



EMPLOYER ADVISORY MEETING

MAY 15, 2018



ONTARIO COLLEGE OF TRADES
ORDRE DES MÉTIERS DE L'ONTARIO



Updates on key initiatives



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New Compliance and Enforcement Policy



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Field Visit Activity 2017

- Over 11,000 field visits
- Field visits by sector
- 4200 Non compliance detected
- Part 1 tickets issued *
- 47 Notices of Contravention issued (only started to be issued in Sept)
- 67 Part 3 Prosecutions initiated
- 65 Professional Misconduct complaints received



New C&E Policy

- New Compliance and Enforcement Policy adopted by Board of Governors April 2017
 - Guiding Principles
 - Public Interest,
 - Targeted/Risk-Based/Evidence Based,
 - Consistent,
 - Flexible/Proportionate,
 - Transparent
 - Embeds “Risk of Harm” concept into compliance and enforcement approach
 - Range of tools to achieve compliance from education/awareness, warnings, and penalties such as Notices of Contravention and prosecution
- <http://www.collegeoftrades.ca/wp-content/uploads/CE-Policy-April-25-2017-APPROVED-by-BoG.pdf>



Steps Taken to Implement New C&E Policy

- Extensive training on C&E Policy and its implementation held for Officers in the fall of 2017
- Decision tree on use of compliance tools developed for officers
- Update and develop new technical/interpretation bulletins for officers
- Notice of Contravention training and support tools developed for officers:
 - Risk of Harm
 - Public interest and Public confidence
 - Culpability
 - Previous record
 - Recognized past practice

Risk Based Targeting

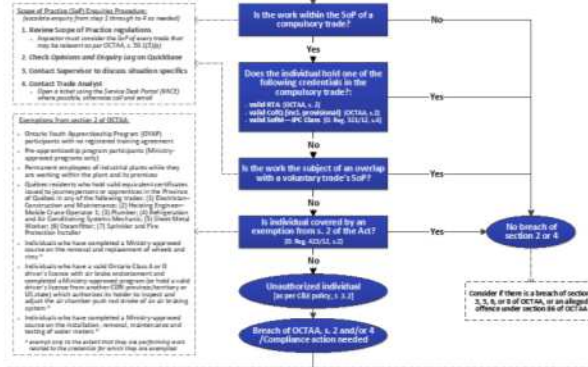
- Limited availability of current data which reflects compliance with trades requirements or propensity for risk of harm
- Building OCOT compliance data to guide our inspection priorities and strategies
- Working with other regulators to share data as well as provide “heads-up” notification of non-compliance (MOL, ESA, Tarion, MOF, TSSA, etc)
- Some joint initiatives with other regulators such as vehicle safety with OPP and MTO
- Initiating the development of a “Risk of Harm” index for trades with a pilot focused on two trades, construction electricians, automotive service techs
 - Physical harm to public and workers
 - Financial harm to public
 - Use of data where available
 - Subject Matter Expert input
 - Stakeholders will be consulted on the indexes as they are developed



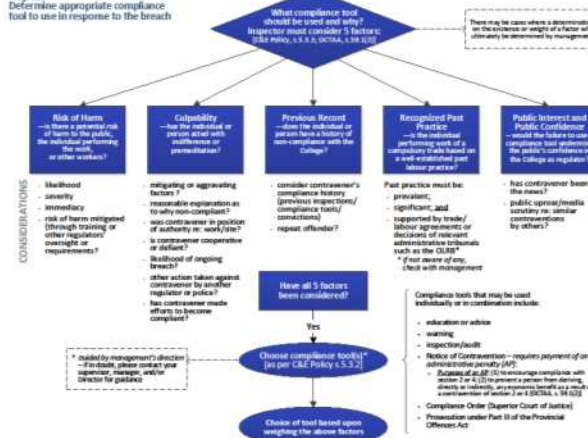


C&E Decision Tree – Sections 2 and 4

Step #1:
Determine if there is a breach of section 2 or 4 under the *Ontario College of Trades and Apprenticeship Act, 2009* (OCTAA)



Step #2:
Determine appropriate compliance tool to use in response to the breach



Version: 2018-03-29



Updates on key College initiatives:

