Minutes of the Consumers Advisory Council (CAC) meeting of the Technical Standards and Safety Authority (TSSA) held in Rooms 1433 and 1434 on the 14th Floor, Centre Tower, 3300 Bloor St. W., Toronto, Ontario at 10:00 a.m. on the 2nd day of October 2013.

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

In attendance: Michael Beard, President and CEO (all items except item 15), Erin Estok, Stakeholder Relations (all items except item 15), Roland Hadaller, Director, (item 9), Maram Khalif, Council Coordinator (all items except item 15), David Scriven, VP Research and Corporate Secretary (all items except 15), Arun Veeramany Public Safety Risk Advisor (item 10), Dara Vorkapic, Director, (item 9), Peter Wong, VP Operations (all items except item 15).

Regrets:  Elizabeth Nielsen and Matthew Ying.

Guests:  Debbie Kontos, Ministry Consumer Services (MCS) (items 1 -7), Aimee Skelton, MCS (item 8), Steve Waugh, On1call (item 7), and Mohsen Shafeie, Safety Education Research Graduate Scholarship recipient (items 1 – 10).

1. Constitution of Meeting

   P. Jensen, Chair, welcomed the council members and called the meeting to order. A roundtable introduction took place.

2. Approval of Agenda

   K. Woodcock requested to include a matter under item 14: Other business regarding sectors that are exempt under the current Amusement Devices regulations. Council members approved the revised agenda for the October 2, 2013 meeting.

3. Approval of the Minutes

   Council members approved the minutes of the June 19, 2013 meeting as drafted, as being a true and correct record of that meeting.

4. Review Action Items from Last Meeting

   Council reviewed the action items from the previous meeting, noting all actions were completed.

   D. Scriven noted TSSA made a contribution of $2500 to the Safety Education Fund in honour of the departing Board of Directors including former Chair, Elizabeth Dowdeswell, and other board members: Brock Horseman, Kevin Lavallee, and Brian Lackey.

   ACTION: The status of Safety Education Fund will be shared with council at the next meeting.

   ACTION: P. Jensen will write a thank you letter to the newly appointed Board of Director’s Chair, Judith Wolfson.
5. Council Chair’s Report

The Chair informed council that the Assistant Deputy Minister, Frank Denton and Nicole Stewart, Director, attended the September 10, 2013 Committee of Council Chair meeting. Mr. Denton provided an overview of government activities, including three Consumer Protection bills that are on the government agenda. He also highlighted the importance of the partnership between MCS and TSSA, as public safety issues tend to fly below the radar and require very rapid response time once an issue surfaces. The Chairs expressed concerns with the value of having MCS representation at council meetings. The Chair also provided high level information around TSSA’s Digital Strategy on which a consultation is underway and the next steps for the fee review, including the development of a white paper working group. Information on the above items was sent to council.

The Chair also provided an update regarding TSSA’s Annual General Meeting (AGM) and noted that Minister Tracy MacCharles attended.

The Chair thanked members: K. Woodcock, J. McCarthy and M. Presner who attended the AGM.

6. TSSA President & CEO’s Report

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

M. Beard also acknowledged the attendance of Minister T. MacCharles at the AGM and the Council Chairs as well as those who were delegates.

M. Beard informed the council that there were some questions from the union representing elevating device mechanics and noted actions have been taken to follow up on their questions.

D. Scriven added that a broad review of the advisory council membership matrix will take place to ensure all voices are at the table for each sector.

TSSA had soft launched a social media strategy including Twitter account.

7. On1Call Introduction

As part of the advanced materials for this meeting, members received a detailed introduction to On1Call, which was treated as read.

S. Waugh provided further introduction to the Ontario One Call organization. He noted this was the first such comprehensive digging safety law in Canada, following other countries such as USA and Australia etc.

He informed council that their main objective was to reduce strikes and damage to all underground infrastructure, as well as eliminating injury to site workers and any collateral damage.

S. Waugh outlined how the program works. He reiterated that in order to be an effective one call system, all businesses and municipalities must be enrolled as members and they have until June 2014 to do so.

