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Elevator Safety Advisory Committee Meeting

TRANSCRIPT OF PROCEEDINGS

November 15, 2022



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DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING
TRANSCRIPT OF
PROCEEDINGS
VIA MICROSOFT TEAMS VIDEOCONFERENCE

Pages 1 to 135

November 15, 2022

**CERTIFIED
TRANSCRIPT**

Taken Before:

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for
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ATTENDANCE

Elevator Safety Advisory Committee

- Scott Cleary** -- ESAC Chair, Chair & Owner-Employed Mechanics Exempt from Licensing Representative
- Ricky Henderson** -- ESAC Vice Chair & Ad Hoc Representative
- Gerald Brown** -- ESAC Secretary, Chief Elevator Inspector for WA State
- John Carini** -- Building Owners and Managers Representative, Sound Transit
- Carl Cary** -- Building Owners and Managers Alternate Representative, Lerch Bates
- Jim Norris** -- Elevator Mechanics Licensed to Perform All Types of Conveyance Work Alternate Representative
- Brian Thompson** -- Registered Architects or Professional Engineers Representative, AEGIS Engineering
- Garry Wood** -- Registered General Contractors Representative, Exxel Pacific
- Mandi Kime** -- Licensed Elevator Contractors Alternate Representative, Associated General Contractors of WA
- Jan Gould** -- City of Seattle Representative
- Jason Howerton** -- City of Seattle, Alternate Representative
- Lyall Wohlschlager** -- Owner-Employed Mechanics Exempt from Licensing Alternate Representative



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ADDITIONAL SPEAKERS

Labor & Industries

Melissa Eriksen	Jim Runyon
Alicia Curry	Tracy West
Nicole Taylor	Tamra Shaefer
Shelli Lackey	Matthew Erlich

Stakeholders

Tom McBride
Norman Martin - Schindler Elevator
Mary Hull-Drury
Bob McLaughlin
Andrew Ryan
B.A. Phillips - Apex Tower Crane
Tom Hawks - Northwest Grain Growers



Elevator Safety Advisory Committee Meeting
Transcript of Proceedings - November 15, 2022

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1 BE IT REMEMBERED that on Tuesday, November 15, 2022, at
2 9:02 a.m., before Sue E. Garcia, Washington State
3 Certified Court Reporter, residing at Tacoma, the
4 following proceedings were had, to wit:

6 ESAC Introduction

8 CHAIR CLEARY: Welcome, everybody.

9 This is our fourth and final ESAC meeting of the
10 year for 2022. We're going to switch things up a
11 little bit. We're going to go through some
12 introductions in a minute of all the committee members.
13 And then we're going to talk about some rules and some
14 housecleaning that -- we're going to try to do things a
15 little bit different on this meeting.

16 And, you know, one thing that can be said, I
17 think, with this committee, that we listen to our
18 stakeholders. We try really hard to get what they're
19 saying and try to get it out so we can make this more
20 useful 'cause we're here to represent our stakeholders,
21 our companies, our interests. But we want to make sure
22 the stakeholders are heard, too.

23 ////

24 ////

25 ////



1 CHAIR CLEARY: Thank you, Garry.

2 Brian Thompson, are you on?

3 MR. THOMPSON: Yeah. Brian Thompson with
4 AEGIS Engineering, representing architects and
5 engineers.

6 CHAIR CLEARY: Thank you.

7 Jan Gould.

8 MS. GOULD: Yes. Jan Gould, code specialist
9 for the conveyance program for the City of Seattle.

10 CHAIR CLEARY: Is Dermott on, Murphy?

11 (No audible response.)

12 CHAIR CLEARY: Patrick Strafer?

13 (No audible response.)

14 CHAIR CLEARY: Mandi Kime?

15 MS. KIME: Mandi Kime, director of safety
16 services for Associated General Contractors of
17 Washington, and I represent licensed elevator
18 contractors as an alternate.

19 CHAIR CLEARY: Thank you.

20 Lyall Wohlschlager.

21 MR. WOHLSCHLAGER: Yeah. Lyall Wohlschlager,
22 I'm the alternate representative for those exempt from
23 licensure and residential elevators and accessibility
24 lifts.

25 CHAIR CLEARY: Thank you.



1 Duane Leopard?

2 Duane?

3 (No audible response.)

4 CHAIR CLEARY: Okay. Jim Norris.

5 MR. NORRIS: Good morning. Jim Norris, I am
6 the alternate representing class one licensed elevator
7 mechanics. And today I have the additional duty of
8 representing those testing positive for COVID.

9 CHAIR CLEARY: Oh, no. Thank you for doing
10 this. I know it's not going to be an easy meeting.
11 Thank you.

12 John Carini.

13 MR. CARINI: Yes. Good morning. John
14 Carini. I'm the deputy director of vertical
15 transportation with Sound Transit, and I represent
16 building owners and property managers.

17 CHAIR CLEARY: Thank you.

18 Carl Cary.

19 MR. CARY: Yeah. Carl Cary, senior
20 consultant with Lerch Bates. And I am the alternate
21 representative for building owners and managers.

22 CHAIR CLEARY: Thank you, Carl.

23 Ed Frysinger?

24 (No audible response.)

25 CHAIR CLEARY: Duke Davis?



1 (No audible response.)

2 CHAIR CLEARY: Jason Howerton.

3 MR. HOWERTON: Jason Howerton, conveyance
4 program manager alternate representative.

5 CHAIR CLEARY: Okay. I just want to let --
6 sorry. Thank you -- let everybody know that we have
7 two vacant positions: an ad hoc, the ad hoc alternate,
8 which would be backing up Ricky, and then we have
9 registered architects and professional engineers. That
10 would be, I would assume, backing up Brian.

11 So if anybody's interested, please get your --
12 your résumés and inquiries to Melissa, please.

13 Okay. Thanks, everybody, for participating.

14 We talked a little bit in the eight hours --
15 8:00 o'clock section that we want to change things up a
16 little bit to give it a little more input and feedback
17 and discussion with our audience.

18 So we're going to try this to get a little bit of
19 comment on each one of the agenda items from -- you
20 know, please keep your comments brief and to the point.
21 And if it doesn't really affect you at all, please let
22 somebody that it does affect have some time to discuss.

23 I will keep track of time. And if we start
24 getting a little too far down or a little too deep into
25 the weeds, I'll call time on it, and we'll move on.



1 So we've listened to our stakeholders, and we want
2 to get you guys a little bit more engaged. So
3 hopefully this will be kind of a springboard for next
4 year. Let's make it work 'cause I think it will
5 benefit everybody.

6

7 Comments Regarding & Vote on August 2022's Meeting Minutes

8

9 CHAIR CLEARY: Okay. We're going to move on
10 to talking about the August minutes.

11

12 Is there any discussion from any of the committee
13 members on the minutes? Any questions or things that
14 we need to correct?

14

(No audible response.)

15

16 CHAIR CLEARY: Not hearing that, do I have
17 a -- do I have anybody that wants to go ahead and put
18 the minutes up for a vote?

18

19 MS. KIME: I move to approve the August 2022
20 meeting minutes.

20

CHAIR CLEARY: Do I have a second?

21

MR. HENDERSON: Second.

22

CHAIR CLEARY: All in favor say "aye."

23

(Chorus of ayes.)

24

CHAIR CLEARY: Anybody opposed?

25

(No audible response.)



1 CHAIR CLEARY: The ayes have it. So the
2 August minutes will be approved as published.

3 And now we're going to move on to Chief Brown's --
4 we're going to talk about scorecard and accident report
5 review.

6 Gerald, you're up.

7 (Clarifying interruption by the
8 reporter.)

9
10 CHAIR CLEARY: Okay. I do want to reiterate
11 what Sue has said, that -- let's please talk a little
12 bit slower. I have a tendency to talk way too fast.
13 And please announce your name and your affiliation
14 and -- on all discussions moving forward; that's going
15 to really help her make sure that we get everything
16 into the minutes, and whoever's speaking is part of
17 that. So with that, please -- I know we have a
18 tendency to start talking. And I'm just -- I'm
19 probably the worst of everybody. So please slow down a
20 little bit.

21 So with that, if no one else has anything else,
22 we're going to -- Gerald's chief report is next.

23 ////

24 ////

25 ////



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Chief's Report

Scorecard & Accident Report Review

MR. BROWN: Okay. Make sure that I'm not muted.

And I'm sharing a screen. Everybody see the screen? Just hold your thumbs up. You see the screen? Okay.

CHAIR CLEARY: Yes, sir.

MR. BROWN: I'm Gerald Brown. I'm the chief elevator inspector and state government representative.

The statewide inspection report for the first quarter -- and this is for July, August and September -- this shows there's a lot of numbers in graphs here.

But the crux of it is in that three-month period of time we got about 3,000 elevators' annual inspections done and we got a thousand permitted inspections done. Permitted inspections are like new turn-ons, alterations, things like that. So we're moving right along, and as you can see, that we're having some great success there.

The other one that's kind of disheartening is our accidents. We've had 14 accident -- or -- yeah -- 14



1 accidents, two of which were elevator, and the rest of
2 them were escalator. None of the accidents that we
3 show that were -- that we've investigated have been
4 equipment failure. Mainly operator error. So that --
5 that speaks well to it.

6 Of course, the highest accidents that we have are
7 escalators. And the escalators are one of those
8 things --

9 This is Escalator Safety Month for the month of
10 November. I appreciate Melissa picking that up for me.
11 Escalator safety is so very vital and very important
12 that you, as parent or grandparent or friend, when
13 you're around other -- when you're around children,
14 take the opportunity, while you're there with them, to
15 teach them to, you know, stay in the middle, hold the
16 handrail, stay away from the edges.

17 The edge of the escalator, where the stationary
18 skirt panels are, some kids like to stick the toe of
19 their shoe on that so they can hear it squeak when
20 they're going up and down. And then it gets sucked
21 into that little narrow space, and then we have
22 horrible accidents. Everybody's focused on the comb
23 plates at the bottom, and they pretty much do what
24 they're supposed to do. But on the sides, that's the
25 real danger zone. And letting little kids sit on steps



1 and putting their fingers around the edges is also
2 horrible.

3 So what you do to teach them is something that
4 they'll have -- they'll be able -- hopefully be able to
5 remember when you're not there. And so take the time
6 to teach safety.

7 And I was always one of those elevator mechanics,
8 the parents would get mad at me. When I had my airport
9 route in Boise, Idaho, I'd tell them, "That's not a
10 toy. Don't let your kids play on it" 'cause they
11 literally tell them, "Go play on the escalators,"
12 waiting on their plane, and it's just not music to my
13 ears.

14 I'm a third-generation elevator guy. And I
15 remember we got delayed going on a vacation in the
16 summer because my dad had to go to the department store
17 and dig out some kid's toes so they could try to sew
18 them back on.

19 And so elevator safety, escalator safety, is a
20 huge thing. And I challenge all of you to be safety
21 stewards for elevator/conveyance safety and teach it
22 whenever you can especially to our young'uns.

23 And that's pretty much what I had. Thank you very
24 much.

25 Any discussions or questions?



1 CHAIR CLEARY: Yeah. Gerald, I have a couple
2 things.

3 I need -- you know, I talked to you, I think it
4 was yesterday, about I was contacted by some
5 representatives from the Canadian B44 committee, as
6 well as their advisory-type committee, that are sending
7 out questionnaires on how do other AHJs in the States
8 do their work. And you guys are extremely responsive.
9 I sent them to Candace and that, and they got their
10 feedback, their questionnaire back.

