



# Technical Standards and Safety Authority Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

Minutes of the Elevating Devices Advisory Council (EDAC) meeting of the Technical Standards and Safety Authority (TSSA) held in Boardrooms 1433/34, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 8:30 a.m. on the 12<sup>th</sup> day of February, 2014

**Present:** Kelly Leitch, KONE Inc., (Chair), Patricia Jensen, Consumers Advisory Council, Rick Sokoloff, Quality, Allied Elevator Inc., Sean Cowen (Joe Kerr), ThyssenKrupp Elevator (Canada) Ltd., Derek Petri, York Region District School Board, Chris Rastin, Savaria Corp., Dan Vinette, International Union of Elevator Constructors (IUEC), and Phil Warne, Canadian Elevator Contractors Associations (CECA).

**In attendance:** Michael Beard, President and CEO, (items 1 to 8 and 11 to 16), Roland Hadaller, Director, (all items except 22), Maram Khalif, Council Coordinator (all items except 22), Rob Kremer, Engineer (items 12 and 16), Lency Mulatootil, Decision Analysis Advisor (item 9), Richard Smart, Chief Financial Officer (item 7), Marc Tevyaw Technical Specialist (all items except 22), Arun Veeramany, Public Safety Risk Advisor (item 9), and Peter Wong, VP of Operations (all items except 22).

**Guests:** Richard Hustwick, Senior Advisory, Ministry of Consumers Services (MCS) and Hussein Lalani, Manager, MCS.

**Regrets:** Cliff Ayling, Brookfield Properties c/o ACSI, Jeff Coles, Schindler Elevator Corporation, Stan Jones, Northam Realty, Tony Grilli, Otis Inc., and Paul Melady, Berkley Property Management Inc.

## 1. Constitution of Meeting

K. Leitch, Chair, welcomed council members and called the meeting to order.

A safety moment was shared with a video displaying distract driving.

A brief discussion followed regarding the importance of inspectors'/ mechanics' not being complacent while conducting regular inspections and maintenance and how to deal with this issue taking into account the possible consequences that could arise from these actions. Sharing information on incidents and near misses with inspectors and mechanics was identified as one way to highlight the hazards and bring home the reality of not following all safety procedures.

M. Tevyaw mentioned a PowerPoint Presentation that was shared with the Field Advisory Committee as well as his regional supervisors. This presentation was to present effective ways of dealing with inspector's complacency in repeated and regular inspections to minimize near misses incidents. Presentation will be shared with council.

**ACTION:** M. Tevyaw will provide council with the presentation regarding ways to deal with near misses incidents during regular inspections with the minutes.

## 2. Approval of Agenda

Council approved the agenda of the meeting as presented.



# Technical Standards and Safety Authority

## Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

### 3. Approval of the Minutes

Council members approved the minutes of the February 12, 2014 meeting as drafted, as being a true and correct record of that meeting.

### 4. Review Action Items from Last Meeting

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

The outstanding items were updated as follows:

- Information regarding user behavior research and public education as it related to the ED Safety Program was postponed until the next meeting in order to provide significant information.
- Information regarding 3" allowance requirement for all apron plates will be updated under item 16 of today's agenda.

### 5. Council Chair's Report

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received the Chair's annual report to the President and CEO for 2013/2014, which was treated as read.

The membership changes and the revised matrix of the council were noted. The council's major achievements enclosed in the report were further acknowledged.

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

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

In light of the safety moment presented at the beginning of the meeting, M. Beard further acknowledged the internal changes taking place at TSSA including strong safety messages at all meetings. The success of coordination and response to a recent propane incident was also highlighted.

A council member requested that the safety moment video and other similar information be shared with council. The benefits of sharing similar information and/or videos between TSSA and the industry were noted. TSSA's social media accounts: YouTube, Twitter and Facebook were also noted as a way of keeping apprised of any safety videos being disseminated to the public.

The newly launched Training Centre of Excellence was discussed, especially; how this may help ED Safety Program.

### 7. Options Paper for Fee Framework

R. Smart informed council that the option paper was still in progress. He also reminded council that they have seen the presentation of lessons learned since the fee changes that was effective on May 1, 2013. He further highlighted the principles of the fee review framework such as simplification, fairness, transparency and predictability. No changes were made to certifications or registrations in the last fee change cycle as previously communicated.



# Technical Standards and Safety Authority

## Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

The challenges of the punitive fees and the lack of impact on compliance were thoroughly discussed. Council was reminded that TSSA's goal is to prioritize public safety, not generation of an excessive surplus.

