BE IT REMEMBERED, that an Elevator Safety Advisory Committee Meeting was held at 9:00 a.m. on Tuesday, November 20, 2018, at the Department of Labor & Industries, 12806 Gateway Drive South, Tukwila, Washington.

Committee members present were: Robert McNeill, Scott Cleary, Paul Jones, Garry Wood and Jim Norris. The Department of Labor & Industries was represented by Dotty Stanlaske, Chief Elevator Inspector.

WHEREUPON, the following proceedings were held, to wit:

Reported by:
H. Milton Vance, CCR, CSR
(License #2219)

EXCEL COURT REPORTING
16022-17th Avenue Court East
Tacoma, WA 98445-3310
(253) 536-5824
AGENDA

November 20, 2018 - Tukwila

Introductions/Purpose/Future Mtg. Commitments
Comments Regarding August Minutes
Chief's Report
      Accidents
      Open Seats on ESAC
      Combined Stakeholder Meeting in December
      Recap of Adoption of WAC Rules & RCW's ...
      QEI Certification
Old Business
      Risk Assessment Subcommittee
      MCP Subcommittee
New Business
      Discuss Next Code Review Period &
      Time Frames for TAC Applications
      Clarification Regarding Code vs Guide
      Proposed Changes for RCW's & WAC's
CHAIRPERSON McNEILL: Good morning, everybody. I'd like to welcome you to the December -- or November 2018 Elevator Safety Advisory Committee. This is the fourth quarterly meeting of the year.

My name's Rob McNeill. I'm the Chairman of the ESAC, and I represent licensed elevator contractors.

We'll go through the Board members -- Committee members now for their introductions. Dotty.

SECRETARY STANLASKE: I'm Dotty Stanlaske, Chief Elevator Inspector.

MR. JONES: I'm Paul Jones, City of Seattle Chief.

MR. CLEARY: Scott Cleary, Vice Chair. I represent the 270 and residential and commercial accessibility stakeholders.

MR. WOOD: I'm Garry Wood. I represent general contractors.

CHAIRPERSON McNEILL: Thank you.

If you haven't gotten your agenda, the agendas are over on the side table.

I'd like to make one more introduction. We have a new member from the State that's supporting the Committee.
That's Jane Nesbitt. Jane, if you can raise your hand.
So Jane will be supporting us internally. We welcome you
as part of the team.

We also have another guest here today which is
Annette Taylor. And your title is Deputy ...

MS. TAYLOR: Assistant Director for Field Services
and Public Safety.

CHAIRPERSON McNEILL: Thank you for being here.
SECRETARY STANLASKE: Oh. Rene'.
MS. TAYLOR: We have a new supervisor in the program
as well.
SECRETARY STANLASKE: Rene' Behrendt.
MR. BEHRENDT: Hello. Thank you.
CHAIRPERSON McNEILL: So we've done our
introductions.

The purpose of this meeting is to communicate
information to the stakeholders on new and old business,
provide a Chief's report and overall provide safe
elevators for the public, inspectors and elevator
mechanics as possible in the state.

We have changed the format over the last year. We
follow Roberts Rules of Order now. We have a stakeholder
meeting an hour before this meeting, so if there are any
stakeholder comments on agenda items, the floor is open.
During this meeting we do not have a method for
stakeholder comments, but we will have a regular stakeholder meeting after this meeting concludes.

(Jim Norris now joining proceedings.)

CHAIRPERSON McNEILL: Jim, could you -- welcome.

Could you state your name and who you represent.

MR. NORRIS: Jim Norris. I apologize for being late.

I represent labor.

CHAIRPERSON McNEILL: Thank you.

Comments Regarding August's Minutes

CHAIRPERSON McNEILL: The first order of business is to approve the minutes from the last meeting. Do I have a motion?

MR. CLEARY: I motion that we accept.

MR. WOOD: Second.

CHAIRPERSON McNEILL: It's been seconded. Any discussion? Seeing none, all in favor?

