Minutes of the Operating Engineers Advisory Council (OEAC) meeting of the Technical Standards and Safety Authority (TSSA) held in Boardroom 1434, 14th Floor, Centre Tower, 3300 Bloor Street West, Toronto, Ontario at 09:30 a.m. on the 3rd day of April, 2013.


In attendance: Mike Adams, Director BPV/OE (all except item 16), Michael Beard, Vice President of Operations (all except items 9, 10, 11, & 16), John Coulter, Manager and Chief Officer (all except item 16), Judy Harrison, Project Coordinator (item 13), Maram Khalif, Council Coordinator (all except item 15), Wilson Lee, Director Stakeholder Relations (item 7), Srikanth Mangalam, Director, Public Safety Risk (item 9), David Scriven, Corporate Secretary (Items 12, 13, & 14), Richard Smart, Chief Financial Officer (item 7), & Supraja Sridharan, Public Safety Risk Analyst (item 9), Jonathan Tsao, Advisor, Government Relations (all except items 16).

Guests: Sarah Jeffrey-Hampton, Senior Policy & Program Analyst, MCS, (all except item 16).

Regrets: Colin Andrews (Chair), Ontario Power Generation.

1. Constitution of Meeting

M. Menheere, on behalf of the Chair, welcomed council members and called the meeting to order. He acknowledged the new President and CEO, M. Beard and introduced J. Tsao, Advisor, Government Relations at TSSA.

2. Approval of Agenda

Council members approved the April 3, 2013 meeting agenda, as presented.

3. Approval of the Minutes

Council members approved the minutes of the November 21, 2012 Operating Engineers Advisory Council meeting as presented.

4. Review Action Items from Last Meeting

J. Coulter reviewed the action items with council members noting that the highlighted items have been completed and will be removed from the list for the next meeting.

The outstanding action items were discussed as follows:

- Item #6 regarding the federal government’s desire for standardizing regulations (attendance and energy rating allowance) on a national level is still ongoing and information will be shared when it is completed.
- Item #12 regarding providing an updated version of the training and certification process, J. Coulter noted that version three was in the final review process and will be shared at the next meeting.
- Item #15 regarding providing an update of the process of developing strategy around skills training and labour market development of Operating Engineers, M. Adam noted this RRG was divided into
two phases. The first phase, he was working with the Institute of Power Engineers (IPE) to establish the existing gaps in the training institutions. He noted that he was also working with the existing training colleges to increase student capacities and levels provided to include 3rd and 2nd Class courses. The second phase will be focused on approaching existing engineers employed in the plants and identifying ways to advance and upgrade their skills. He noted this RRG is tentatively to be completed before the Chief Operating Engineers Conference in September 2013 and an update will be provided at the next meeting.

Further discussions followed around OE skills shortage and ways to improve in the province. Having an effective marketing strategy was discussed. Potential ways of engaging schools and targeting specific groups such as college/university and high school students were also noted. To date, council members and TSSA contacts have met with three out of six colleges to discuss ways to increase their capacity and levels being taught.

M. Adams also reported to council that he was currently working with TSSA’s Human Resource Department to develop a Request for Proposal for developing a comprehensive marketing tool with emphasis on recruitment for the OE skills shortage including a video. Council shared ways to ensure that this video was targeted to the appropriate demographics and distribution venues. M. Adams to provide the video and update on this project at the next meeting. R. Klopf also noted that the video may be shared at the next IPE Annual General Meeting held in September 2013 if completed by then.

Council also discussed ways to assist the training institution to acquire power plant equipment through a donation process. Criteria and steps needed to distribute them safely were also highlighted. Anyone who is interested in donating or has information about this issue should contact J. Coulter.

R. Brady shared details of Ontario Technological Skills Competition (OTSC) held by Skills Canada – Ontario Chapter every year. He provided background information and noted Consumers Advisory Council’s support and donation through Safety Education Funds. The OTSC’s next event will be held on May 6 to 8, 2013 in Waterloo.

ACTION: M. Khalif to send details of the OTSC event to council.

ACTION: M. Adams will provide an update on the result of the survey, the status of the RFP and will present the marketing video for the OE in Ontario.

