



# Technical Standards and Safety Authority

## Minutes of the Amusement Devices Advisory Council Meeting on October 23, 2013

Minutes of the Amusement Devices Advisory Council (ADAC) meeting of the Technical Standards and Safety Authority (TSSA) held in in Rooms 1433 and 1434 on the 14<sup>th</sup> Floor, Centre Tower, 3300 Bloor St. W., Toronto, Ontario at 10:30 a.m. on the 23<sup>rd</sup> day of October 2013.

**Present:** Virginia Ludy (Chair) Canadian National Exhibition, Mark Beaven, Ontario Association of Agricultural Societies, Mark Bingeman, Bingemans, Keith Brown, Ontario Place, Andrew Gidaro, A to Z Fun Rentals, Peter Gismondi, Superior Events, Bill Kane, North American Midway Entertainment, Ken Karns, Western Fair District, Jane McCarthy, Consumers Advisory Council, Rick McMullen, 401 Mini-Indy Limited, Norm Pirtovshek (Peter Switzer), Canada's Wonderland, and Cindy Sypher, Sypher & Associates Field Engineering Ltd.

**In attendance:** Michael Beard, President and CEO (all except item 16), Erin Estok, Stakeholder Relations (all except item 16), Roland Hadaller, Director, Elevating and Amusement Devices (all items except item 16), Maram Khalif, Council Coordinator (all items except item 16), David Scriven, VP Research and Corporate Secretary (all items except item 16), Sonny Silva, Inspector (all except item 16), Josh Sorman, Advisor, Training and Certification (items 13), and Peter Wong, VP of Operations (all except item 16).

**Regrets:** Mohamed Awad, Ministry Consumer Services, Breckon Husband, Aon Reed Stenhouse Inc., Danny Campbell, Campbell Amusements, and Kathryn Woodcock, Consumers Advisory Council.

### 1. Constitution of Meeting

V. Ludy, Chair, welcomed the council members and called the meeting to order. The Chair introduced two new members, M. Beaven and M. Bingeman. The Chair also welcomed S. Silva and J. McCarthy who represented M. Tevyaw and K. Woodcock respectively. A roundtable introduction took place.

### 2. Approval of Agenda

Council members approved the agenda for October 23, 2013 meeting.

### 3. Approval of the Minutes

Council members approved the minutes of the March 20, 2013 ADAC meeting as drafted, as being a true and correct record of that meeting.

### 4. Review Action Items from Last Meeting

V. Ludy reported to council that the recruitment for a representative for the Zip Line sector was still in progress and she will be working with M. Tevyaw to have a member by next meeting. She also noted that the Ontario Campground Association expressed an interest in joining the council.

R. Hadaller noted that the outstanding item regarding alternative to metal tags will be updated at the next meeting.

### 5. Council Chair's Report

As part of the advanced materials for this meeting, members received the Chair's report to the CEO regarding the council's key activities over the last fiscal year, which was treated as read.



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C. Sypher, who attended TSSA's Annual General Meeting (AGM) on behalf of the Chair, provided an update of the AGM.

She noted questions were raised by the Elevating Devices industry to expand the membership for the Advisory Council to include mechanics. TSSA is currently exploring ways to expand the membership matrix taking each industry's uniqueness into consideration.

### 6. TSSA President & CEO's Report

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

M. Beard informed council that changes were made to TSSA's Board of Directors noting the appointment of a new Chair, Judith Wolfson and Vice-Chair, Norm Inkster. He also noted the recruitment of five new board members.

M. Beard also highlighted TSSA's commitment to enforce and improve the safety of Ontarians with a focus on advocating for safety in Ontario, in combination with TSSA's regulatory responsibilities.

### 7. Council Evaluation and Engagement Survey Result

As part of the advanced materials for this meeting, members received council's evaluation and engagement survey results report, which was treated as read.

D. Scriven provided background information regarding the council survey, noting that the survey will be conducted every three years as a result of the feedback received from council. He acknowledged that 7 out of 10 members participated.

He highlighted some of the issues that were raised such as ways to improve controlling unlicensed operators especially in the inflatable sector. New types of entertainment that may not be part of the regulations were also highlighted.

