



Minutes

Service Divisional Board Meeting

June 22, 2017 at 9:00 a.m.
Ontario College of Trades
655 Bay Street, 6th Floor, Room 604,
Toronto, ON, M5G 2K4

Divisional Board Members in Attendance

Rob Brewer, Chair
Chelsey Hooker, Vice-Chair
Cam Anderson

Divisional Board Members not in Attendance

None (two vacancies exists at this time)

Resource Persons/Guests in Attendance

None

Staff Members in Attendance

Risa Abella, Program Development Specialist
Javed Akhtar, Policy Analyst
Warren Barbour, Director, Registration Services
Jason Bennett, Director, Corporate Governance
Meg Feres, Supervisor, Board Operations
Linda Francis, Research Analyst
Bob Onyschuk, Director, Compliance and Enforcement
John Poirier, Manager, Standards
Alice Power, Program Development Specialist
Dan van der Burg, Manager, Policy and Research

1. Call to Order/Welcome

C. Hooker joined the meeting and the Chair called the meeting to order at 10:00 a.m. The Chair welcomed Divisional Board members and College staff in attendance.

2. Approval of Agenda

The Chair reviewed the agenda.

SDB20170622-01 ON A MOTION MADE by C. Anderson, seconded by C. Hooker and CARRIED, the Agenda for the June 22, 2017 Service Divisional Board meeting was approved as tabled.

3. Conflict of Interest

No conflicts were declared.

4. Previous Minutes

SDB20170622-02 ON A MOTION MADE BY C. Anderson, SECONDED BY C. Hooker AND CARRIED, the minutes of the April 4, 2016; June 16, 2016; and November 22, 2016 meetings were approved as tabled.

5. Program Evaluation Process – Status Update

D. van der Burg provided background information on the Program Evaluation Process (PEP), the timelines and major milestones achieved to date – starting from August 11, 2015 when the Board of Governors passed a resolution on a PEP process for assessing the performance and viability of trades and apprenticeship programs named under the *Ontario College of Trades and Apprenticeship Act, 2009* (OCTAA), up to its current status, as well as recommendations for next steps.

It was noted that trade reports for the nine voluntary trades from the Service sector that were identified for evaluation have been revised to incorporate all evidence and relevant sources of information, including findings from the “What We Heard” report on the in person and written consultations held during the period January 27 to February 28, 2017, as well as evaluation criteria and de-prescription thresholds.

The Divisional Board reviewed and discussed the results of the consultation and made observations in the following areas:

- **Overall Demographics:** The Service sector trades under evaluation are voluntary, but the consultation data is not specific enough with respect to whether respondents were from compulsory or voluntary trades and thus does not provide sufficient evidence of perspectives of those from voluntary trades. It was noted that along with PEP, respondents also provided feedback and views on the topics of “Enforcement” and “Ratios”, matters that would likely draw opinions mostly from those in compulsory trades.
- **Reasons for Low Apprenticeship Enrollment:** The data shows there are low apprenticeship enrollments in these trades, but the analysis does not specify why this is the case or what steps could be taken to make the trades more viable.

Based on its observations, the Service Divisional Board made the following suggestions for next steps:

- **Consultation Process Focused on Voluntary Trades:** Collection of data aimed at evaluating Service sector trades should be focused on those who work in, employ, or are otherwise involved in those trades. Thus, consultation must be carried out in a manner that is targeted to and focused on specific Service sector industries and workplaces. It was suggested that survey questions and topics be relevant to these trades and that they seek to uncover the reasons for low apprenticeship enrollment or decreasing numbers of journeypersons.
- **Ministry Decision re: Apprenticeship Training Tax Credit Eligibility for Service Trades:** The majority of Service sector trades are currently excluded from eligibility for Ontario’s Apprenticeship Training Tax Credit (ATTC) program and this may be having a negative effect on the number of registered apprentices and journeypersons. Following a final determination about eligibility by the Ministry of Advanced Education and Skills Development (MAESD) in the coming months, changes in apprenticeship enrollment can be assessed and the PEP status of the nine trades can be re-visited.

Pending the outcome of the suggested next steps, the Divisional Board agreed that the nine trades remain status quo for the time being.

J. Akhtar and L. Francis left the meeting at 10:35 a.m.

6. Potential Regulatory Changes to Hairstylist Trade Related to Barbering Components

D. van der Burg advised that the College's proposed regulatory changes to the Hairstylist trade related to barbering components is still pending legal review by government staff. The Divisional Board was updated that on May 25, 2017 the Board of Governors Chair wrote to the Minister of Labour seeking an update on whether the Ministry intends to move forward with this proposal. To date, there has been no response. It was also noted that the exemption from paying fees to the College, provided to a specific cohort of Hairstylists (i.e. the "Barber Exemption"), has been extended to April 2019 by the Minister of Labour.