5. Council Chair’s Report

M. Menheere reported to council the Chair’s report to the CEO highlighting the council’s major achievements during 2012/2013 fiscal year, as well as opportunities for the council to focus on 2013/2014 fiscal year. Some of the highlights from the report were presented as follows:

- The Thermal Oil Heater RRG was completed with a recommendation to TSSA to not include this technology into the OE regulations; however, it was also recommended to continue to monitor the industry users for incidents and/or trends that may promote oversight.
- The Future of Power Engineers RRG was still underway as noted above.
- Council continues to look forward to the passing of the proposed Power Engineers Regulations by the Provincial Government.

C. Andrew sent the Chair’s annual report to M. Beard, President and CEO.
6. **TSSA President & CEO’s Report**

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

M. Beard reiterated that the strategic direction for TSSA will remain unchanged. He further shared with council that TSSA’s public safety initiative, Risk Information Decision Making (RIDM) has a patent pending in USA and patent application is underway in Canada.

7. **Fee Review Framework and Process Update**

R. Smart provided an update of the fee review and process to date. He reiterated that the first major communication was sent to all industry on November 1, 2012. He outlined the internal process of preparing systems and training required prior to the effective date which is May 1, 2013. He also highlighted that there were no changes to Licensing, Registration and Certification (LRC) fees. He further noted that he was working on developing a white paper to illustrate lessons learned from the current fee review process in an effort to improve future review processes.

A discussion ensued around ways to streamline the administrative process for companies that pay the LRC fee for their employers. R. Smart informed council that TSSA could accommodate if applicable. Challenges with this process in the past were briefly discussed.

**ACTION:** R. Smart will follow up on streamlining the administrative process for companies that would like to combine the payment for all their employers’ LRC with M. Adams and J. Coulter. Update to be provided at the next meeting.

8. **Ministry of Consumer Services (MCS)**

S. Jeffrey-Hampton provided an update on the new Minister, Tracey MacCharles and noted that transition has been successful and the new minister is committed to public safety.

She also provided an overview of the status on the Ministry’s consideration of TSSA and council’s proposed draft for the Operating Engineers’ regulation.

A high level discussion ensued around ways the council could engage the government to speed up the process for review of the proposal.

S. Jeffrey-Hampton noted that the government is still taking into consideration all the elements of the proposal and the need for evidence based data is still a crucial importance in relation to the review of any regulations. Further discussion ensued around the background and the communication processes in place for dealing with this proposal.

9. **Report on Operating Engineers safety compliance**

With the aid of a PowerPoint presentation that forms part of the record of the meeting, S. Mangalam presented the Operating Engineers Program compliance analysis for fiscal year 2005 to 2012 overview and fiscal 2013 update. He also provided update on safety (incident and near misses) analysis for fiscal 2013 update.
Regarding the top five issued orders, council requested to have them broken down by classification. Council also requested to review the shift in the compliance trend for attended sites versus guarded plants. Discussion ensued around how the finding of attended versus unattended sites may influence the regulation review.

ACTION: Operating Engineers Safety Compliance presentation will be sent to council.

10. Steam Turbine Governor RRG

R. Philip reported that the steam turbine trip survey relative to types of turbines and overspeed testing frequency was sent to manufacturers as previously presented. He shared the latest findings by providing a handout at the meeting. He noted that this matter was still evolving. Council requested to have a definition to be included in the next document. Further discussions ensued around the manufacturers and the insurance industries recommendations and feedback.

R. Philip informed council that he had the source of the data presented today and the questionnaires included simple questions about the frequency of testing and did not elaborate on machine details. Challenges in collecting the information needed for this RRG was acknowledged. There were no incident reports related to this issue. Manufactures needed to see further evidence based data in order to provide detailed information.

ACTION: R. Philip will provide definitions with the survey result at the next meeting.

11. Future of Power Engineers RRG

R. Klopf provided a high level update around all the training institutions approved by TSSA and some of their current challenges. He noted that some barriers to expanding were financial restrictions and regional limitations. He also noted that all the colleges were receptive to TSSA’s approach. He reported to council that a survey was underway to gauge weaknesses and strengths of each facility and programs offered. He reiterated that the RRG was working on finding ways to break down the barriers among the training colleges and recommend solutions to promote Power Engineers.

