



Technical Standards and Safety Authority

Minutes of the Elevating Devices, Amusement Devices, and Ski Lifts Plenary Advisory Council

Wednesday, October 16, 2024

Minutes of the Elevating Devices, Amusement Devices, and Ski Lifts Advisory Council meeting for the Technical Standards and Safety Authority (TSSA) at **9:00 am** on Wednesday, October 16, 2024

Present – Advisory Council	
Vince Brennan	Keith Brown
Chris Clarke	Mike Cruz
Andrew Gidaro	Derek Petri
Michelle Playfair	Ward Bond
Cindy Sypher (Plenary Chair – ADAC Chair)	Brian Edwards
Mack Csarszar	Sarah Kenney
Doug Guderian	Joe Tavares
Rob Isabelle	Ray Eleid
Stan Jones	Rae Dulmage
John Ball	Christine Simpson
Dave Mathewson	Alon Shatil
Kevin Nichol (SLAC Chair)	Brad Burkholder
Robert Sheridan	
TSSA	
Bonnie Rose	Alexandra Campbell
Phil Simeon	Ajay Raval
Shakir Majeedi	Priya Ferris
AJ Kadirgamar	Chris Thompson
Sonny Silva	Anupum Sharma
Sandra Cooke	Frank Pallotta
Olga Sousa-Dias	Joelle Feliz Javier
Trent Angiers	Kristian Kennedy
Iuliana Afanase	Viola Dessanti
Guests	
Laura Meil, MPBSDP	Veronica Zeballos, MPBSDP
Richard Hustwick, MPBSDP	Miranda Reid, MPBSDP
Regrets	
Kathryn Woodcock	Jim Miller (EDAC Chair)
Michael Sentenai	Tom Cavers
Murray Frankcom	Darryl Hore
Carmine Fusaro	Peter Switzer
Hugh Richards	Andreas Tanzer
Jay Jackson	Patrick Yeung
Lisa Konnry	Candice Micucci
Mark Rutherford	Scott Saint
Mueni Kithuka	Phillip Osborne

Action Items

There were no action items.

1. Constitution of Meeting

The Chair, Cindy Sypher, called the meeting to order at 9:00 AM.



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1.1. Safety Moment

1.1.1. The Chair presented a National Fire Protection Association Safety Moment on Halloween safety.

1.2. Introduction of New Members

- 1.2.1. Ray Eleid – EDAC
- 1.2.2. Brad Burkholder – ADAC
- 1.2.3. Alon Shatil – ADAC
- 1.2.4. Joe Tavares – ADAC

2. Adoption of the October 16, 2024, Agenda

2.1. The agenda was adopted as presented.

3. Approval of March 7, 2024, Minutes

3.1. The council approved the minutes as presented.

4. TSSA President & CEO's Report

B. Rose presented the CEO Report, detailing the latest customer value survey, Strategic Plan Year 1 accomplishments, Year 2 priorities, Year 3 plans, Outcome-based Regulator progress and licensing modernization proposals.

S. Jones asked about the plans for risk-based inspections. He commented that owners want to manage their own risk, but it has been difficult to ascertain that risk historically. B. Rose replied that TSSA is using machine learning and predictive analytics to identify risk-based inspection frequency that captures approximately 70 per cent of the risk. It has been rolled out in Elevating Devices with a staggered risk-based inspection schedule. She indicated that TSSA would come back to the advisory councils once TSSA collects data and implements risk scores.

5. Harmonization of Engineering Process Review

F. Pallotta detailed two major processes that are subject to review: engineering and certification/examinations, involving stakeholder input to inform an internal process to understand how to eliminate waste, digitize processes and standardize the customer experience across TSSA programs. He detailed major customer pain-points shared in the consultation.



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D. Guderian commented that harmonization among TSSA programs may not help single-industry customers, such as elevator-only companies. Harmonization can render processes overly generic and therefore potentially confusing by removing the unique aspects of industries and sectors. F. Pallotta responded that for TSSA, harmonization refers to processes like service levels, not technical matters related to industry-specific devices or practices. A. Raval commented that submission statuses are one area where TSSA is looking to standardize in engineering, in response to D. Guderian's question.

6. Draft TSSA Incident Reporting Advisory

P. Simeon and S. Majeedi presented plans for a TSSA advisory outlining a standardised incident reporting process across TSSA safety programs. P. Simeon spoke to next steps, noting a plan to publish the advisory in the new calendar year.

D. Guderian asked if this will change the expectation that there is a lot of detail to report under elevating devices. P. Simeon replied that TSSA will continue to ask for the same information as now, however the goal of the draft advisory is to improve the way TSSA is collecting the information.