1. Trade Classification Reviews
2. Ratio Review Process
3. Academic Entry Requirements
4. Trade Reports



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Presenter: Jennifer Cooper, Director, Legal & Regulatory Affairs



1. Trade Classification Reviews

- Important Legislative Change
- New Referral Process



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Trade Classification Reviews – *Important Legislative Change*

- Trades are classified as either **compulsory** or **voluntary** under the *Ontario College of Trades and Apprenticeship Act, 2009* (OCTAA)
- Trade classification reviews (TCRs) are the process through which the classification of a trade is initially assigned (in the case of new trades) or changed (in the case of existing trades).
- In 2016, OCTAA was amended by Bill 70 to implement Tony Dean's recommendations regarding TCRs.



Trade Classification Reviews – *Important Legislative Change*

- Bill 70 transferred responsibility for the determination of TCRs from the College to a new body within government—the Classification Roster (and Panels):
 - College is no longer responsible for determining a trade’s classification
 - College is responsible for establishing and carrying out the referral process to the government’s new Classification Roster for existing trades
 - **Independent classification panels** will still make determinations but will now be appointed and managed by the new Classification Roster
 - In addition to being able to reclassify a skilled trade as a whole, the classification panels have also been granted a **new power** to reclassify only **certain elements of a trade**, even if such request was not made by the Trade Board





Trade Classification Reviews – *New Referral Process*

- On July 1st, 2018, two regulations will come into effect setting out the new process and criteria for TCRs:
 - A **Board of Governors regulation** that sets out the process for referring existing trades that are seeking a classification review by the government's Classification Roster
 - A **Minister's regulation** that sets out the new process and criteria for determining a trade's classification, to be followed by the Classification Roster and classification panels once the Board has referred a trade
- Both regulations were the subject of a public consultation in summer 2017.
- Published on e-Laws on April 25, they will not come into effect until July 1st.



Trade Classification Reviews – *New Referral Process*

- Highlights of the **Board of Governors’** new referral process:
 - Only the **Trade Board** for the trade seeking a classification review can make a referral request
 - The **Board of Governors** (BoG) will decide whether or not to refer a trade to the Classification Roster for determination, based on administrative completeness of the request
 - The BoG’s process is “only” concerned with the administrative **completeness** of the referral request package—not the substance of the request or the merits of the case being made
 - To be **complete**, the referral request package must include:
 - completed administrative form(s) required by the College; and
 - written submission required by the Classification Roster

Trade Classification Reviews – *New Referral Process*

- There are **variations in the referral process** depending on:
 - whether the Trade Board is seeking a reclassification from voluntary to compulsory or from compulsory to voluntary, or
 - whether the trade in question is a trade in the ‘queue.’
- The Board regulation provides for an expedited referral process for **trades in the ‘queue’**:
 - A trade in the queue is a trade whose Trade Board submitted a “Notice of Intent” to request a TCR to the Divisional Board for their sector prior to Bill 70 coming into effect in December 2016
 - To acknowledge that they have been waiting for some time, trades in the ‘queue’ will have access to an expedited referral process if they still wish to move forward with their TCR request
 - BoG will approve the implementation framework of the administrative referral process



Trade Classification Reviews – *New Referral Process*

- Trade Boards for trades in the 'queue' will have from July 1, 2018 to January 7, 2019 to submit their completed referral request packages to the Board of Governors if they want to keep their place in the queue
- On January 28, 2019, the Board of Governors will make these referrals in their relative order, to the Classification Roster
- After the 'transition period' for trades in the 'queue' ends on January 28, 2019, the referral process will be accessible to any trades seeking reclassification.
- The trades in the 'queue' are listed in the following slide.



Trade Classification Reviews – *New Referral Process*

- The trades in the 'queue' are:
 1. Construction millwright
 2. Construction boilermaker
 3. Hazardous materials worker
 4. Powerline technician
 5. General carpenter
 6. Drywall, acoustic and lathing applicator
 7. Heavy duty equipment technician
 8. Instrumentation and control technician
 9. Concrete pump operator
 10. Powered lift truck technician



Trade Classification Reviews – *New Referral Process*

- Highlights of the **Minister's new process and criteria for determining a trade's classification:**
 - The Minister's regulation sets out the process to be followed by the Classification Roster and the classification panels, including how classification panels will be appointed and who can make written and oral submissions to the panels
 - The regulation requires the Trade Board's submission to be evidence-based and to be provided at the front end of the referral process.
 - It also sets out the new criteria that the classification panels will apply in making their determinations; risk of harm is one of the criteria.





