



# Technical Standards and Safety Authority

## Minutes of the Elevating Devices Advisory Council Meeting on November 29, 2012

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 29<sup>th</sup> day of November, 2012.

**Present:** Richard Kaczmarczyk (Chair), Otis Canada, Inc. Dave Balmer, Accessibility Equipment Manufacturers Association, Patricia Jensen, Consumers Advisory Council, Cliff Ayling, Brookfield Properties c/o ACSI, (all items except item 18), Bob Haynes for Kelly Leitch, KONE Inc., Scott Miller, Skyline, & Rick Sokoloff, Quality Allied Elevator Inc.

**In attendance:** Michael Beard, VP of Operations (all except 18), Maileen Gan, Stakeholder Relations (all items except item 18), Roland Hadaller, Director, Elevating/Amusement Devices (all items except 18), Judy Harrison, Project Coordinator, (item 14), Maram Khalif, Council Coordinator (all items except 18), Rob Kremer, Manager, Engineering (item 9), Richard Smart, Chief Financial & Information Officer (item 7), Joshua Sorman, Advisor, Training and Certification (item 13), Marc Tevyaw, Technical Specialist (all items except item 18) David Witt, Registration Engineer (item 11)

**Guests:** Mohamed Awad, Policy Advisor, Technical Safety Unit, Ministry of Consumer Services (MCS) (all items except item 18), and John Egan, Schindler Elevator Corporation (item 12).

**Regrets:** Jeff Coles, Schindler Elevator Corporation, Joe Kerr, ThyssenKrupp Elevator (Canada) Ltd., Robert Last, Arcturus Realty Corporation, and Paul Melady, Berkley Property Management Inc.

### **1. Constitution of Meeting**

R. Kaczmarczyk, Chair, welcomed council members and called the meeting to order. The Chair introduced B. Haynes who was attending the meeting on behalf of K. Leitch of KONE Inc. and also M. Gan from TSSA and responsible for Stakeholders Relations.

### **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 16, 2012 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 and the outstanding items to be discussed as noted on the agenda as items 8, 10, 13, and 15.

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

As part of the advanced materials for this meeting, members received the Chair's annual report to the President and CEO, which was treated as read.

R. Kaczmarczyk highlighted the council's major achievement during 2011/2012.



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The Chair noted the introduction of Daniel Hoornweg, Chief Safety Risk Officer at that last Committee of Council Chairs meeting on September 12, 2012. The Chair also noted the ongoing fee review and process update.

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

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

On behalf of D. Scriven, M. Beard provided the status of the Elevating Devices (ED) Program's backlog. He reported to council that there was no longer a backlog in the ED Program. He added that TSSA was tracking information on a monthly basis to ensure there was no backlog in the ED program.

M. Beard also provided a high level update on the Risk Based Schedule 2 (RBS2) and its status. He reported to council that the RBS2 was developed to modify and enhance the risk informed inspection scheduling model. In addition, RBS2 was directly attached to another project at TSSA (field support services) which focused on standardizing orders and improving the inspection interface. He informed council RBS2 will allow TSSA to conduct robust reporting analysis and consequently improve compliance data management. RSB2 introduction is tentatively scheduled for 2014.

Council discussed the difference in design between RBS1 and RBS2. It was reiterated that RBS2 did not increase inspection frequency but instead would enhance ways to identify risk factors in each device to determine the frequency of inspection.

ACTION: RSB2 will be part of regular update of TSSA's initiatives.

### 7. Fee Review Framework and Process Update

As part of the advanced materials for this meeting, members received the fee bulletin, fee schedules and frequent asked questions (FAQ), which were treated as read.

With the aid of a PowerPoint presentation, R. Smart presented the EDAC's fee schedules and next steps.

R. Smart provided an overview of the fee review process to date. He also noted that a reminder email will be sent to all stakeholders in January 2013. Fee schedules will be included in the elevating devices newsletter which is to be published prior to the effective date on May 1, 2013. He encouraged the council to update their respective sectors as often as possible until the effective date of May 1, 2013.