The lack of cohesiveness among colleges in regards to recommending students to other similar colleges when they no longer have space was discussed. Council was informed that colleges do not recommend students to other colleges for enrollment and that the decision should remain with the students. The lack of awareness for the training providers in Ontario was noted as a critical barrier. Further discussions acknowledged other provinces’ similar struggles to market the training colleges for Power Engineers.

Council reiterated the importance of conducting a global marketing strategy for improving awareness and promoting Power Engineers across Canada.

12. Inputs on Industry Trends & Issues

J. Harrison provided background information on this item. The two outstanding priority safety issues will remain as noted on the inputs on industry document until completed.

In regards to the industry trends as presented at this meeting, council made a correction to the gap in the level of expertise letter that was sent to the Chief Operating Engineers to verify the 2nd Class OE skills. It was noted to include that verifications apply to all level Classes for Operating Engineers.
13. Council Evaluation and Engagement Survey Update

D. Scriven provided background information about the last council survey conducted in 2011. He informed council the survey frequency was set for every two years, and moving forward, it will be changed to every three years. Council was encouraged to discuss this in camera and notify TSSA if there were any concerns; otherwise, this will be changed since it was also recommended by other councils.

D. Scriven also informed council that the Chair will be sending an email to council to highlight the expectations of the survey. The survey will be conducted early in the summer May/June.


D. Scriven provided background information about establishing the current priority safety issues in 2010. He noted that this council identified their priority issues in advance in comparison to other councils where brainstorming sessions were held.

Moving forward, council discussed the possibility of having the review of regulations as RRG in which the focus can be shifted to having a regular dialogue with the MCS. M. Adams stated that similar steps were currently being taken by Boilers and Pressure Vessels Advisory Council’ Insurance Initiative RRG. He suggested that the same process can be implemented for OEAC’s RRG.

He highlighted that some of those steps is to include regular meetings to discuss any questions or concerns the MCS may have and looking into other viable alternatives rather than a complete regulation review.

D. Scriven facilitated this discussion and outlined some of the other alternatives, such as the possibility of adding Code Adoption Document (CAD) to the existing regulation or maintaining the proposal for a full review of regulations. It was further noted that the review of regulations also impacts all other outstanding OE priority safety issues. It was further noted that the RRG could focus on the underlying issues and be cognizant of consumer impact and public safety.

A very high level discussion ensued around the background of the OE regulation review and the lack of progress since the last communication from the MCS.

Council agreed to establish an RRG to focus on ways to assist in the regulation approval. Members of this RRG will be consisted of council members, TSSA and MCS.

Next steps will include setting a term of reference specific to this RRG, setting critical path and further discussions around barriers to the movement to CAD or other alternative approaches as the RRG sees fit.

Members of council would like an initial meeting with J. Coulter. They would like to be receiving more information regarding the historical progression of the OE regulations in the past and review the present proposal prior to the RRG first meeting. It was agreed that those interested would arrange a meeting that could potentially require up to two days covering all of the proposed regulation.

ACTION: J. Coulter to coordinate a meeting with members of Operating Engineers to discuss the proposed regulation before the RRG first meeting.

15. Questions and Other Business

There were no other updates at this meeting.
16. **In Camera**

Council members met in camera without management and guests.

*M. Menheere shared the following discussions from the in-camera meeting (April 4, 2013)*

- The passing of the proposed OE Regulation as a safety priority and forming a RRG to help move the regulation along;
- Members of this RRG: E. DiCredico, R. Philip, R. Klopf, MCS representative, {and TSSA};
- First meeting to commence in mid May;
- A Term of Reference to be completed by the RRG (including some of the highlighted alternatives by D. Scriven at the meeting);
- And J. Coulter to review the OE regulations with the RRG members prior to the first RRG meeting.
- The following members will remain for another term: C. Andrews (to be confirmed), R. Brady, R. Klopf, M. Menheere and R. Philip

17. **Termination**

The meeting was terminated at 1:30 p.m. **The next meeting is scheduled for November 7, 2013.**