THE COMMITTEE: Aye.

CHAIRPERSON McNEILL: Opposed? Abstentions? The minutes of the previous meeting pass.

Chief's Report

CHAIRPERSON McNEILL: We will now start with the

Accidents

SECRETARY STANLASKE: So typically I come in and I discuss the scorecard, which is how many units -- annual inspections that were performed in the last quarter as well as how many accidents, that type of thing.

We are in the process of reviewing our scorecard and revamping it to ensure that it provides the information that other people need to look at the efficiency of the program. So I do not have those numbers for you at this time. What I will tell you is that we are implementing a number of changes to assist with improving the efficiency of our annual inspections.

Open Seats on ESAC

SECRETARY STANLASKE: We have an open seat on the Safety Advisory Committee. And I believe that that seat is building owner, a representative for building owners or building managers. So we are still looking for someone to fill that seat on the Safety Advisory Committee.
SECRETARY STANLASKE: We will be holding a combined stakeholder meeting in December.

Jane, do you know the exact date by any chance?

MS. NESBITT: I believe it's December 18th, but I can -- I'll double-check.

SECRETARY STANLASKE: Okay. And you're all invited. We will be sending out a notice to everyone who's on our listserv. If you are not on our listserv, please make sure that you do sign up. You can go on the Web site and sign up for the listserv in that manner, and that way you will get information on all of our meetings.

So the purpose of this stakeholder meeting, this is going to be the first one where we're bringing labor, building owners and elevator companies all together. And the purpose of the meeting is not for it to be a gripe session or for people to point at each other. The purpose is for everyone to understand their part and what they have to do to maintain their buildings safely and to comply with the WAC rules and the RCW's. That's the purpose of the meeting.

I will tell you that I've heard from a lot of building owners who are unhappy with the companies that are maintaining their equipment. So we'll be setting up
some ground rules at the very beginning because we don't
want it to get into a "Well, you did this" and "You did
that" type of thing. We want it to be a nice healthy open
discussion, and hopefully some things will come out of it.

One of the things that we'll be talking about there
is the new MCP. So -- and we'll talk about that in a
little bit. But it seemed as though the elevator program,
Labor and Industries, as though we were inserting
ourselves between the customers and the companies. So
we've stepped back from that in the hopes that we do not
create any angst for either building owners or companies,
particularly with the new MCP. So we'll talk about that
in a little bit.

I would encourage you all to join us for that meeting
in December. I think it will be a good opportunity to
have a nice healthy open discussion.

Hot Topic: Training - Recap of Inspector Training Nov 6-8

SECRETARY STANLASKE: So we had training November 6th
through 8th. We had all-staff training. And we kept it
strictly for inspectors. We did not ask or invite anybody
from the outside to join us. And that was for a couple of
reasons.

First, we have gotten some push-back from one of the
certifying organizations about allowing us to open our
meetings and giving us CEU's in order for our inspectors
to renew their QEI certifications.

So we decided that we weren't going to open it up --
this particular meeting we weren't going to open it up to
anybody from the outside. In the past we have opened it
up, and I would think we will again. But we will only ask
for CEU's for our inspectors or the city inspectors, the
City of Seattle and City of Spokane inspectors. We will
not ask for CEU's for anyone else.

We had two presenters come in, and they presented on
the pneumatic vacuum elevator for residential.
Residential -- obviously homes. And we had another
individual that came in and spoke about the changes on
private residential elevators from the 2010 code to the
2016 code. So I think the inspectors found that pretty
informative. We will be reaching out to others for future
sessions that -- and asking them to assist us with
training as well.

So basically we're looking at manufacturers because
it's difficult for us to have an elevator company that we
have authority over to come in and do the training because
of the perceived conflict of interest. So we're looking
at other avenues of how to provide that training to our
inspectors.
So during the training there were a number of things that were brought up, particularly some of the items that maybe weren't captured correctly during the last code adoption process, and that was discussed with the inspectors. And I let them know that that would be -- that would be -- we'd have further discussion and further training on it.

