



Technical Standards and Safety Authority

Minutes of the Elevating Devices Advisory Council Meeting held on April 20, 2017

Minutes of the Elevating Devices Advisory Council (EDAC) meeting of the Technical Standards and Safety Authority (TSSA) held in the Ontario Boardroom, 345 Carlingview Drive, Toronto, Ontario from 8:30 a.m. – 1:00 p.m. on April 20, 2017.

Present: Kelly Leitch, KONE Inc. (Chair), Cliff Ayling, Brookfield Properties c/s ACSI, John Egan, Field Advisory Committee, Tony Grilli, Otis Inc., Jeff Holmes for Jeff Coles, Thyssen Krupp Elevator Ltd., Stan Jones, Northam Realty, Lisa Konnry, Schindler Elevator Corporation, Jane McCarthy, Consumers Advisory Council, Haroon Nuri, Toronto Transit Commission, Derek Petri, York Region District School Board, Michael Sentenai, Del Property Management/ACMO, Rick Sokoloff, Quality Allied Elevator Inc., Dan Vinette, International Union of Elevator Constructors (IUEC), and Phil Warne, Canadian Elevator Contractors Associations (CECA).

Attendees: Michael Beard, President and CEO (items 6-16), David Scriven, VP, Safety Strategy and Corporate Secretary (all items except 17); Peter Wong, VP, Operations (all items except 17); Roger Neate, Director (all items except 17); Wilson Lee, Director Stakeholder Relations (items 7-16), Robert Wiersma, Chief Advisor, Public Safety Risk Management (items 7-13), Denis Caza, Advisor, Public Safety Risk Management (items 7-13), Nameer Rahman, Policy Advisor (all items except 17), Susy Coelin, Communications Advisor, Research & Education (item 1), Consuelo Esquivel, Council Coordinator (all items except 17);

Guests: Ministry of Government and Consumer Services (MGCS): Frank Denton, Assistant Deputy Minister, Sarah Jeffrey-Hampton, Hussein Lalani (all items except item 17),

Regrets: Jeff Coles, Thyssen Krupp Elevator Ltd., Dan Valiquette, FRPO/Bental Kennedy.

1. Constitution of Meeting

K. Leitch, Chair, called the meeting to order at 8:30 a.m. The Chair welcomed Council members and introduced two new Council members: Lisa Konnry and Michael Sentenai.

As part of the safety moment, S. Coelin presented four new safety videos on elevator safety. TSSA is launching a digital campaign on the subject and collaborating with property management companies throughout Ontario to increase safety awareness.

Links to the videos will be given to Council members. Council was encouraged to share the safety videos with their constituents, schools, and relevant stakeholders.

Action: C. Esquivel to send links to the safety videos to Council members.

2. Approval of Agenda

Council members approved the agenda for the April 20, 2017 meeting as presented.

The Chair reminded members that he works with TSSA to set the agenda for meetings. He encouraged members to provide feedback and suggest items for discussion. The Chair will be facilitating discussions within the timeframe allotted for each agenda item.

3. Approval of the Minutes

Council members approved the minutes of the October 26, 2016 meeting as drafted, as being a true and correct record of the meeting.



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4. Review Action Items from Last Meeting

R. Neate noted that all highlighted action items were completed.

5. TSSA President and CEO's Report

Members had received a report from the President and CEO regarding TSSA's key activities over the current quarter (January to May 2017), which was treated as read.

P. Wong presented on behalf of M. Beard. He highlighted 20/20, a business transformation program to enhance organizational efficiency and business processes, in particular addressing data architecture and developing business intelligence. A consultant has been recruited. Program completion for core functionalities is targeted for November 2018.

6. TSSA Strategic Plan

D. Scriven referred to the presentation slides before Council which were shared with members in advance. The Plan is an evolutionary document as opposed to revolutionary. He described the features of a Modern Regulator namely, being collaborative, informed, innovative, effective and transparent, and gave examples of how these will be accomplished. TSSA will adopt these attributes in order to be a credible regulator.