All information being collected regarding the follow-up fee will be incorporated into the fee review and framework moving forward. It was noted that TSSA's Research and Education Department is working with a researcher to analyze how other similar regulatory bodies and organizations conduct their fee reviews in order to broaden the structural changes necessary in developing the option paper for fee review.

In regards to industry's voice and complaints over the follow-up fees, it was noted that there have not been too many specific complaints; most of the complaints were general in nature. It was too early to draw any clear conclusions. Some council members noted the challenges faced by the owners and contractors in regards to the follow-up fees. Declaration of Compliance was noted as being a very effective way to minimize follow up orders of administrative nature.

R. Smart concluded that TSSA was undertaking a new direction of reviewing its enterprise and technology, which will have a great impact on standardization and business platforms. He further informed council that the fee review and framework cycle has been every three years; however, in light of these upcoming technology changes, the fee change effective date may be delayed.

### 8. Ministry of Consumers Services (MCS)

H. Lalani informed council that due to the election last week; the ministry it is still in "caretaker" mode until a new Cabinet is formed. The ministry will still conduct business as usual but no major decisions on policy will take place.

He acknowledged that the ministry does not receive a lot of complaints regarding elevating devices fee and those received were forwarded to TSSA for follow up. Most of the complaints were focused on maintenance issues versus compliance issues.

Since TSSA's mandate is public safety there was discussion on ways to collaborate with the appropriate organizations for educating the public. Most importantly, correcting the public's perception, TSSA's responsibility for reliable elevators and its extension to MCS.

### 9. Risk Based Scheduling 2 (RBS2)

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, A. Veeramany and L. Mulatootil presented an update around how RBS is applied in the elevating devices safety program.

The RIDM framework including internal TSSA's policy were presented and discussed. RBS2 as it related to the Periodic Inspections was also presented. The fundamental principles governing how and when to schedule an inspection were highlighted as follows:

- Regulatory requirement shall be interpreted consistently;
- Providing flexibility to accommodate resource availability and business planning;
- Based on operational performance history and/or incident history;
- Establish informed inspection schedules based on the level of estimated operational risk, inherent design deficiencies (if applicable); and
- Determine enforcement decisions based on levels of estimated operational risk



# Technical Standards and Safety Authority

## Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

Further details were provided regarding basic model elements of RBS2. The high-risk bins by building type were presented and discussed. Clarifications were provided around how the numbers were captured in each category.

### 10. Elevating Devices Safety and Compliance Report

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Hadaller presented the ED safety and compliance data.

Discussion ensued around presenting incidents that occurred since the last meeting versus those that had completed investigations since the last meeting. Council requested to have these two distinguished in the reporting, especially, where an investigation was completed and the root cause was determined. Incidents that were reported without information for example a person getting hurt on escalator but not providing a contact information were discussed, specifically on how this may have an impact on incident reporting numbers.

The challenges of differentiating between incidents involving a worker versus the public were also discussed. Incidents involving an employee fall under the jurisdiction of the Ministry of Labour, however, all incidents were accounted for regardless of whether they involved an employee or the public.

The challenges of displaying safety instructions on escalators and moving walks and the challenges of enforcing such behaviors were noted.

### 11. Maintenance Control Program (MCP) Update

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, M. Tevyaw provided an update on MCP progress and implementation.

General discussions around industry needing ways to amend or tweak existing documents without infringing on the regulations were highlighted. The industry requested guidance around how to establish document maintenance. The principles of record management and utilization of technology were further discussed.

ACTION: The MCP presentation will be sent with the minutes.

### 12. Priority Safety Issues:

*Aging Devices and Single Speed Elevators:* R. Kremer provided an update around this topic on behalf of D. Witt. As per last meeting, discussions and feedback received since three Director's Safety Orders addressing leveling via control upgrades to elevators with Single Speed motion control were posted in May 2014. Additionally, a targeted mail will be sent to owners of those devices to alert them to prepare for the changes.

### 13. Priority Safety Issues:

*Communication to Owners/Managers:* R. Hadaller informed council that the last communication with owners/managers was sent in January 2014 and another one is scheduled by the end of September. The last communication focused on ways to minimize the follow-up fees and utilize the Declaration of Compliance.



## Technical Standards and Safety Authority Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

R. Hadaller also advised that a targeted mail reminding the owners of the retrofit requirements for their devices will be sent to the following industry sectors:

- elevators with single speed motor controls
- hydraulic elevators with single bulkhead cylinders
- freight platform lifts, and
- escalators

He also noted that S. Jones representing Building Owners and Managers Association (BOMA) proposed ways to enhance and engage relationships with TSSA (via email sent prior to the meeting). Those proposals will be followed up offline and an update will be provided at the next meeting.

