



# Technical Standards and Safety Authority

## Minutes of the Elevating Devices Advisory Council Meeting held on October 22, 2015

Minutes of the Elevating Devices Advisory Council (EDAC) meeting of the Technical Standards and Safety Authority (TSSA) held in Boardrooms 1433/1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 8:30 a.m. on the 22<sup>nd</sup> day of October, 2015.

**Present:** Kelly Leitch, KONE Inc. (Chair), Tony Grilli, Otis Inc., Stan Jones, Northam Realty; Rick Sokoloff, Quality Allied Elevator Inc.; Derek Petri, York Region District School Board; Dan Vinette, International Union of Elevator Constructors (IUEC); Phil Warne, Canadian Elevator Contractors Associations (CECA), and Jeff Coles, Thyssen Krupp Elevator

**Attendees:** Michael Beard, President and CEO (items 10 to 19), Maram Khalif, Council Coordinator, (all items except 20); Rob Kremer, Engineering Manager, (item 15), Dean McLellan, Incident Management Specialist (item 14), Roger Neate, Director (all items except 20); David Scriven, VP, Research and Corporate Secretary (all items except 20); Supraja Sridharan, Advisor (item 8), Ellen White, Policy Advisor (all items except 20); Robert Wiersma, Advisor (item 12), Peter Wong, VP, Operations (items 1 to 11).

**Guests:** Richard Hustwick, Senior Policy Advisor, Ministry of Government and Consumer Services (MGCS) (all items except item 20), Elizabeth Kay-zorowski, Acting Director, MGCS. (Items 1 to 14), Drelin Laguerre, Senior Engineer and C&A Lead, Schindler Elevator Corporation (all items including item 20).

**Regrets:** Cliff Ayling, Brookfield Properties c/s ACSI and Jane McCarthy, Consumers Advisory Council

### 1. Constitution of Meeting

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

As part of the safety moment, council viewed a safety video highlighting two areas; extending safety outside to the workplace and how incidents adversely affect the lives of others.

A roundtable introduction followed. E. Kay-zorowski was introduced as the new Director for Public Safety Branch of MGCS.

### 2. Approval of Agenda

Council members approved the agenda for the October 22, 2015 meeting.

### 3. Approval of the Minutes

Council members approved the minutes of the April 1, 2015 meeting as drafted, as being a true and correct record of the meeting.

### 4. Review Action Items from Last Meeting

R. Neate noted that all highlighted action items were completed. The outstanding items were updated as follows:

- TSSA, the Building Owners and Managers Association (BOMA) have been discussing ways to collaborate. Additional information is included under item 13 on the agenda.



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- Representation from the following associations and organizations, including the Federation of Rental-Housing Providers of Ontario (FRPO), The Association of Condominium Managers of Ontario (ACMO), and Toronto Transit Commission (TTC) remain in progress and an update will be provided at the next meeting.

The process for replacing members on the Advisory Council and the Training and Certification Advisory Board (TCAB) was discussed and confirmed.

### **5. Council Chair's Report**

As part of the advanced materials for this meeting, members received Council Chair's annual report to the President and CEO, 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 highlighted relocation of TSSA's Head Office in 2016, which will result in significant savings. The possibility of freezing the fee schedule for another year was also noted.

A video was shown highlighting the 2015 safety award recipients from TSSA's Annual General Meeting.

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

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

R. Hustwick noted that a notice to amend TSSA's Act was sent to all councils to provide feedback, which was due on October 20, 2015. The majority of council members agreed with the proposal; however, a few recommended reconsidering the proposed appeal period of 30 days. Some of the owners noted in order to appeal an order; they need more than 30 days because orders and invoices given on-site may not reach their headquarters in time.

### **8. Annual State of Public Safety Report and Compliance Report**

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, S. Sridharan provided an overview of TSSA's annual state of public safety, followed by R. Neate who provided an update on the Elevating Devices Safety Program.

A discussion ensued around user behavior and its impact on elevators and escalators safety. The challenges of collecting data from user related incidents was noted. The industry was reminded that the data gathered from reported incidents, including near misses, is used to support the safety priority setting and action plan development.

Industry was encouraged to share incident reporting requirements and benefits with the industry stakeholders that they represent.



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### 9. Open Data Initiative

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Hustwick provided an overview of MGCS's Open Government Initiative.

This initiative affects government's ministries and their agencies, and while TSSA is not considered an agency and as such not directly subject, it has been encouraged to be aligned with similar initiatives.

In relation to TSSA, R. Neate also informed council that the Chief Safety and Risk Officer and Board of Directors supports this initiative in principle and encouraged TSSA to explore opportunities to engage. As such, TSSA's approach to open data will be considered in the context of its 20/20 initiative that is guiding the development of its business processes and supporting information systems. It was noted that some basic data such as whether a device is licensed, could be shared earlier if this would provide value.