7. Ratio Consultation Summary

D. van der Burg provided an overview of the Public Consultation Summary on Journeyperson-to-Apprentice Ratios as part of the Bill 70 public consultation hosted by the College from January 27 to February 28, 2017, including the consultation process; the four key questions asked; key observations gathered based on the responses; the results of the analysis, and noticeable differences.

In addition, it was noted that 150 individuals, representing all four sectors, attended the in-person public consultation held on January 27, 2017, while the online survey conducted between January 30, 2017 and February 28, 2017 had 2,417 respondents. Online participants responded to at least one of the Journeyperson-to-Apprentice Ratios questions, considered "completed responses" in the context of this section of the survey. General responses to the four questions were fairly consistent across trades, sectors, regions, and between compulsory and voluntary trades, and between sponsors/employers and workers.

8. College's Response and Activities re: Premier's Highly Skilled Workforce Panel Report

D. van der Burg updated the Divisional Board on the *Premier's Highly Skilled Workforce Panel* report which speaks to the apprenticeship system, "modernizing" apprenticeship, and trades training. It was noted that on June 14, 2017 the Board of Governors approved the College's position in response to MAESD's request for feedback on what is and what is not working in apprenticeship, and forwarded it to the Minister. The Divisional Board was also updated on the Ministry-hosted "apprenticeship summit" held on June 15, 2017 and attended by representatives of College governance and staff. A second and final summit is scheduled for July 25, 2017 at which the College intends to emphasize the important role it fulfils as the Ministry's delegated regulatory body in serving and protecting the public interest.

W. Barbour joined the meeting at 10:50 a.m.

9. Apprenticeship Training Tax Credit Eligibility for Service Sector Trades

J. Poirier provided an update on the exclusion of most of Service sector trades from eligibility for Ontario's Apprenticeship Training Tax Credit (ATTC) program and noted ongoing College efforts to address the issue with MAESD officials, including a review of statistics on the excluded trades, in particular membership data by gender. It was noted that the 2015 and 2016 Ontario Budgets committed to a review of the ATTC to ensure it is encouraging businesses to hire certified workers, improve labour market mobility, and contribute effectively to the economy. It is anticipated that later this year there will be new rules and guidelines announced for the ATTC program.

There was also a suggestion that it would be beneficial to raise the ATTC issue at the July 12, 2017 Diversity and Inclusion (DEI) Symposium being organized by the College. The Symposium will address a number of issues, including:

1. Low retention rates for members of diverse groups in the skilled trades (women, Indigenous People, persons with disabilities, and racialized minorities) upon completion of their training; and
2. Barriers that prevent tradespeople from realizing their full potential in their skilled trade of choice.

To accomplish these goals, the College will focus its efforts on developing and implementing initiatives geared toward increasing the representation of historically underrepresented groups in the skilled trades. The Symposium will be an opportunity for the College to hear about the issues and experiences first-hand from affected stakeholders.

10. Hairstylist Practical Exam Update

J. Poirier updated the Divisional Board on the development of the Hairstylist practical examination to accompany the Red Seal written examination which will then allow for Red Seal endorsement (RSE). Since the last update in November 2016, pilot projects have been completed across the province, resulting in 40 Hairstylist certifications and RSEs. In addition, several testing centres have been confirmed throughout the province. The final issues to be addressed are related to the logistics around fee collection and payments to examiners. The Divisional Board expressed its continued support for the Hairstylist Practical Exam program and requested an update by email in a few weeks, once final logistical matters are resolved and the program is fully implemented and active.

D. van der Burg left the meeting at 11:15 a.m.

11. Working Relationship with College of Early Childhood Educators

J. Poirier provided a summary of the positive collaboration and working relationship between the Ontario College of Trades (OCOT) and the College of Early Childhood Educators (CECE) as a result of the Child Development Practitioner apprenticeship program. The two regulatory bodies share a segment of membership who start their careers as apprentice members of OCOT and continue their careers as members of the CECE. The update covered the reasons for and benefits of a collaborative and supportive relationship between the two regulatory bodies, including a quarterly information and statistics report from OCOT to the CECE; future initiatives and learning opportunities, including continuous professional learning; Standards of Practice; and professional advisories.

12. Ontario Municipalities Procurement vis-à-vis Apprenticeship System

In follow up to the discussion at the Divisional Board's November 2016 meeting regarding the procurement processes at Ontario municipalities in relation to the apprenticeship system, in particular the tendering of construction or maintenance work requiring skilled tradespersons, A. Power advised that in February 2017 a letter was sent to Ontario colleges, universities, Parks Ontario, municipalities, and school boards to bring awareness to this issue. In August 2017, the College will be sponsoring a session at the Association of Municipalities of Ontario annual conference in Ottawa to speak directly to stakeholders about the value of Certificates of Qualification (CofQ) as a standard of excellence for both compulsory and voluntary trades.

13. Governance Update

J. Bennett reviewed governance activity and statistics for Q1-2017 and most of Q2, including the number of governance meetings held and the current priorities of the department with respect to supporting the work of the College's Boards, its standing and statutory Committees, and adjudicative panels derived therefrom; as well as an update on Appointments Council activities in recent months and internal Board and Committee succession planning initiatives that are underway.