11 And one of the things they were very, very excited
12 about was how the State is doing virtual inspections on
13 18.1 equipment. So they're -- they want to set up a
14 meeting and come down and see how you're doing those
15 inspections 'cause they're struggling with distance and
16 staffing, too.

17 And I know that you shared with me some of the
18 feedback you're getting from some of the other state
19 AHJs that you might want to share with the stakeholders
20 on the feedback you're getting on that program that I
21 think your staff has done a really good job on
22 implementing, not only because of COVID, but I think it
23 makes sense for some of these smaller conveyances, i.e.
24 stair chairs. And hopefully we can expand it into some
25 residential VPLs and some of the other equipment.



1 So if you can just share a minute or two with some
2 of the conversations we had yesterday with -- some of
3 the response you're getting from other AHJs. I think
4 that just bodes well for the direction the State's
5 going on that.

6 MR. BROWN: Thank you. I appreciate that.
7 Gerald Brown, state elevator inspector.

8 I get inquiries periodically about our virtual
9 inspection process. We've had people from New
10 Hampshire to all over Canada -- several provinces from
11 Canada, actually -- and people that are very interested
12 in our virtual inspection process on these residential
13 inclined stair chairs and now expanding to residential
14 platform lifts, VPLs, and how successful it is.

15 We've had a wonderful safety track record with our
16 inspections on this. It's -- it's very interesting to
17 be able to sit in and watch one of these inspections
18 take place, the close detail that you get. It's --
19 it's really -- it's a -- really a greatly successful
20 program. They represent a huge percentage of our
21 permits that come in that we have.

22 We've got some really wonderful staff. My hat's
23 off to Dylan Lathe, who is kind of our ramrod in the
24 IVIPs thing. And he's -- and he's very good at what he
25 does. He actually has an opportunity to serve on the



1 ASME committee for 18.1 equipment, which is great to
2 have somebody of that caliber in that position.

3 And we've had people contact us about this and
4 look forward to our Canadian friends' inquiries on
5 this. Washington state's always led the way on
6 residential stuff, and this is a great example of
7 getting in and building this program and seeing people
8 blossom and grow into it. And our customers'
9 reaction -- how quick turnarounds we can get for these
10 inspections.

11 And I think our residential contractors that are
12 on with us today can probably testify to that, also,
13 what a convenience it is and what a quick turnaround it
14 is for permitting and floating schedules because it's
15 not unusual for a scheduled inspection on these home
16 lifts to be bumped several hours or a day or, "Hey, we
17 got there early. Can you squeeze me in?" And our
18 staff has done everything we can to be accommodating.

19 And people have come to depend on our program as
20 an important part of their business plan, that they're
21 able to take care of these customers, who, of course,
22 are -- represent the frailest part of our community
23 that need this access equipment. And it's really good
24 to see that we get support from them. We get
25 suggestions from them. We get help from them.



1 They've got wonderful staff that get in and get
2 this stuff done and do it such a way that we've had --
3 we have a huge safe standard that has been maintained
4 and probably enhanced.

5 So I can't speak highly enough for either program
6 but also to our contractors that are doing these types
7 of conveyances on their efficiency and working with the
8 program.

9 CHAIR CLEARY: And, Gerald, some of the
10 anticipated problems that we thought we had, they
11 really haven't shown up. So I think it -- with the
12 right staff and parameters in place and having
13 contractors work within those, I think it's been very,
14 very successful. And I'd like to see it expanded. And
15 that's something I think would benefit everybody 'cause
16 you're right: Especially with the weather and the
17 passes the way it is right now, you know, trying to
18 send somebody over for a half-hour inspection that
19 takes them a whole day is just not efficient with
20 your -- with the staff you have and just doesn't make
21 sense.

22 So really appreciate the State's effort on this,
23 and I think you're role models. Thank you.

24 Any questions? Any feedback on any -- the thing
25 that Chief Brown reported on?



1 Lyll?

2 MR. WOHLSCHLAGER: Lyll Wohlschlager,
3 exempt-from-licensure representative.

4 Gerald, the -- one of the statistics you shared is
5 annuals and how many of those annuals you've completed
6 on target.

7 One of the things that we run into in the grain
8 industry is lack of annuals by the inspectors at times
9 due to, you know, staffing shortages or whatever, just
10 not the ability to get out there.

11 Do you guys keep track of the number of
12 conveyances that have had delinquent annual inspections
13 maybe greater than two or three years old so that we
14 know what the shortcomings are there? 'Cause we've got
15 some customers that claim they haven't seen an
16 inspector in, you know, three years, as an example. Do
17 you keep track of that as one of the parameters?

18 MR. BROWN: We do. Doesn't show up on the
19 chart, of course. But we do keep track of that.

20 I can request a report for that from Melissa. She
21 can put that data together for us so we can see that.

22 We've had some real challenges in the grain
23 industry for different DOSH requirements and things
24 that have come up of recent that we're trying to work
25 through to be able to get those inspections back on



1 track. And we're still working on that.

2 CHAIR CLEARY: Carl, I'll get to you in one
3 second.

4 I just want to follow up on some of the
5 challenges.

6 And, now, being fully suited up, where are we,
7 Gerald, with you working with your inspection staff on
8 figuring out what needs to be done to get them on site?
9 I know we talked about doing some virtuals there, which
10 I think would work really well, and some programs to
11 where we do the same thing, especially on the hand
12 pulls, you know, that are pretty simplistic. So is
13 that another avenue for doing some virtuals?

14 MR. BROWN: That is. It has a unique
15 challenge because we -- most of the locations that
16 they're at don't have Internet service. So we can do a
17 traditional type of inspection with, like, a virtual --
18 like our regular virtuals and stuff. It's a real
19 challenge.

20 And then trying to -- original thought was to put
21 the inspector closer to the -- to these units and be
22 able to do it like an on-site virtual so they can get
23 through and get them done quicker without having to
24 worry about the suiting up and other challenges that
25 come up in the grain industry, not just the snakes and



1 the rats and the mice.

2 But trying to get -- trying to get this done, we
3 are still looking into that. And I'm hoping to get
4 some answers on that sooner than later. But, like I
5 said, right now it's just a real challenge.

6 CHAIR CLEARY: Well, Gerald and Lyall, I
7 represent that -- those stakeholders, too. We got to
8 get an answer back to them 'cause we've been kicking
9 that can down the road now for quite a long time. So I
10 appreciate being able to get some direction from the
11 State so we can give them direction. Thank you.

12 Carl, then Garry.

13 MR. CARY: Yeah, just kind of attack the
14 questions that are being asked.

15 Can you give some sort of quick update, Gerald,
16 on -- I'm sorry. Carl Cary, Lerch Bates -- some sort
17 of update as to how many additional inspecting slots or
18 inspector slots that you have left to fill or if you're
19 at full, kind of, staffing level? Can you quickly
20 speak to that?

21 MR. BROWN: We've recently had a successful
22 recruitment where we brought on a couple -- we're
23 bringing on a couple of new inspectors. We have one
24 that's starting this week and one at the first of the
25 month. And that's great.



1 We have six additional openings that we are
2 working through. We have improved our process a lot.
3 So the guys are getting -- the inspectors are getting
4 more things done. But we still have some empty
5 positions. And so those will be posted on the State
6 website.

7 If -- if we have -- we -- we'd really like
8 everybody to talk this up to our industry. So if you
9 have people that are -- have the five years of, you
10 know, field experience or, you know, four years of
11 inspection in another jurisdiction and people like that
12 that can step in and apply for those positions, that
13 would be great.

14 We have such a unique hiring process for these
15 type of skilled workers. So we have -- we filled two.
16 We have three inspectors and an IVIP inspector position
17 still open. So I hope that helps.

18 CHAIR CLEARY: All right. Thank you, Carl.
19 Garry Wood.

20 MR. WOOD: Garry Wood, Exxel Pacific.

21 And it kind of alludes back to Carl's question.
22 So he kind of beat me to the punch a little bit.

23 Just trying to get an understanding what the
24 State's position is and game plan is for hitting a
25 larger percentage of conveyance and annual inspections



1 'cause obviously we've come a long ways since you've
2 been there, Gerald. You guys have done a fabulous job.

3 But I know the State requirements, obviously, are
4 for 100 percent, which -- we have a ways to go to get
5 there. So you alluded to, you know, these open
6 positions, which I'm sure is very impactful to that --
7 that number.

8 So I just didn't know if we had, kind of, a
9 specific goal in mind or a game plan as to when we
10 might get to that 100 percent 'cause, along the lines
11 of the grain elevators, I mean, I've run into elevators
12 that haven't been inspected for two or three years from
13 time to time, and that's always a concern.

14 MR. BROWN: Right. Yeah. I totally
15 understand that.

16 We've -- we're working -- we've offered overtime
17 to our inspectors. We have inspectors that are out
18 inspecting six days a week. We recently -- we're about
19 40 percent caught up on our backlog of those
20 inspections by using overtime. And then, also recently
21 introduced an opportunity for all of the inspectors to
22 pick up some discretionary overtime to get as much
23 stuff done as possible -- we can with the existing
24 staff that we have.

25 And so this is -- these are the measures that



1 we're seeing. And we are having -- we are making
2 progress.

3 But we can get another update at our next meeting
4 of how we're doing on the backlog with just some
5 numbers and an idea of how we're doing on that.

6 MR. WOOD: Thank you.

7 CHAIR CLEARY: Does that help, Garry?

8 MR. WOOD: Yes, very much. Thank you.

9 CHAIR CLEARY: Any more questions for Gerald
10 on this topic?

11

12 Legislative Update

13

14 Rulemaking Update

15

16 2023 8.5% Increase

17

18 CHAIR CLEARY: If not, we get to go and move
19 on to talking about legislative updates. And we're
20 going to start out with Alicia talking about
21 rulemaking.

22 Alicia?

23 MS. CURRY: Good morning, everybody. Alicia
24 Curry, Department of Labor and Industries. I am
25 management analyst as well as -- I serve as the rules



1 coordinator for the field services and public safety
2 division.

3 An update on the fee increase for elevator today,
4 we have finished the rule-making process for the fee
5 increase to fund the new CMS. We filed a CR-103 on
6 October 18th to adopt the 17-percent fee increase.

7 The fee increase -- we ended up splitting the fee
8 increase into two 8.5-percent fee increases. The first
9 8.5 percent would take effect January 1st of 2023.
10 And the second 8.5 percent would take effect
11 January 21st of 2024.

12 Originally we did propose a single or one-time
13 17-percent fee increase. And the purpose of that was
14 to align with the CMS expected go-live date of
15 mid-2023. And we did hold a public hearing on the
16 single 17-percent fee increase, and we did accept
17 written comments on the one-time 17-percent fee
18 increase, which -- we didn't end up receiving any
19 written comments or testimony on the proposed rules.

20 But the project team has updated the project
21 schedule for CMS with a new go-live date of
22 January 2024. So as a result, we adjusted the fee
23 increase into two increments that will take effect in
24 fiscal year 2023 and fiscal year 2024.

25 And Tamra Shaefer, the project manager, she -- I



1 believe she's on the agenda to speak next. So she'll
2 be sharing more updates about CMS. And we'll be
3 available if anybody has any questions specifically
4 about the project.

5 The -- does anybody have any questions on the fee
6 increase?

7 I'm sure everybody's --

8 (Overlapping conversation.)

9

10 CHAIR CLEARY: Alicia, I think we go through
11 this almost every time. But maybe go really quick on
12 what the -- what the CRs mean real quickly generically
13 on what's the string of the process of CR-101 all the
14 way through real quick.