**ACTION:** Targeted mail out (for retrofit) to be completed by the end of August, owners' communication to be completed by the end of September.

### 14. **Priority Safety Issue:**

Public Education and awareness: R. Hadaller informed council that due to the high fatality equivalent number for elevators and the fact that most incidents were based on user behavior, he would be working with the Research and Education Department on finding ways to educate elevator users.

It was also noted that the Consumers Advisory Council was also interested in finding ways to deal with this issue and will discuss it in their meeting scheduled June 26, 2014.

As D. Lisle was not available, this item was deferred to the next meeting for further update.

### 15. **Priority Safety Issues: Compliance Rates and Contractors' Data**

R. Hadaller reported to council that the compliance rates were included under item 10 of today's agenda.

Contractors' Data: Discussion ensued around providing data to contractors for their specific contractors safety and compliance rates. The need for standardization of this process was identified. Having e-commerce or a web-based search that enables individual contractors to have access to their contractors' data list was recommended. One of the challenges faced was the turnover of contractors and refreshing the data to stay up to date.

Some council members noted that they usually do not receive confirmation when submitting Declaration of Compliance.

**ACTION:** R. Hadaller to follow up on the process of Declaration of Compliance and confirmation to customers that the Declaration of Compliance has been received and processed by TSSA.

### 16. **Engineering Update**

Director's Order: As part of the advanced materials for this meeting, which forms part of the record of the meeting, R. Kremer provided a highlight of the last three Director's Orders posted since the last meeting.

Design Review Turnaround Times: R. Kremer reported to council that TSSA had met with the National Elevator and Escalator Association (NEEA) on May 2, 2014 to discuss the long turnaround times for registration of design submissions.



## Technical Standards and Safety Authority Minutes of the Elevating Devices Advisory Council Meeting on June 18, 2014

The Elevating Safety Program's goal is to have the turnaround times reduced to four weeks from its status of nine weeks. Short and long-term strategies have been proposed and some have been implemented, such as; increasing the number of administration staff to assist the program. Having an Engineering submission meeting was also proposed and a meeting is scheduled for July 10, 2014 to further discuss the submission process and methods to facilitate faster turnaround times. The program still seeks to hire two Engineers (Mechanical and Electrical) as part of the long-term strategy to resolve this issue.

ACTION: An update on the progress on backlog will be provided at the next EDAC.

### 17. Field Advisory Committee (FAC) Update

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received agenda and minutes of the FAC, which was treated as read.

A brief discussion ensued around machine guarding guidelines and the challenges with the Ministry of Labour (MOL) in relation to this area. The issue involves the use of secondary guarding term which is not recognized by MOL. Council requested that this item be followed up at the next FAC meeting and that the task force reconvene to update the machine room equipment guarding guide line.

ACTION: FAC to reconvene the machine room equipment guarding task force.

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

As part of the advanced materials for this meeting, which forms part of the record of the meeting, council received TCAB minutes from May 13, 2014, which was treated as read.

Discussion ensued around expired certifications and ways to share this information with the industry so they can follow up where needed. With consideration of privacy, a list of expired certificate holders will be sent with the minutes.

The challenges of providing training courses for certificate holders were noted. Some of the challenges arose from individuals wanting a specific course, such as; the construction hoist mechanic, however, were required to take the full course for the elevator mechanic. Training providers will only provide training courses if there is enough demand to make it financially viable.

Another issue identified was the safety course that all mechanics in training must complete before they can start work. Training providers will not run the course for one or two individuals, which can cause a delay for new mechanics before they can start work.

Some of the training providers were facing challenges providing their regular curriculums due to their accreditations not being up-to-date.

It was acknowledged that it is important to address the training issues and TCAB to continue discussions on the safety course training shortage.

ACTION: M. Tevyaw will follow up on sharing information on expired certificate holders and a list to be sent to each employer.

### 19. Introduction of TSSA's External Ombudsman



Technical Standards and Safety Authority  
Minutes of the Elevating Devices Advisory Council Meeting  
on June 18, 2014

This item is deferred to the next meeting.

**20. Industry Discussion**

*Pan Am Games Preparation:* R. Hadaller reminded council of the upcoming Pan Am Games for 2015 and encouraged the industry to plan ahead for any new elevators to ensure plenty of time is allotted for the inspection and turnover. TSSA has a committee to coordinate all its regulated industries for these upcoming events.

**21. Question on Information Items and Other Business**

There was no update under this item.

**22. In Camera**

Council met in camera without TSSA's management and guests.

**23. Termination**

The meeting was terminated at 1:34 p.m. The next meeting is scheduled for November 19, 2014 at 8:30 A.M.