



# Technical Standards and Safety Authority

Minutes of the Elevating Advisory Council

Meeting on April 19<sup>th</sup>, 2023

## **Minutes of the Elevating Devices Advisory Council meeting of the Technical Standards and Safety Authority (TSSA) held by teleconference at 1:00 p.m on the 19<sup>th</sup> day of April, 2023.**

Present: Cliff Ayling, PCL Constructors Canada Inc; Mack Csaszar, UCEL Inc; Trevor Doell, Thyssenkrupp Elevator, TK Elevator (Canada) Ltd; Ahmad Husseini, TSSA's Consumers Advisory Council; Rob Isabelle, KJA Consultants Inc; Stan Jones, BOMA & Northam Realty; Lisa Konnry, Schindler Elevator Corporation; Kelly Leitch (Chair), Kone Inc; Derek Petri, York Region District School Board; Hugh Richards, Otis; Michael Sentenai, AMCO & Del Property Management

Alexandra Campbell, VP, Communications and Stakeholder Relations; AJ Kadirgamar, Director, Shared Services; Ammara Khan, Manager, Stakeholder Relations; Rob Kremer, Manager, Engineering, Elevating Devices Safety Program; Dean McLellan, Regional Supervisor; Roger Neate, Director, Elevating and Amusement Devices Program; Olga Sousa-Dias, Executive Assistant

### **1. Welcome and Constitution of Meeting**

The Chair, K. Leitch, called the meeting to order at 1:00 p.m.

#### **a) Safety Moment**

For the safety moment, Council was shown a short video on the importance of a good night's sleep.

### **2. Adoption of the April 19, 2023 Agenda**

Council adopted the agenda as presented.

### **3. Approval of Minutes of November 24, 2022 Meeting**

Council approved the minutes as presented.

### **4. Review Action Items from Last Meeting**

R. Neate spoke to this item.

Action 1: Trevor Doell has renewed his membership.

Action 2: TSSA has engaged with the ministry regarding the traffic studies. R. Isabelle asked who the TSSA is engaging with at the ministry. A. Khan named Eric Morales and Allison Nichols. A. Campbell said the engagement is at the policy



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level to determine whether or not they need to be requirements, not specifically about how to do a traffic study.

Actions 3 and 4 are related to FAC, to be addressed under Item 7 on the agenda.

## 5. Chair's Update

The Chair provided a short summary of work undertaken from May 1, 2022 through April 30, 2023. Implementation of the compliance program is a major change for the TSSA and industry.

There were no questions or comments from Council.

## 6. Council Administration

A. Campbell confirmed the membership renewal of Rob Isabelle. TSSA has proposed that members can serve two three-year terms, effective January 2022.

## 7. Future Format of the FAC

A. Campbell spoke to this item. As noted at the last meeting, TSSA halted the work of the FAC and Risk Reduction Groups (RRGs) because there were too many forums, ad hoc working groups, and task groups. There have been problems with code adoption and TSSA's ability to address issues in the past. Within the new Strategic Plan, TSSA has decided to use Council to prioritize issues and have subsequent working groups discuss the prioritized issues. This will eliminate standing meetings and streamline the stakeholder engagement process.

M. Csaszar noted that TSSA rarely attends industry meetings hosted by CECA. He asked if the invitations need to be more direct because TSSA decision-makers are wanted in the meetings to be made aware of the priorities. D. McLellan replied that TSSA attends meetings when invited to make a presentation, however this did not happen during the strike. TSSA presenters do not always stay for the whole meeting. D. McLellan said he is unsure if anyone attends CECA meetings specifically.

H. Richards commented that he sees both sides of the stakeholdering issue, however the execution of streamlining the process is murky. The complication is who is invited to an industry meeting. If TSSA does not attend every meeting there may be legal concerns with industry getting together on their own.



The Chair said he is open to hosting the first industry meeting with support from J. Egan and others. Then it can rotate. This meeting will help prioritize things that will be brought to EDAC and create substantial, significant agendas.

## 8. Issue Prioritization

R. Isabelle and D. McLellan had a call with M. Csaszar to discuss the four construction hoist matters raised at the last meeting. R. Isabelle provided an update on the status of each.

1) **Construction Hoist Interlocks.** Interlocks are required on construction hoists (Z185), however, unlike B44, Z185 does not specify certification. Recent inspections found some devices not meeting interlock requirements and not certified or filed with TSSA. In response, TSSA has migrated its previously created enforcement procedures into the CAD. For those caught off guard, TSSA will meet with industry representatives to look at designs and point out deficiencies. This item is closed.

2) **Drop Test Requirements at 3-Month Intervals.** With respect to repeating a test in the presence of an inspector during a six-month periodic, it was agreed that if a drop test is required but a six-month period is imminent, the operator can delay the test until the inspector is present.

With respect to the frequency of the requirement, it was put into the CAD that the test be done at three months, the inspector comes at six months, and the cycle repeats.

M. Csaszar noted that damaged brakes that are not visual are occurring more with the enforcement of testing frequency. R. Isabelle said until there is a history of such problems it is hard to comment on the impacts of testing frequency. Until then it is important that industry inform TSSA if failures occur during a test.

3) **Manufacture or contractor-originated failures causing industry-wide consequences.** TSSA confirmed that testing requirements are driven by manufacturer documentation and recommendations or previous past practices. There is no new industry-wide testing because of individual concerns. This item is closed.