15 MS. CURRY: So you want me to kind of skip to
16 that last item there, Scott?

17 CHAIR CLEARY: No. You can go through and
18 then just kind of -- just add that, I guess.

19 MS. CURRY: Okay. So in rulemaking --
20 there's really three main stages of rulemaking.
21 There's the CR-101 stage. And "CR" stands for "code
22 reviser." And the CR-101 is really what formally
23 starts the official rule-making process. It gives
24 notice to the public that we are looking at possible
25 rulemaking. It describes, you know, what we are



1 looking at for possible changes as well as -- it, you
2 know, provides information for the public about how
3 they can participate in the development of the rules.

4 And the second stage of the rule-making process is
5 what we call the CR-102 stage. This is where we file a
6 CR-102. We file the proposed rules, which are the
7 changes that we're looking at proposing. It begins the
8 official public-comment period as well as --

9 We hold public hearings for comments on the
10 proposed rules and, also, if there's a cost-benefit
11 analysis, a draft, you know, cost-benefit analysis or
12 small-business economic impact statement, would be
13 available, as well.

14 And then there is the third stage in the
15 rule-making process, which is the CR-103 stage. That
16 is the final stage. That is where we adopt the rules.
17 It's the final language as well as -- the CR-103
18 provides an effective date of when these new rules
19 would take effect.

20 CHAIR CLEARY: Thanks. I just -- I think
21 it's important just to keep talking about this every
22 time so people understand the flow. So thank you for
23 indulging me.

24 ////

25 ////



1 WAC A17.1-2019 Adoption

2
3 MS. CURRY: Sure.

4 The code-adoption rulemaking -- we're still, you
5 know, in the process of working on the code-adoption
6 rulemaking to get to the CR-102 stage, which again, as
7 I had mentioned, that's where, you know, we file the
8 proposed rules, and it starts the official
9 public-comment period, and we hold a public hearing.

10 We started the code-adoption process, as you're
11 all aware, back in October of 2021. This is the
12 rulemaking, you know, where we're considering adopting
13 the current version of the elevator safety codes, which
14 includes, you know, the 2019 edition of ASME A17.1, the
15 2020 edition of ASME A18.1, and then the 2020 edition
16 of the ANSI/ASSP A10.5. So those are some of the main
17 codes that we're looking at adopting for this
18 rulemaking as well as -- we're making, of course, other
19 changes, updates, housekeeping, et cetera, to the
20 rules.

21 We convened the TAC last year to review proposals
22 and to provide recommendations to L&I on the adoption
23 of proposals as well as -- the ESAC also was part of
24 that review process and gave their advice, as well.

25 We have completed the first-draft version of the



1 rule language. So I know everybody's going to be happy
2 about that. The -- we're hoping that the draft will be
3 available on the website today.

4 Melissa, we're -- or, Gerald, I know we had talked
5 about sharing the draft. Is that something we want to
6 put in the chat for everybody now?

7 MS. ERIKSEN: Not everybody has access to the
8 chat.

9 MS. CURRY: Okay. So the -- the draft rules
10 will be available on the website like -- as I had
11 mentioned, we're really hoping to have that available
12 to everybody today.

13 We tried to give really specific, you know,
14 justifications for the purposes of all the changes so
15 that everything is clear.

16 If -- and for those of you that might not be
17 familiar with the website, the language will be posted
18 on the elevator program's rule-development page. And
19 for those of you that do have access to the chat, I'll
20 go ahead and copy and paste that link in there. But if
21 you go to, you know, lni.wa.gov and then, you know,
22 click on elevators and their laws and rules page, it
23 will take you directly to the rule-development page
24 where you can find a copy of the draft rules.

25 We'll also be sending out a notification to



1 everyone on the delivery, letting everybody know that
2 the draft rules are available as well as providing a
3 link to that. So that will be coming very, very soon.
4 As soon as we have that link to the draft on the
5 website, we'll be getting that message out to
6 everybody. So that will be -- be coming your way.

7 If anybody does have any, you know, technical
8 questions about any of the rule changes, you know,
9 please feel free to reach out to Gerald. I'm also
10 happy to answer any questions you might have about the
11 rule-making process. But Gerald's probably the better
12 resource for, you know, questions, like, technical
13 questions on the rules. So, you know, please feel free
14 to reach out to him if you have any questions.

15 CHAIR CLEARY: Do we have -- Alicia, do we
16 have a time frame that -- 'cause it affects, you know,
17 all the companies and how they get set up, make sure
18 that we get this disseminated out to staff and how we
19 do business. So, you know, it's kind of drug on a
20 little bit, we understand. But do we know where we
21 are?

22 MS. CURRY: Yeah, I was actually going to get
23 to that next. I still have not made adjustments to the
24 original timeline for this rulemaking.

25 I know everybody's anxious for that. And I really



1 appreciate everybody's patience while we go through
2 this process.

3 We still need to have some internal conversations
4 with some of our folks before I can establish that
5 timeline. We are -- we will need to draft a
6 cost-benefit analysis for this rulemaking, which, of
7 course, will take a little bit longer. You know, we'll
8 push the timeline out some. I'm hoping that we will
9 have a timeline soon. And as soon as that becomes
10 available, I'll make sure to share that. We'll update
11 the program's rule-development page.

12 So, yeah, I'll make sure to share that. I know
13 everybody's anxious for that.

14 CHAIR CLEARY: Thank you.

15 MS. CURRY: Does anybody have any questions
16 about the code-adoption rulemaking?

17 MS. ERIKSEN: Alicia, I don't know if you
18 answered.

19 Sorry, this is Melissa.

20 I don't know if you answered it in -- or if you
21 answered it in what you just said.

22 We don't have a proposed date of adoption yet, do
23 we?

24 MS. CURRY: We don't. That's -- yeah. I
25 haven't made any adjustments to the timeline yet. I



1 don't want to, you know, again, give dates without
2 having those internal conversations with other folks
3 first, you know, just to -- I mean, to find out, you
4 know, how long they think it's going to take for them
5 to be able to do their part. Once I have that
6 information, then I will make adjustments to the
7 timeline.

8 If I had to give any kind of an estimate, which I
9 really don't want to do until I have those
10 conversations, I mean, I would say we're probably
11 looking at, you know, very late spring. But again,
12 until I have those conversations, it's just hard for me
13 to put the timeline together.

14 But it -- we will -- I'll be looking at that very,
15 very soon. We are scheduled to have those
16 conversations soon. So as I mentioned before, I'll
17 make sure to get those dates on the website once they
18 become available for everybody.

19 CHAIR CLEARY: Okay. One of the important
20 things about getting things done in a timely manner is
21 that we need to stay harmonized. All the AHJs need to
22 stay harmonized. Correct?

23 I mean, the City of Seattle, they've already
24 adopted 19. And we're going to have Jan talk a little
25 bit about rulemaking and their Chapter 30. And Spokane



1 kind of just follows whatever the State adopts. And I
2 don't think we have their representative here to
3 address, you know, what their plans are.

4 But it's nice to get this done and -- so we get
5 some harmonization so you're not working in the same
6 state under different rules. That always is
7 challenging. So I appreciate the challenges.

8 MS. CURRY: We really are kind of to the last
9 piece in the process before filing the CR-102. So,
10 yeah. I -- I'll work to get those dates as soon as I
11 can to everybody. If -- we're trying to go as quickly
12 as we can to get it done.

13 CHAIR CLEARY: Sure. I know you are.
14 There's a lot to do. I mean, the TAC was -- a lot in
15 the TAC. We're doing a lot to modify and -- into the
16 WAC and make some sense of things that -- so I agree
17 there's a lot to do.

18 It's just, the stakeholders, you know, have a lot
19 at stake and the licensed companies as well as the
20 owners. So thank you with that.

21

22 Public Comment Process Breakdown

23

24 CHAIR CLEARY: So you're going to move on now
25 to public-comment process breakdown?



1 MS. CURRY: Yes. And -- as I mentioned at
2 our hour that began at 8:00 o'clock, our discussion
3 hour, I have invited Tracy West, our agency rules
4 coordinator, here today to attend the meeting just to
5 hear some of the concerns and to maybe be able to
6 answer some questions that I might not be able to
7 answer.

8 Tracy, do you want to do an introduction?

9 MS. WEST: Sure. Good morning.

10 I'm sorry I can't use my camera today. My
11 Internet keeps crashing when I attempt to use it.

12 But my name's Tracy West. As Alicia mentioned,
13 I'm the agency rules coordinator, which means I oversee
14 all of the rules that go for the entire department. So
15 I process every CR form that comes through and some of
16 the other filings that you as the elevator, like,
17 program have to do, which is publishing meetings and
18 things of that nature.

19 I also serve as a senior policy advisor to the
20 Department. I mainly work with FSPS. But I also work
21 with our Division of Occupational Safety and Health in
22 a lot of their rulemakings, as well.

23 So I'm happy to answer any questions and be here
24 to support Alicia. I do have about seven and a half
25 years of rulemaking experience under my belt both here



1 at the Department of Labor and Industries and at the
2 Department of Health.

3 So thank you for having me.

4 CHAIR CLEARY: Welcome. Welcome.

5 And I'll kind of lay out why I suggested or
6 requested that we have this topic as an agenda item
7 as -- going through this process numerous times, but
8 last one there was a lot of questions on stakeholders
9 wanting to understand how their comments are integrated
10 or addressed and where it is in the timeline. There
11 were individuals that felt that their input was heard
12 but not integrated in a timely manner or they never got
13 any answers back on what their comments were.

14 So I just -- I asked Alicia if she could come up
15 and come through that process so people understand what
16 the timelines are, real quick.

17 Tom? Sorry.

18 MR. McBRIDE: Thanks. Are we -- has a new
19 participation rule -- is it in place already? Is it
20 okay to ask questions?

21 CHAIR CLEARY: Yeah.

22 MR. McBRIDE: Alicia, thanks for the whole
23 rulemaking and the whole team at the elevator section
24 at L&I, a big task, particularly in a COVID
25 environment. But a question for you since you've got



1 the link on the webpage now, which is great. Thank
2 you.

3 When the CR-102 is issued, will there be an
4 updated version of the rules proposed? Or is this the
5 version that we'll be reviewing for purposes of public
6 comment?

7 MS. CURRY: We're really not expecting any
8 changes. This is pretty much, you know, a final-draft
9 version. You know, if -- yeah. We're not really
10 anticipating any change. There might be maybe some
11 minor things, Tom, but definitely nothing significant.

12 If there were to be anything significant, of
13 course, we would release a Version 2 for everybody
14 letting everybody know. But this is pretty much, you
15 know, the final. So not anticipating any changes to
16 it.

17 MR. McBRIDE: Okay. Thank you.

18 Yeah.

19 CHAIR CLEARY: That's a real good question.
20 And is it watermarked that it is a final draft
21 somewhere in that document?

22 MS. CURRY: It's watermarked "draft." It's
23 just the -- I titled it "Draft Rule Language Version 1"
24 just in case, you know -- sometimes when you're going
25 through the rule-making process you can have several



1 draft versions for changing. But this is just -- yeah,
2 it's a Version 1, but it's, you know, nearly final. As
3 I mentioned, we're not expecting, you know, any
4 changes. We're pretty far through the process.
5 So . . .

6 CHAIR CLEARY: Okay. Thank you.

7 So if you want to, go ahead and let's talk about
8 going through the public comment and how the State --
9 there we go.

10 There -- okay. There's -- there's -- Gerald,
11 somebody, brought that up. So that's what it looks
12 like on the website, I anticipate.