Council discussed the difference and similarities shared in both the Advisory Council survey and customer value survey and ways to align the two surveys to capture similar themes. It was noted that the customer survey reaches a broader spectrum and assesses customer satisfaction of the services provided by TSSA where Advisory Council surveys are more focused on the council evaluation and engagement.

Council discussed how the information flows from Advisory Council to each sector and vice versa. The matrixes of each sector were set in order to have a wide range of industry's concerns brought to council meetings. Council requested to expand this discussion to include how the representation at the council was disseminating information in the field.

Council was concerned on how much information flows from Advisory Council to industry and would like this to be indicated in the customer value survey. Members of council recommended linking general regulated items in the customer value survey to Advisory Council representation of the industry.

**ACTION:** Agenda item to discuss how the industry representatives at the council meetings consult the industry for representing their concerns.



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### 8. Establishing Safety Priority Issues for 2013 to 2015

As part of the advanced materials for this meeting, members received a historical list consisting of general industry issues, which was treated as read.

D. Scriven facilitated a session for council to classify the outstanding issues into categories as follows:

1. Public education and awareness (waterslide operators and design oversight)
2. Unlicensed operators (inconsistency and inflatable oversight)
3. Regulation scope (too big or too narrow, new technology etc)
4. Harmonization (alignment of ASTM, CSA, across Canada jurisdictions, etc)
5. Cost of compliance (incentives)

Council deemed the following top three areas as the safety priorities for the amusement devices industry:

1. Public education and awareness
2. Harmonization (alignment of ASTM, CSA, across Canada jurisdictions, etc)
3. Cost of compliance

Having data comparison with other jurisdictions was noted. How the insurance industry sets its rates and how this may have an impact on risk based factors were discussed. A high level discussion ensued around operators' safety which was deemed as out of scope for TSSA's mandate.

In regards to item 5 of outstanding priority issues (cost of compliance), council members were encouraged to take full advantage of the benefits provided under the declaration of compliance initiative, of which some council members acknowledged they were aware of it.

**ACTION:** The historical list will be revised to include the categorization of today's discussion.

The three priority safety issues selected by the council will be including in the agenda for the next meeting.

### 6. Safety and Compliance Information

With the aid of a PowerPoint presentation, P. Wong and R. Hadaller provided an update regarding the ASPR report and the related amusement devices sector safety compliance respectively.

The public safety initiatives were highlighted and the importance of human error research was reiterated. Breaking down the data provided into waterslides and mobile was recommended.

The upcoming Field Support Services was noted. The Standardized inspection order will improve data provided at the meetings and will allow for a more thorough data analysis.

A further discussion highlighted that "user behaviour" was a major concern for the industry and council suggested that TSSA and industry work together more closely to improve this area by focusing on the root cause such as device design etc.

**ACTION:** The compliance report will include a breakdown of waterslides and mobile sector data for the next meeting.

### 7. Priority Safety Issue Update: Human Factor

With the aid of a PowerPoint presentation, D. Lisle presented Amusement Devices Public Education Outcomes for summer 2013.



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He highlighted key areas of focus which were pre-teens ages 10 to 14 using water slides. He informed council that next steps included opportunities such as tailoring current on-site programs by water parks and exploring partnership opportunities with owners/operators. He noted that by training the operators or utilizing ambassadors, the safety impact was greater and more consistent.

Discussion ensued around partnership opportunities with owners and operators and the budget implications for this initiative. Some suggestions on partnerships were offered, such as, mentoring programs and approaching different age groups. It was indicated that TSSA was careful not to get involved at the operational level and ensure the changes were enhancing the operators' jobs not compounding it. Regarding the age group of the initiative, the benefits of teaching children was determined much more valuable than by reaching them in their teens.

Further discussion ensued around the possibility of joint initiatives among the industry and TSSA in advocating for safety together.

Council requested to learn more about TSSA's next steps in engaging owners/operators and exploring ambassadors' program pilot.

**ACTION:** At the next human factor update, council will receive an update around the result of engaging owners/operators and ambassadors' program pilot.

### **8. Customer Value Survey Result**

As part of the advanced materials for this meeting, members received a briefing note highlighting customer value result 2013, which was treated as read.

