



Technical Standards and Safety Authority Minutes of the Elevating Devices Advisory Council Meeting on November 13, 2013

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 13th day of November, 2013.

Present: Kelly Leitch, KONE Inc., (Chair), Cliff Ayling, Brookfield Properties c/o ACSI, Tony Grilli, Otis Inc., Patricia Jensen, Consumers Advisory Council, Stan Jones, Northam Realty, Gary Medeiros (Joe Kerr), ThyssenKrupp Elevator (Canada) Ltd., Paul Melady, Berkley Property Management Inc., Rick Sokoloff, Quality, Allied Elevator Inc., and Phil Warne, Canadian Elevator Contractors Associations (CECA).

In attendance: Michael Beard, President and CEO, (all items except 20) Roland Hadaller, Director, (all items except 20), Maram Khalif, Council Coordinator (all items except 20), Rob Kremer, Manager, Engineering (items 13 and 14), David Scriven, VP Research and Corporate Secretary (all items except 20), Richard Smart, Chief Financial & Information Officer (item 10), Jonathan Tsao, Stakeholder Relations (all except 20), David Witt, Registration Engineer (item 12).

Regrets: Dave Balmer, Accessibility Equipment Manufacturers Association, Jeff Coles, Schindler Elevator Corporation, and Richard Hustwick, Ministry of Consumers Services.

1. Constitution of Meeting

K. Leitch, Chair, welcomed council members and called the meeting to order. The Chair introduced three new permanent members as follows: P. Warne representing CECA, T. Grilli of Otis Inc. representing Large Manufactures/Design, and S. Jones who will be representing Building Owners and Managers Association (BOMA).

2. Approval of Agenda

Council approved the agenda of the meeting as presented.

3. Approval of the Minutes

Council members approved the minutes of the April 24, 2013 EDAC 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 items were completed. The outstanding items were updated as follows: Risk Based Scheduling was still in progress and the membership item has been rectified as new members were recruited and the other vacancies are in progress and will be further updated at the next meeting.



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5. Council Chair's Report

As part of the advanced materials for this meeting, members received the previous Chair's report to the President and CEO highlighting council's major achievement and key opportunities for 2012/2013, which was treated as read.

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.

M. Beard provided an update regarding TSSA's Annual General Meeting. Changes were made to TSSA's Board of Directors such as the appointment of a new Chair, Judith Wolfson and Vice-Chair, Norm Inkster. The recruitment of five new board members was also highlighted.

TSSA's recent strategic planning session was noted. In addition to TSSA's mandate for the enforcement to improve the safety of Ontarians, TSSA will also focus on advocating for the safety of Ontarians. The upcoming launch for Field Support Services (FSS) for Elevating Devices Safety Program was noted.

7. Council Evaluation and Engagement Survey Report

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

D. Scriven highlighted that overall the result has been positive. All qualified ED members participated and it was noted that any new members who attended less than 2 meetings were excluded from participation in order to have accurate benchmark. Six out of eight EDAC members participated in the survey resulting in 75% participation. The overall percentage of all council participation was 93%. The same EDAC members participated in the survey in 2011 and 2013.

Some of the challenges that arose from the survey were the challenges with lack of communication between meetings. TSSA has taken steps to develop an Advisory Council portal to encourage dialogue between meetings. Some of the questions relating to operations were not applicable to the consumer representative and moving forward the consumer representative's participation in the industry council will be considered.

The Chair acknowledged overall the structure and format for the meetings were good, however, he noted that additional feedback from council is needed pertaining to how the council engages between meetings.

ACTION: TSSA to provide an update at the next EDAC meeting on timeframe portal will be live.

8. Elevating Devices Safety Compliance and Annual Safety Performance Report (ASPR)

As part of the advanced materials for this meeting, council received TSSA's Annual Safety Performance Report (ASPR), which was treated as read.

With the aid of a PowerPoint presentation which forms part of the record of the meeting, D. Scriven provided highlights of the corporate overview of the ASPR. R. Hadaller followed with specific industry



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trends for periodic inspections and occurrences as well as providing a contractors' performance report which was distributed at the meeting.

Discussion ensued around the contractors' performance report and the differences between 2012 and 2013 in percentage of periodic requiring a follow up in which an upward trend was noted. The decrease in use of declaration of compliance was discussed. Council expressed the benefits of having the contractors' performance report but also advised against public publishing noting information could be taken out of context.

The issue of retrofit for single speed elevators and its anticipated cost impact were discussed. Further information is under item 12. Regarding the upcoming changes for Maintenance Control Program (MCP) scheduled for April 1, 2014, council highlighted the importance of TSSA getting out advice to Building Owners prior to the deadline.

User behavior in the Elevating Devices Safety Program was also discussed. The challenges with public education especially enforcement were noted. Understanding how public education can mitigate some of the risk, especially for seniors or young mothers was thoroughly discussed. The challenges and the benefits of elevators signage for the public were discussed. Council requested to have a presentation around TSSA's public education for the ED Safety Program at the next meeting. The Chair also requested the elevators and escalators foundation document be shared with the Consumers Advisory Council.

