Minutes of the Consumers Advisory Council (Council) meeting of the Technical Standards and Safety Authority (TSSA) held in Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario at 10:00 a.m. on the 5th day of October, 2017.

Present: Jane McCarthy (Chair), Robert Brady, Dolly Gerrick, Kathryn Woodcock and G. Rae Dulmage.

In attendance: David Scriven, Acting President and CEO, Ian Shaw, Governance and Planning Advisor, Sandra Cooke, TSSA Ombudsman (Item 9), Kristian Kennedy, Stakeholder Relations, Supraja Sridharan, PSRM, Steve Robinson, Communications Manager, Peter Wong, Vice President Operations, Georgina Kossivas, Chief Financial Officer (Item 7)

Via teleconference: Shranna Jaggernath and Erik Morales, MGCS

Regrets: Elizabeth Nielsen

1. Constitution of Meeting

   J. McCarthy, Chair, welcomed everyone to the meeting.

2. Approval of Agenda

   Council members approved the Agenda for the October 5, 2017 meeting as drafted.

3. Approval of Minutes

   Council approved the Minutes of the June 15, 2017 meeting as drafted.

4. Review of Action Items

   Council reviewed the action items, noting the items upcoming for the February 2018 meeting.

5. Council Chair’s Report

   J. McCarthy spoke to her Chair’s report, noting that the items she would like to speak to are being addressed on the Agenda. D. Scriven provided an update on Elevator Availability, noting that the TSSA will be working with Deloitte on this study, and should have a final report in December or early January 2018.

6. Ministry of Government and Consumer Services (MGCS) Update

   As part of the advanced materials for this meeting, the Council received an update from MGCS. S. Jaggernath provided an update on Elevator Availability and the report being commissioned by MGCS and TSSA. She also spoke to the Canadian Free Trade Agreement (CFTA) and how it would change
how MGCS and TSSA develop and amend regulations. S. Jaggernath spoke to the recent updates with the Regulatory Review Initiative (RRI), noting that the Boilers and Pressure Vessels (BPV) regulation is currently going through government approval. For Operating Engineers (OE), consultation has recently closed and are in the process of reviewing the feedback. For the Upholstered and Stuffed Articles (USA), there is ongoing consultation on the proposals. The Acting CEO added to the overview of the USA and BPV regulatory reviews, adding that the initiatives are moving quickly, and are scheduled for a July 2018 implementation date.

7. Regulatory Changes and Fee Review: Boiler and Pressure Vessels (BPV)

As part of the advanced materials, the Council received a Briefing Note on the proposed regulatory changes and fee review for BPV. This practice being consistent with the requirements of Schedule I of the Memorandum of Understanding (MOU) between MGCS and TSSA, fee review processes to foster transparency by consulting applicable Industry Advisory Council(s) and seeking the input of the CAC. G. Kossivas provided an overview, noting the changes to the BPV regulation will impact insurers and owners of BPV equipment and there would be little impact, if any, on consumers. G. Kossivas also spoke briefly to the changes to the USA regulation on TSSA and the need to ensure all program sectors are cost recoverable. The Council briefly discussed the USA consultation meeting and the effect of the proposed changes on the reciprocity benefits with the other two provinces with the USA regulations, Manitoba and Quebec.

8. CEO Report

The Acting CEO provided an update to the Council on the progress of the key initiatives as they relate to the Strategic Plan. He provided an update on the recruitment for a TSSA CEO, that is under active recruitment and a decision could happen before the end of the year. He also noted that the position of Vice President, Stakeholder Relations was still vacant, and it was difficult finding someone with that particular skill set at the executive level, noting that K. Kennedy was now Senior Policy Analyst and S. Robinson’s role on the Advocacy file. The Acting CEO provided an update on the 20/20 Program and the reset, noting that by November 2018 TSSA would stop using Oracle and the go-live date for the 20/20 Program is April 2019. In response to a question from the Council on the Canadian Free Trade Agreement, the Acting CEO spoke to this in the context of the recent NPSAC meeting and the ongoing initiatives.

9. TSSA Ombudsman Report

As part of the advanced materials for this meeting, the Council received a presentation on the role of the TSSA Ombudsman. S. Cooke provided an overview of the Ombudsman role, noting the position is modelled on the International Ombudsman Association Code of Ethics and Standards of Practice. She also noted that the Ombudsman does not make decisions, instead presents options and takes the emotion out of a situation. S. Cooke provided a background on the certifications necessary for the role. She then provided a current status of contacts that the office receives. Most are from the Fuels sector and the majority are to explain what TSSA can and cannot do and the
extent of TSSA’s regulatory authority. S. Cooke spoke to three issues and their resolution. She also spoke to the new Whistleblowing service for TSSA employees. The Council was appreciative of S. Cooke’s presentation thanked her for attending.