Discussion ensued around the travel charge per device which was a change from the travel charge per site and the impact this may have on customers who were operating large portfolios in urbanized regions. The impact this may have on the ultimate consumer users was also noted. Council was encouraged to utilize Declaration of Compliance to reduce double and triple fees.

A discussion ensued around the messaging of the fee schedule as posted on the website. Some members of the council noted that the message regarding "average increase amount" may not be clear and needed clarifications in the FAQ document posted on TSSA's website.

Council expressed that they would like to see examples of the original fee versus the new fee for owners and they were willing to provide sample scenarios, if needed.



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R. Smart noted that he will follow up on the clarifying messaging where applicable and noted the FAQ was an evolving document and changes can be made as more information was put forward.

ACTION: R. Smart to follow up on messaging fee schedules and ED Program's FAQ. Message will highlight cost impact and will include a four (4) elevator building site as an example.

### 8. Ministry Consumer Services (MCS) Update

M. Awad provided brief background information on the oversight fees and reported to council that the MCS was aiming to operate under full cost recovery during the next three years. He also provided an update on two outstanding items from the last meeting regarding oversight fees.

He noted in regards to the oversight fees for other sectors in the Delegated Administrative Authority (DAA), that the overall amount was an incremental increase per year of a total of \$2.5 million by 2014/2015 fiscal year.

Discussion ensued around the value for the oversight fee and concerns that the cost impact on the consumers with economic challenges. Council recommended looking into ways the oversight fee can be controlled.

M. Awad noted that the Deputy Minister met with the Advisory Council Chairs in April 2012 and discussed the value for the oversight fee. During the meeting, clarifications were made regarding the oversight fee and the work conducted by the Technical Safety Unit at MCS.

Discussion ensued around if and how the oversight fee was directly related to each program at TSSA. Further discussion ensued around the funding of MCS oversight fees by each program area. As with other indirect overhead support costs, TSSA applies an allocation model whereby all overhead, including oversight fees, are allocated to TSSA's broad industry sectors (Fuels, EDAD, BPV, OE and USA). This model is reviewed annually to ensure the basis of allocation remains fair and consistent. The method of allocating overhead costs, including MCS oversight fees, to the EDAD sector remains consistent with prior years, and with future cost projections.

### 9. Director's Order and Bulletins Status

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

R. Kremer reported to council that all the revised guidelines/orders or bulletins were sent to council to provide feedback before they were finalized. He reiterated that all the outstanding issues including requirement for daily maintenance for construction hoists have been considered and resolved in the new guidelines posted on TSSA's website.

He presented the following Directors' Guidelines (DG) and Code Adoption Document (CAD) to be effective on March 1, 2013:

- DG - Guideline – Hoist Maintenance Logs
- DG - Guideline – Hoist Operator Logs
- CAD – Construction Hoist Maintenance and Operator Logs

R. Kremer also reported to council that Director's Safety Order for Anti-Creep/Leveling Requirement for B355 Vertical Platform Lifts was still in progress and required more research and further update will be provided at the next meeting.



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ACTION: R. Kremer to provide a progress update on Anti-Creep/Leveling Requirement for B355 Vertical Platform Lifts at the next meeting.

### 10. Elevating Devices Safety Compliance Update

With the aid of a PowerPoint presentation which forms part of the record of the meeting, R. Hadaller updated council on compliance results including Periodic Inspection data analyzed from May 1, 2004 to April 30, 2012. He noted there have been no major changes in overall state of compliance in the Elevating Devices Program. It was noted that for 2012/2013, the upper prediction level for periodic inspection shutdown outcomes will be 5.5% for elevators and 11.4% for escalators.

He reviewed the status of periodic inspection outcomes in ED occurrences.