13 MS. CURRY: It should. It should be the
14 exact same document that's on the website.

15 MR. BROWN: As soon as we get it posted.

16 CHAIR CLEARY: Okay.

17 Does that answer your question, Tom?

18 (No audible response.)

19 CHAIR CLEARY: Okay? All right. Let's move
20 on.

21 MS. CURRY: Getting back to the rule-making
22 process, as I mentioned, there's three primary stages:
23 the CR-101 stage, and then there is the CR-102 stage.
24 I guess I could kind of go back to the CR-101 stage
25 because that also, you know, involves representatives,



1 the technical advisory committee, and representatives
2 from the industry, which --

3 You know, stakeholders -- we encouraged, you know,
4 early in the rule-making process for stakeholders to be
5 reaching out to their representatives, you know, for
6 any kind of issues and concerns, you know, that they
7 might want to have addressed, you know, or have their
8 representative address on the technical advisory
9 committee meeting, and also their ESAC members.

10 But the formal, official public-comment period
11 begins when we file the CR-102. The CR-102 document
12 contains the, you know, date and time and information
13 about the public hearing. It also provides the date or
14 the deadline for submitting written comments in to the
15 Department.

16 Once all testimony is received and written
17 comments are received, we, you know, compile those
18 comments, we review all those comments, and consider
19 all comments for changes to the rules. And we will
20 either, you know, make changes based on the feedback we
21 get, or we might not be able to make changes on the
22 feedback or for other -- other reasons. Once we -- so
23 we'll make the changes to the proposed rule language.

24 Then, when we file the CR-103, that is when we
25 release the -- what we call the Concise Explanatory



1 Statement. That is the document that contains all of
2 the written comments that we've received on the
3 proposed rules as well as any testimony and the
4 Department's responses.

5 It is a public document. We post it on the
6 website as well as -- I typically send that Concise
7 Explanatory Statement document directly to anyone that
8 has attended the public hearing and anybody that has
9 submitted written comments so that they get, you know,
10 the Department's responses back to them directly.

11 CHAIR CLEARY: Okay.

12 MS. CURRY: Does anybody have any questions
13 on the public-comment process?

14 And, Tracy, is there anything more I should add?

15 MS. WEST: No. That's really -- that's a
16 really good summary of how -- especially how it works
17 within FSPS. So it is really stakeholdering between
18 your 101 and 102. That's informal, like, public
19 comment. And then at the 102, that's the formal
20 comment period that does require under the law that we
21 give specific responses to.

22 So you did a great job.

23 MS. CURRY: Thank you.

24 MS. WEST: But I'm also here if there's other
25 questions on how that -- on how that works in other



1 areas of the Department.

2 MS. CURRY: Jan?

3 MS. GOULD: Yes, real quick.

4 How about public hearings? Has that already
5 happened?

6 MS. CURRY: What do you mean?

7 MS. GOULD: Don't you have -- you go to have
8 a public hearing in Spokane and maybe in Tukwila?

9 MS. CURRY: Yes. In the past we have held
10 public hearings around various locations around the
11 state. I believe we held one in Tukwila, Spokane,
12 Vancouver, and Yakima.

13 And then, of course, when COVID hit, we had, you
14 know, restrictions on public gatherings. So public
15 hearings have been held virtually for the last, I
16 believe, two and a half years.

17 As far as future goes, we're looking at holding
18 in-person public hearings again but also providing a
19 virtual option. The public hearing will either be in
20 person and virtual at the same time or maybe an
21 in-person meeting and then maybe the next day a public
22 hearing that's just a virtual option to be able to give
23 folks, you know, greater participation in that process.
24 So that's what we're looking forward, you know, for the
25 future of public hearings.



1 MS. GOULD: Jan again.

2 And where does that fall in the process?

3 MS. CURRY: Sorry about that Jan.

4 So once we file the CR-102 document, the proposed
5 rules, that's when notice goes out for the public
6 hearing.

7 MS. GOULD: Thank you.

8 MS. CURRY: It's -- yeah. It's provided in
9 the actual CR-102 document itself as well as -- we send
10 notices out to everyone directly through the elevator
11 program's, you know, GovDelivery list. The
12 information's available on the website as well as -- we
13 do other, you know, outreach to get the message out
14 there and get that information to folks.

15 And there's also -- we post a public-hearing
16 information packet on the website, the rule-development
17 page, as well as -- our agency's rulemaking-activity
18 page also provides rulemaking document information and
19 all the information about the hearing contacts, that
20 sort of thing.

21 So it's also provided on there. So if anybody,
22 you know, wants to print that out or, you know, have it
23 electronically, it also contains all the information
24 about the public hearing.

25 CHAIR CLEARY: Alicia, when somebody submits,



1 obviously they're going to submit it via email,
2 correct, their comments?

3 MS. CURRY: That is typically the way that I
4 receive comments. I rarely get comments by mail
5 anymore. And I haven't gotten a comment by fax in
6 probably eight, nine years. However --

7 CHAIR CLEARY: What's fax?

8 MS. CURRY: -- those are still options. I
9 still check the fax machine, you know, regularly as
10 well as, you know, the mail, of course.

11 But primarily I -- everybody uses email nowadays.
12 So . . .

13 CHAIR CLEARY: Okay. So my question is:

14 Is there a log, or is there some way somebody can
15 go in on the website and make sure that their comments
16 were received and date stamped?

17 MS. CURRY: So typically I respond back when
18 I get written comments from folks. I will send an
19 email response, you know, saying, you know, "Thank you
20 for your comment," you know, and let them know when
21 we'll be -- when they can expect a response from us,
22 which, of course, is after all comments are received
23 and we've, you know, thoroughly reviewed all comments
24 and made considerations.

25 And then once the rules -- again, once the rules



1 are adopted, the formal response will go to those
2 folks. And, again, I email directly anybody that
3 submits written comments as well as, you know, provides
4 testimony. So they should be getting responses
5 directly from me as well as notice of receipt of their
6 comment.

7 CHAIR CLEARY: But being public, shouldn't
8 there be a list so anybody knows who's making comments
9 and who has submitted?

10 MS. CURRY: We typically don't include, like,
11 the, you know, name and email address of those that,
12 you know, have submitted comments. However --

13 CHAIR CLEARY: Doesn't have to be email
14 address.

15 Just, how do you know who's commenting if there's
16 not a public list of just names or just affiliations?

17 MS. CURRY: Yeah. Typically I don't provide,
18 like, the list of everybody that's received -- or
19 excuse me -- that's provided comments to us. I just --
20 their comments themselves are public. I suppose if,
21 you know, somebody wanted that information, it's
22 available through a public-records request.

23 But that's not something I've typically done in
24 the past.

25 CHAIR CLEARY: Okay. Just a question.



1 MS. CURRY: Yeah.

2 CHAIR CLEARY: Any -- we're pushing on some
3 time. So any further questions for Alicia?

4 Really appreciate. You're always insightful, and
5 it always is really helpful to hear from you 'cause
6 it -- it really lets people know where we are in the
7 process 'cause, you know, we -- it's moved to the
8 right, and, you know, all of us get a little anxious
9 sometimes, and it really affects us.

10 But thank you and --

11 (Overlapping conversation.)

12

13 CHAIR CLEARY: Yes.

14 MR. MARTIN: Chairman, Norman Martin.

15 CHAIR CLEARY: Yes, go ahead, Norman.

16 MR. MARTIN: I just wanted to follow up with
17 a comment that I agree that there -- anybody who makes
18 a public comment, it should not just be an
19 organization. You should be able to know who made the
20 public comment because it could make a difference in
21 how you evaluate their comments and how others who have
22 comments understand how the agency's being lobbied.

23 So a person's name, such as Norm Martin at
24 Schindler Elevator, should be very clear to all where
25 the comments are coming from. You should not have to



1 engage in a public-records search or request in order
2 to get transparency of the process.

3 CHAIR CLEARY: Thank you. That was more or
4 less my point. You've encapsulated it quite
5 eloquently. So thank you. That was my whole thing,
6 is -- is we don't know who's commenting. We don't know
7 what -- their affiliation and what they're lobbying
8 for. And I would like to see it. I can only request
9 it.

10 Somebody else had their hand up. Was it --

11 MS. CURRY: Tracy.

12 CHAIR CLEARY: Go ahead, Tracy.

13 MS. WEST: Yeah. I just wanted to --
14 Thank you. Tracy West again. As --
15 (audio disruption).

16 MS. CURRY: You're on mute, Tracy.

17 MS. WEST: Just kidding. Thank you. Sorry.
18 Thank you again.

19 So as an agency, usually on kind of external
20 documents we tend to not publish names. So I'm happy
21 to, kind of, take that concern and talk with Alicia a
22 little bit more about that outside of the meeting to
23 see what we do.

24 I think for purposes of talking through
25 stakeholder comments in the informal period, we're --



1 we -- we do tend to leave names on, and we do take into
2 consideration who is commenting, what affiliation they
3 are, especially when determining in other areas of the
4 Department whether to -- what weight to give to certain
5 comments. And we are kind of going through similar
6 concerns in other areas of the Department around using
7 anonymous attendees at virtual hearings and how that
8 might be not being used with the spirit that it was
9 intended to.

10 So it's good to hear this concern. And I'm happy
11 to, kind of, talk with Alicia a little bit more about
12 how to handle that concern and see if we can get you
13 guys the information that you're wanting as you're
14 considering what kind of feedback you do get during
15 both informal and formal comment periods.

16 I just wanted to offer that, that it's not unique
17 to y'all. It is -- in our formal responses we tend to
18 not put names. But I'm happy to -- to reconsider
19 whether that is the best approach.

20 CHAIR CLEARY: Could you please follow up
21 with me so we can discuss it in our interim ESAC
22 meetings so we can figure out and answer any questions?

23 MS. WEST: Absolutely.

24 CHAIR CLEARY: Thank you very much.

25 ////



1 City of Seattle Chapter 30 Rulemaking

2

3 CHAIR CLEARY: With that, I'd like to move on
4 to Jan Gould. We're going to talk about the City of
5 Seattle rulemaking under Chapter 30.

6 Alicia, thank you very much. Very insightful as
7 always. Thank you.

8 Jan, you're up.

9 MS. CURRY: Thank you.

10 And, Tracy, thank you.

11 MS. GOULD: I'll try and be quick 'cause
12 we're behind schedule. I'm not --

13 (Overlapping conversation.)

14

15 CHAIR CLEARY: Don't be quick. Be precise.

16 MS. GOULD: Not many changes.

17 First off, we had some errors in our 2018
18 Chapter 30.

19 And then a shout out for Jim Runyon for finding
20 those.

21 And for those that don't know, we do not adopt the
22 Chapter 30 that's in the International Building Code.
23 We have our own Chapter 30.

24 And under Section 3003, where we adopt our codes,
25 the only code we'll be adopting this go-around is the



1 2020, 2018 -- I mean the A18.1. So we're -- we'll be
2 in harmony with the State. And we're already on the
3 2019 ASME A17.1, so we'll be in harmony with the State.

4 Under Section 3004, Definitions, we don't have any
5 definitions for "temporary out," "permanent out,"
6 "temporary out voluntary," "involuntary." So we'll be
7 adding some definitions under that section.

8 And then Section 3007, Plans and Specification, we
9 have taken language out of WAC 296-96. I think it's
10 2421, Layout Plans. We've added all that language as
11 requirements for permits being applied for. And we've
12 added a few extra. So again, we're trying to be in
13 harmony with the WAC rule.