2. Ratio Review Process

(for determining appropriate journeyperson to apprentice training ratios for 33 construction sector trades under OCTAA)

- **Extension to review cycle granted by Minister of Labour (to April 2019)**
- **Upcoming consultations on process**



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Ratio Review Process – *Extended to April 2019*

- 33 construction sector trades are subject to journeyperson to apprentice ratios under the Ontario College of Trades and Apprenticeship Act, 2009
- OCTAA requires that journeyperson to apprentice ratios be reviewed every four (4) years
- Last round of reviews took place in 2012-2013 and revised ratios took effect (in regulation) in 2014
- **Minister of Labour recently approved a 1-year extension to start the review period** to allow the College time to consult with stakeholders on potential improvements



Ratio Review Process – *Upcoming Stakeholder Consultations*

- Over the next year, the College will be engaging stakeholders on features of the ratio review process, as well as implementing any changes needed
- **May 23 – stakeholder meeting to discuss the review process** and gain input
 - Multipartite stakeholder meeting, representing: employers, unions, those involved in training delivery, other consumer and public interests
 - During the meeting, participants will:
 - Review current approach to ratio reviews
 - Share their experiences
 - Review relevant Dean Review recommendations
 - Discuss ways to improve the consultations to ensure active and high-level engagement throughout the process





3. Academic Entry Requirements

- Background Information
- Change in the College's Authority
- Next Steps



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Academic Entry Requirements – *Background Information*

- Academic entry requirements for trades are minimum education levels required to enter into an apprenticeship program in Ontario.
- Every trade currently requires individuals to have completed a certain grade level in Ontario or have completed an equivalent academic standard in order to be eligible to register a training agreement
- Intended to help ensure that applicants enter an apprenticeship program with the necessary foundational knowledge and skills (e.g. in the areas of literacy and numeracy) so they can be successful in the trade.
- Currently, these grade level requirements are established in a Minister's regulation (O. Reg. 421/12)



Academic Entry Requirements – *Change in College's Authority*

- As part of Bill 70 amendments to the *Ontario College of Trades and Apprenticeship Act, 2009* (OCTAA), government introduced two new provisions on academic standards but postponed their *entry into force*
- On April 23, 2018, the pending amendment related to the provisions was proclaimed, which amended OCTAA, subsections 65(2) and 72(1)—provisions related to ‘academic standards’ for apprenticeship programs
- The effect of the change is that the College now has the legislative authority (subject to government’s approval) to make regulations prescribing academic standards as a condition for registering training agreements





Academic Entry Requirements – *Next Steps*

- Before any academic entry requirements can be changed, the College will need to establish a process to make informed, evidence-based decisions
- Decisions will need to include consultations with the public and key stakeholders
- If the Board chooses to develop a regulation setting out academic entry requirements in the future, the standard regulation-development process would be followed



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4. Trade Reports

- Uses for Trade Reports
- Environmental Scan
- Data Points



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Why Trade Reports?

To support the College's mandate and provide useful trade specific data /analysis and information to industry and government, other relevant apprenticeship stakeholders, and which also may assist with the following:

- Journeyperson to Apprentice Ratio Reviews
- Trade Classification Review Submissions
- Promotion of the Trades
- Career/Job Opportunities
- Communication/Updates to Industry



Environmental Scan

Variety of reports produced in other provinces. Examples can be found at the following links:

Alberta:

https://tradesecrets.alberta.ca/SOURCES/Pdfs/board_publications/statistical_profiles/2017_statistical_report.pdf

Nova Scotia: <https://nsapprenticeship.ca/sites/default/files/docs/pubs/stats-2016-17.pdf>

Quebec:

https://www.ccq.org/~media/PDF/Communications/Metiers/ENGLISH/PU_21_02.pdf.pdf

Possible Data Points

- Trade Overview/Description
- Number of registered apprentices & journeypersons
- Demographics (average age, gender, geographic location, etc.)
- Labour Market Information/Outlook (e.g., job prospects, hourly wage/annual salary)
- Health & Safety data
- Labour Mobility information
- Red Seal status updates (if applicable)
- Regulatory impact
- Diversity initiatives