Contractor Value Initiative: R. Hadaller provided an update around ED and fuels contractors' value initiatives. He noted that perception of value and customer satisfaction were low for both ED and Fuels Programs which propelled TSSA to revisit the survey designs, contents and follow up on the feedback received. He added TSSA was currently conducting an internal focus group session and will be identifying solutions. Roll out is scheduled for May 2013.

Contractor Data Report: R. Hadaller advised that the first contractors' data report was released to contractors. He informed council that the reports had generated some good feedback which will help to improve the report which was still in progress and may be revised as feedback is received. Some numbers were averaged out where applicable and others were total number received (i.e. Number of Periodic Inspections in the industry). Council would like the report to be sent at least twice a year at a minimum. Discussion ensued around who would be receiving the reports at the companies and who would benefit from the information contained. The challenges of finding the right recipient were discussed. The council expressed appreciation for the development of the report. It was noted the report displays areas needed for improvements for each contractor and that TSSA would only send contractor's their own data. It was agreed that TSSA would correct the current data provided to contractors that have multiple branches.

ACTION: R Hadaller to re-issue revised reports for contractors with multiple branches by end of Dec 2012 and update will be provided biannually.

### 11. Priority Safety Issues RRG

Elevator Uncontrolled Movement Up Over Speed Task Force and Single and Two Speed Elevators: As part of the advanced materials for this meeting, members received draft minutes of this RRG from October 11, 2012, which was treated as read.

D. Witt reported to council that risk analysis was conducted on single/two speed devices around near misses and non-compliance. Discussion followed around the results of the analysis, the aging devices and the type of population that might be exposed. D. Witt informed council that all single speed devices will be required to be retrofitted in the near future. Further discussion clarified that the retrofit will only have an impact on passenger elevators and will not apply to freight elevators.

It was determined that in order to retrofit all the single speed passenger elevators, the industry's assistance was needed to collect data of the location and the drive type of the devices in question. Discussion ensued around other ways of collecting the needed information through the TSSA's inspections. TSSA periodic inspection cycles were up to 3 years and would therefore take too long to collect the needed data. With industry's assistance in collecting the data at the time of contractor registration, this data could be collected in approximately 6 months. The nature of data needed to be



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collected was discussed and industry recommended collecting only the minimum data needed at this time.

Council also discussed the cost and logistic impact that this modernization initiative may have on the industry in general. D. Witt reiterated that rolling out any modernization will require TSSA to give ample notice and provide a reasonable compliance date after mandating the modernization.

R. Hadaller also reiterated that the modernization will not be initiated without data provided first and analyzed as how to proceed. He noted that he requested at the last RRG meeting for the industry to provide the data by March 2013.

Council will be updated on the progress of data collected from the contractors at the next meeting. This is a standing item on the EDAC agenda.

**ACTION:** Council members to advise any Association (CECA and IECA) members on the drive type data requirements for 2013 contractor registrations.

### **12. Field Advisory Committee (FAC) Update**

J. Egan provided high level update of the past and recent activities of FAC. He reported to council that FAC met twice (June 26, 2012 and November 22, 2012) since last EDAC meeting.

He provided a high level update of the issues presented at the FAC meetings. Some of the highlights were reiteration of the same agenda items as today's meetings and others were RRG related issues which a summary report will be sent to council after the meeting. It was noted that tentative issuance date for the replacement of single speed passenger elevators control systems will be around July 2013.

**ACTION:** A detailed summary report of the Field Advisory Committee will be sent to council by December 3, 2012.

### **13. Training and Certification Advisory Board (TCAB) Update**

As part of the advanced materials for this meeting, members received draft TCAB minutes from October 11, 2012, which was treated as read.

J. Sorman provided an update around the discussion regarding EDM lab/application requirements. He noted a task group had been selected to focus on this issue. They met in October 2012 for review and revisions of the information provided in the training programs. This task group will be finalized in January 2013 and further updates will be provided at the next EDAC meeting.