Further discussion focused on the integrity and accuracy of data and being aware of commercial sensitivities of the industry.

The progress of this initiative will be a standing item on the agenda. TSSA will share its progress with the council.

ACTION: Open data initiative will be a standing item on the agenda.

### 10. Priority Safety Issue: Public Education/Awareness

D. Scriven informed Council that the public education report was in progress due to a number of research activities currently underway and a report will be presented at the next meeting.

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

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Neate provided information about compliance rates and contractors' data.

R. Neate reported to council that TSSA continues to see a large range (zero to 75%) between contractors in terms of the rate at which they pass inspection on the first visit. He noted that TSSA is embarking on a strategy to rectify this issue by seeking to build partnerships with contractors. TSSA will focus on low performers but also hopes to learn best practices from the high performers.

As part of its goal to build partnerships with industry, R. Neate noted that TSSA's shutdown policy has been eliminated. He noted that the now discontinued policy was having an undesirable effect on the users of elevators and did not result in an increase in compliance as intended. He also noted that TSSA has increased the offering rate of the Declaration of Compliance option, which can be applied, to low and medium risk orders. TSSA has observed that some contractors appear to be taking maintenance jobs that they could not fulfil due to a lack of qualified resources. R. Neate noted that the solution may be to limit or restrict the contractor license for contractors that continue to be non-compliant.

The process of Declaration of Compliance (DOC) was further discussed. TSSA is now providing reminders to the building owners and contractors to resolve outstanding orders prior to the deadline for the time to comply date. The challenges of finding the right person to receive these reminders was discussed. Moving forward, TSSA's 20/20 initiative will capture an owner's profile and data for the right person to engage in the process of DOC.



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### 12. Risk Based Scheduling 2.5

With the aid of a PowerPoint presentation, which forms part of the record of the meeting, R. Wiersma highlighted the risk based scheduling at TSSA and its enhanced features in the Elevating Devices Safety Program.

R. Neate advised contractors that they could positively impact their customers and the frequency of TSSA inspections by taking steps to reduce the number of orders they receive on periodic inspections.

### 13. Priority Safety Issue: Communication with Owners and Managers

R. Neate informed council that TSSA provided a presentation on the Maintenance Control Program to BOMA members and although attendance was low, there were several property managers in attendance.

Industry was encouraged to subscribe to TSSA's Exchange blog for communication updates.

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

S. Jones informed Council that building owners met to discuss the progress of MCP. He highlighted some of the concerns discussed at the meetings, which included: the added cost to maintenance contracts, the timing of the implementation, a reluctance by mechanics to support the MCP.

The decision to adopt MCP in Ontario was discussed thoroughly and it was noted that the MCP was part of the overall harmonization of codes in North America. It was reiterated that the council was involved in the process of planning and launching the MCP, including their recommendation to delay the implementation date, which was granted.

D. McLellan highlighted how MCP program works and the requirements under the appropriate elevating codes were also further highlighted and discussed

### 15. Engineering Update

Director's Order: There are no director's orders currently being drafted. The Code Adoption Document for the 2013 code is currently in progress.

Design Submission Backlog Update: the turnaround time is currently four weeks. There are still a significant number of rush orders.

Hoistway Lighting Update: A special task group of the A17 Hoistway Committee is currently discussing an Ontario Coroners' Jury recommendation regarding hoistway lighting stemming from the death of Ross Angus. The task group will be undertaking a detailed risk assessment to determine what changes are warranted.

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

There has not been a FAC meeting since the last EDAC meeting. He encouraged all EDAC and FAC members to submit issues and agenda items via email at [toedfac@tssa.org](mailto:toedfac@tssa.org)

The issue of machine guarding was discussed thoroughly. R. Kremer advised that the issue will be raised again at FAC.



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### 17. Training and Certification Advisory Board (TCAB)

J. Sorman provided a high-level update of the past TCAB meeting discussions. The focus has been on mechanic training and continuing education. Recommendations from the Coroner's inquest related to mechanic education were discussed. Council supported the recommendations.

The last TCAB meeting was poorly attended partially due to some vacancies on the TCAB. The sectors not represented will be identified and nominations will be posted to recruit applicable members. An open letter will be sent to TCAB members to nominate new members. R. Neate will share the letter with EDAC members as well.

Streamlining the mechanic renewal process will be discussed at the next TCAB meeting. The mobility issues affecting mechanics from other provinces was noted. This matter is under consideration with TSSA's legal department. Reviewing the issues impacted by Ontario Labour Mobility Act annually at the TCAB meetings was recommended.

ACTION: R. Neate will share the TCAB nomination post with EDAC members.

### 18. Industry Discussions

There was no discussion under this item.

### 19. Question on Information Items and Other Business

There was no discussion under this item.

### 20. In Camera

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

### 21. Termination

The meeting was terminated at 1:10 p.m. **The next meeting is scheduled for April 20, 2016 at 8:30 A.M.**