4) **Operating licensing requirements.** Licensing is not a requirement of the current regulation O.Reg 209/01, so it would require regulatory change. If contractors are aware of unsafe operation they have a duty to act. This is a Council issue and needs discussion.



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M. Csaszar commented that the hoist group has long looked for some level of licensing so operators know they can call TSSA if the boss wants something done a certain way and the operator thinks differently. Knowing their rights creates a big opportunity to increase safety.

R. Kremer said there used to be a procedure around operator training on hoists. With the recent code adoption we adopted the mass climbing platform standard as a companion around best practice. In the recent CAD the words mass climbing platform were replaced with construction hoist. The plan is in place for operators to follow that practice.

R. Kremer said the requirement exists in the standard, not the regulation. He suggested doing what is in the standard so an order can be written.

The Chair asked M. Csaszar if this plan is helpful to the hoist group. M. Csaszar said the industry is looking for a construction hoist to be treated like any other piece of equipment which would require a trained license with a curriculum. There has been a disturbing number of severe injuries due to operator error as recent as last year. These are probably the most high-risk incidents within the elevator industry.

R. Kremer noted that fork lift drivers have training. M. Csaszar suggested that TSSA would ideally have jurisdiction over hoist operations. Operator issues must be tied to company responsibility. Currently when operators make errors they are absolved of responsibility and continue to operate elsewhere because there is no professional body that regulates and no place for the Ministry of Labour to go. The owner tends to be a construction hoist company. Owners do all the permit applications which is dissimilar to how a permanent elevator that is owned by the building is permitted, licensed, and regulated by the TSSA. There is a divorced conflict of interest between the superintendents and project managers pushing their projects on a schedule and the elevator contractor that wants a device operated safely. In Quebec the equivalent of the TSSA does have jurisdiction over operators and does enforce curriculum and licensing. B.C. has a regulated and multiple day privately administered operator course that carries a license which is mandated by the province.

C. Ayling said PCL would like to see uniform standards set for operators and that Ellis Don likely feels the same way. The gold standard would be a license that an operator can present to an employer.

D. MacLellan asked if there was ever a time when operating engineers licensed construction hoist operators. M. Csaszar said there was. When Consumer Affairs was regulating the industry hoist operators had high-quality operators on the job.



During the 1980s the operators walked away from operation during the construction recession. When it picked back up it was mostly taken over by labourers. Operating engineers no longer train hoist operators.

S. Jones said in the past many hoist companies did provide operators, but this has gone away due to cost. M. Csaszar said as developers looked to save costs they did not need to hire operators employed by elevator contractors. It is very uncommon for them to receive training.

**Action: The Chair requested that TSSA prioritize the operating license gap and corresponding safety issue and respond back.**

### 9. 2:1 Roped Counterweight

T. Doell provided the background of an accident that occurred in an old hotel in downtown Ottawa. A bearing failed on a sheave on a counterweight. It broke the bolt and the sheave went through the roof, landing on the car floor. There was no one in the car at the time. The accident happened at a time of transition to greaseless bearings.

R. Neate said a Director's Order has been drafted. It is with legal now and TSSA will advise the ministry. The goal is to replace the shaft, bearings, rope retainer, and keeper plate by April 2024.

D. McLellan said TSSA will issue an advisory round for anything that has a 2:1 roped counterweight to put it on the checklist for maintenance.

H. Richards said the TK Elevator technical bulletin talks about the frame crack in the counterweight and asked if this should be addressed together. R. Kremer said TKE has built a retrofit kit. A. Khan has taken it to the ministry. R. Kremer said hairline cracks are an issue and modifications are needed to keep the frame safe. T. Doell said it is important to put this in the code as well because when buffer tests are done it does not say to check the frame.

S. Jones noted that the incident was not reported in a timely manner to allow owners the chance to manage the liability. He asked if only sealed bearings are affected and if it affects lubricated bearings. T. Doell said he is only aware of the sealed bearing being affected. He asked if other manufacturers other than TKE have the same sealed bearing arrangement. T. Doell said the bearing played a role, but the keepers in the shaft did as well. A bearing would not be heard when an elevator is running at slow speed during an inspection.



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S. Jones said he would like to understand the Director's Order beyond TKE's designs. He asked if there is a requirement to assess more than just TKE elevators. R. Kremer replied that the TKE design had small keepers. It was not just a failed bearing issue. It was the whole design. R. Neate said TSSA can create the awareness if other designs come to light. The Director's Order will be issued within the next few weeks.

R. Isabelle asked is there is information on predicting bearing life. Perhaps there was an incorrect bearing.

D. MacLellan said the Order states that bearing service life should not exceed 27,000 hours based on SKF data for the bearing. R. Isabelle asked if there is a plan to advise people that there is a concern with the equipment. R. Neate said the Director's Order will advise owners that if they have the equipment corrective action needs to be taken. It is not known how many devices this applies to.

R. Isabelle asked if there has been just one instance of the failure. D. MacLellan said only one instance is known about. T. Doell estimates there are between 100 and 1,000 devices Dover 2:1 roping devices from 1983 to 1994.

The Chair thanked S. Jones for raising these important questions.

## 10. New Business

A. Campbell announced that Ajay Ravel, Regional Supervisor, ED Program will take over as VP, Operations in July. R. Neate will head up TSSA's customer service team. AJ Kadirgamar, Director, Shared Services will become the Director of the ED/AD/SKI Program.

## 11. Adjournment

The meeting adjourned at 2:18 p.m.