Recap of Adoption of WAC Rules & RCW's That Took Effect on Oct. 1

SECRETARY STANLASKE: So a recap of adoption of WAC rules and RCW's that took effect on October 1st. The RCW's are on our Web site. I mean, excuse me, the WAC's are on the Web site. So you'll see that they've been trimmed down quite a bit.

As far as codes that were adopted, the Web site is incorrect. It says they were adopted 9/1, but they were adopted 10/1. And those are ASME A17.1 2016, ASME A17.2 2017, ASME A17.3 2015, ASME A18.1 2017, ASME A90.1 2015, which is for belt manlifts, and ASSE ANSI A10.4 2016 for personnel hoists, and ASSE ANSI A10.5 2013 which is safety code for material hoists.

So in addition to those adopted standards, if you look at WAC 296-96-00675, it gives you the exclusions to
the adopted standards as well.

For instance, we excluded all references to QEI certification from adoption. And the reason for that is because our inspectors are not required to be QEI certified.

QEI Certification

SECRETARY STANLASKE: Now, I will -- also hand in hand with that, I will tell you that I believe out of -- I think we have 26 or 27 inspectors right now. And -- is that right, Rene'?

MR. BEHRENDT: 27.

SECRETARY STANLASKE: 27 inspectors. And out of them, we have six that are not QEI certified, maybe seven.

MR. BEHRENDT: Not more than seven.

SECRETARY STANLASKE: Not more than seven that are not QEI certified. And we will be having a class again in February.

Jim Runyan who works for us as a tech specialist, he also used to work for NAESA as their education director, and he taught the QEI class back in ... October? Was it October maybe?

MR. BEHRENDT: It was October.

SECRETARY STANLASKE: And I think we had four people
that went to the class. Five people. Five people that went to the class.

MR. BEHRENDT: Five signed up. One unfortunately wasn't able to make it.

SECRETARY STANLASKE: Right. And then the city had how many, Paul? Three?

MR. JONES: We had three.

SECRETARY STANLASKE: Three. And seven of those folks took the exam, and they all passed, which was quite pleasant to see.

So thinking a year ago, I think a year ago at this time, well, say a year and a half ago, I believe we only had maybe five QEI-certified people. And now we have 21, which is pretty good. So we're really pleased about that.

That is pretty much my report, Rob.

CHAIRPERSON McNEILL: Thank you.

Old Business

Risk Assessment Subcommittee

CHAIRPERSON McNEILL: We'll now proceed to old business. The first item of old business is Risk Assessment Subcommittee. There is a handout in the back.

Back in the spring, the risk assessment subcommittee
provided their recommendations to the ESAC. And the recommendations were passed and moved onto the State. However, just as a point of information, we wanted to make sure everybody understood what we did at that meeting and what as a stakeholder they're responsible for.

So there was an executive summary that it included a matrix with all of the recommendations based on the building environment.

Under the assessment and under annual inspection -- there are some items in red, and if you're color blind, I apologize. And the point that needs to be made so everybody understands -- and these recommendations still have to be approved by the State before they're in force, but it's something for you to know about and as a stakeholder to provide feedback.

The Category 1 and Category 5 requirements, even if it says "every other year," the Category 1 and 5 requirements are still required by the elevator -- licensed elevator company that's providing the service.

What this committee did was simply determine the risk for each type of building environment and determine if there was a potential for inspectors to extend their inspection cycle. And that was based on many factors including a number of inspectors, the amount of construction and modernization in the state, and the
ability for the State to make as many inspections as possible.

So simply stated, elevator companies, nothing's changed. The State hasn't changed anything. Make sure you get your Cat 1's and your Cat 5's done on time.

MCP Subcommittee

CHAIRPERSON McNEILL: The second item of old business is the MCP committee. And Dotty, would you update us on that please.