D. Scriven referred to the slide outlining the Plan at a Glance, noting an updated purpose and vision statement. He provided illustrations of the two Foundational Enablers: engaging people and effective teams; having a solid operational foundation and three Strategic Goals: modernized regulatory framework, safety awareness and active compliance, and service excellence. A final Strategic Plan and supporting Business Plan for fiscal year 2018 will be ready by end of July 2017.

When asked whether TSSA staff are engaged in strategy planning, D. Scriven confirmed that staff had a hand in developing the Plan. He asked that Council provide feedback to TSSA in this important effort.

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

As part of the advanced materials for this meeting, Council received a report from MGCS, which was treated as read.

F. Denton spoke about a Private Members Bill (PMB) under consideration by Queen's Park. The Bill is not an Ontario government initiative; instead it originated from Han Dong, MPP, who is championing the needs of Ontarians for safe and reliable elevator service. It is of particular concern to Han Dong's constituents in downtown Toronto. The location has one of the highest concentration of condominiums in the world. The media has also recently featured elevator issues, with a focus on maintenance and availability.

The topic was discussed at length. Some of the comments are as follows:

- The Bill's first and second readings occurred on March 22 and April 13. There is support from all three political parties (Liberals, Conservatives, NDP). The Bill will now work its way up to the Standing Committee on Regulations.
- TSSA is responsible for safety compliance but not for reliability of elevator service.
- Elevator maintenance is a contractual arrangement between owner and contractor. As such, service may fall under the Consumer Protection Act.
- The PMB calls for a mandatory repair of elevators within 14 days, which is a matter of concern to some Council members; some feeling it is too long and arbitrary.



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- Council had different opinions of whether labour and the availability of replacement parts are factors of compliance with the PMB.
- Does it require appropriate elevator capacity in a recent building? With the boom in condominium construction, particularly in Toronto, there was a general sense that many buildings did not have sufficient capacity. In addition, there was general agreement that this should be addressed in future building approvals.
- There are not enough skilled labour for special elevator components. This comment was refuted by a member who said that there are currently 278 unemployed or underemployed trained mechanics in Ontario.
- This is a complex problem given the relationships between owners, contractors and insurance companies.
- The focus should be on the most vulnerable sector, i.e. long-term care homes and hospitals.
- Public perception of the elevator industry has to be improved.
- Additional data from industry would be helpful in assessing this issue.
- Concerns expressed that the issue has arisen through anecdotal evidence only – for example data to support trend of entrapments was not supported by several Council members.
- Impact of the PMB in its present form would increase costs to all building owners and all tenants while trying to address a small fraction of elevators that are down for extended times.

W. Lee clarified that TSSA advocates for public safety, but not for the industry. As such, Council will have the responsibility of educating government regarding its non-safety related concerns.

The Government of Ontario had directed TSSA to conduct a study on Elevator Availability in Ontario, recognizing that TSSA's responsibility is that of safety. TSSA, in response, issued an RFP for a study on availability, specifically looking at the following issues:

- Availability of elevators in residential and institutional (e.g. retirement homes, care and care treatment facilities, hospitals) buildings in Ontario, with the goal of measuring/assessing availability
- Identify the drivers of availability and root causes of problems
- Identify and analyze possible links between elevator safety, maintenance/compliance and availability
- Provide regulatory and non-regulatory options to address the issue of elevator availability (recommendations can apply to municipal, provincial and federal entities)

Action: C. Esquivel to post the link of the RFP on the Advisory Council portal.

8. Compliance Strategy Update

R. Wiersma presented the state of safety measures and elevator occurrences for the first quarter of FY 2017.

R. Neate said that it was disappointing to note a 23% compliance rate. He reported that there are some contractors demonstrating responsiveness when concerns are brought to their attention, whereas there are some companies that have not improved their approach. As compliance rates overall are declining, the Statutory Director noted that he has commenced taking enforcement action, including adding restrictions to a contractor's licence and posting this information on TSSA's website.