In regards to educating an average consumer about how to place a call to the On1Call, S. Waugh informed council that On1Call’s number is 1-800-400-2255. And when called an agent completes a very detailed application and a ticket number is provided to the caller for reference. He reported that the locate requests can be done by telephone or fax, 24 hours a day 365 days of the year.
Discussion ensued around urban versus rural service levels. It was noted there was no differentiation among the regions. However, he noted that all locate requesters were fully made aware that currently, not all services belong to the ON1Call.

Ways to get the On1Call number to consumers was thoroughly discussed. Suggestions were made to include the 800 number in utility bills, add it to online bills or have third party advertising partnerships. The various challenges of getting the number to mainstream consumers were highlighted and discussed.

8. Ministry Consumers Services (MCS)

As part of the advanced materials for this meeting, members received information on the progress of Home Inspection Initiative consultation, which was treated as read.

A. Skelton provided high level information of the progress of this initiative including the four key areas of focus:
   - **Technical**: scope/definition of home inspection, standards of practice
   - **Professional**: competencies, title, entry to practice & professional development
   - **Consumer protection**: informed consumer purchase decisions, code of ethics, financial protections, standardization of contracts & disclosures, minimum standards for reports
   - **Governance**: need for regulation/licensing, regulatory functions, approaches to regulation, implementation issues

She also noted that the approach to consultation by the MCS is similar to that of the Condominium Act Review which involves a collaborative and consensus-based approach. And in this case, the government is asking an expert panel to provide recommendations for future legislation rather than the top-down government consultation of the past.

The expert panel will be meeting on a regular basis until November 2013 and is made up of 16 professionals from home inspectors, associations, businesses, consumers, and representatives from related sectors such as insurance, real estate and education. Both A. Skelton and P. Jensen are members of this initiative.

A report will be submitted to MCS including recommendations on qualifications for home inspectors. The government will then share this document with the public for further comments. Other jurisdictions and other existing models were discussed as well.

One of the ways of participating is by sending emails to: homeinspectors@ontario.ca. All material received through this email will be summarized and shared with the expert panel and ministry staff.

9. TSSA Annual Public Safety Performance Report (ASPR)

As part of the advanced materials for this meeting, members received the ASPR, which was treated as read.

With the aid of a PowerPoint presentation, M. Beard noted the new summary safety report developed this year which highlights state of public safety key results, with a consolidated analysis on state of public safety and compliance available for those who seek more detailed analysis. M. Beard also reported to council that by improving the ability to outline the state of public safety using the new metric of risk of injury and affability supports the ability to benchmark with other regulated bodies to compare data, as well as to determine higher risk areas for greater attention.

In particular, he noted the risk of injury or fatality due to non-compliance was largely due to Carbon Monoxide (CO) poisoning and reiterated that TSSA’s Inspectors do not have the authority to enter residential dwellings without warrant or consent and most CO poisoning occur homes.
P. Wong followed by presenting the Statutory Directors perspectives for Boilers and Pressure Safety Program and Operating Engineers Safety Program. He reported on the focus of closing gaps in the regulations related to insured boilers and pressure vessels. He also reported the positive compliance trends at Operating Plants in Ontario and risk-informed approach to inspections having a positive effect in this sector.

A new Power Engineering promotional video was shown to council. The video was created under the Operating Engineers Advisory Council Risk Reduction Group which focuses on skills shortage in Ontario and was premiered at the recent Institute of Power Engineers Annual General Meeting. Council recommended adding the list of colleges that provide this training to the video as well as a caption option.

P. Wong also provided high-level reporting on the Fuels Safety Program noting the challenges and known risk due to CO exposure. He highlighted that research and pilot programs to communicate and deliver safety information, as well as collaborating with industry and other partners on public awareness campaigns were underway.

R. Hadaller provided an update on the state of public safety for the Elevating Devices Safety Program by noting an increasing trend of major non-compliances for elevators. There were no key areas of risk or gaps identified for Amusement Devices or Ski Lifts.

Dara Vorkapic provided the state of safety information for Upholstered and Stuffed Article Safety Program by highlighting the increased in non-compliance trend with importers and distributors of upholstered and stuffed articles. She reported to council that the program continues to focus on inspection of source locations to leverage the benefit of a broader compliance impact.

ACTION: Recommendations for the Power Engineers video will be shared with M. Adams.

