

*Ontario's Electrical Safety
Framework - A
Consumer's Perspective*

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The CAC is a 60 year old independent, not-for-profit, volunteer based organization with a National office in Ottawa and provincial/territorial representatives. Our mandate is to inform and educate consumers on marketplace issues, to advocate for consumers with government and industry, and work to solve marketplace problems in beneficial ways.



Consumer Protection in Canada

- Mostly Ignored For Past 20 Years
- Federal Government disbanded Dept.
 - Rump Group under Industry Canada
 - (Office of Consumer Affairs)
- Other functions distributed
 - Lost critical mass



Consumer Protection in Canada

- Provinces/Territories
- No cabinet level Department
 - (one recent exception)
- Most fall under Justice, A-G, Finance
- Some have hived it off to regulatory bodies or not-for-profit corporations



Consumer Protection in Canada

- Ontario
 - Flopped around for many years
 - Part of Government Services
 - Then married to Small Business
 - Finally, this Spring became
 - Ministry of Consumer Services



What Do Consumers Want

- Safe Products
 - More appropriately “do no harm”
 - To persons or property
- To know when products are not safe
- How to fix it and/or get restitution
- Same protection for ALL Canadians



New Initiatives

- Federal Bill C-6
 - Not ideal, but big step forward
- Ontario Electrical Safety Code Regulation 438/07



Implementation of Ontario Regulation

- Intensive development effort
 - Included representatives from all affected areas
 - All were heard and listened to
- 5 working groups established
- I sat on 3
 - 11 meetings in 3 months
 - Plus 3 more on WG6 (funding) over next few months
 - Plus 4 more generic/plenary



Safe Products

- Consumers accept certification mark
- However products do fail
- Difficult to assess risk/probability
- Guidelines set reporting thresholds/case prioritization for accident, incident, defect
- Sets stage for further action to reduce/eliminate harm



User behaviour/foreseeable use

- Users expected to behave reasonably
 - Use products as manufacturer intended
 - All product instructions are followed
- Some not equipped for reasonable
 - Reduced ability to understand warnings
 - Safe use requires absent level of skill
- Packaging/advertising could promote unsafe use



Priority Assessed

- Matrix
 - P1. Severity of impact is high
 - P2. Moderate impact or minor impact/high likelihood of occurrence
 - P3. Insignificant impact
- Ideally from consumer perspective
 - Never fail to perform, never do any harm
- No Absolutes
 - Above concepts should give acceptable tolerances



Corrective Action

- Corrective action, which includes public notification, is an action or a range of actions taken in order that:
 - no further serious electrical incidents or accident occur; and/or
 - any defect that affects or is likely to affect the safety of any person or cause damage to property is corrected



Corrective Measures

- Changing product design
- Repairing, modifying or adjusting product
- Recalling product from consumers for replacement or refund
- Asking consumer to dispose of product
- Recommending revised or new standard



Conclusion

- Consumers' "wants" mostly satisfied
- Ontario government and ESA are to be commended for their actions
- ESA has done an excellent job of balancing all interests and developing a great working model
- Other Canadian jurisdictions should follow suit without delay – Canadian consumers want and deserve equivalent protection