A number of questions were responded to by R. Neate and R. Wiersma.



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Categories are according to risk level. Next TSSA is required to enforce compliance with the adopted codes and standards. It was noted that if members believe that the code provisions no longer have a safety element, efforts should be taken to engage the code committee to remove such provisions.

Action: R. Neate to share applicable compliance data with any contractor on request.

9. Priority Issues Discussion – Communication with Owners and Managers

R. Neate referred to communications between owners and managers.

TSSA spoke about risk management at a school board conference.

10. Media Data Request

W. Lee provided an update on the formal request for data from the Toronto Star's Investigative Unit. Data on names and status of certificate holders, and names of registered contractors (excluding compliance information) has been shared with the "Toronto Star." The data was carefully vetted by the Legal Department to follow privacy issues and transparency. W. Lee clarified that this was a one-time undertaking by TSSA. In the future, any requests will no longer be free-of-charge.

The data will be posted on the website on April 21.

M. Beard said that TSSA expects that as part of the 20/20 Business Transformation project, a platform will be designed to make this type of information accessible to the public in the future.

Action: C. Esquivel to ensure links to the data are posted on the portal.

11. Update on the Electronic Log Book and Q.R. Codes

R. Neate provided an update on a proposed electronic log book and described how it would work. Similar to QR codes used in sales merchandising, and with the use of smartphones, contractors will have the ability to read and update the status of maintenance on-the-spot. TSSA has begun to lay out the framework for this idea.

M. Beard thinks that it will take 2-3 years for the idea to come to fruition. Plans call for putting up the logbook on the TSSA portal.

Council expressed general support for use of electronic logs and communication of technical data based on the company's design. However, they were of the opinion that completion of routines not be submitted directly by the technician to TSSA. To consider this matter in greater detail, a sub-committee of the Council will be organized.

Action: Council members to form a sub-committee and enlist ideas.

12. Field Advisory Committee (FAC) Update

J. Egan provided feedback to Council. The FAC met on April 10, 2017. The meeting was well attended with 21 participants. The meeting focused on the following updates:

- CAD – code A17.1/B44-2016 will be adopted by late 2017
- New 2017 pre-inspection checklist changes
- Means to know if non-adjustable brakes are replaced



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- MCP requirements for proper completion of log book boiler plate
- Engineering issues such as basic traction calculations, permissible limits, revising a registered design submission
- Timely delivery of licence tags
- Escalator pre-inspection checklist

The next FAC meeting is scheduled on October 16, 2017.

13. Evaluation and Engagement Survey

D. Scriven spoke on this agenda item. TSSA conducts an evaluation of quantitative and qualitative data every three years with the cooperation of Councils and staff. A high level report was presented to all Council Chairs. Overall, the survey elicited positive results. The comments were on the slow decision-making process, non-alignment of priorities, managing expectations, and the need to improve the Advisory Council Portal.

To clarify the perception that TSSA owns control of the agenda, D. Scriven said that TSSA (Corporate Secretariat, Directors) works closely with the Chair on all Council matters. Enhancement of the Advisory Council Portal has been put on hold pending completion of the 20/20 project.

Break for lunch 12:00-12:20 pm.

14. Standing Items

R. Neate referred to the standing item regarding membership.

15. Industry Discussion

J. McCarthy invited Council to attend the Skills Ontario showcase from May 1-3 at the Toronto Congress Centre. It is a display of innovative creations by top students vying for the best in skilled trade and technology. Winners of the Skills Ontario Competition will be announced. TSSA sponsors a number of booths.

16. Questions on Information items and Other Business

There were none.

Plenary adjourned at 12:30 p.m.

17. In-camera

Council met *in-camera* without TSSA staff and guests.

18. Adjournment

The meeting adjourned at 2:00 p.m.