M. Gan provided an update around Ontario College of Trades' status on elevating devices mechanic (EDM) certifications. She provided background information on the issue at hand and reported to council that the matter was still ongoing. Currently, EDM certification at OCOT was voluntary and if it were changed to compulsory it would increase the cost. TSSA has jurisdiction over the certification for the ED. The industry expressed concern over this issue and council acknowledged TSSA's efforts in working to prevent the EDM certification from becoming a compulsory trade at OCOT. Further discussion ensued around ways to engage more support from the industry in this regard since the impact will be greater for the industry.

J Sorman was requested to update council at the next meeting on how many EDM A certificates are expired.



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ACTION: J. Sorman to prepare report for next council meeting outlining number of expired certificates.

### 14. Input on Industry Trends & Issues

As part of the advanced materials for this meeting, council received a briefing note requesting the members to provide input on industry trends and issues, which were treated as read.

M. Beard provided background information on this item on the agenda. J. Harrison presented to council the information collected at the last meeting and identified specific issues that needed to be addressed. She noted that the information presented and any feedback provided today will be included in the next meeting package.

There were no new trends shared at this time.

### 15. Action Items from Evaluation and Engagement Survey and Chair's Report to the CEO 2011

R. Kaczmarczyk noted the completion of the action items that arose from the advisory council evaluation and engagement survey conducted in the summer of 2011. He noted that Inspector inconsistency issue was thoroughly followed up and resolved as of now to council's satisfaction.

A discussion arose regarding resolution protocols and the difference of 30 days vs. 90 days for follow up orders and shut downs. Council discussed the criteria for shut downs and risk factors involved in determining the preceding order deadlines.

Council was encouraged to take full advantage of the benefits provided by the Declaration of Compliance to avoid shutdowns due to administrative factors.

The only other outstanding item regarding industry's request for contractor's performance report against the industry at large has been completed as of today and was presented under item 10.

### 16. TSSA/Industry Town Hall (December 6, 2012)

M. Tevyaw reported to council the upcoming TSSA and industry town hall meeting facilitated by Canadian Elevators Contractor Association (CECA) will be held on December 6, 2012. He informed council that this town hall will be conducted annually and questions or comments should be sent prior to the meeting to prepare appropriate responses. He also reiterated that the town halls were ways to foster the relationship between TSSA and the industry and create an open forum for discussion and resolutions.

He provided the location for the meeting at Stage West and encouraged all council members to attend and invite other industry members as appropriate.

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

Council discussed making changes to the EDAC membership matrix by adding one more member from the rental housing sector. Council discussed in light of the upcoming single-speed elevator modernization, how this would be beneficial to public housing owners, management, or rental owners having a say in the



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advisory council. Ways to approach the appropriate associations and acquiring members who would be dedicated to attend most of the meetings was discussed.

Council also discussed having members from small owner operators and independent building owners that are not members of the Building Owners and Managers Association (BOMA).

**ACTION:** TSSA to review council membership Term of Reference and confirm that additional membership can be added. TSSA will contact rental housing association and small owner operator about council membership. In addition TSSA will contact BOMA/Condominium Associations/Rental Housing Associations etc to confirm BOMA's representation and obtain alternate name in the event primary representative is unable to attend.

### 18. In Camera

Topics reviewed during the in-camera sessions were:

- Inconsistency of Inspections - EDAC members are now satisfied that there has been improvement and there is a process in place to address directions that are "felt" to be incorrect.
- Need to identify the next five (5) safety concerns that TSSA should be focusing on over the next 3 years.
- Concerns were expressed regarding the new maintenance requirements starting on May 1, 2013 with the maintenance control program. TSSA to develop consistency inspection guidelines during initial 12 month time frame.

### 19. Termination

The meeting was terminated at 12:55 p.m. The next meeting is scheduled for **April 24, 2012 at 8:30 A.M.**