SECRETARY STANLASKE: So Leonard Fleming led a group of folks. Rob was on the committee. Ricky Henderson was on the committee. I believe Ed Frysinger (phonetic) was on the committee -- the subcommittee. There were a number of folks involved. And they took a look at the current MCP, and they reviewed it in the context of what we've heard our stakeholders want. And what we heard from our mechanics, our inspectors and our building owners was that they would like some standardization to the form that the MCP -- the form of the MCP. So they got together, and they came up with a suggestion on a template for an MCP. And that was reviewed, and we are in the process of getting the form portion of the MCP. And that would mean the testing -- the Cat 1 testing form, the Cat 5 testing
form and some other items. We are in the process of
getting those approved through L & I's form people before
we get them put on the Web site. So we are hoping that we
will have that done by the end of the year. I think it
will give everyone a sense of what they were looking for.
As I said, the inspectors, the mechanics and the building
owners all wanted some consistency so that if they were to
go from one building to the next, they'd be able to say,
"Okay, here's my MCP. Here's what this part looks like.
Here's what this part looks like." Flip through it, "Yep,
it's got what it needs. Okay, good; we're done."

What you won't see inspectors doing in the future is
you won't see inspectors going into the MCP and circling
every little missed interval.

So our theory is that if our inspectors are doing a
proper job, that they will find whatever the issue is. If
it's a dirty pit, they'll find the dirty pit, and they'll
note it on their inspection. Now, they do have the option
to go back and look and see if that pit was cleaned and
when it was cleaned on the MCP. But to me there's no
sense if our inspector goes in and doesn't find a dirty
pit, but the pit portion is signed off on the MCP as being
cleaned -- or isn't signed off on the MCP, then why would
we cite it? We didn't find an issue.

So that's some of the things that we're working
towards.

Also, mechanics will not be required to initial the MCP's any longer. The elevator company initials will suffice to be put in the block where the initials are required.

The argument previous to this was that the only -- that L & I would know that the work had been performed by a licensed elevator mechanic if the initials were in the block. Well, most people weren't even signing it, so how would we even know who did the work? So we decided that we would take that away because we recognized also that a lot of mechanics were hesitant to put their initials in a block because they were hesitant that if something went wrong between that time and when an inspector went out, they could be accused of falsifying documentation. So we tried to take away some of those fears.

And again, if our inspectors are doing a good job, they should find any issues that are out there.

So hopefully we'll have that format all set by the end of December along with the forms. I don't know; it seems to take a little bit of time to get through the forms people. But Jane's on it, and she's not going to let up on them.

And that's my report for that.

CHAIRPERSON McNEILL: Thank you.
MR. WOOD: A quick question?

CHAIRPERSON McNEILL: Sure.

MR. WOOD: Is this something the City of Seattle is going to implement as well, this MCP program? Or will you maintain what you currently maintain?

MR. JONES: We're going to be going along with the state. The same MCP, the same format, the same everything.

MR. WOOD: Thank you.

New Business

CHAIRPERSON McNEILL: We'll now proceed to new business. Dotty, you would the floor again.

Discuss Next Code Review Period & Time Frames for TAC Applications

SECRETARY STANLASKE: So the next code review period and time frames for TAC applications, I talked about that a little earlier, but just in case you weren't here -- so we have two rulemaking sessions that will be going forward.

The first has to do with ASME A17.3, those seven items that we took exception to the last time around. So
the CR-101, and that's our intent. When we file the
CR-101, we're letting folks know that we have an intent to
open these sections for review and possible adoption. And
again, this is just for the A17.3 portion, those seven
items.

We will be sending a postcard or an e-mail notice to
building owners by 1/25, hold our stakeholder meeting the
week of 2 -- February 11th to February 15th. We'll have
the ESAC meeting, which is the regularly scheduled
quarterly meeting on 2/19, and we'll provide them with our
recommendations. We'll file the CR-102 on 4/16. Public
hearings will be held the week of 5/27 to 5/31. Again, we
are not going to go through the TAC process for these
seven items because they've already been through that
process. We will respond to comments June 3rd to the
14th. And then our attorney general will review 6/17 to
6/28. And then we have our Assistant Director and our
Deputy Assistant Director perform their review which will
be 7/1 to 7/5. No 4th of July fun for you, Annette. And
then our CR-103 will be filed by 7/23. And the effective
rule will be 9/1 of 2019. Again, that's just for the
A17.3 items.

