Powerline Technician Trade Regulation Consultation Discussion Guide

SUBMISSIONS DUE: November 4, 2016

Introduction

This consultation guide is being circulated to industry stakeholders who have an interest in Powerline Technician.

Powerline Technician is currently in the process of being designated as a Red Seal trade in the Province of Manitoba. Before submitting the trade regulation to the Minister of Education and Training for approval, Apprenticeship Manitoba must seek input from employers and employees in the powerline industry.

This discussion guide has been created to solicit your feedback in order to inform final decision-making for the trade designation process.

The proposed trade regulation for Powerline Technician has been included as part of this consultation guide. Please take some time to read through the proposed regulation.

The proposed trade regulation document is structured into two columns. On the left-hand column is the proposed regulation as it would read and appear if approved. On the right-hand column next to the proposed trade regulation sections, explanation boxes have been provided to explain their rationale or meaning.

Response

The deadline for written comments on the proposed trade regulation is November 4, 2016. You may also include comments regarding issues not addressed in this consultation guide.

Feedback gathered through the consultation will be considered prior to the trade regulation being submitted to the Minister of Education and Training for approval.

Contact Information

Written submissions (including electronic submissions) may be directed to:

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Apprenticeship Manitoba
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Winnipeg MB, R3B 0T4
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Fax : 204-948-2539
E-mail: apprenticeshipboard@gov.mb.ca
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DEFINITIONS

Definitions
1. The following definitions apply in this regulation.

"general regulation" means the Apprenticeship and Certification — General Regulation, Manitoba Regulation 154/2001. (« règlement général »)

"powerline technician" means a person who performs the following tasks of the trade to the standard indicated in the national occupational analysis:

(a) constructing, operating, maintaining and repairing overhead and underground electrical transmission and distribution systems;

(b) erecting and maintaining steel, wood, fibreglass, laminate and concrete poles, structures and other related hardware;

(c) installing, maintaining and repairing overhead and underground powerlines and cables and other associated equipment, such as insulators, conductors, lightning arrestors, switches, metering systems, transformers and lighting systems;

(d) splicing and terminating conductors and related wiring to connect power and distribution and transmission networks. (« monteur de lignes sous tension »)

"trade" means the trade of powerline technician. (« métier »)

GENERAL PROVISIONS

General regulation applies
2. The provisions, including the definitions, of the general regulation apply to the trade unless inconsistent with a provision of this regulation.

Designation of trade
3. The trade of powerline technician is a designated trade.

The definition for Powerline Technician is taken directly from the Red Seal Occupational Occupational Analysis (NOA) prepared by the Interprovincial Standards Red Seal Program. The NOA was last updated in 2013 and can be found here: http://www.red-seal.ca/docms/powerlinetech_noa2013_eng.pdf.

Wherever the regulation is silent on a provision, the General Regulation must be consulted for direction. Because this regulation does not set out wage rates for each level of apprenticeship and does not specify a specific definition for supervision, Section 12 – Apprentice wage rates and Section 1(2) – Interpretation: supervision in the General Regulation must be consulted. The General Regulation can be found here: http://web2.gov.mb.ca/laws/regs/current/_pdf-regs.php?reg=154/2001.
Term of apprenticeship
4 The term of apprenticeship in the trade is four levels, with each consisting of a period of at least 12 months during which the apprentice must complete 1,920 hours of technical training and practical experience.

Certification examination
5 The certification examination for the trade consists of a written interprovincial examination.

Ratios of apprentices to journeypersons
6 An employer must maintain a minimum 1:1 ratio of apprentices to journeypersons in the trade.

Transition: designated trainers
7(1) For the purpose of determining the ratio of apprentices to journeypersons in the trade, a person who is a designated trainer under this section may be included as a journeyperson.

7(2) To qualify as a designated trainer, a person must
(a) make application in a form acceptable to the executive director; and
(b) satisfy the executive director that he or she holds
   (i) a limited specialized trade electrician’s power line licence issued under The Electricians’ Licence Act, or
   (ii) a powerline technician certificate of qualification issued by Manitoba Hydro.

