000 is not immediately deductible to you, but all the income it earns is tax-deferred. To make this \$2,000 deductible, plan to use the amount as part of a future RRSP deduction. You may choose to wait until the year of your final RRSP contribution to do so, for example; for that last contribution year, instead of making a full contribution in cash or in kind, reduce that contribution by \$2,000. You will still be able to claim the full RRSP deduction.

8. Tax-Free Savings Accounts

a. **The basics:** Any Canadian resident, aged 18 and over, can contribute up to \$5,000 annually to a TFSA (contribution limits are subject to indexation in the future). While the TFSA does not provide tax deductions for contributions, all incomes earned while inside the plan and all capital and earnings withdrawn from the plan are free of tax. A TFSA is thus far more flexible than an RRSP, because it doesn't attract any tax at any time, amounts withdrawn can be replaced in a future year and there are no minimum withdrawal requirements, ever. The main drawback is that its annual contribution limit of \$5,000 is far less than the RRSP contribution limit.

b. **Investment strategies:** Which kind of investment is most suited to be held in a TFSA? Should it be used to shelter the income from the taxes you might pay on your short-term savings account? Or, should it shelter the interest income earned on longer-term guaranteed investments, like GICs? Or, should it shelter the potential income and capital gains earned on growth investments, like common stocks?

Your immediate response might be the same one you give when you are asked about the kind of investment is most appropriate for an RRSP: generally a fixed-income investment, because in an unsheltered environment, its interest



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income attracts tax at the highest rate. And for conservative investors, this may be the correct answer.

I prefer to do a two-step determination in deciding which kind of investment should be allocated to your TFSA. First, review all the investment asset categories that you own, or would like to own. Second, determine which of your investments could attract the most tax over its lifetime if it was owned in an unsheltered environment. Since the purpose of a TFSA is the elimination of tax on your investment income, you should populate your TFSA with the investment that could attract the largest tax bill in a taxable account. Of course we can't be certain what kind of returns many investments will provide in the future, but this is an efficient way of allocating your assets between your taxable and non-taxable portfolios.

9. Where Should You Invest First... Your RRSP or your TFSA?

If you do not have enough wherewithal

to contribute to both plans, should you prioritize the TFSA or the RRSP? Intuitively, the RRSP is appealing, because it triggers a tax refund, while you have to use after-tax dollars to invest in a TFSA. But that tax refund is really just a loan from the government; you will have to repay it (plus interest), when you withdraw money from your RRSP or RRIF. There are no tax issues associated with contributions or withdrawals from your TFSA.

The only clear-cut advantage to prioritizing the RRSP contribution is if you expect your marginal tax rate to be lower in retirement than it is now. Then you would probably benefit by making the RRSP contribution first. If you have maximized your RRSP contribution and still have available funds, then you ought to direct them to the TFSA. You may also wish to take the tax refund that will be generated by your RRSP contribution and apply up to \$5,000 of that to your TFSA.

You should also consider the following:

- i. Your expected taxable income level in retirement with respect to income-tested entitlements (e.g., RRSP/RRIF

withdrawals could affect your Old Age Security and the age credit, but TFSA withdrawals will not);

- ii. How much you have available in cash or in kind to contribute to either plan or both; and

- iii. Your need to maintain a level of liquidity for emergencies.

10. Make Your Capital Losses Work For You

- a. **How to calculate capital gains and losses:** When you dispose of an investment either by selling it outright or by a deemed disposition (for example, a contribution in kind to, or a swap with, an RRSP or a TFSA) you must calculate the capital gain or loss on this transaction by deducting the adjusted cost base (ACB) of the investment from the proceeds of disposition. The ACB is often simply your original cost, but it may also be your original cost plus or minus certain adjustments, such as for reinvested mutual fund distributions (which increase the ACB) or for distributions of income



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treated as return of capital (which decrease the ACB).

For a given calendar year, all capital gains and losses are totalled and offset against each other to determine your overall capital gain or loss for the year. In 2009, one-half of the overall capital gain (the "taxable capital gain") is added into your taxable income.