ED Safety Program will be the first to utilize the FSS. Council concurred that it would have a positive impact on standardizing orders and improving consistency. FSS will also provide better data for the contractors' performance reports especially around the top ten orders.

The importance of having a benchmark around incident data with other similar jurisdictions and other provinces was also discussed. TSSA shares information with the National Public Safety Advisory Committee (NPSAC). Council was encouraged to be patient until data can be comparable among jurisdictions and provinces. Currently, comparing data is not possible since all jurisdictions use different data analysis methods. It was further highlighted that NPSAC deals with a broad range of public safety issues and national code adoptions.

The elevator mechanics strike had a significant impact on certain sectors. The data presented today did not indicate any significant impact of non-compliance, as this data is not from the time period of the strike.

A discussion ensued around the details of inspections that took place during the strike. It was reiterated that TSSA does not inspect every device all at once and that each device has its own periodic scheduled inspection of at least once every three years. Data for each month of the strike is available and this information will be shared with council at the next meeting.

Further discussion ensued around inspections and follow up orders as well as the relationship with the contractors. P. Warne provided a few examples where the follow up orders were not clear and this prolonged the services provided and the costs involved. Relationship building with the inspectors and requesting extensions when applicable was encouraged.

ACTION: TSSA to forward information on Elevator & Escalator Safety Foundation Canada (website www.eesf.org)

ACTION: D. Lisle will be invited to the next EDAC meeting to provide information on user behavior research and public education as it relates to the ED Safety Program.

ACTION: R. Hadaller to provide council at the next meeting with a breakdown of industry compliance data for the individual months of the elevator mechanics' strike.



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9. Establishing Priority Safety Issues for 2013 to 2015

As part of the advanced materials for this meeting, council received a previous list containing all past priority safety issues, which were treated as read.

D. Scriven facilitated a session to categorize the historical list. Distinguishing priority safety issues and other safety issues such as communication and process were acknowledged.

Council agreed the following areas would be the top priority safety issues:

1. Aging devices (it was agreed that many items were identified under this item i.e. old freight, drum equipment etc and will be selected based on risk)
2. Compliance rates
3. Communication to owners/managers
4. Public education/awareness (especially for devices such as elevator doors)
5. Private elevators in residences

Council voted on the above issues and selected items 1 to 4 as priority safety issues. Each council member was asked to rank the top three items they would like TSSA to address. The results will be shared at the next meeting.

K. Leitch recommended that sharing incident data with other jurisdictions and council should be considered business as usual rather than a priority safety issue.

ACTION: Share council's final votes on the top priorities at the next meeting.

10. Fee Review Framework and Process Update

R. Smart provided background information around the fee review process and framework.

Since fee changes went live on May 1, 2013, there have not been any major customer complaints and no collection issues. R. Hadaller advised that he has received a few complaints from industry. The owners and contractors had some concerns with the new fee changes.

The increase in the fee for follow up inspections was to drive positive behavior changes. The increase in the revenue will be analyzed in order to assess if change behavior goals are being met. This issue will be monitored and reviewed quarterly and an update on next steps will be provided at the next meeting. In the meantime, council was encouraged to fully take advantage of the benefits of the declaration of compliance for administrative related orders to minimize costs.

Still too few owners or contractors are taking advantage of the cost benefits of the declaration of compliance; therefore, promotion of declaration of compliance was recommended and can be followed up with the Field Advisory Committee. It was reiterated that TSSA relies on contractors to disseminate information to the industry at large including taking advantage of the declaration of compliance.

In regards to the incentive based fee structure, council provided a few examples of engaging the industry rather than having the disincentive based fee structure to change behavior.

R. Smart advised that he will be leading a white paper working group that will focus on lessons learned from the fee review framework process with a goal of improving the review and framework moving forward. Council was encouraged to join the white paper working group.



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ACTION: Any council members able to join the fee review working group to communicate with M. Khalif.

11. Ministry Consumer Services (MCS) Update

There was no update on this item.

12. Update on Safety Issues – Aging Equipment Risk Reduction Group (RRG) – Single Speed Elevator

D. Witt provided background information around the status of identifying single speed devices for the purposes of requiring a retrofit.

He reported to council that data was collected from contractors. There were approximately 1900 single speed devices to date. Data collection process was not yet complete. There may be approx 2200 single speed devices in Ontario. TSSA was currently working to identify all owners, create a draft order and invite owners to participate in a meeting to discuss the steps for moving forward.

The process of drafting a Director's Order, the time it will take to engage owners and the upgrade existing single speed devices was fully discussed. Council offered to assist TSSA in identifying all areas that will be impacted cost wise as a result of this retrofit. It was pointed out that in many of the buildings that have single speed elevators, they are the only elevator in the building and it will be a major inconvenience not having the elevator available during the retrofit. They also advised TSSA to limit any negative impact, as much as possible, in the roll out of the changes.