With the aid of a PowerPoint presentation, D. Lisle further presented customer satisfaction and value survey result.

Further discussion followed around ways to close any loops, such as, process gaps and efficiency issues. Historically the issues focused on compliance inconsistencies; however, recently, the focus moved to more safety and how compliance drives safety. The differences in performance in the survey for staff level and corporate level were also noted.

Having standard orders and its benefits were reiterated. Council were informed that the launch of Field Support Services will improve the inspection order data starting later this year with the Elevating and Amusement Devices Safety Program.

D. Lisle also noted that he was currently working with the Statutory Directors to determine initiatives and addressing any feedback that was part of the closing gaps in processes.

### **9. Input on Industry Trends**

As part of the advanced materials for this meeting, members received a list of priority issues and emerging trends for the amusement devices industry, which was treated as read.

D. Scriven provided information around the issues and input from the last meeting. He confirmed the purpose of this information was to monitor and track any industry issues and emerging trends for future exploration for priority safety issues.

Council shared there were no changes to the list; however, they noted offshore designs with questionable standards were entering the markets.



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Input on industry issues and trends will be shared on an “as needed” basis.

### 10. Training and Certification Advisory Board (TCAB) Update

As part of the advanced materials for this meeting, members received a briefing note on the recent activities of the TCAB, which was treated as read.

J. Sorman highlighted the summary of total program in school training hours as well as the implementation of ADM-I examination bank on June 7, 2013.

He also noted there were two new members to the TCAB: P. Gismondi of Superior Events Group and G. Makins of Ontario Recreational Facility Association.

TCAB will be a standing item on the amusement devices council agenda and further updates will be provided at the next meeting.

### 11. Engineering Review Process Task Group Update

The task group met in April 2013 to discuss efficiencies and the engineering process. They agreed improvements were needed in regarding the turnaround times. They agreed to develop a short guideline covering the electrical compliance aspects that are required for an amusement ride.

### 12. Questions on Information Items and Other Businesses

Memberships and Matrix: V. Ludy informed council that she and M. Beaven will follow up on the interest of a new member for the Mobile Device sector and other outstanding vacancies in the membership. She also noted an interest was expressed by the Ontario Campsite Associations and that the matrix may be reviewed as a result of this request.

A discussion ensued regarding the overlapping inspections with other regulatory bodies such as the Electrical Safety Authority (ESA) or Ministry of Labour (MOL) or other groups for education and training purposes. It was noted that a partnership for safety may be more appropriate than having members from other regulators or ministries as Advisory Council members. It was reiterated that the Advisory Council was industry based and it was further highlighted that TSSA's mandate was to enforce the safety of the Ontarians. Education and training partnerships can be augmented with TSSA's mandate but cannot be a substitute for its mandate.

S. Silva informed council that there was already an inspection partnership between TSSA and ESA. Council requested to have a report on said partnership at the next meeting

ACTION: V. Ludy and M. Beaven to follow up on the Mobile Device sector membership and other vacancies in the council and will provide an update at the next meeting.

ACTION: S. Silva to provide a report on the inspection partnership between TSSA and ESA at the next meeting.

Ontario School Boards Insurance Exchange (OSBIE) policy regarding the use of inflatable in schools: R. Hadaller reported to council that there were some challenges in the inflatable sector due to schools' ban of such devices at their premises due to high risk. He noted that TSSA was not in a position to advocate for a specific industry.



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Some members recommended educating licensed operators about the risk factors. The risk factors data are posted on TSSA's website and industry can use it to advocate for their sectors.

Consumers Advisory Council's (CAC) request on devices exempted in the AD regulation: With the aid of a PowerPoint presentation, J. McCarthy reiterated K. Woodcock's previous comments from the last meeting on the request of exempted devices by using pictures of unsafe inflatable wall climbing at a recent event. She informed council that at the last CAC meeting (October 2, 2013), the limitation of the regulations were discussed and it was noted that CAC believes that the regulations should evolve around the consumers' needs or according to public demand.

### 13. In Camera

Council members met in camera without management.

### 14. Termination

The meeting was terminated at 1:45 p.m. The next meeting is scheduled for March 12, 2014.