Transition: limit on advanced standing
8 The advanced standing that the executive director may grant a person who, before becoming an apprentice, has completed training in the trade in an accredited program must not exceed
(a) 36 months, in respect of the period of the person’s apprenticeship; and
(b) 5,760 hours, in respect of the number of hours that the person must complete as an apprentice in the trade.

Duration of transitional provisions
9 This section and sections 7 and 8 are repealed five years after the day that this section comes into force.
RATIO AND SUPERVISION WHERE EMPLOYER IS NOT SUBJECT TO ELECTRICIAN'S LICENCE ACT

Ration and supervision adjustments if Electrician's Licence Act does not apply

10(1) This section applies to an apprentice only if the apprentice is directly employed by an employer who is exempt from The Electricians' Licence Act.

10(2) In respect of the tasks in the first column of the following table, the executive director may authorize the employer to maintain the ratios of apprentices to journeypersons listed opposite in the second column, if he or she is satisfied on the basis of reviewing the applicable apprentice's practical experience record book, that each of the apprentices have prior experience in performing the task:

<table>
<thead>
<tr>
<th>task</th>
<th>ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working on de-energized and grounded conductors and apparatus</td>
<td>4:1</td>
</tr>
<tr>
<td>Working on low voltage energized conductors and apparatus</td>
<td>2:1</td>
</tr>
</tbody>
</table>

10(3) An apprentice who is in the fourth level of the trade may perform a task of the trade in respect of de-energized and grounded conductors and apparatus and energized low-voltage conductors or equipment without the direct on-site supervision if:

(a) the journeyperson responsible for supervising the apprentice's practical experience

(i) has assessed in person and documented in writing the risk factors of the worksite and the tasks that the apprentice is to perform,

(ii) has met with the apprentice to review those risk factors immediately before the apprentice attends the worksite, and

(iii) has satisfied himself or herself that the apprentice has prior experience performing the task and the apprentice's experience has been documented and verified in the apprentice's practical experience record book;

This section pertains exclusively to employees who are directly employed by Manitoba Hydro only.

Subcontractors and other employers and employees are no subject to Sections 10 through 11 and must abide by the ratio set out in Section 6 of this regulation and the definition of “Supervision” set out in Section 1(2) of the Apprenticeship and Certification – General Regulation.

Manitoba Hydro is not subject to the Electrician’s License Act and is therefore exempt from the standard 1:1 supervisory requirement.
(b) the apprentice has access to the journeyperson responsible for supervising the apprentice's practical experience and is able to directly communicate with the journeyperson by radio or phone; and

c) the journeyperson ensures that he or she attends the worksite with the apprentice at least once, and otherwise communicates with the apprentice, in person or by radio or phone, at least once during each workday.

10(4) For certainty, an apprentice performing work under subsection (3) is included in the calculation of the ratio of apprentices to journeypersons that the employer must maintain.

10(5) The executive director may authorize the employer to permit a fourth level apprentice to supervise the practical experience of a first-, second- or third-level apprentice in accordance with subsection (2), if he or she is satisfied, on the basis of reviewing the applicable apprentice's practical experience record book, that each of the apprentices have prior experience in the task to be performed.

10(6) Subsection (5) applies only in respect of the tasks set out in the first column of the following table, and a fourth level apprentice may only supervise the number of apprentices performing the task that is set out opposite in the second column:

<table>
<thead>
<tr>
<th>task</th>
<th># of apprentices</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working on de-energized and grounded conductors</td>
<td>2</td>
</tr>
<tr>
<td>and apparatus</td>
<td></td>
</tr>
<tr>
<td>Working on low voltage energized conductors or</td>
<td>1</td>
</tr>
<tr>
<td>equipment</td>
<td></td>
</tr>
</tbody>
</table>

10(7) Nothing in this section limits, alters or derogates from an apprentice's right to request and receive direct on-site supervision of a journeyperson while performing a task of the trade.

Application

11 If a provision of section 10 conflicts with a requirement or restriction of another provision of this regulation or of the general regulation, the provision of section 10 takes precedence to the extent of the inconsistency.
Coming into force
12 This regulation comes into force 90 days after it is registered under The Statutes and Regulations Act.