Council emphasized the impact of this retrofit will have on other building elements that may require extensive modifications as a result of the mandated control changes. This included elevator machine room, HVAC provisions, equipment bonding or grounding requirement, modifications to building fire alarm provisions, electrical system alterations (i.e. requirement to achieve voltage tolerance and current variation expectations as needed to ensure modern elevator controllers will not have operational problems. Council requested some accommodations be made to such mandated upgrades to reduce the economic impact of such modifications to a building owner.

ACTION: D. Witt to provide a timeframe to create draft order for single speed devices.

13. Priority Safety Issues: Anti-creep/leveling requirement for B355 Vertical Platform Lifts

In regards to the progress update on Anti-Creep/Leveling requirement for B355 Vertical Platform Lifts, R. Kremer reported to council that this issue has not been resolved; however, a draft Director's Safety Order is being prepared to set minimum requirements for redundancy and single failure protection. Once completed, it will be circulated to council and a further update will be provided at the next meeting.

ACTION: Update on Director's Order to be provided at next meeting.

14. Director's Order and Bulletins Update

As part of the advanced materials for this meeting, council received a list containing outstanding and recently posted Director's Orders and Bulletin updates, which were treated as read.



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A list of Director's Orders that were in progress pending on industry feedback and those posted was shared with council.

An update was provided to council regarding the elevator fatality in Thunder Bay. The incident occurred when a person opened the doors of an elevator that was stuck between floors. The elevator did not have an apron plate of the appropriate length and the person fell through the space between the bottom of the apron plate and the landing sill. R. Hadaller informed council that a Director's Order has been developed as a result of this incident to retrofit all existing devices without a proper apron plate for building occupancy types that are Residential or Educational.

ACTION: TSSA to reinforce the MCP implementation strategy with owners and review communication and feedback at next EDAC meeting.

ACTION: EDAC and FAC to receive an overview of feedback on a draft order prior to a Director's order being issued.

15. Field Advisory Committee (FAC) Update

R. Kremer provided a handout at the meeting highlighting issues that was being dealt with by the FAC. In order to bridge the communication gap between the FAC and The EDAC, TSSA will be providing administrative support for preparing and distributing FAC minutes in timely manner. It was also acknowledged that the Advisory Council Portal would enhance communication between the council and FAC.

16. Training and Certification Advisory Board (TCAB) Update

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

Currently, we have under development, the Skills Passport Documents applicable to the EDM-B (Construction Hoist) and EDM-E (Lifts for Persons with Physical Disabilities) mechanic classifications. Based on the positive feedback received regarding the EDM-F (Inspector/Consultant) skills passport, the subcommittee will continue to develop the skills passports using the template and methodology previously established.

To date (October 15, 2013) there are 317 EDM certificates in an expired status, while a total of 424 certificates have been terminated for non-compliance, non-renewal (payment), or advised TSSA that they no longer wish to pursue a career in the elevating devices trade (retired or otherwise).

17. Input on Industry Trends & Issues

As part of the advanced materials for this meeting, council received a current list of all industry input on trends and issues, which were treated as read.

There were no new emerging trends other than the new technology trend already noted in the document.

Council recommended that the other emerging trends were no longer considered "emerging" and have been either dealt with or have been considered business as usual and should be archived.

ACTION: Revise the input on industry emerging trends to reflect council's recommendations of archiving items considered business as usual.



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18. Membership and Matrix

As part of the advanced materials for this meeting, council received a briefing note describing the changes to the EDAC matrix, which were treated as read.

As a result of questions raised at TSSA's AGM regarding membership of the Advisory Council, the matrix of all councils have been reviewed to include all appropriate sectors.

International Union of Elevator Constructors (IUEC) will be solicited to nominate a member to represent Elevator Mechanics in Ontario on the elevating devices council.

Discussion ensued around the new category "institutions" and ensuring that whoever represents this sector has access to similar organizations in the industry to share information.

Council approved the changes made to the matrix as presented.

19. Question on Information Items and Other Business

There was no update under this item.

20. In Camera

Council members met in camera without management or guests. {The following items were added to the minutes by the Chair}

Concerns expressed on:

1. Lack of engagement, drive between EDAC meetings – request to increase meeting frequency to 3 times per year *[starting with changing the scheduled meeting of April 23 to February 12 and adding June 18]*. Positive discussion on how to make the EDAC meetings more productive and action based.
2. Introducing a standing item on the agenda requiring participation from industry members. A rotating subject asking for owner's representatives to present specific items of concern not raised in standard agenda.
3. Concern over the lack of consistent understanding with the MCP rollout and implications to the Industry and Building Owners
4. A request came from the members for David Scriven to provide a definition and review of the "terms of reference" of the EDAC Committee

21. Termination

The meeting was terminated at 12:35 p.m. The next meeting is scheduled for February 12, 2014 at 8:30 A.M.