10. Recruitment

J. McCarthy spoke to recruitment efforts for the Council. The Acting CEO spoke to the updated TSSA website and the potential to make a more public call for nominations. He also noted changes to recruitment policies that are taking place between the Industry Advisory Councils. The Council discussed the different role of the Council and where would be a good start to look for new members. The Council brainstormed the below ideas and suggestions:

- Need for geographic representation
- Approach other organizations
- More of a focus on online meetings and/or shorter meetings.
- Employers could send people to donate employee hours. Telus has a volunteering policy.
- Websites like Charity Village and Volunteer Toronto

ACTION: Recruitment to be discussed at future CAC meeting.

11. Safety Priorities and CAC Involvement

R. Wiersma provided the Council with an update on the safety results overview for the past 10 years and for 2017, including the occurrences, fatalities, permanent injuries and non-permanent injuries for TSSA’s sectors. He then spoke the TSSA’s safety priorities for FY18, nothing the changes in the order and the naming form FY17’s Annual State of Public Safety Report (ASPR). R. Wiersma then provided an update on the compliance results from 2013 to 2017. He also spoke to the new metric to measure compliance, the Inventory Risk Profile, and the 2017 snapshot of results.

R. Wiersma then provided the Council with an overall and geographic breakdown of the occurrences at Academic Locations, including CO release, explosions, fires and vapour release. He noted that 80 per cent of the occurrences took place at elementary or post-secondary schools. J. Marshall spoke to the strategy on Academic Locations and responded to questions from the Council who provided comments and suggestions. The Council suggested speaking with parent/teacher associations regarding placing CO alarms and also noted a challenge when ensuring proper reporting of incidents from school boards and suggested working with the Principal’s organizations and Trustees.

ACTION: Provide further update on the Academic Locations strategy at the February 2018 CAC meeting.
12. Grant Program

J. McCarthy spoke to this item, noting that it has been a challenge to get submissions for the grant program. She spoke to the need for a more public platform to increase awareness. The Council discussed that the best platform would be at the Skills Ontario competition. I. Shaw also noted that with TSSA’s new website that a landing page could be set up for those interested. The Council reviewed a document that would provide the basis for the content on the website.

ACTION: Provide CAC with an update on the website and approach for Grant Program.

13. Skills Ontario Competition

J. McCarthy asked for the Council’s involvement at the May 2018 Skills Ontario competition, noting the success of this year’s presence. The Acting CEO suggested that using the CO House would be a good draw for students at the Competition. The Council briefly discussed the CAC participation for the 2018 Competition and were supportive of the approach and agreed to again sponsor the competition.

ACTION: Bring suggested competitions to sponsor to the February 2018 CAC meeting.

14. Industry Advisory Council Updates

D. Gerrior noted that the Ski Lifts Advisory Council was scheduled for the end of October 2017.

J. McCarthy noted the next Elevating Devices Advisory Council was to take place later in October. She spoke to the three recent elevator mechanic fatalities, two in Ontario and one in Quebec and a TSSA inspector who had a near miss. The Acting CEO noted that the incidents were not related to the functioning of the equipment, rather a failure to follow proper procedure. The Council briefly spoke about accessible lifts, and the challenges associated with this issue, nothing that is has taken on a high profile nature due to a former Olympian who could not enter a building, as the lift was not available.

R. Brady spoke to the Operating Engineers (OE) expert panel for the regulation review, noting that the document had been posted. In general terms the OE Advisory Council was pleased to be one of the first to be selected for review. The Acting CEO provided an update on power plant ratings and the plan for harmonization throughout Canada.

G. Dulmage spoke to mobile fuel delivery and that there would be more discussion on the issue at the upcoming Liquid Fuels Advisory Council, including vehicle inspections of those providing this service.

K. Woodcock reported in the Amusement Devices Advisory Council meeting, noting consumer priorities including updated approaches to rider eligibility, related to disability, being developed in
the waterpark arena. Also, concerns about the delay in adopting the ASTM standard in regulation since the expiry of the CSA standard in use. She also noted global industry attention to maintaining safety of ageing rides and devices. CAC prefers regulation of trampoline parks and inflatable climbing devices for which ASTM safety standards are available but which are excluded or exempted from regulation.

D. Gerrior asked about the Upholstered and Stuffed Articles (USA) regulation and what the decision was going to be about what was being taken out of the scope. The Acting CEO provided an update noting that Health Canada will fill in the gaps where TSSA used to operate. The Council briefly discussed the topic and the upcoming USA Advisory Council meeting.

15. Other Business

There was no Other Business identified.

16. In Camera

The Council met In Camera

17. Termination

The meeting was adjourned at approximately 3:00pm.