ACTION: A revised PowerPoint presentation of the ASPR to be sent to council.

10. Safety Education Research Graduate Scholarship (SERGS)

As part of the advanced materials for this meeting, members received M. Shafeie’s research report, “Trunk Muscle EMG & Motion Sickness in a Specially Designed Virtual Reality Motion Simulator”, which was treated as read.

With the aid of a PowerPoint presentation, M. Shafeie provided further information about his research which focused on adults and was aligned to TSSA’s mandate on amusement devices sector. Council received the report and M. Shafeie responded to questions.

11. Emerging Consumer Trends and Issues

There were no updates on this issue.

12. Consumers Advisory Council Evaluation and Engagement Survey Result

As part of the advanced materials for this meeting, members received the CAC survey result, which was treated as read.

P. Jensen noted that the council were still seeking a member to represent Northern Ontario North. She also recommended consideration be given to Tanya Hewitt of Ottawa, a current SERGs recipient, who shares a great interest in vulnerable consumers’ issues.
P. Jensen also recommended that council consider having a succession plan for a Chair and reconsider rotating representation in the industry councils. In regards to rotating the industry representation, council agreed to keep them as they were. Members acknowledged that continuity was a factor as well as the length of a learning curve required for each council.

It was noted that the previous survey from 2011 recommended broadening collaborations with other consumer based organizations and enhancing communication between meetings. The first was underway and members of council were providing consumers’ perspective to MCS, Canadian Standards Association and Propane Panel Project. The latter, D. Scriven reported to council that TSSA was currently identifying a firm to focus on developing this communication tool (council portal) and further update will be provided at the next meeting.

He also noted that going forward; surveys will take place every three years.

P. Jensen also recommended removing “priority versus performance” questions from the consumers’ survey moving forward. She noted that the consumer members were not able to evaluate industry related questions and the responses to those questions were not measuring the correct factors, therefore, there is no value in having them in the survey.

M. Beard expressed acknowledgement and appreciation for having consumer perspectives at TSSA.

Discussion ensued around the value of having MCS attend council meetings. Providing a report on MCS recent activities instead of attending the meetings was recommended. MCS support and information were also discussed especially around certain areas, such as Source Water Protection. In regards to TSSA’s perspective, it was noted that MCS representation has been more engaging recently. It was also noted that MCS was interested in certain topics. Main topics for the MCS are listed and discussed at the MCS Liaison Meetings. Consumers would like to have a list of topics of high priority for the MCS in order to incorporate at the meeting.

Council was encouraged to further discuss the findings of the survey and provide follow up actions, if any, during the in camera session.

**ACTION:** Council would like to receive a list of topics of interest to MCS as presented at the MCS Liaison meetings.

13. **Summary for summer/fall 2013 industry advisory council meeting, highlighting consumer/public perspectives:**

As part of the advanced materials for this meeting, draft minutes of the following meetings were attached:

- Upholstered and Stuffed Article Advisory Council meeting on June 5, 2013
- Natural Gas Advisory Council meeting on June 25, 2013

The above documents were treated as read and any further consumer perspective issues were covered under item 9 – ASPR update.

14. **Questions on Information Items and Other Businesses**

_Inflatable devices:_ with the aid of PowerPoint presentation, K. Woodcock presented recent pictures from an event held on Ryerson University campus in which an inflatable rock climbing device was erected without the appropriate safety guides.
She recommended that inflatable climbing walls be included in the regulations for amusement devices. She also noted that the reasons MCS may not agree to remove the exemption may be due to lack of evidence based data; however, such data is generally only collected for those devices already included in the regulations. As a consumer issue, she noted that the public would not expect this type of device to be exempted given that inflatable jumping devices are included in the regulation. The Council accepted a recommendation to have this issue presented at the next Amusement Devices Advisory Council and J. McCarthy will present on her behalf.

ACTION: J. McCarthy will present the recommendation to include inflatable climbing walls in the Amusement Devices regulation at the next Amusement Devices Advisory Council meeting.

15. In Camera

Council members met in camera without management.

16. Termination

The meeting was terminated at 2:00 p.m. The next meeting is scheduled for **February 5, 2014**.