- b. **How to apply a net capital loss:** If the overall result is a capital loss, one-half of the loss (which is called the net capital loss) is not deducted from your taxable income. Instead, the net capital loss may be carried back up to three calendar years, to offset taxable capital gains that you previously reported (this will generate a tax refund for each year in which the net capital losses could be applied); or the net capital losses can be carried forward indefinitely, to offset taxable capital gains in the future.
- c. **Superficial losses:** The superficial loss rule was instituted to prevent investors

from triggering capital losses and immediately rebuying an investment that had been sold. The rule disallows a capital loss if the same security was reacquired within 30 days of the original disposition. If it was reacquired within the 30 days, the amount of the capital loss will be added to the ACB of the reacquired investment.

When you are considering triggering a capital loss while tax-managing your portfolio, you have to consider whether it makes sense to keep an investment — that you would otherwise not have sold — out of your portfolio for 30 days, because you might miss an investment opportunity that could outweigh the benefits of having triggered the loss. There are some alternatives to consider as replacement investments. You could replace a single stock with a similar company for the 30-day period. Or you could replace the stock or a mutual fund with a correlating index fund for the same time interval. Remember to pay heed to transaction costs when tax-managing a portfolio.

That rounds out your Top 10 tax strategies for your investment portfolio. Perhaps a future article will feature the Top 10 quotes about income taxes. Thomas R. Dewar would provide Quote #1:

"The only thing that hurts more than paying an income tax is not having to pay an income tax."

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 email at stan.tepner@cibc.ca.

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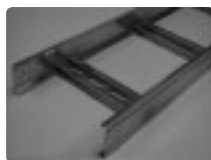


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PLATES that install IN or OUT



CE1 facing IN

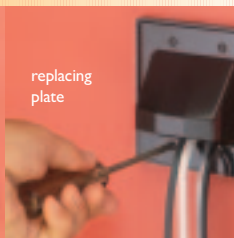


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CER1



CER2

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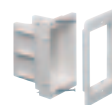
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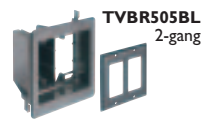
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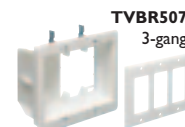
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EMPOWER YOUR SUPPORT AND LEAD A CHAMPIONSHIP SUPPORT TEAM

By Becoming A Championship Leader



By M. Lynne Jacob

“What else are you tolerating?” I asked a client the other day. Funny thing is that I pose this question to all of my clients at one time or another.

And the other funny thing is that every single one of my clients, when hearing the word “tolerate,” think of at least one employee (though usually numerous employees come to their minds).

One of the biggest problems a self-employed person has is handing over the reins to his employees. Why? Because your employees aren’t competent or trustworthy? Then why the heck are they still there? *Especially with what’s happening in the market today.*

A good while back, I was chatting with one man in a group of contractors who had heard

one of my presentations. He told me, loudly enough for other contractors in the group to hear him, that one question I had asked in my presentation of a few months earlier, had really resonated with him.

“Oh? Which one?” I asked. It was the “handing over the reins” question.

“I knew bloody well why I wasn’t, so as soon as I got back I started gathering proof,” he continued. “My ‘key’ employee had been cheating on his time for a long time and I knew it ... but I wouldn’t admit it to myself. Not until you asked that question, that is. He’s gone now and it didn’t take me long.”

Why had this man tolerated this cheating, stealing employee for so long? Because he was afraid of what would happen to his busi-



ness without this key employee. But what had been happening to his business with that not-so-key employee who was untrustworthy? Worse yet, what had been happening to this contractor? It had been eating away at him all this time and he just kept trying to ignore it.

Not every situation is that bad. It certainly isn't that bad for the client to whom I posed the question, "What else are you tolerating?" just the other day. What he's tolerating, though, is a bad attitude in one key employee and poor time management and disorganization in another key employee.

