Minutes of the Consumers Advisory Council (CAC) meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 10:00 a.m. on the 12th day of July 2012.

Present: Patricia Jensen (Chair), Robert Brady, Jane McCarthy, Elizabeth Nielsen, Matilda Presner, and Kathryn Woodcock.

In attendance: Ruud Berkel, Technical Specialist, (items #7 & 8), Maram Khalif, Council Coordinator (all items except #14), Wilson Lee, Director, Government Relations (items #1 to #8), Srikanth Mangalam, Director, Public Safety & Risk Management (Item #9 only), K. Milsom, President & CEO, (all items except #14), Travis More, Director, Human Resources (all items except #14), David Scriven, Corporate Secretary (all items except #14), Arun Veeramany, Public Safety Risk Advisor, (item #10 only).

Guests: Mohamed Awad, Ministry of Consumers Services (MCS) (all items except #14), Carol Sackville-Duyvelshoff, Associate Director, Ministry of Labour (MOL), (Item #7 only), Sidney (Su) Han, (item #10 only), Grant Kilpatrick, Enbridge Gas Distribution Inc., (item #8 only).

Regrets: Dolly Gerrior.

1. **Constitution of Meeting**

   P. Jensen, Chair, welcomed the CAC members and called the meeting to order. Roundtable introductions followed.

2. **Approval of Agenda**

   Council members approved the July 12, 2012 meeting agenda, as presented.

3. **Approval of the Minutes**

   Members approved the minutes of the March 7, 2012 meeting as being a true and correct record of that meeting, as revised to indicate TSSA staff attended a portion of the in camera session.

4. **Review Action Items from Last Meeting**

   Council reviewed the outstanding action items from previous meetings.

   D. Scriven advised the members that the posting of Risk Informed Decision Making (RIDM) information in plain language on the TSSA web site has been completed.

   In respect to the field trips for the CAC member, D. Scriven informed council that due to the vacation season, it has been delayed but connections have been made and plans are underway. So far, only P. Jensen had a field trip with R. Karavas in elevating devices.

   Regarding E. Nielsen and P. Jensen following up with S. (Su) Han on proceeding with data collected on shoulder pads and padded undergarments, D. Scriven informed council that S. (Su) Han will be directed to the TSSA’s Research and Education Department to assist him in his next reporting on Upholstered and Stuffed Articles (USA). S. (Su) Han will also be directed to D. Vorkapic, Manager of USA Safety Program for further support with USA if needed.
In regards to TSSA’s collaboration with other agencies, D. Scriven provided an update that preliminary discussions took place between TSSA and Canadian Standards Association (CSA) on developing working relationship focused on establishing an Ontario network of public safety consumer advocates. A meeting is scheduled to crystallize the next steps on August 22, 2012. E. Nielsen would like to join this meeting via telephone along with D. Scriven and P. Jensen.

It was recommended that the new President of Consumers Council of Canada, Aubrey LeBlanc, may be interested in this initiative.

ACTION: E. Nielsen will be invited to TSSA and CSA meeting on August 22, 2012.

ACTION: S. (Su) Han will be directed to Research and Education Department and to the USA Safety Program for his 2nd reporting on USA sector.

5. Council Chair’s Report

As a part of the advanced material for this meeting, council received the annual Chair’s report to the President and CEO, which was treated as read.

Additionally, as a part of the advanced materials for this meeting, council received correspondences with MCS on the request for reversal of the exemption of shoulder pads and padded undergarments, which was treated as read.

The MCS response was thoroughly discussed at the USA meeting and the USA council was disappointed with the MCS’s position of seeking demonstrated evidence of the risk. High level discussion ensued on a path forward for the USA council, including approaching other agencies that regulate this sector such as Health Canada (Consumer Product Safety section).

The Chair provided an overview of the Committee of Council Chairs meeting with Deputy Minister Gherson regarding the increase of TSSA’s oversight fee to achieve cost recovery. She noted the oversight fee increase will impact on all Delegated Administrative Authorities (DAA) for the next three years.

The Chair also requested M. Beard to provide an annual update on industry trends and emerging issues as gathered from industry advisory councils at a future CAC meeting, recognizing that this information is received by individual CAC’s members who attend the industry meetings. Council members agreed to incorporate a new item for a future CAC meeting entitled Emerging Consumer Trends and Issues.

ACTION: M. Beard to provide an annual update on input industry trends & issues to CAC as an information item.

6. TSSA CEO’s Report

As part of the advanced materials for this meeting, members received a written report from the President and CEO regarding TSSA’s key activities over the last quarter. This report was treated as read.

K. Milsom provided an overview of TSSA’s oversight fee increase as highlighted by the Chair. She also informed council that moving forward, she will be presenting overall compliance information of all programs on annual basis to CAC.
K. Milsom also acknowledged the new hiring of a Chief Information Officer, Robert Pope, who will lead TSSA information services and data management functions. She noted that R. Pope will be introduced to CAC at a future meeting.

She also provided information on an emerging issue involving the recently established College of Trades. She informed the council that the college will be charging for membership fees for trades even though some of the trades are already certified by TSSA.

In relation to Carbon Monoxide (CO) initiatives of TSSA’s Fuels Safety Program as was noted in the CEO’s report, E. Nielsen informed council that International Organization for Standardization (ISO) committee called COPOLCO is trying to find out more information about CO poisoning. She will forward the CO information to D. Scriven to be forwarded to the appropriate personnel at TSSA.

