



Technical Standards and Safety Authority

Minutes of the Elevating Devices Advisory Council Meeting on November 2, 2011

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 12:00 p.m. on the 2nd day of November, 2011.

Present: Richard Kaczmarczyk (Chair), Otis Canada, Inc., Cliff Ayling, ACSI (alternate Ian Hambly), Jack Elias, Schindler Elevator Corporation, Patricia Jensen, Consumers (alternate Dolly Gerrior), Joe Kerr, ThyssenKrupp Elevator (Canada) Ltd., Robert Last, Arcturus Realty Corporation (alternate Dave Clark), Rick Sokoloff, Quality Allied Elevator, Scott Miller, Skyline Elevator Inc., Paul Melady, Berkley Property Management Inc.

In attendance: Michael Beard, VP of Operations (all except 18), Cy Gray, Lead Investigator (Item 11 only), Roland Hadaller, Director, Elevating/Amusement Devices (all items except 18), Judy Harrison, Project Manager, (item 16 only), Maram Khalif, Council Coordinator (all items except 18), Rob Kremer, Manager, Engineering (item 10 only), Cole Lepine, Public Safety Performance Analyst (item 11 only), Srikanth Mangalam, Director and Chief Advisor, Public Safety Risk (item 11 only), David Scriven, Corporate Secretary (item 9 only), Richard Smart, Chief Financial & Information Officer (item 8 only), Joshua Sorman, Advisor, Training and Certification (item 14 only).

Guests: Mohamed Awad, Policy Advisor, Technical Safety Unit, Ministry of Consumer Services, (MCS).

Regrets: Dave Balmer, Accessibility Equipment Manufacturers Association, Kelly Leitch, Kone Inc

1. Constitution of Meeting

R. Kaczmarczyk, Chair, welcomed council members and called the meeting to order.

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 May 18, 2011 EDAC meeting as drafted, as being a true and correct record of that meeting.

4. Review Action Items from Last Meeting

R. Hadaller reviewed the outstanding action items from previous meetings with council members, noting that all are complete with the exception of an item dealing with TSSA providing council with additional information gathered from a survey of Contact Centre callers.

R. Neate joined the meeting for this item and highlighted the findings of the survey. He reported that there were 468 call centre users who participated in the survey. He noted that the survey was set up in a way that programs were not segregated and it was not possible to present only those calls applying to the elevating devices program. He reported that the themes of the calls were: TSSA communication, professionalism and process. He noted that some of the concerns are being dealt with as part of TSSA's five year strategic plan. Discussion ensued that TSSA should review their call in option menu as it is difficult to determine correct menu selections.

ACTION: R. Neate to review whether menu selections can be enhanced to aid in getting to correct person/department more quickly.



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5. Council Chair's Report

R. Kaczmarczyk provided an update from the Committee of Council Chairs meeting on September 21, 2011. He highlighted the fee review framework and process which will be updated further today. He noted that there were recommendations provided at the last fee review regarding framework and process and that TSSA may benefit from those recommendations that may still apply in today's environment. He also highlighted the advisory council survey results which will be further discussed in today's meeting.

The Chair further noted the importance of communication and dissemination of Director's Orders and new Code adoptions to owners as well as contractors.

The Chair reported on the meeting with K. Milsom and R. Hadaller regarding the issues identified in the "in camera" at the last meeting EDAC meeting, which focused on having TSSA review its elevator shutdown procedures. He advised council that the elevator shut down procedures will remain. It was reiterated that shut downs are the result of non-compliance issues and not an immediate safety issue. TSSA will be focusing on the worst non-compliance contractors. More information will follow on this issue in 2012.

The Chair reported that TSSA was encouraged to look into benchmarking its statistical data on non-compliance with similar regulatory bodies in other jurisdictions. The Chair noted the importance of having this non-compliance data and sharing it with individual contractors.

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.

With the aid of a PowerPoint presentation, M. Beard, on behalf of K. Milsom, provided details of safety performance for the various TSSA safety programs in relation to elevating devices.

A discussion ensued around the 16,000 periodic inspections conducted in the Elevating Devices program last year and that the follow-up inspections exceeded the number of periodic inspections completed.

7. Business Plan Presentation

As part of the advanced materials for this meeting, members received TSSA's business plan for fiscal year 2011/2012, which was treated as read.

With the aid of a PowerPoint presentation, M. Beard provided an overview of TSSA's objectives and initiatives for 2011/2012.

A high level discussion ensued on disability-adjusted life year (DALY) safety metrics and how they are used, who is utilizing them in other jurisdictions and their relevance to the elevating devices program. M. Beard informed council that TSSA is a pioneer in utilizing the DALY metric in a regulatory environment, and other jurisdictions have shown interest. He also noted the DALY metric was conceived by the World Health Organization (WHO), and has been adapted to TSSA's needs. The council emphasized the need to have a recognized benchmark for DALY and other safety performance metrics with similar Canadian regulators relating to the elevating devices industry.