14. Terms of Reference: Final Approved Version

The Divisional Board reviewed the final version of the Service Divisional Board Terms of Reference, approved by the Board of Governors on April 25, 2017.

15. Legal & Regulatory Affairs Update

J. Bennett provided an update on the Compliance & Enforcement Policy, ongoing staff training on the Policy, the Board’s Trade Classification Referral regulation, the Minister’s Trade Classification Review process and criteria regulation, and the status of administrative penalties issued by College Enforcement Officers by way of Notices of Contravention, which as of June 6, 2017 replaced Part I Provincial Offence Notices under OCTAA.

In addition, the Divisional Board was advised of the Ontario Labour Relations Board’s (OLRB) process and timelines for filing an application for Review of a Notice of Contravention issued by College EOs under Sections 2 and 4 of the OCTAA. It was noted that an internal administrative process at the College is also being developed, as anyone requesting a review by the OLRB must first notify the College.

J. Bennett also briefed the Divisional Board on the Complaints and Discipline process generally, statistics on the number and timeliness of complaints being reviewed, the number of matters proceeding to public Discipline hearings, and the means by which Discipline hearings and outcomes are communicated to the public and membership. Currently, hearing dates and final decisions in each Discipline matter are posted on the College’s website, and summaries of each case, once completed, are included in *Trades Today* magazine which is sent by email to members and stakeholders who have subscribed to that service.

16. Registration Services Update

W. Barbour provided an update on membership activities and statistics, as well as data centre statistics as outlined in the Registrar’s Report for Q1-2017.

W. Barbour also advised that the Trade Equivalency Assessment (TEA) process working group held its first meeting on May 23, 2017. The group began an initial review of the TEA process used to assess the qualifications of applicants for a CofQ in the SFPI trade during the 1-year examination-exempt period, February 2015-February 2016. The group will meet again in the coming weeks to further explore and understand the TEA model overall and put together a series of recommendations for review and consideration by the Divisional Boards and the Board of Governors.

17. Compliance & Enforcement Update

B. Onychuk provided an update on the Compliance & Enforcement (C&E) activities and statistics as outlined in the Q1-2017 Registrar’s Report. It was noted that a new C&E position, Compliance Officer (CO), has been introduced and four new COs have been hired, one for each region of the province, to complement the existing contingent of Enforcement Officers (EOs). CO activity will primarily focus on the “underground economy”. COs will also support EOs in their inspection follow-up activities.

The Divisional Board was also advised of “Resolver”, the new C&E management system that is currently being implemented. The system is intended to enhance the tracking of C&E activity and statistical reporting capabilities, including new member registrations that result from an enforcement- or compliance-related activity.

There was a discussion with respect to the apparently low rate of ticketing unauthorized workers. It was noted that situations and circumstances vary, but that there is a need to strike a balance between EO discretion to issue or not issue a ticket and the regulatory value of enforcing upon violations of

the *Ontario College of Trades and Apprenticeship Act* (OCTAA) in order to discourage non-compliance.

J. Bennett and B. Onyschuk left the meeting at 12:30 p.m.

18. Appliance Service Technicians: Dual Fuel and Gas Appliance Issue

R. Abella provided a summary of the inquires made by the Appliance Service Technician (AST) Trade Board regarding their capacity to work on the electrical, mechanical and other non-gas components of dual fuel appliances and gas appliances and the status of the response(s) to date.

This topic was discussed at the College’s Enforcement Steering Committee meeting on May 10, 2017. It was agreed that that the language in the AST trade’s scope of practice supports dual fuel appliance work being undertaken by ASTs. For additional regulatory requirements for the gas component set out under the Technical Standards and Safety Authority (TSSA), ASTs are required to contact that authority with their specific questions.

19. Trade Board Minutes, Statistics, and Updates

The Divisional Board reviewed statistics in the Service sector, including exam attempts, trade totals by membership class, voluntary/compulsory status, gender, and average age. R. Abella and A. Power provided an update on the main themes and topics discussed at recent Trade Board meetings for Child Development Practitioner, Arborist, Chef-Cook, and Horticultural Technician, Network Cabling Specialist, and Utility Arborist. In addition, it was noted that several CofQ exam updates are underway, including for Network Cabling Specialist.

20. Trade Board Resolutions and Issues

The Divisional Board reviewed several recommendations made by Service sector Trade Boards, considered the issues, and discussed the nature of the responses to be provided in the reports back to the Trade Boards.

21. In Camera

The Divisional Board held an in camera session.

22. Adjournment

The meeting adjourned at 2:10 p.m.

“Sally Harvey”

Signed: Sally Harvey
Chair, Service Divisional Board

June 5, 2018

Date

“Meg Feres”

Signed: Meg Feres
Recording Officer

July 5, 2017

Date