Is it only the behaviour of key employees that we tolerate? Not only, but we certainly tolerate much more from those whom we fear losing than the ones who are lower down in the pecking order.

But just like for the contractor whose key employee had been cheating on his time for so long, it has much less to do with the employee than it does you! You're the leader! If you tolerate cheating, what does that say about you? What does it say about the culture in the company?

Do you know what culture is? The best description I've heard for it — and check it out for yourself in your company — is: **Culture is what we do when nobody's looking.**

We know what the one employee was doing when he thought nobody was looking and his employer (your colleague) saw it but pretended he didn't.

My client is looking at his business through a magnifying glass that I'm helping him hold.

I ask these types of questions about what we see through the magnifying glass, which helps my client recognize precisely what needs to change. "But what can I do about it?" he asked me.

Training. I simply can't say enough good things about training.

Of course, training is only as good as how it is applied after the person taking the training gets back to the job at hand. Let's start there, though. You've already invested enough in your employees by the mere fact that they've been with you for some time now. How frequently do you offer your employees more training? I'm not just talking about safety training and new product knowledge, which is far more for the company's benefit than theirs. Those forms of training are necessary, but how about training for time management and organization? How about getting help for the man whose attitude needs a serious adjustment? These types of training are still for the benefit of the company, but they also benefit the employees outside of work, as well, which makes the employees feel valued.

For that matter, how often do you invest in training for yourself? Like business training or leadership training? After all, your team will ever only be as good as their leader, never any better than that and likely not even as good as the leader. You'll have some shining stars from time to time but they won't shine brightly forever when the culture deteriorates around them. I invest in "continuing education" at least every second year and I recommend that every entrepreneur, in every industry, do likewise if not more frequently. In fact, I used to invest in coaching (for my own professional development) every summer, given

that that's my slow season. During the last two years, however, it seems I am constantly raising the bar so I'm finding myself investing in blocks of six to 10 weeks at a time every four to six months.

After many years, one of my clients dared to raise the bar by creating his first staffing policy ever. It was a short policy, but to the staff it wasn't too sweet. It was necessary, however, yet my client said as soon as we had finished discussing what he would put in the staffing policy: "As soon as I give them this here 'staffing policy' they'll just laugh. The worst one likely won't even show up the next day."

"Good point," I responded. "So what are the consequences?" You see, his staff were not only abusing cellphones and gas cards but they were also showing up for work whenever they felt like it and only if they felt like it. This meant that my client waited around every morning until the last of them rolled in. It was often more than one full hour from start time before he ever started assigning jobs! This was some years ago, and while I was absolutely dumbfounded at how he was running his business from everything he was tolerating, I've since met many contractors in the same situation.

The staffing policy was drawn up, distributed and signed by everyone. And the worst of the lot did push it. He rolled in late very shortly after receiving the staffing policy so he was sent home, arguing the whole way to his vehicle. Later the same week he called in sick. The following day, arriving without a doctor's note (as it called for in the new staffing policy), he was sent home again. For some weeks he minded his P's and Q's and then an incident occurred and he told my client

he was fed up with all the rules and regulations and he was quitting. My client told me he couldn't get the separation papers drawn up quickly enough! My client informed me a few weeks following that employee's departure that the morale had never been so good. Just look at what this contractor's tolerations had caused throughout the whole company.

How supportive is your staff? What would it take to turn them into a championship support team?

Do you know what the number one problem in the workplace today is — in every industry? Communication. In fact, I contend that it's the number one problem **period** — with your family, your customers, your employees, everyone. On a scale of one to 10, how effective is your communication with your employees? How clear are they about the rules of the game they're playing? How many strikes are they allowed before they're "out"? Do they know how many strikes they have against them already?

Speaking of communication: Have you communicated to them your vision — your three-year vision — for your company? It's a far sight easier to get buy-in from people when they know the direction in which they're heading and what their destination is.