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Trade Report 2018

SAMPLE

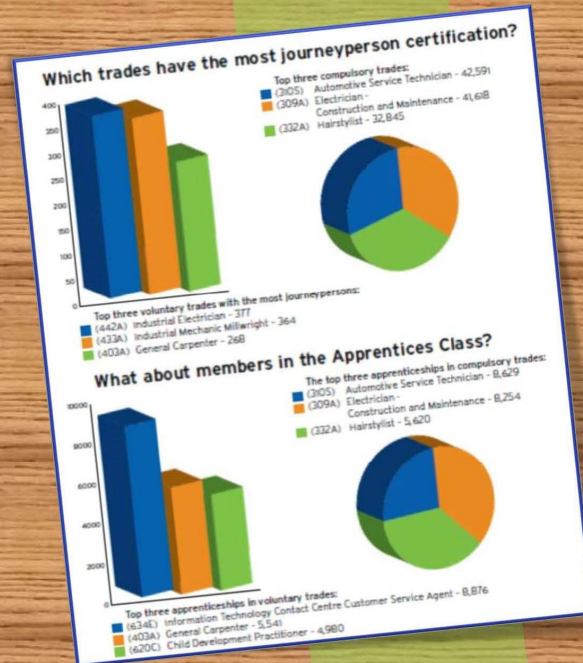




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Trade Activity Reports

	Apprentices	JP Candidates	Journeypersons	Tradespersons	Total
Construction	33,277				
Industrial	13,302	3,199	81,812	4	118,292
Motive Power	15,441	283	1,028	12	14,625
Service	33,071	455	77,732	1	93,029
Total	95,191	4,825	193,073	22	293,111





Trade Report:

Heavy Equipment Operator

Dozer, Excavator, Tractor-Loader Backhoe

Trade Code
636C

Scope of Practice
Heavy equipment operator — dozer
18. The scope of practice for the trade of heavy equipment operator — dozer includes inspecting, maintaining, transporting and operating full (standard) size dozer equipment by performing the following:

1. Operating equipment in a safe and efficient manner.
2. Performing pre-operational inspections.
3. Performing preventative maintenance.
4. Transporting equipment.
5. Reading and interpreting site plans and manufacturer's manuals.
6. Installing attachments.
7. Loading and unloading equipment.
8. Excavating, grading, ramp building, stockpiling, backfilling and towing operations. O. Reg. 275/11, s. 18

Trade Sector
Construction
Trade Status

Trade Board
Heavy Equipment Operator
Last Training Standard
2002
Curriculum Update
2002

Date of Designation

Evaluation Description Measure

Classification of Trade

- Compulsory (C)
- Voluntary (V)

Active OCOT Memberships

- # Apprentices
- # Journeypersons
- # Journeyman Candidates

MAESD Historical Registration Data

- # C of Qs issued by MAESD
- # C of As issued by MAESD
- # RTAs registered ever
- Date of most recent RTA

Exam Status

- Is there a C of Q exam in place for this trade? Yes

Currency of Standards Products

- Training
- Curriculum

Trade UPDATES

Heavy Equipment Operator Trades

- Trade Board has approved the draft new curriculum standard as of August 2017
- Curriculum standard draft and request for enhanced hours (60 hours) has been deferred to the next executive committee meeting
- Trade Board has reviewed the validation comments from the Ministry of Labour (MOL) for the 3 draft training standard log books at the February 14, 2018 meeting – approved changes based on MOL recommendations have been integrated into the 3 draft documents – documents still need to be reviewed by the construction sector trade boards as per process (delayed due to lack of quorum in many boards)
- Starting to see individuals move from the apprentices class to the journeypersons candidates class for the three HEO trades for the first time
- Starting to see first exam results for the Red Seal Interprovincial examinations for the 3 HEO trades





Next steps

- Seek input from stakeholders, government, and trade boards regarding potential content/data points to be included in the trade reports
- Commence pilot with a select compulsory trades
- Expand development of trade profile reports to all compulsory trades and trades with ratios
- Expand to all Red Seal/viable Provincial trades



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Five-year Strategic Plan



Background

- The current Strategic Plan with Priorities for 2018 expires at the end of 2018
- The College is embarking on the development of a new 5-year strategic plan.
- The plan will be developed with broad stakeholder consultation including Employers, Labour, General Public, Training Delivery Agents, Colleges and the Provincial Government.