14 And under -- oh, and under a retroactive section,
15 3011 -- I missed it last time. We're now going to be
16 adding that all retro- -- all existing elevators, even
17 if they're hydraulic, will have to have handrails, if
18 the overhead can handle it, and then signage.

19 And at the end of 2011, again, our retroactive --
20 Nope. That's wrong.

21 In our Section 3016, which is New Construction
22 Standards, we removed the language that was in the WAC
23 rule for handrails and added the language the
24 subcommittee recently developed for support rails.
25 Again, the support rails won't be required, but they'll



1 have specifications where provided. And that will be
2 in Section 3016.5.

3 And then on 3016.19 we're going to be adding,
4 under Elevator Illumination, where requiring machine or
5 control rooms are on the roof, to provide one
6 foot-candle of illumination from the stairwell door to
7 the machine-room door. We've been doing this for a
8 while, but we really haven't had it in code because a
9 lot of times that roof is not occupiable space, so
10 there isn't specific language in the building code to
11 address that.

12 And then Section 3028, Periodic Inspections and
13 Tests, again, last time I missed that. We'll be adding
14 requirements for -- annual testing requirements for
15 automatic sprinkler disconnect, also known as "shunt
16 trip" language.

17 And then the WAC rule for maintenance and annual
18 testing of commercial accessibility lifts, which is
19 currently in the WAC rule.

20 And then we -- we're -- I'm going to be going in
21 front of the CCAB, Construction Code Advisory Board, on
22 December 1st. And then we'll have the external
23 stakeholders industry meeting the week of
24 December 13th, the 14th, or the 15th.

25 And last time I missed a couple companies. So in



1 the chat I'll put my email address. Anyone that I've
2 missed in the past, please send me an email, and I'll
3 add you to the list.

4 It will probably be a two-hour meeting, room at
5 the end for public comment.

6 CHAIR CLEARY: Jan, thanks. Couple
7 questions. Well, one question for --

8 I know we've had some discussions on the State's
9 definition of "decommissioning" and when it's used. Is
10 that something you're going to address?

11 (Overlapping conversation.)

12

13 MS. GOULD: Yeah. I haven't quite figured
14 out -- we haven't quite figured out if we're going to
15 be using "decommissioning" 'cause the State uses that
16 term for temp out and permanent out, and we have
17 language in our section -- let me find it -- under
18 3005.2, Conveyances Out of Service. So not quite sure
19 yet if we're going to be using the word
20 "decommissioning" because a lot of our stakeholders
21 apply for a permit using that language. So we will try
22 to incorporate that language and then add definition
23 'cause we have no definitions.

24 This section of our Chapter 30 has not been
25 touched since before I got here, and that's 18 years



1 ago. So it clearly needs updating and then definitions
2 added to support that language under our definitions,
3 3004.

4 CHAIR CLEARY: Is that it?

5 MS. GOULD: Yeah.

6 CHAIR CLEARY: Well, thank you.

7 Any questions for Jan?

8 I usually have a -- an answer I always ask about.
9 Reconciliation and harmonization between the two I
10 won't ask this time.

11 Any question from anybody else?

12 MS. GOULD: And then I'll put my email
13 address in the chat. So please let me know if you want
14 to be added to our public -- really our public
15 hearing -- excuse me -- our industry meeting, external
16 stakeholders. Thank you.

17 CHAIR CLEARY: If you could put me -- if you
18 could put me on there, Jan, I'd be appreciative.

19 MS. GOULD: Yes.

20 Thank you, all.

21

22 Needed Points of Discussion

23

24 CMS Project Update

25



1 CHAIR CLEARY: Okay. Any -- if there's no
2 questions, we're going to move on now to CMS points of
3 discussion. So with that (audio disruption) morrow.
4 And then I would think that we'd get some discussion
5 from Paoa. So let's move on.

6 MS. SHAEFER: So, good morning. I will go
7 ahead and start.

8 Melissa, this is my time, right?

9 CHAIR CLEARY: Yes.

10 MS. SHAEFER: Okay. Great. Okay.

11 So, thank you, everyone. I am the business
12 project manager for CMS.

13 And first I just wanted to thank everyone for
14 having our team be part of the ESAC meetings. I think
15 this is just a really good opportunity for us to share
16 with you the current status and to hear any of the
17 questions or concerns that you all might have.

18 So I'm going to go ahead and turn this over to
19 Nicole Taylor. She's our project manager for CMS, the
20 overall project. And she's going to share with you
21 what you have in store for this morning to hear. So,
22 Nicole.

23 MS. TAYLOR: Thanks, Tamra.

24 Good morning, everybody.

25 I am Nicole Taylor. I'm a senior IT project



1 manager. And I've been with the Department now for
2 about eight years. And I worked on a dozen other IT
3 implementations. But this is my first time working
4 with the elevator program and, of course, the ESAC
5 committee. So I'm just excited to be here. Thanks for
6 having me.

7 And I'm excited for this project. I think we're
8 about to make a lot of benefit -- a lot of strides
9 forward to make things easier for our internal staff
10 and our external partners and customers.

11 So just want to give you guys some updates with
12 where we are in the project and what you can expect to
13 come in the near future.

14 So we are sending out some monthly newsletters.
15 So if you haven't seen those yet, reach out to Melissa
16 and get on her list. We do try to keep you informed
17 with where we are and what progress we're making. So
18 some of this might be a recap if you are reading those.
19 But this is an opportunity to also ask any questions if
20 you have any.

21 So first and foremost, we did select a vendor, and
22 that vendor went into contract. We have a signed
23 statement of work, and we've started engaging with them
24 on October 5th. That was a very lengthy process to get
25 through our contracting process.



1 And I know we shared this at the last meeting, but
2 I'll just reiterate. We -- this process did extend our
3 anticipated go-live date. So we are looking at an
4 anticipated new system go-live in January of 2024. So
5 just wanted to call that out for anybody who hasn't
6 heard that yet.

7 We are, of course, going to be working as hard as
8 we can, and if it's at all possible to make this happen
9 sooner, we will. But that's with our best laid plans
10 right now, that's the best date we're looking at.

11 So what we've been doing since the vendor has gone
12 into contract, we have been onboarding them, getting
13 them a lay of the land, sharing with them how our
14 elevator program works, the types of things we're going
15 to need their system to do, and just giving them a
16 general high-level overview and establishing some
17 early-on relationships.

18 The first deliverable that the vendor has to
19 provide to us is a high-level schedule and plan for how
20 we're going to go through all of the different
21 activities and how they think we would most quickly and
22 efficiently implement a new system. So that is
23 expected to be provided to us by the end of this month.

24 So we do plan on sharing with you that schedule
25 and plan and hopefully a demonstration of the system to



1 get some, you know, early thoughts and juices flowing
2 of what the future could look like. We're hoping to do
3 that in early 2023. So we will come back to another
4 ESAC meeting and give you another update here in the
5 near future.

6 As well as getting the vendor onboarded and just
7 getting prepared to get, you know, an order of
8 activities and a schedule from them, we've been working
9 on updating our financial spend plan and our project
10 plans and making sure that our oversight agency, WaTech
11 and Office of Chief Information -- that they are able
12 to, you know, understand the whole game plan,
13 understand what -- how much money we're going to spend
14 in this biennium versus the next biennium.

15 And because of the delayed go-live date, we had to
16 do some adjusting of basically all of our project
17 documentation.

18 So we've just been cleaning house and getting the
19 vendor here and acquainted. And we're -- we will be
20 off it the races here in December.

21 So we're going to have multiple work streams
22 happening at one time in order to get this project
23 done. We'll have some teams working on data cleanup
24 and moving the data from the current CMS system to the
25 future system, lining up those data fields.



1 We'll have others working on integrating with our
2 other internal systems because we have other financial
3 systems and other interested parties across the agency,
4 including our licensing area and their system, that
5 we'll want to connect to. And we'll want to be able to
6 validate, you know, active certifications and licenses.
7 And we'll want to be able to share our data across the
8 agency.

9 So that will also be happening in tandem with our
10 business process design, which is where we'll be
11 talking about, you know, how should an application come
12 into the agency, how is an internal staff person going
13 to process that, what kind of approvals or
14 functionality is needed, and what happens to it at the
15 end, kind of walking through all those scenarios.

16 So with all of that, there is going to be a very
17 big opportunity for your committee to also be involved
18 and give us some feedback and share with us how you'd
19 like to see some things work in the future.

20 There is plans to have an external portal
21 available where you could log in and take multiple
22 actions.

23 So we definitely want to be getting some feedback
24 from you and working with you as far as testing and
25 validating that it's working to your expectations. So



1 we will be reaching out to you.

2 Once we have a better plan in early of 2023, we
3 will be reaching out and asking for, you know, what's
4 the best way to go about doing that. Do we want to do
5 some early-on surveys or maybe some more focus groups?
6 Or do we want to use the whole committee here?

7 So we'll definitely be asking for your input and
8 looking at how we can get you involved in building out
9 the best possible system for us in the future.

10 So I know I talked at you a lot. I will pause
11 here and ask:

12 Are there any questions?

13 MR. DOLGIKH: Great presentation, Nicole.
14 Thank you.

15 MS. TAYLOR: Thank you.

16 CHAIR CLEARY: Sergey, please state your name
17 and affiliation.

18 MR. DOLGIKH: I do apologize. We are being
19 recorded.

20 This is Sergey Dolgikh, elevator inspector in
21 Tumwater-Olympia, Region 4. Thank you.

22 CHAIR CLEARY: Thank you.

23 Question for you. So some of us were interviewed.

24 MS. TAYLOR: Uh-huh.

25 CHAIR CLEARY: And we -- what was the



1 response? Is that -- what was -- how is that
2 information used and integrated? And you said you were
3 going to reach out. How is that used and integrated?
4 Is there any way we know what that is and how it's
5 being used? 'Cause if it just goes in and we don't
6 know how it's being used or how it's published, I don't
7 know if anything's being heard.

8 MS. TAYLOR: Great question. And we actually
9 have some of that information to share back with you
10 today.

11 So if -- I will ask if there's any questions at
12 all about just the specific updates I gave. And if
13 not, I will kick it over to Shelli, and she'll be able
14 to give you an update on all the data we got from those
15 interviews and how we can also collect more feedback in
16 the future.

17 CHAIR CLEARY: Outstanding. Thank you.

18 MS. TAYLOR: Yeah. Thank you.

19 Okay. I'm not hearing anything or seeing anything
20 in chat, so I'll go ahead and kick it to Shelli.

21 CHAIR CLEARY: All right. Thank you.

22 MS. TAYLOR: Thank you.

23 MS. LACKEY: Thank you, Nicole.

24 Good morning, everyone. My name is Shelli Lackey,
25 and I'm the organizational change manager for the



1 Conveyance Management System project.

2 I -- for reference for those of you who may not
3 have met me or don't know of me, I have about 15 years
4 with the State of Washington and about 11 of those
5 years in doing OCM work both in the judicial and
6 legislative -- sorry -- executive branches. And I've
7 been with L&I now for about five and a half years.

8 So I'm excited to -- to be here with you today and
9 working on the CMS project with this great project
10 team.

11 Nicole made mention a few minutes ago about
12 seeking input from this committee as the project moves
13 forward. And that is actually a best-practice standard
14 in change management, to hear from the people who are
15 impacted directly or indirectly by a change and seek to
16 use their input.

17 And that's what I'm here to talk about today. So
18 I'm going to share my screen. And I'm going to talk
19 about some stakeholder interviews that I conducted
20 in -- over a few weeks in September and October and
21 tell you the themes that emerged from those interviews,
22 the definition of those themes as it relates to the
23 data that we collected from these interviews, and then
24 how we plan to use this information.

