

# Changes on the way for chronic late locates?



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## Long-overdue reforms to the province's utility locate system may be on the horizon. That is, if key legislation is passed before election time.

It appears as though there's positive news on the horizon for Ontario's underground contractors.

A section of the Ontario Government's proposed Bill 93, the *Getting Ontario Connected Act, 2022*, would enact reforms to the Ontario One Call (OOC) utility locates system. Reforms that some say, are long overdue.

"We commend the government for tabling this bill, which is an important step toward meaningful improvements to a system that has caused considerable difficulties for the infrastructure and construction industry," said Nadia Todorova, executive director of the Residential and Civil Construction Alliance of Ontario (RCCAO). "These crucial reforms will go a long way in addressing the current lack of timely locate responses, remove duplicative system requirements and alleviate the costly delays that hold up construction projects."

By law, Ontario's one call system mandates anyone who digs – contractor, homeowner or otherwise – to contact the OOC to obtain utility locates. That just makes sense, given the dangers of striking buried gas or electric lines. And by law, OOC must respond to those locate requests within five business days.

The reality is anything but. RCCAO reports that 85 percent of utility locate request are late. OOC's own data shows that nearly half – 49 percent – of call tickets took longer than 15

days to fill, with only 14 percent being completed within the legislated five-day timeline.

The National Capital Heavy Construction Association (NCHCA) is keeping a close eye on the scope of the issue locally. The association also sits on a working group with RCCAO, the Ontario Road Builders Association and the Ontario Sewer and Watermain Construction Association that has worked with Ontario One Call and the Ministry of Government and Consumer Services to remedy the problem.

In an October letter to minister Ross Romano, NCHCA executive director Kathryn Sutherland also spoke to the extent that late locates are affecting contractors' ability to perform their work. "Numerous projects have been shut down because they are unable to get locates and/or [utility] remarks," she advised.

There's a finer point to the problem: delays cost money. NCHCA estimates that each hour of idle time in the sewer and watermain sector incurs \$1,000 in additional costs. The figure rises to \$10,000 per day in the roads sector.

The legislative changes proposed in Bill 93 would extend the validity period of locates from at least 30 days to at least 60. That move is expected to reduce the burden on the locate system.

A further change would also allow contractors to share locates when working on the same site, which is again a move toward reducing the number of locates that must be performed.

Finally, Bill 93 would also allow dedicated locators to be assigned to certain projects, which should allow for faster service to sites.

"These changes should help, going forward," says Sutherland.

While the NCHCA and the RCCAO have both praised the bill for its reforms, two key issues remain unaddressed.

First, the Ontario One Call legislation gives equal priority to locate requests from homeowners and those from contractors building multi-million-dollar projects. Relatively simple homeowner requests are often prioritized over more complicated civil construction tickets as a result.

Second, the locate business is plagued with staffing shortages. Its highly seasonal nature means it's not a long-term career choice for many. As a result, locate contractors, like Promark in Ottawa, are faced with staffing shortages.

That's an issue Todorova says is very much on the industry's radar. She sits on another working group on behalf of RCCAO with the goal of finding short- and long-term solutions to the locate industry's staffing challenges.

"But there's nothing we can do about this issue in time for this year's digging season," she concedes.

The other small complicating matter when it comes to bringing Bill 93 into force is the provincial election. A June election date means the writ could be dropped, and the legislature dissolved, early next month. Time is clearly factor.

The good news is, Bill 93 has passed second reading. It was referred to the Standing Committee on General Government for consideration on March 30.

Because the bill also supports the province's goal of bringing more broadband internet technology to underserved and unserved communities, it's likely something the government will want to get passed before it drops the writ. Whether it does is anyone's guess.



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