Five-year Strategic Plan (continued)

- Plans include:
 - posting of a plain language consultation paper with focused questions,
 - face to face meetings with key stakeholders,
 - Regional town hall type meetings across the province
 - Possible survey of Public
- Consultations are expected to start June with plans to present summary of input to Board of Governors in the fall
- New 5 year plan targeted for completion by end of year
- Current plan can be found at:
 - <http://www.collegeoftrades.ca/about/governance/strategic-plan>

Communications to Members and Stakeholders



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Member Engagement



Dear member,

This message is the beginning of regular communications and outreach to our members. We want to update you on the College's activities and also hear from you about how we can improve the work and impact of the College. You can send me your comments and feedback at: CEO@collegeoftrades.ca.



As the new Registrar and CEO of the Ontario College of Trades (College), I have spent the last six months getting to know the business of the College, our staff, our members as well as other stakeholder groups across Ontario. Since it was established, the College has made some advances as a unique professional body with a mandate to protect the public



Outreach



Partnerships



College of Trades @CollegeofTrades · May 8

College CEO/Registrar George Gritzotis and @skillsontario CEO Ian Howcroft announced an MOU today at #SkillsON2018 - committing to work together in raising awareness and attracting people to #skilledtrades & #apprenticeships. Learn more: ow.ly/5Hc330jTob8 #womenintrades



1 19 35



ECA Ontario @ECAOntario · May 8

ECAO applauds the MOU between Skills Ontario and Ontario College of Trades to promote the trades for the future.



College of Trades @CollegeofTrades

College CEO/Registrar George Gritzotis and @skillsontario CEO Ian Howcroft announced an MOU today at #SkillsON2018 - committing to work together in raising awareness and attracting people to ...

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College of Trades @CollegeofTrades · May 9

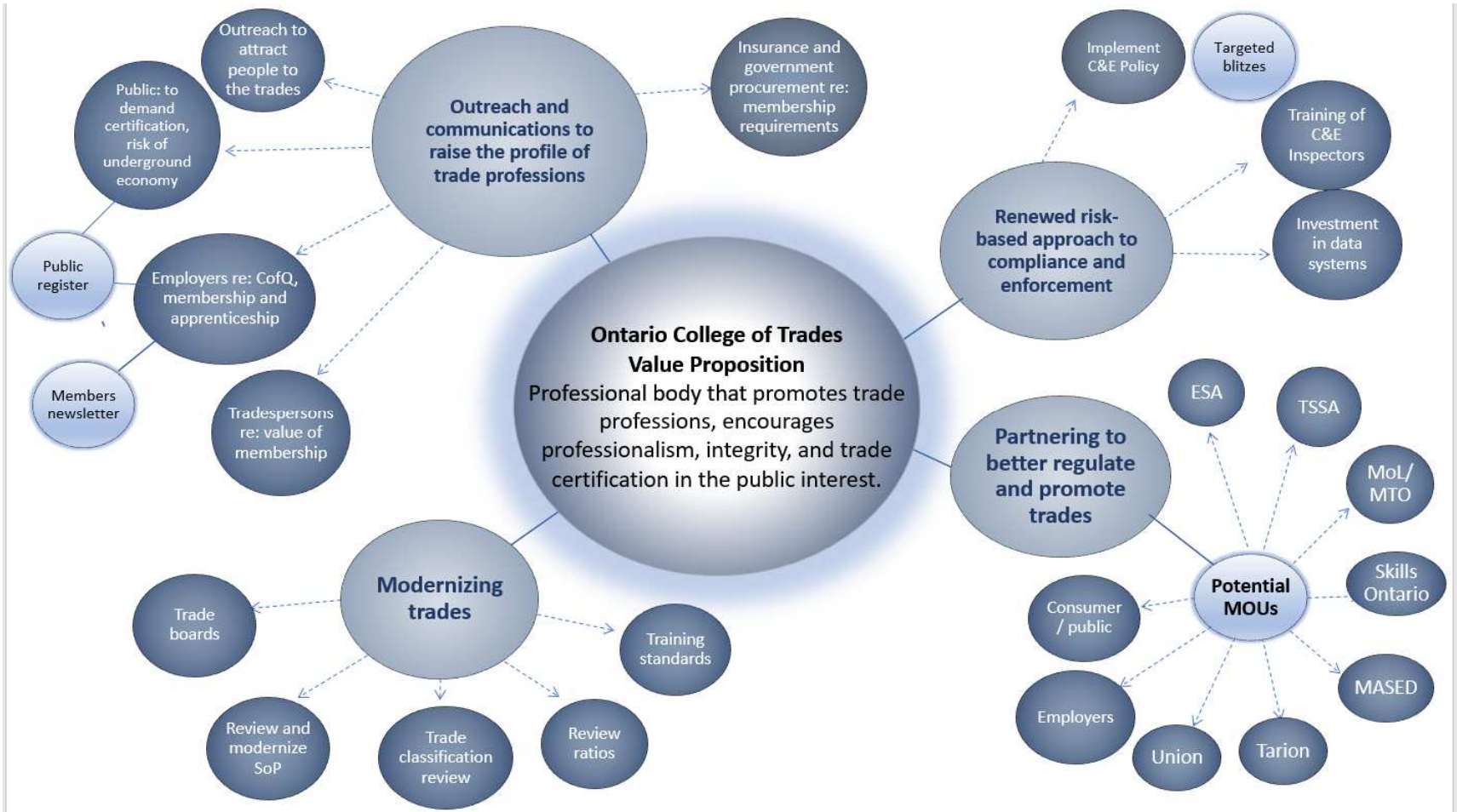
Thank you to @skillsontario for once again hosting the largest skills competition in Canada. Congrats to all competitors, volunteers, staff, employers and sponsors on a successful event! #skilledtrades #womenintrades #apprentice #apprenticeship #skillingit #SkillsOntario2018