25 So just one moment while I get my screen up here



1 for you.

2 Can everyone see my screen? Perfect.

3 Oh, I'm getting better, Nicole.

4 Okay. So as I mentioned, I conducted interviews
5 with -- in October of 2022. I talked to 27
6 stakeholders, both internal and external to the
7 project. And today I want to run through the top
8 themes that emerged from this -- from the data that we
9 collected in these interviews.

10 The top two themes I'll mention right off the top
11 were customer focus and accountability. So I asked
12 nine questions of 27 folks, and customer focus was
13 mentioned 58 times across all those -- all those
14 questions. And accountability was mentioned 34 times
15 across all those questions.

16 On this next slide -- I want to take a moment and
17 let you peruse this slide and tell you that these are
18 the one, two, three, four, five, six, seven, eight --
19 the top eight themes that showed up across the data
20 that I collected.

21 Using the data, using your responses to the
22 questions that I asked, I came up with a description
23 for each of these themes.

24 So for customer focus, for example, the data says
25 that "customer focus" means prioritizing customer



1 needs.

2 Same on down the line, "accountability" means that
3 we are delivering on our promises, that we have
4 consequences for not doing our job well or correctly.

5 Scope clarity, that we have a clear -- a clarity
6 about if this is a CMS elevator solution or if this is
7 a solution that we're using elsewhere in the
8 enterprise.

9 Collaboration, are we actively partnering with --
10 within L&I and with our partners and with vendors.

11 Stakeholder engagement, are we seeking and using
12 input from people such as yourself who are impacted by
13 this project?

14 Transparency, are we following established
15 processes? Are we freely and openly discussing process
16 on our work? Nicole just mentioned how we would be
17 doing that, so I'm proud to say that absolutely we'll
18 be doing that.

19 Resources, do we have the right people and do we
20 have the right amount of time to do the work?

21 And then trust, the absence of agendas and making
22 sure that we're -- our actions are aligned with our
23 words.

24 So again, these descriptions are taken from the
25 responses that I gathered in talking to these 27 folks.



1 So with that, I want to show you how this showed
2 up across all the questions, how these themes showed up
3 across all the questions.

4 So as I mentioned, customer focus took top -- the
5 top reins here with 58 mentions across all nine
6 questions. Accountability was next with 34. And then
7 on down the line with trust being the -- showing up the
8 least amount of times at 15. If a theme showed up
9 fewer than 15 times, I'm not focusing on it for
10 purposes of this effort.

11 I will -- if -- I should -- I should restate that.
12 It's not that I'm not focusing on it. It's that these
13 are our top focus areas for the coming months as we
14 onboard the vendor and get started with engaging our
15 subject-matter experts.

16 So I don't think I have anything else to say about
17 this slide.

18 Are there any questions about what I've talked
19 about thus far?

20 CHAIR CLEARLY: I think this is outstanding
21 'cause this is -- gives me confidence and, I think,
22 other people that participate in this, that you're
23 actually taking it, using it, and then reflecting it
24 back and showing us, you know, what the stakeholders
25 and other people that are affected by this are



1 thinking.

2 So, well done. I really appreciate what -- this
3 whole thing.

4 UNIDENTIFIED SPEAKER:

5 MS. LACKEY: Thank you, Scott.

6 And, Scott, you bring up a good point because I
7 actually forgot to mention what we'll be doing with --
8 what we'll be doing with the data that we collected.

9 So I'm going to be working closely with Nicole and
10 Tamra and Matt Erlich, our communications resource for
11 this project, as well as with the project sponsors,
12 executive sponsors, to ensure that we're taking these
13 focus areas into account in our communications with you
14 all and in our future engagement with you all.

15 For example, Nicole mentioned, if we have focus
16 groups, one of the things that I would want to make
17 sure of is that we're focused, if you -- no pun
18 intended, on accountability and trust and the other six
19 of the eight top themes that showed up as we manage
20 those focus groups so that you can see how we're using
21 the data that you gave us.

22 CHAIR CLEARY: Fantastic.

23 MS. LACKEY: Any other questions or comments
24 about this information or how we'll use it?

25 As an organizational change manager, my job is to



1 make sure that we're attending to the people side of
2 change in the same fashion and with the same tenacity
3 that Nicole and Tamra are tending to the
4 project-delivery side of the change. So that's going
5 to be my role as we move forward with this work.

6 And I look forward to sharing the results of it
7 with you all.

8 CHAIR CLEARY: Shari, question.

9 Accountability was important to me, and I'm -- and
10 obviously important to other people.

11 What process is in place to ensure accountability?

12 MS. LACKEY: That's actually something that
13 we're working on now, or that I'm working on now, with
14 the project leadership. We are -- we are taking
15 actions to talk about how we're going to -- what
16 behaviors we're going to commit to doing and what
17 processes we're going to commit to following so that we
18 can document those and refer to them as we move forward
19 to ensure that we're holding ourselves and each other
20 accountable to the stakeholders and others that are
21 impacted by this work.

22 CHAIR CLEARY: And that's understandable.

23 But one of my concerns and, I think, others are --
24 is that when things start and stop or things change --
25 companies and owners are responsible fiscally for the



1 cost of impacts of doing different things. And it just
2 seems a lot of times that that's not part of the
3 calculus for the State, that it's easy to have somebody
4 do something or stop things, but we always have to
5 write the check.

6 And that's always -- that's a big concern, about
7 making sure that there's fluidity and you're running
8 this like a normal business. And it -- it's -- you
9 have -- you're not really generating the dollars to pay
10 for things or do for things that are impacted. It
11 always costs the owners and the businesses money. And
12 so that's a big concern on my part.

13 MS. LACKEY: Agreed. And I know that Nicole
14 addressed that a little bit in her update, as well,
15 telling you all about the new timeline of January -- of
16 the new go-live date of January 2024 and how we're
17 going to be planning to hold the vendor accountable to
18 those things.

19 So, Nicole, is there anything -- or, Tamra, is
20 there anything that you want to add to address Scott's
21 concern?

22 MS. TAYLOR: Thanks, Shelli.

23 I just -- I would add that we have Shelli -- I
24 think the biggest thing we have holding us accountable
25 is we have Shelli dedicated to us for change management



1 and ensuring, from the people side, that we are
2 definitely including that voice and clear communication
3 and information as early as possible to help people
4 navigate that change.

5 And from -- she touched on it on the vendor
6 aspect, as well, and you mentioned, Scott, some of the
7 financial aspect there. I want to just rest everybody
8 assured. We -- that is what took us so long throughout
9 the contract and Statement of Work negotiation process,
10 was we made sure that we had stopgaps in place, that we
11 are not paying for a system without having something of
12 value and quality delivered, that -- the things that we
13 needed in place from a contract perspective to ensure
14 that we're not, you know, spending money that we're not
15 getting value in return.

16 So definitely, if things were to -- and hopefully
17 they don't. I'm not going to -- I don't see anything
18 on the horizon to stop us at this point.

19 But if there were to be anything to come up like
20 that, you know, that -- the fiscal impact of that
21 would -- we would be not seeing hopefully any sort of
22 impact to companies or the community, that -- that we
23 would not be spending or wasting any taxpayer dollars,
24 if you will, on the implementation.

25 CHAIR CLEARY: All right.



1 Sergey, I'll get to you in one second.

2 But to me it's two tiered. Not having your vendor
3 perform is a taxpayer expense. Kicking things down the
4 road or not implementing the right thing is a
5 pocketbook for vendors, companies, and users. So
6 there's two different tiers there. I don't want that
7 to be conflated or misconstrued, that -- holding them
8 so they're responsible to meet their contractual
9 responsibilities and obligations is one thing. But not
10 getting the product out there right in a timely manner
11 has different impacts that are usually transparent for
12 the State. So . . .

13 MS. TAYLOR: Yes. Yep. Absolutely.

14 And to -- to add to that, we are paying on a
15 deliverable basis, so not for time and materials.
16 There's no kicking anything down the road. It is in
17 everybody's best interests to get this as soon as
18 possible.

19 CHAIR CLEARY: All right. Thank you.

20 MS. LACKEY: And, Scott, I hear your concern
21 about kicking things down the road from a date
22 perspective. And what I commit to doing is holding --
23 helping the project team and leadership hold ourselves
24 accountable to making sure that we're being transparent
25 about any delays and communicating those as timely as



1 we can.

2 CHAIR CLEARY: Can I get you to commit that
3 you're going to give status reports on an internal
4 timeline on how things are being done to the -- to the
5 committee?

6 MS. TAYLOR: You can -- I will take that. I
7 saw Shelli's eyes go big. I will volunteer for that
8 task. Yeah.

9 CHAIR CLEARY: All right. I'll hold you
10 accountable.

11 MS. LACKEY: I commit to holding Nicole
12 accountable.

13 MS. TAYLOR: Absolutely.

14 CHAIR CLEARY: And this is on public record.
15 So I'm very happy.

16 Thank you.

17 Sergey.

18 MR. DOLGIKH: Yes. Sergey Dolgikh, elevator
19 inspector, Region 4, L&I.

20 So -- and all three of you kind of answered a bit
21 of what I was going to ask.

22 But are there any penalties set?

23 Because we've heard that new CMS is coming since
24 2018. And I was part of that little crew and things
25 like that. And every time we hearing it, it goes from



1 vendor to vendor, "We select new vendor," this, this,
2 and the other.

3 But is there any type of penalties that's set in
4 place for nondelivery on time of goods? Like, you
5 know, there's -- certain timelines were set before.
6 Then they shifted. Then they shifted. Then they
7 shifted. So now we have a set vendor.

8 Are there any specific monetary penalties set in
9 place that, "If you don't deliver on this date, you're
10 going to have to pay penalties," that type of thing?

11 Please. Thank you.

12 MS. TAYLOR: Good question. There isn't
13 anything specifically like that.

14 The vendor is not getting paid until they deliver.
15 So they will be engaged with us for, you know, a long
16 amount of time and very frequently. So it is -- they
17 are, I think, naturally incentivized to deliver on
18 time.

19 As far as your comments about the delay, I hear
20 you, and I wish that that was a different story and
21 timeline that has occurred.

22 I can tell you, up until this point there hasn't
23 been a vendor actually selected nor a contract in
24 place. And so that is what is holding us to this new
25 timeline. Previously it was getting us into the



1 procurement stage, where we had the funding and time
2 and resources available in order to go out and procure
3 that system.

4 So I know there had been -- there's a long history
5 before I came to this project. But I can tell you that
6 this is the most progress this project has made thus
7 far. So now that we are under contract with a vendor,
8 we are headed forth under this timeline. And at this
9 point we're really not seeing any sort of issues or red
10 flags with hitting our goals.

11 MR. DOLGIKH: Thank you.

12 CHAIR CLEARY: Thank you.

13 MS. TAYLOR: Yeah.

14 CHAIR CLEARY: Melissa?

15 MS. TAYLOR: You're still on mute.

16 MS. ERIKSEN: Let's try this one more time.

17 Hi, this is Melissa.

18 So mainly for Scott and our committee and our
19 stakeholders listening in, due to the magnitude and
20 great progression of this project, this project does
21 have a standing place on our agenda. It is important
22 that y'all be updated. And they have done a fantastic
23 job thus far keeping everybody updated.

24 So I appreciate the project team for that. Thank
25 you. Thank you for committing to attend our meetings



1 and hanging out with us. You guys are doing a great
2 job.