So then it was brought to our attention that there
were concerns with a number of the areas of the code
adoption and the WAC rules. So we will be opening up only
specific portions of A17.1 and the WAC rules. And those portions have to do with material lifts, residential inclined elevators, the special purpose elevators in grain facilities, belt manlifts, and hand-pulled elevators. And there'll be a few other small areas. Continuing education will be one.

It's become very, very apparent that the mechanics and the primary point of contact for the companies know nothing about the RCW's and the WAC rules. So we will be requiring them to take training on the RCW and WAC rules in order to renew. And right now, primary point of contact doesn't have to renew. But I believe that we're going to change that because of the fact that we've run into many situations recently where we've gotten temporary mechanic applications, and the primary point of contact or the person that signed it as the primary point of contact is not registered as the primary point of contact with the state. And then we find out that the person that was registered left the company two years ago.

The RCW requires that if a primary point of contact leaves the company, then that company needs to let us know within nine months. And that's not been followed. So we'll be requiring some additional education on the WAC rules and the RCW's in addition to the eight hours of continuing education that folks have to have within the
year right before they renew their license.

Clarification Regarding Code Vs Guide

SECRETARY STANLASKE: The next item is clarification regarding code versus guide. A17.2 is a guide for inspectors; it is not a code. They should not be citing anything from A17.2. So if you run across that, please let us know. We've let them know as well. But as you know, sometimes people get confused and they'll start using that as a code book. It is not a code book; it is a guide for the inspectors.

The reason why we adopted that is because we wanted to ensure that the inspectors knew exactly what we expect of them. So that's the only reason why we adopted A17.2.

Proposed Changes for RCW's and WAC's

SECRETARY STANLASKE: Proposed changes for RCW's and WAC's. As I said, we'll open up belt manlifts. We'll open up hand-pulled elevators. We're going to open up the residential inclined elevators. We're going to open up material lifts ... for discussion again. And I don't think outside of the continuing education, there were one or two small things -- oh, we'll have to open up that 675
table and fix that because the effective date says 9/1 of '18, and it should have been 10/1 of '18? So we'll have to open that up and fix that.

If -- because we're going to be so specific and not open everything up again. If you have something that you particularly want opened up, let me know, but it's going to be within the next week. Either let me know or -- and we'll open it up as part of our process, or you can always file as well to open up the rules for review. So just -- I just want to give you that opportunity to let me know.

And that's -- that is the end of my report.

CHAIRPERSON McNEILL: Thank you.

Does anyone on the Committee have any other business? Seeing none, do I have a motion to adjourn?

MR. JONES: Motion.

MR. NORRIS: Second.

CHAIRPERSON McNEILL: It's been moved and seconded to adjourn. All in favor?

THE COMMITTEE: Aye.

CHAIRPERSON McNEILL: This meeting's adjourned.

(Whereupon, at 9:40 a.m., proceedings adjourned.)
CERTIFICATE

STATE OF WASHINGTON
   ) ss.
County of Pierce

I, the undersigned, a Certified Court Reporter in and for the State of Washington, do hereby certify:

That the foregoing transcript of proceedings was taken stenographically before me and transcribed under my direction; that the transcript is an accurate transcript of the proceedings insofar as proceedings were audible, clear and intelligible; that the proceedings and resultant transcript were done and completed to the best of my abilities for the conditions present at the time of the proceedings;

That I am not a relative, employee, attorney or counsel of any party in this matter, and that I am not financially interested in said matter or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand on this 26th day of November, 2018, at Tacoma, Washington.

H. Milton Vance, CCR, CSR
Excel Court Reporting

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