1 14 28



The Value Proposition





Defining Value Add

- **Partner with Other Safety Regulators**

- Outreach and consultations with other safety regulators in the province to ensure there is active coordination across these regulators to the benefit of employers, workers and the public. MOUs under discussion.

- **Support Reducing Regulatory Cost for Business Act, 2017**

- Demonstrate to employers how OCOT supports the Reducing Regulatory Cost for Business Act (2017) and the impact this on Ontario business (e.g., embedding safety competencies as part of CofQ requirement).

- **Promote trades, apprenticeships and the businesses that hire apprentices**

- Expand the collective (ie. MAESD/OCS/Skills Ontario) to better promote

- **Linking CofQ with accreditation program benefits**



The Audiences

- 
- OCOT has a priority to reach the following
 - **Employers** – both to hire certified trade professionals and to become a member of OCOT
 - **Compulsory trades** - to encourage voluntary compliance and membership in the College
 - **Voluntary trades** - to encourage certification of qualification and membership in the College
 - **General public/consumers** – to hire certified trade professionals



Employer Recognition Programs



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May 15th, 2018



Background

- Regulators are exploring ways to motivate self compliance as well as reduce regulatory burden for high performing organizations that exceed minimum compliance
- Benefits for employers result from reduced intervention by regulators, employees often benefit from compliance that exceeds minimum statutory requirements
- The College is interested in aligning with such Recognition/Accreditation programs as it relates to compliance with trade qualification programs

Current Status

- College staff have done some review of current programs in Ontario
- OCOT has proposed to Ministry of Labour that their proposed H&S Accreditation Program consider compliance with trade requirements as an eligibility criteria for recognition
- The College has also had some preliminary discussion with the auto repair sector and insurers about an industry recognition program which would include trades compliance.
- College is interested in stakeholder views on accreditation as well as ideas that could be considered to promote trades compliance.
- The development of standards for such accreditation as well as audit mechanisms to confirm compliance with standards would need to be developed.