3 We will be hearing more from them.

4 CHAIR CLEARY: And I'd like to state, I'm
5 more encouraged now that we've had this presentation
6 'cause it answered and alleviated some of my concerns.

7 But I've been around a long time. And the State
8 is not by statute responsible for errors and omissions,
9 and we are. And it's my job right now as the chair to
10 get -- to push you guys to make sure that we get things
11 done that are done in a timely manner, like you would
12 in a normal business.

13 So I'm going to hold you guys accountable. But
14 I'm very encouraged about the presentation. I really
15 appreciate it. And I'm sure the rest of the committee
16 members and stakeholders -- this is way more than I
17 thought I'd get this time. So job well done. Thank
18 you.

19 MS. TAYLOR: Great. Thank you.

20 And totally understood. Keep us -- keep us
21 accountable and keep us honest on it.

22 We appreciate the time today.

23 CHAIR CLEARY: So, now, anybody have any
24 questions on this?

25 Now, is the time to kind of chime in and ask some



1 questions. You know, everybody wanted to have a little
2 bit of say. Now is the time.

3 This is very important. It's -- we've had
4 problems with it 'cause if you don't have a good
5 database, nothing ever works that well. Junk in, junk
6 out. What's there, what isn't. What's permitted, what
7 isn't.

8 And I'll speak to the residential world. And
9 we're going to talk about a subcommittee coming up
10 about point-of-sale inspections on residential. A lot
11 of times somebody will buy a home and then call for
12 service, and we can't do it because it's never been
13 inspected, or we can't find out if there's been an
14 inspection 'cause it's been a while back. So this is
15 really the bedrock, foundational database that's really
16 important for this industry for the State.

17 So I'm really encouraged but hesitant.

18 Brian Thompson.

19 MR. THOMPSON: Thank you. Brian Thompson.

20 Shelli, I was going to ask. You mentioned 27
21 interviews. Can you kind of break down how many were
22 internal and how many were external?

23 MS. LACKEY: Sure. I interviewed 25 internal
24 folks and two external, two external folks.

25 MR. THOMPSON: Thank you.



1 CHAIR CLEARY: Any -- any other questions for
2 this group?

3 Okay. Thank you very much. Very, very
4 informative. And you hit a lot -- you hit a lot of the
5 nails on the head. So I'm really appreciative.

6 But we will hold you accountable. And, you know,
7 that's one of the legacies that I wanted to leave, is
8 I'll ask the tough questions. But I'm doing it for the
9 benefit -- not to do anything other than ask the
10 questions that need to be asked.

11 So really appreciate your participation. And
12 thanks again.

13 MS. LACKEY: Thank you for your partnership.
14 Thanks, everyone.

15 MS. SHAEFER: Thank you.

16 CHAIR CLEARY: Thanks, guys. Thank.

17 ESAC Subcommittee Status Updates

18

19 Licensing Category, Education, & Curriculum

20

21 CHAIR CLEARY: All right. Now we're going to
22 move on to subcommittees and status. I'm first up.

23 And I'll be the first to say that we have not been
24 able to meet for a lot of different reasons. We're
25 going to get back on track.



1 Melissa, you can help me out a little bit with
2 some scheduling.

3 But one of the things I wanted to make very clear
4 to everybody is why this is taking longer than
5 anticipated is, back when we had the subcommittee back
6 in '12, we just worked on categories and setting up
7 what the curriculum looks like.

8 What we're doing now -- one of the biggest things
9 we've always heard and always found out is that the
10 tests aren't relevant to the categories. You know,
11 we've got ten categories. No. 10 is for emergency. 9
12 is for temp. And then we've got eight categories that
13 we have everybody else licensed in.

14 So what we're doing this time is spending a lot of
15 time -- a lot of time --

16 Melissa, you putting your hand up?

17 MS. ERIKSEN: I am. I'm sorry. I should
18 have caught this before you started.

19 Can we take a quick five-minute for everybody?

20 CHAIR CLEARY: Yes, we can.

21 Can you put a clock up for us, please?

22 MS. ERIKSEN: I will.

23 CHAIR CLEARY: All right. Thank you. All
24 right.

25 Everybody can -- see, but everybody can camera out



1 and go real quick. So come on. It's not like we're
2 all in a room somewhere. But I agree. Put a -- put
3 the five-minute up, and we'll see you in five minutes.

4 (Brief pause in proceedings.)

5
6 CHAIR CLEARY: All right. We'll start back
7 up. Appreciate everybody reengaging.

8 So basically we're going to go back in and talk --
9 finish up my conversations with the subcommittee with
10 curriculum.

11 And one of the things that I vastly
12 underestimated -- and I think, some of the other
13 participants, and, Melissa, you can chime in, you and
14 Paoa -- that one of the things that was -- always been
15 a big problem was the validity of the state testing.
16 And since we have so many different categories, eight
17 of them, that need to take a test, there was no
18 specificity to what the contents should be for each one
19 of those.

20 So we've really tried to come up with what --
21 what -- for test questions, setting up tests that
22 really do the right thing for the right category,
23 continuing ed. And that's been a really, really heavy
24 lift that's kind of slowed things up.

25 So I think Gerald -- and I don't want to speak out



1 loud. I guess I will for Gerald, but -- has allowed us
2 to push this into next year to get some outcomes 'cause
3 it's really important for Category 4 and Category --
4 all the categories. But, you know, bring CPHs back in
5 and getting them back into the license category. We
6 want to do it right.

7 But I don't think we should have -- keep kicking
8 the can down the road for perfection 'cause I don't
9 think we'll ever get that. So that's what's been kind
10 of slowing us up on this, the curriculum subcommittee.
11 And it's not easy for the participants that have been
12 there. And I -- I think some of us may be getting a
13 little bit burned out because it's been drug out for
14 many years for many different reasons.

15 But we're going to work really, really hard. I'm
16 going to work really hard to get something so we can go
17 ahead and advise it to the State early next year.

18 With that, Melissa, do you have anything else you
19 want to add on that or -- you or Paoa?

20 MS. ERIKSEN: No.

21 CHAIR CLEARY: Okay. Is -- Paoa, are you
22 still on?

23 MS. ERIKSEN: No.

24

25 Conveyances in Rental Units



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CHAIR CLEARY: Okay. Okay. So with that, we're going to move on now to Jim Norris.

Jim, you doing all right? Do you have a little oversight?

I think there's some things that have popped up that, you know, we want to have some discussion on. And I think this is the right time to do it.

MR. NORRIS: I had asked Brian if he was going to bail me out.

Brian, are you going to help me out, buddy?

MR. THOMPSON: Yeah. Absolutely. I can jump in.

Brian Thompson talking about the subcommittee on conveyances and rental units, which has also expanded to residential units at time of ownership transfer.

The subcommittee's done quite a bit of work to try and provide assurances to the riding public that conveyances in residential units are safe and reliable as, you know, those in commercial spaces that they would encounter.

And we provided our initial work product to the ESAC for consideration, received good feedback.

And the subcommittee is going to continue working to refine our work product based on the feedback we got



1 from the ESAC. And so hopefully we'll have something
2 to bring before the larger audience next quarter.

3 CHAIR CLEARY: Well, Brian, I think this is a
4 good time to get some -- not only from -- feedback from
5 the ESAC committee membership but also from any of the
6 stakeholders.

7 I know I've got some conversations. Maybe this
8 would be a good time to kind of discuss a little bit,
9 go back and go through the intent for, you know,
10 participants that maybe have not been privy to what's
11 begun going on to make sure they understand this is all
12 conveyances on residential that are regulated by the
13 State. I think it's pretty important.

14 And if any of the stakeholders that are in the
15 audience right now -- it would be a good time for them
16 to ask some questions and maybe add some clarity to
17 their understanding.

18 MR. THOMPSON: Sure. Yeah.

19 So one of the ways that I try and frame it or
20 structure the conversation is similar to smoke alarms
21 'cause that's my bailiwick. Each home is required to
22 have smoke alarms, but the government doesn't have an
23 inspector that comes and looks and make sure that you
24 are keeping yours in good repair, that if it's exceeded
25 its, you know, lifespan, that it's been replaced.



1 Similarly, residential conveyances, there is an
2 obligation upon the owner to, you know, do the required
3 maintenance on that conveyance. But there's not really
4 a -- you know, a check and balance to make sure that
5 that's occurring.

6 And so the subcommittee was trying to find a way
7 to, you know, close that gap.

8 And even before we broke, Scott, you mentioned
9 challenges when your company's called in due to the age
10 of a system and the uncertainty surrounding it. So
11 that's another aspect, I think, the subcommittee should
12 consider based on that feedback you just gave.

13 But I do see some hands raised.

14 CHAIR CLEARY: Yes.

15 MR. THOMPSON: So I'm happy to take
16 questions.

17 CHAIR CLEARY: Okay. Mary?

18 MS. HULL-DRURY: Hi. Good morning, everyone.
19 My name's Mary Hull-Drury, and I'm here on behalf of
20 Washington Realtors.

21 And I don't actually have any questions other
22 than, perhaps, if there is still opportunity to engage
23 in the process and provide some input, I'd be more than
24 happy to put myself forward as a volunteer to engage in
25 those conversations, recognizing there is a great deal



1 of complexity and consideration. So I'm going to have
2 to feign some ignorance as to regard to the process.
3 But I'm happy to learn, and I'm all ears.

4 MR. NORRIS: Fantastic. Thank you, Mary.

5 MS. HULL-DRURY: Thank you.

6 MR. THOMPSON: I think one of things I would
7 offer to the Realtors is there was legislation a couple
8 years ago, the Gibby Gibson Smoke Alarm Act,
9 fire-safety act, that imposed a condition that there
10 was assurance that -- you know, the time of sale of a
11 home regarding the presence of smoke alarms. We've
12 also seen that for carbon-monoxide detectors.

13 And so the subcommittee has been intentional about
14 using language that was adopted in that Greg "Gibby"
15 Gibson Fire Safety Act to, you know, basically
16 incorporate concerns that Realtors had expressed in the
17 development of that legislation and incorporate that
18 into this L&I rulemaking.

19 CHAIR CLEARY: And, Brian, if I may help a
20 little bit, there's been a lot of emphasis -- and I'm
21 going to go back on a little bit of history in a couple
22 different angles.

23 One is that 70.87.305 allows residential
24 homeowners that live in their premise to allow anybody
25 to work on their conveyances, which I think is



1 problematic.

2 So that -- I get a lot of calls. You know, I'm
3 one of the largest residential-commercial --
4 residential elevator companies in the Northwest. So we
5 get a call on a regular basis from somebody who had
6 just bought a home, elevator doesn't work, and they
7 want us to come out.

8 First thing we do is make sure that it's on the
9 State's list for being inspected. And if so, then we
10 go out.

11 And a lot -- you know, there's a small percentage
12 that we can't go back out 'cause they've never been
13 properly brought through inspection. And it's not fair
14 to those homeowners that have had -- there was no
15 screening process during the whole thing 'cause one of
16 the big selling points of this beautiful home that has
17 a view, multilevels, is they got a residential
18 elevator. So that in itself is concerning. We want to
19 take care of the new owners.

20 The second is there's been a problem nationwide
21 with elevators that don't have properly installed swing
22 doors on residential. There's been big lawsuits. The
23 protection -- consumer-protection board has been
24 pushing to get everybody to be compliant with the
25 3/4-and-4. And Gerald put a really nice presentation



1 together in August that you can go back into the
2 minutes and look at. It's really good.