During a discussion around the enhancement of the risk based scheduler (RBS2), it was clarified that although revised safety parameters would determine the frequency at which inspections will occur, the actual work performed during an inspection will not change. It was noted that it would be beneficial for



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TSSA, at the next EDAC meeting, to further update members on how RBS2 schedules will impact owners/contractors.

Discussion ensued around relationships between contractors and building owners and how this impacts non-compliance orders and the privacy issue around sharing information collected by TSSA.

M. Beard concluded his discussion on the business plan with TSSA's financial standing and budget goals. A discussion followed around TSSA's strategic investments in the safety system over the past year and it was noted that this will not negatively impact the upcoming fee review. It was noted that approximately \$3 million was budgeted for strategic investments for fiscal year 2010/2011.

8. Fee Review Framework and Process

As part of the advanced materials for this meeting, members received a briefing note on the fee review framework and process, which was treated as read.

R. Smart informed council that this fee review will include the same level of council engagement as in the past; however, the focus will be simplification where possible, incentives and deterrence.

He noted that the process will be governed by TSSA's Memorandum of Understanding (MOU) with the MCS – Schedule "I" Fee Setting Process and Criteria. In this process, TSSA will seek to provide further incentives for compliance and deterrence for non-compliance. He further noted that this is a consultative process with all Councils and that the changes will be effective May 2013.

A discussion ensued around the details of how TSSA may identify contractors who demonstrate positive compliance and how they could benefit from the fee incentives. R. Smart advised that this process is under way with council input and will be shared with council when finalized.

A further discussion ensued on whether building owners will have access to information on how contractors are performing, third party privacy issues, and how TSSA may deal with this issue in order to encourage transparency and compliance.

Using past recommendations and how the last fee review did not loop back to the stakeholders after a decision is made, it was noted that the flow chart does loop back to stakeholders before the fees are finalized. A brief discussion ensued regarding whether the MCS oversight fee will have an impact on the fee changes.

R. Smart concluded that there will be a subcommittee from each of the councils to provide input on recommendations. He reviewed the timeline for the communication strategy and the final implementation of the recommendations.

9. Advisory Council Survey Report

As part of the advanced materials for this meeting, members received the results of a survey of the EDAC members, which was treated as read.

D. Scriven provided background on how the survey was conducted, some of the steps taken by TSSA in response to their findings and TSSA's response to the top five council priority issues from the previous survey.

Discussion ensued on the results of the survey and council noted concern regarding the gaps outlined in the presentation between council's expectations and assessed performance. A high level discussion ensued on what may have contributed to the findings and how to improve the relationship. Council acknowledged the willingness to consider change. It was agreed that council should review the members'



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survey comments and identify the key areas of concern. Council was encouraged to consolidate and reach consensus on their priorities in improving the relationship.

ACTION: Council will consider the top issues and suggested course of action in their in camera session and advise TSSA accordingly.

10. Director's Orders and Bulletins

As part of the advance materials for this meeting, members received a list of Director's Orders and bulletins, which was treated as read.

R. Kremer provided an update on Code Adoption Document (CAD) amendments, Director's Orders (DO), Director's Safety Orders (DSO), Director's Guidelines (DG), Enforcement Procedure Bulletins (EP), and Information/Interpretation /Advisory Bulletins (IB) as follows:

- DSO Hydraulic Cylinder Collar Welding on B355 Lifts 249/11 has been issued and posted on October 14, 2011.
- DO 247/11 – new requirements for maintenance and testing of escalator brakes has been posted as well on July 7, 2011.
- CAD 250/11 – adoption of A17.1-2010/B44-10 was posted November 1, 2011 and will be effective May 1, 2012 for all new installations. New maintenance requirements will become effective May 1, 2013.
- DO 171/02-r3 - Cab Interior Modernization's and/or Change in Cab Weight is canceled as it has been incorporated into CAD 250/11 and will become effective May 1, 2012.

R. Kremer further provided the status of other pending orders and bulletins that are underway.

A high level discussion ensued on weight requirements for certain annual/5 year tests and Maintenance Control Programs (MCP). A further discussion ensued on tools for testing that TSSA may become aware of and whether or not it would share with its stakeholders. It was noted TSSA does not endorse any of the tools or manufactures; however, it could share the names of those well known testing tools.

Further discussions arose regarding what information is sent automatically to the TSSA subscribers and ways to maximize profiles and alert systems. It was noted draft CAD's were sent by email as well as communicated in face-to-face discussions. The final CAD was posted and an email notification was sent to all subscribers.

An Alterations Guideline will be circulated by R. Kremer shortly which will have an implementation date of May 2012.

The council further discussed ways to remind the industry of the upcoming deadlines in order to avoid orders and elevator shut downs.

ACTION: R. Kremer to share the list of known testing tools with the council.

11. Elevating Devices Safety Compliance Information

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

With the aid of a PowerPoint presentation which forms part of the record of the meeting, S. Mangalam updated council on the risk informed decision making (RIDM) framework, the annual public safety performance report on elevating devices results and structure which is posted on TSSA website, as well



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as updates on other RIDM Initiatives. He also introduced C. Lepine, another member of TSSA's Public Safety Risk Management team.