If you don't have a staffing policy in place, what would it take for you to create one? Every one of my contractor clients creates a staffing policy within the first six months of our working together and not because I encourage them to, but because they recognize the necessity for it. I do, however, encourage them to start with just their top three tolerations. Identify what you're tolerating and then create a policy around it. Plain and simple: bring tolerations to an end. Even your employees will thank you for it.

From there, creating a staffing policy with only three items in it, you simply add one item to the list each time an undesirable situation arises. You'll be surprised how quickly things shape up around your establishment, especially if one of your employees (key or otherwise) ships out. After all, if they're not willing to play the game by the rules, why would you want to have them on your team? One bad apple can and does spoil the whole bunch.

Shortly after creating your staffing policy comes employee performance reviews. I don't think I've worked with a client yet, in the construction industry or otherwise, who had already regularly conducted employee performance reviews. Almost every client is almost blown away with what they learn from their employees when they actually sit down and talk with them about their "performance" for the first time. I recommend that to get started with performance reviews and to really invest in increasing everyone's performance that the reviews be done every six months for at least three times (a year-and-a-half) and then every nine months for a couple of times, then easing into annual performance reviews. Trust me on this one: You have nothing to lose and you will gain a lot.

I am so passionate about the work I do with contractors because of the way they turn their ships around in just one-and-a-half to two years and most especially when it comes to helping these contractors become **championship leaders**. I could write pages about examples, alone, of clients improving their leadership skills simply through our coaching partnerships.

I know that many of you have an inner battle going on between the "old school" and today's employees and workplaces. Our world has changed dramatically since many of you first started working and is in a state of constant, rapid change.

Wouldn't it make things easier to get some help in dealing with those changes?

Next issue I'll cover Strategy #6, which Jim found to be the most exciting strategy of all: **Get Referrals from Impressed Clientele**. After all, you have a database of businesses that already know, like and trust you. Help them do your marketing for you ... yes, even in ICI.

M. Lynne Jacob, Business Success Coach, of MLJ Coaching International, works almost exclusively with contractors in the construction industry after having been the general contractor in building their home in 2004. Lynne readily admits that she didn't know what she didn't know.

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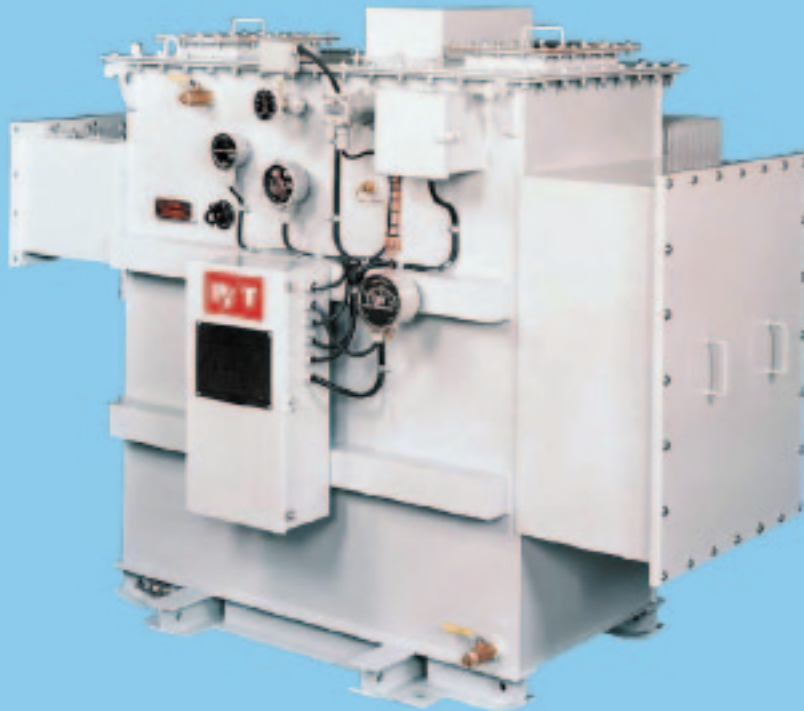
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