Governance Structure, Roles & Required Competencies



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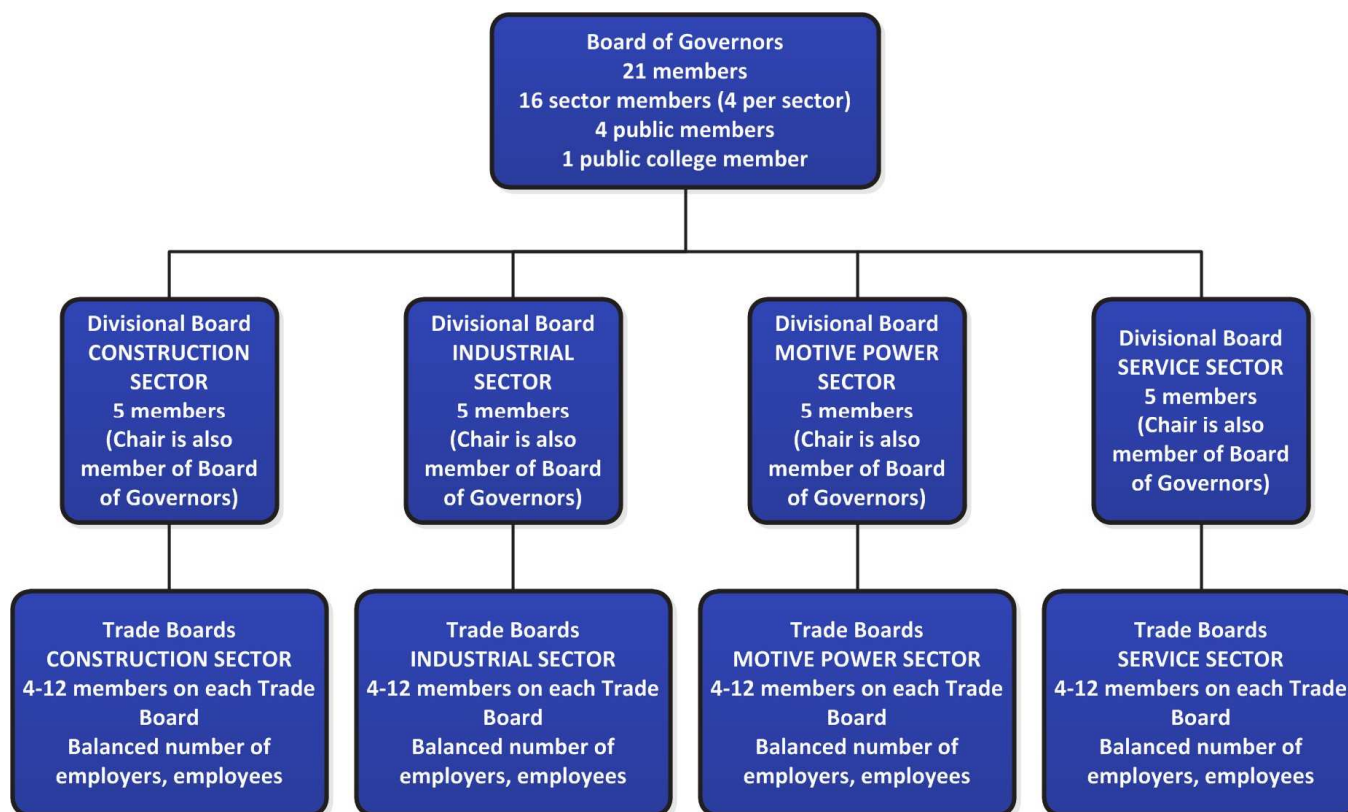
Presentation to the Employer Advisory Group – May 15, 2018



Governing Structure – At a Glance

- Board of Governors (OCTAA s. 12)
- Committees of the Board:
 - OCTAA (s. 30/31/34.1)
Statutory Committees: Executive; Registration Appeals; Complaints; Discipline; Fitness to Practise; Compliance and Enforcement
 - College General By-law (s. 13/14)
Standing Committees: Finance & Audit; Governance & Nominations; Regulations; Research Advisory; Steering Committee on Dean Report Recommendations
- Divisional Boards (OCTAA s. 19)
- Trade Boards (OCTAA s. 20)
- Roster of Adjudicators (OCTAA s. 21(5))

Governing Structure – Boards



Governing Structure – By the Numbers

- 1 Board of Governors – 21 members
- 4 Divisional Boards – 20 members
- 91 Trade Boards have been established:
 - **Industrial:** 30 Trade Boards representing 49 trades (0 compulsory, 49 voluntary)
 - **Construction:** 25 Trade Boards representing 39 trades (12 compulsory, 27 voluntary)
 - **Service:** 27 Trade Boards representing 37 trades (1 compulsory, 36 voluntary)
 - **Motive Power:** 9 Trade Boards representing 20 trades (10 compulsory, 10 voluntary)
- 50/91 Trade Boards are currently active = 346 appointments
- Roster of Adjudicators – TBD (previously 36 members)