Discussion ensued regarding regional trends and whether specific analysis could be segregated, if needed. Incidents relating to elevators and escalators were also highlighted.

With the aid of a PowerPoint presentation, R. Hadaller provided an overview of compliance issues relevant to elevating devices from the fourth quarter safety performance report. It was noted that compliance levels were increasing. He also noted that percentage of shutdowns was increasing.

With the aid of a PowerPoint presentation, C. Gray provided an overview of operational issues relevant to elevating devices program as provided by the inspectors and investigators.

C. Gray further reiterated that incidents should be reported by calling 1-877-682-8772. The incident report can then be emailed to TSSA within the timeline required by the reporting guidelines. Incident reporting should not be done to an inspector but rather through the above noted number which is staffed seven days a week and 24 hours a day. A copy of the presentation will be sent to all EDAC members

Discussion ensued on ways to encourage owners and contractors to utilize voluntary reporting of compliance under a new TSSA initiative in all program areas, called Declaration of Compliance (DOC). TSSA will be piloting this process and clerical staff has been hired specifically for this initiative. Inspection teams will be distributing pamphlets describing how to take advantage of the DOC. The council agreed with the benefits of DOC and advised that it is most effective when both owners and contractors sign off on DOC.

12. MCS Update

M. Awad provided an MCS update and advised that the new government is in place and with the appointment of the new Minister Margaret Best, MCS is still under transitional briefing and that further updates related to safety and regulations will be provided when available.

13. Update on Top Safety Issues

R. Hadaller provided background on the establishment of a Risk Reduction Group (RRG) to deal with elevator brakes and single and two speed elevators.

Elevator Brake Task Force:

As part of the advanced materials for this meeting, the members received Elevator Overspeed and Unintended Movement Risk Reduction Group minutes, which were treated as read.

The RRG's last meeting on May 26, 2011 was to gather information and data on elevator brakes and single and two speed elevators. At the meeting the task force agreed that their scope should be expanded to deal with any failure that allows elevator uncontrolled movement or up overspeed. As a result, the name of the task force was changed to "Elevator overspeed and unintended movement" The group also agreed that single and two speed elevators should be dealt with separately when the work on elevator overspeed and unintended movement is completed. The next meeting will focus on solutions and is not scheduled yet.

Council members were reminded that if they are not currently participating on the RRG they are welcome to join.

14. Elevating Devices Training and Certification Advisory Board (ED-TCAB)



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As part of the advanced materials for this meeting, members received ED-TCAB minutes from the September 29, 2011 meeting, which were treated as read.

J. Sorman provided an update on the expanded scope of the EDM-E - VC certification category, which was created at industry's request. The TCAB defined the expanded scope, classification examination and the curriculum.

J. Sorman also provided an update on the new EDM-H (Elevating Device Mechanic - Helper) classification. The EDM-H will enable trainees (EDM-Ts) in the elevating devices industry to seek formalized in-class training; if they do not do so within the applicable time period, they may apply for the EDM-H Ontario certificate of qualification. It was noted that an EDM-H mechanic will require direct supervision. Those affected would be advised on certificate renewal, that for the following renewal in two years, they must either apply for the appropriate EDM - X certificate or apply for an EDM-H

He also noted the TCAB subcommittee has been working on these new classifications, along with a limited scope EDM-B to address hydraulic powered construction hoists.

The next ED-TCAB meeting is scheduled for November 23, 2011.

15. Field Advisory Committee (FAC) Update

J. Egan sent his regrets; however, the update from the last FAC meeting was covered in the discussion on CAD 250/11, the adoption of the 2010 elevator safety code in item 10 above.

16. Input on Industry Trends

M. Beard introduced J. Harrison, a member of the Operations team, to take detailed notes for this item. He asked council to share any trends they are aware of impacting industry, safety equipment, technology and any other pertinent areas in order to assist TSSA as input into its strategic planning process.

Council mentioned the challenge of comparing trends in the presence of competitors at the meeting; however, they shared the following trends and challenges for the industry:

- Elevator installation activity not yet reflecting the slowdown with today's economy
- Competitive nature of elevator maintenance
- The upcoming new code requirements for elevator maintenance
- Certifications
- Cost related issues including technology innovations to help reduce costs
- Being wary of technology advancement in elevators
- Achieving improved safety by alternate means such as remote monitoring which would reduce the requirement of elevator mechanics attending sites
- Aging devices
- More alteration submissions due to impact of DRs on single bottom cylinder, top of car guardrails and machine guarding

M. Beard thanked the group for their input.

17. In Camera

Council members met in camera without management and guests.

Members agreed that a more detailed review of the Council Survey report comments is required in order to identify the top 2-3 priorities that TSSA should focus on in 2012. Concern was expressed about the 3.7



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gap between priorities and performance for “regulations are consistently enforced”. This issue has been raised over that last 3-4 years and council members feel that no progress has been achieved to date.

18. Termination

The meeting was terminated at 4:45 p.m. The next meeting is scheduled for May 16, 2012.