C. Simpson asked who investigates serious incidents. P. Simeon replied that TSSA has an internal triage for dispatching inspectors and investigators to incidents.

7. Administrative Monetary Penalties (AMPs)

P. Simeon provided an overview of how TSSA intends to deliver administrative penalty powers which the Ministry of Public and Business Service Delivery and Procurement (MPBSDP) granted to the Technical Standards and Safety Act, including the three contraventions that are proposed for the initial group of monetary penalties and the implementation timeframe.

D. Guderian commented that the monetary penalty proposal is aiming at the wrong party since contractors' failure to report is less an issue than owner compliance with that requirement. C. Thompson replied that TSSA is trying to balance the number of offences subject to AMPs between contractors and owners. Second, it was noted that it is the report from contractors that provides more useful technical information to TSSA. Third, owners' contraventions would be challenging to implement because they do not have clear requirements, like the contractor reporting requirement.



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D. Guderian commented that it would be better to find a way to properly manage this challenge than to have a two-tiered approach. Compliance is challenging from a contractor perspective when the owner's report is not present. The owner has a higher likelihood of knowing certain pieces of information than the contractor. The other concern is that contractors struggle to know what is reportable and what is not. To now apply penalties when there is no reporting clarity seems premature. P. Simeon indicated that TSSA will take the concern back to see if there are opportunities to clarify.

R. Eleid agreed with D. Guderian that owners do not know what is happening "behind the doors" of elevators and that can create problems of penalizing owners unfairly and may result in overreporting issues that do not relate to the devices. C. Thompson clarified that the contractor reporting TSSA is starting with at this stage relates to serious injury or death, not minor mechanical problems.

S. Jones asked how many orders were issued to owners for failing to report an incident. The presentation shows there were 18 for contractors. He noted that the duty to report is a dual function of contractors and owners. TSSA should help by communicating the importance of incident reporting to owners.

8. Code Adoption Documents

P. Simeon provided an update on the status of code adoption document (CAD) amendments.

D. Guderian asked if there would be industry consultation on the adoption of the CAD amendment. He commented that there was not enough consultation for the last code review. He wants to consult on the practicality of new national code requirements for the province.

P. Simeon replied that TSSA posts CAD amendments publicly for comment periods. J.F. Javier commented that Ontario stakeholders can look at proposed changes in the code that might be difficult to comply with in the province. She added that industry participation in the code development process is helpful for input on the feasibility of compliance with new requirements.

D. Guderian asked if there is any analysis on the risk/reward and costs of safety results in decision-making around code adoption. P. Simeon reiterated that it is one of the values underpinning TSSA code adoption.



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9. Fee Update: Inflationary Fee Increase / Late and Cancellation Fees

P. Ferris provided an update on late payment and cancellation fees for inspections. She noted that the fees were set at the lower limits of what was proposed in consultations and provided details on the responses received during the consultation. She also provided a verbal update on a proposal for an inflationary fee increase this year.

There were no questions or comments.

10. Ministry of Public and Business Service Delivery and Procurement Report

L. Meil treated the update as read.

S. Jones asked which Office of the Auditor General of Ontario (OAGO) recommendations are outstanding. A. Campbell noted a two-part recommendation around source water protection and private fuel outlets, the publication of contractor ratings for elevators and one part of a multi-part recommendation around inspection checklists and minimum record-keeping requirements that will be implemented with record-keeping changes under way at TSSA. The OAGO will not be following up annually any longer. In response to a follow up question on audit frequency, R. Hustwick replied that there is no set timeframe related to the audits for TSSA. L. Meil added that she does not expect any additional reports on the outstanding TSSA recommendations. S. Jones noted that contractor ratings are important, and he will continue to follow up on the status of that recommendation. L. Meil remarked that the Ministry and TSSA continue to follow up and work on completing the outstanding recommendations.

11. Safety and Compliance Report

V. Dessanti provided highlights on the annual Public Safety Report.

S. Jones asked for details on the compliance rate for escalators and moving walks. V. Dessanti explained that TSSA often cannot complete inspections because mechanics are required on-site during the inspection.

12. Ombudsman/Whistleblower Report



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S. Cooke provided an annual update on the ombudsman and whistleblower reporting, noting there was very little to report on this past year in elevating and amusement devices.

There were no questions or comments.

13. Industry Prioritization Discussion

AJ Kadirgamar spoke to the priority items that were raised at EDAC, ADAC and SLAC advisory council meetings, specifically amusement device mechanic accreditation (ongoing), efficiency in director's orders and communications (under review), and transparency in submission approval (ongoing).

There were no questions or comments.

14. Adjournment

The meeting adjourned at approximately 10:45 AM after which council members held an in-camera session with B. Rose.