Working with the Appointments Council

- CEO's presentation to Appointments Council in March 2018
- Regular bi-weekly meetings with Appointments Council support staff (MoL)
- Open communication channels and ongoing collaboration
- Waiver of 1-year cooling off period for certain Trade Board members
- Addressing quorum issues and bringing in new perspectives by actively encouraging people to apply
- Identifying desired competencies, skills, experience and training
- Finding other ways to obtain broad-based industry/consumer feedback on an issue-by-issue basis



Current Vacancies

Board of Governors: 4 vacancies

- Industrial, Employee
- Service, Employee
- Service, Employer
- Public

Divisional Boards: 10 vacancies

- 3 Construction
- 3 Industrial
- 2 Motive Power
- 2 Service

Trades Boards: 171 vacancies

- 104 Construction
- 31 Industrial
- 17 Motive Power
- 19 Service



Board of Governors

“The College shall have a board of governors that shall be its governing body and the Board shall manage and administer the affairs of the College.” [OCTAA s. 12]

	Functions	Competencies
1.	Strategic Planning and Oversight	Strategic thinking; political acuity; consensus building; collegiality; appreciation of fabric of regulation and public safety
2.	Promotion of Public Interest	Knowledge of consumer protection & public interest mandates; understanding of fair and safe markets for goods and services
3.	Budget Approvals and Oversight	Finance, audit, capital assets, human resources, collective agreements, and other experience overseeing a not-for-profit organization
4.	Complaints, Discipline & Registration	Knowledge of the complaints and discipline process at professional self-regulatory bodies; Codes of Conduct/Ethics; public discipline hearings; fair registration practices
5.	Industry & Apprenticeship	Substantive knowledge of specific industries and/or trades; hands-on experience and up-to-date on-the-job skills; experience with training, education, apprenticeship, mentoring/sponsorship

Divisional Boards

“A divisional board shall advise the Board [of Governors] on issues relating to trades within their respective sectors and perform such other functions as may be assigned by the Board.” *[OCTAA s. 19(2)]*

	Functions	Competencies
1.	Strategic Thinking	Political acuity; consensus building; collegiality; appreciation of fabric of regulation and public safety; ability to understand and weight competing trades interests, while promoting the public interest
2.	Identify Issues & Concerns	Ability to identify, understand and articulate issues in the sector and make recommendations to the Board of Governors; ability to reflect perspectives of apprentices, journeypersons, employers and employees
3.	Promotion of Public Interest	Knowledge of consumer protection & public interest mandates; understanding of fair and safe markets for goods and services
4.	Promote the Practice of Trades	To be spokespersons for their particular sector; to uphold standards of professionalism that make trades attractive and viable
5.	Know-How & First-Hand Experience	Substantive knowledge of specific industries and/or trades; hands-on experience and up-to-date on-the-job skills; experience with training, education, apprenticeship, mentoring/sponsorship

Trade Boards

“A trade board,

- (a) shall advise the divisional board for its sector on issues relating to the trade or group of trades in relation to which it was established;
- (b) may make recommendations, relating to the trade or group of trades in relation to which it was established, to the divisional board; and
- (c) shall perform such other functions as may be assigned by the divisional board or the Board.” [OCTAA s. 20(2)]

	Functions	Competencies
1.	Know-How & First-Hand Experience	Substantive knowledge of specific industries and/or trades; hands-on experience and up-to-date on-the-job skills; experience with training, education, apprenticeship, mentoring/sponsorship
2.	Standards & Exam Development	Knowledge of current technologies and techniques required to be recognized as a qualified skilled tradesperson
3.	Identify Issues & Concerns	Ability to identify, understand and articulate issues ‘on the ground’ and make recommendations to the Divisional Board for the sector, both among apprentices, journeypersons and employers; ability to ‘represent’ a trade’s views on a particular subject or proposal
4.	Promote the Practice of Trades	To be spokespersons for their particular trade or industry; to uphold standards of professionalism that make trades attractive and viable



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