ACTION: E. Nielsen to send research papers from ISO on CO to D. Scriven to disseminate to the appropriate persons at TSSA.

7. Ministry of Labour – Incident Reporting Process

As part of the advanced materials for this meeting, members received a PowerPoint presentation from the Ministry of Labour (MOL), which was treated as read.

With the aid of a PowerPoint presentation, C. Sackville-Duyvelshoff presented the incident reporting process at Ministry of Labour.

In a response to a question, she noted inspections and investigations at the MOL are performed by the same person in a given region. However, their responsibilities may differ depending on when they are conducting an inspection or an investigation. It was noted that, at TSSA, the positions of inspector and investigator are separate and they have different job skill sets.

High level discussion ensued around the definition of work place as defined in the Occupational Health and Safety Act and its limitations. Further discussion ensued around definition of critical injury and the lack of mental health inclusion.

Further discussion ensued around reporting incidents. It was affirmed that MOL has a call centre: 1-877-202-008 for business hours that goes directly to MOL; however, after hours, MOL has a Memorandum of Understating with the Ministry of Environment’s Spills Action Centre. Discussion followed if these call centers had texting capabilities. C. Sackville-Duyvelshoff undertook to follow up on the texting capabilities offline. Council noted the confusion to consumers who would be calling to MOL about work place related incidents but would end up at Spills Action Centre.

C. Sackville-Duyvelshoff concluded the presentation with information around emergency management and information dissemination. It was noted that each municipality has its own emergency management office and plan and may request the province of Ontario for assistance when needed.

C. Sackville-Duyvelshoff was thanked for her informative presentation.

8. Enbridge Gas Distribution Inc. - Sewer Inspection Program

With the aid of a PowerPoint presentation, G. Kilpatrick presented Enbridge Gas Distribution Inc.’s sewer inspection program.
He provided an introduction to cross boring, defined as an unintended intersection of an existing underground utility by a second utility which can occur when using trenchless technologies during construction.

He noted a number of steps that have been taken to address the cross bore risk, including, a recent Code Adoption Document (CAD) amendment that has been finalized.

He was thanked for his informative presentation.

9. Risk Informed Decision Making (RIDM) Initiative Update

With the aid of a PowerPoint presentation, S. Mangalam presented a RIDM update.

He outlined the significant achievements associated with the RIDM work plan from FY 2005/2006 to FY 2011/2012. He specifically highlighted FY 2011/2012 achievements. Finally, he outlined a new RIDM work plan for FY 2012/2013 to FY 2017/2018, including both strategic and operational initiatives.

10. Safety Education Fund Update

Safety Education Research Graduate Scholarship (SERGS): The Safety Education Fund Subcommittee received and reviewed five proposals for 2012/2013. Two candidates were recommended to council for decision at this meeting. Council discussed the merits of the proposals and accepted both candidates for funding.

One candidate will be funded for one full year for a research on human balance postural control in different environments and circumstances and ways of predicting and preventing loss of balance and falls. The other candidate will be funded for three years for research focusing on voluntary incident reporting systems.

The Chair proposed that she will inform the candidates that have been accepted for funding; and if they accept the offer, TSSA will advise the other unsuccessful candidates with appropriate feedback.

ACTION: P. Jensen will send emails to inform the candidates accepted for funding. TSSA will inform those not accepted for funding at this time.

11. Skills Competition Canada 2012

J. McCarthy shared a DVD capturing the preparation of the event. M. Presner also shared a picture of the attendees.

J. McCarthy provided a brief update on the event and the positive impact it has in the community and employers recruiting students at the event. T. More also attended the event on behalf of D. Scriven and provided a brief update on his observations.

12. Summary of Reports for Fall/Winter 2011 Industry Advisory Council Meetings (highlighting consumer/public perspective)

As part of the advanced materials for this meeting, draft minutes of each industry meeting was included in the meeting package, which was treated as read.

- Amusement Devices Advisory Council (ADAC) meeting on April 18, 2012
- Elevating Devices Advisory Council (EDAC) meeting on May 16, 2012
- Propane Advisory Council (PAC) meeting on March 21, 2012
13. Questions on Information Items and Other Businesses

Membership: The Chair informed council that she had discussions with Peter Harschnitz, Chair of Boilers and Pressure Vessels Advisory Council, in regards to extending the CAC membership to BPV. She was informed that the BPVAC did not see the value of adding a consumer representative at this time.

Council received and reviewed five applicants as a result of the nomination posted 2012. A high level discussion ensued in regards to developing a matrix including factors such as regions and diversity.

A review of applications received indicated that there are overlaps in regional representation and expertise between current members and applicants. Missing is representation from Northern Ontario and Ontario youth.
ACTION: P. Jensen will develop a new posting to address these voids.

Other Information: Council discussed the impact the Court of Appeal decision in British Columbia upholding waivers in ziplines may have in Ontario. It was noted this matter was discussed with T. Ayres, Vice President and General Council in previous meeting. Council requested a copy of the excerpts from the meeting that T. Ayres attended.

ACTION: Tom Ayres’ discussion with council around the zipline activity in Ontario and the impact of British Columbia decision will be sent to CAC members.

14. In Camera

Council members met in camera without TSSA staff.

15. Termination

The meeting was terminated at 2:36 pm. The next meeting date is October 17, 2012. Council discussed the possibility of re-scheduling the meeting.