3 But the bottom line here is that what we're trying
4 to do is make sure you have a safe and operational and
5 compliant residential conveyance. And -- 'cause if the
6 setback isn't correct on the doors, there's a potential
7 for a child to get on that threshold, door shut, and
8 then the elevator will operate. With the new codes and
9 space guards, that's not a problem.

10 And, also, that exemption for allowing anybody to
11 work on your residential elevators is only if you're
12 owner occupied. And so all Airbnbs and all these other
13 different rentals, in our view, in my view -- and I
14 won't speak for Brian or Jim. But my view as an expert
15 in residential and also the chair of this ESAC is that
16 you lose the -- you lose that ability to have anybody
17 work on your elevators because you turn it in and make
18 it commercial. And you make it -- you allow anybody in
19 the world to come and do this.

20 And we want to put safeguards in place to make
21 sure that that's taken care of and also that any
22 elevator at point of sale is looked at to make sure
23 that the door locks weren't jumped out or some other
24 shenanigans haven't been done because there's no checks
25 and balances.



1 And I just want everybody to know that though the
2 State only does an acceptance test on installation,
3 they don't do annuals, but there's still no
4 differentiation between residential and commercial for
5 the obligation of the owners to do category testing,
6 either a Category 1 or a Category 5 weight test. You
7 still have an obligation to do that as an owner of a
8 conveyance in the state of Washington. So that's
9 important.

10 Any other feedback or questions on this?

11 Bob McLaughlin, do you have any questions for
12 inclined residential elevators?

13 MR. McLAUGHLIN: Yeah. I just want to speak
14 to the current effort. And I think -- I appreciate the
15 reach-out both you and Gerald made yesterday to answer
16 some of the questions. So I won't take up time with
17 those today. It was very valuable. And I'm hearing
18 some good things here today.

19 I hope I made it clear that there is no disputing
20 the need for the work that the committee is focused on
21 right now regarding the accident brief. And
22 Gerald's -- anybody who's not familiar with that, I
23 recommend going back to the August ESAC meeting minutes
24 from a year ago, the introduction that he made there.
25 I -- thanks to Melissa, I was able to retrieve those



1 minutes, and reading through his introductory comments
2 was a real eyeopener to me.

3 So the pushback that I gave both of you gentlemen
4 yesterday was not directed against the purpose of the
5 committee. It was strictly on -- in terms of process.
6 And one of the things that was a concern was the fact
7 that, when the agenda came out, it listed it as a
8 closeout for the committee. In -- not to sound like an
9 old fogey here, but in times past, usually at that
10 point there would be a committee report appended to the
11 agenda for us to look at. And when that was not there,
12 that prompted my phone calls to Gerald.

13 And so one of the things that I do want to speak
14 to is in terms of something that always -- doesn't
15 always get handled well, and that is reaching out to
16 the various stakeholders and organizations and so on on
17 an issue that affects them. That's not a total
18 criticism. Sometimes that's a difficult thing to do.

19 And one discrepancy I noticed was that Matthew
20 Erlich, comments in past meetings, has emphasized work
21 that he is doing. And I don't see -- I don't have good
22 visibility as to where he reached -- which
23 organizations he was talking to.

24 But there seemed to be a lot going on that Matthew
25 was attending to in his relationship to the committee.



1 I guess he's a member of the subcommittee. But since
2 he works for you folks in L&I, I -- whether that's
3 advisory or adjunct -- let's just call it adjunct
4 member of the committee.

5 The -- I reached out to a couple of organizations
6 and realized that they had not heard from the committee
7 at all. So sometimes that happens when you're trying
8 to get your final committee report together before you
9 do that.

10 Where I'm going with this is that now that it has
11 come to the full committee, Scott, I'm going to ask
12 that you, as an administrator, fill in some of those
13 gaps. In other words, you have the expectation of a
14 report that Brian just mentioned.

15 But I -- when you get that report, I think it
16 would be your responsibility to ask for some details as
17 to where Brian reached out, what groups he was talking
18 to and so forth, and then make that part of a report
19 that we can see because it helps us as stakeholders to
20 know whether we're duplicating our efforts in trying to
21 alert people that have already been contacted and so
22 on.

23 So as part of -- as part of a final report -- and
24 I think that's definitely in order -- I'd like to see
25 from Matthew where he has already reached out and



1 notified people of this effort, where it's coming from,
2 the reasons for it.

3 CHAIR CLEARY: Okay. And your input and some
4 of the questions -- and I think there was a
5 subcommittee meeting or a pre-ESAC meeting where they
6 decided we weren't going to take a vote and we need
7 to -- we needed to fill in some of the gaps.

8 So it's really good to have your input. This is
9 why this is really important, to make sure we get that.

10 Having the ability to have the real-estate
11 industry engage with us, I think, is extremely
12 important. And I think that -- this is all good. This
13 is what -- this is the kind of dialogue we need to come
14 out with a really good product.

15 You know, Jim and Brian and the whole
16 subcommittee, I think, have done a really good job.
17 And we've -- they've reached out, and now it's time to
18 fill in those little gaps. But I think, all things
19 being equal, we're going to be happy with the work
20 product that the subcommittee's coming out with.

21 But it does have some areas that we need to
22 bolster a little bit. So these are very good comments.

23 Appreciate your input, Bob.

24 Brian, you -- you want to close it out and kind
25 of -- obviously we're not going to vote to accept it



1 'cause we're going to do a little bit more work on it.
2 But kind of close that out for us, if you would,
3 please.

4 MR. THOMPSON: All right. I was going to
5 offer that there was a question in chat about is this
6 only residential elevators.

7 And the answer is no. The subcommittee's
8 intentionally using language "conveyances." So it
9 could be, you know, stair chairs or basically hillside
10 funiculars.

11 CHAIR CLEARY: Dumb waiters, VPLs, anything
12 that the State has required to be permitted and have an
13 acceptance inspection done on and is permitted in part
14 of the CMS. That's why CMS is so important. When we
15 get that and get that right, needs to be part of this.

16 Go ahead, Andrew.

17 MR. RYAN: Yeah. As a tram owner, one of the
18 comments that I have addressing a point that you made,
19 Scott, is that, you know, you were concerned about
20 unlicensed individuals being able to work on private
21 trams.

22 For those of us that have a licensed elevator
23 contractor perform annual maintenance on our unit, it
24 seems like there should be a way for us to show that
25 documentation and not have to get a separate elevator



1 committee -- or elevator inspection upon sale or any of
2 those, you know, other type of events that you're
3 looking at here.

4 CHAIR CLEARY: All right. And I'm going to
5 give you the same -- same answer that I gave to Bob.

6 As long as you have the exemption for licensed
7 mechanics in 70.87, RCW 70.87.305, that allows owner
8 occupiers -- owners to let anybody work -- unlicensed
9 mechanics to work on their pieces of equipment, then I
10 think you need to have that funnel and gate. 'Cause
11 you might have had it serviced two months ago, and then
12 you had a problem with a lock, interlock or something,
13 and you could have had anybody to come and work on it.
14 Doesn't mean it's done right.

15 So you can't have that both ways. You got that
16 exemption in the statute. If that goes away, then that
17 makes sense. But if you can have anybody work on it
18 that's not licensed in the state of Washington, I think
19 that's problematic.

20 And so that's why I'm adamant about having it done
21 by -- at the time of sale 'cause you don't know if it's
22 been worked on in the last week. And that's --

23 MR. RYAN: I understand where you're coming
24 from there. But if -- you know, if you show a repeated
25 pattern of having a licensed mechanic work on, that's a



1 pretty good track record.

2 CHAIR CLEARY: You're absolutely right. You
3 have an MCP, have a licensed mechanic.

4 But it doesn't preclude you as an owner from
5 fiddling with an interlock because somebody -- it got
6 broken and you -- or having your neighbor who's an
7 electrician come in and dink with it 'cause you need to
8 get it working for a party or something else.

9 That's -- that's the -- that's the problem here, is
10 that ability to have anybody work on it that is not
11 properly licensed or trained. There's got to be some
12 checks and balances. And that -- in my view, that's
13 the checks and balance.

14 MR. RYAN: Okay. I'll let it go at that.
15 Thank you.

16 CHAIR CLEARY: Any -- anybody else?
17 Brian, you got any closing comments?

18 And we can move on 'cause we got to do some voting
19 on product vetting and handrails.

20 MR. THOMPSON: I know I appreciate the
21 discussion.

22 And, yeah. We'll certainly be finding ways to,
23 you know, share when our next subcommittee meeting will
24 occur.

25 CHAIR CLEARY: Yeah. Outstanding. Thank you



1 very much. Great job.

2 And, Andrew, those are good questions. And we
3 want -- we just want to do the right thing. And your
4 input is valuable, and I appreciate it.

5

6 Product Vetting

7

8 CHAIR CLEARY: So let's move on.

9 We're going to talk about product vetting, chairs
10 John Carini and Carl.

11 Just remember we want to take a vote on this
12 today.

13 MR. CARINI: Thank you very much, Scott.

14 John Carini, Sound Transit, along with my
15 co-chair -- outstanding co-chair, Carl Cary.

16 So this is from the New Equipment Vetting
17 Subcommittee. This is Phase I of a two-phase
18 subcommittee effort. This is specifically for the new
19 A18.1 equipment to be approved by L&I.

20 Some background on this recommendation is there's
21 no current -- there is currently no documented process
22 for manufacturers to formally submit new equipment to
23 the state technical specialist for approval. The lack
24 of formal procedure has created frustrations with
25 equipment manufacturers, the State's technical



1 specialists, and stakeholders. The lack of a
2 standardized request process has created extended
3 timelines, varying inspection processes, inconsistent
4 equipment submittal requirements, as well as a lack of
5 clear timeline expectations for approval.

6 Recommendations currently from the New Equipment
7 Vetting Subcommittee are as follows:

8 We're recommending that -- number one, that L&I
9 formally adopts the recommended A18.1 vetting form and
10 process;

11 Number two, that the new A18.1 equipment submittal
12 area be created on the State elevator-program website,
13 which will include a link to the new product-vetting
14 form, as well as clear instructions and a monitored
15 email inbox where requestors can send requested
16 documents;

17 Number three, that the subcommittee continue
18 reading and utilize the approved A18.1 processes and
19 procedure to create a similar process and procedure for
20 A17.1 new equipment approval;

21 Number four is that L&I review potential fee
22 increases for new product submittals;

23 And finally, number five, that L&I compile and
24 provide a complete list of previously approved
25 equipment listed by model number that is available on



1 the website.

2 CHAIR CLEARY: Thank you.

3 Any -- any comments? Anything else?

4 Carl, do you have any -- anything else you'd like
5 to add before we take a vote?

6 MR. CARY: Do we need to share the document
7 just so that people who aren't in the loop can see it?
8 Or just, I guess, ask --

9 CHAIR CLEARY: On this one here, it's --
10 What do you think, Gerald? Do you --

11 Melissa, do we want to bring it up and kind of go
12 through line by line?

13 This is something that you guys spent a lot of
14 time on. It's been vetted through the ESAC committee
15 members. And you've done a lot of work to kind of fill
16 in the gaps.

17 This is more of a procedural -- internal
18 procedural thing that the State is already doing to a
19 certain extent. This is just to kind of put this into
20 a formal way of doing things.

21 And, you know, maybe one of the two of you can
22 talk about the understanding that, you know, the 17.1
23 is going to be the heavy-lift vetting. Maybe kind of
24 go over that a little bit and why you guys decided to
25 take on 18.1.



1 MR. CARY: Yeah, I'll speak to that. And
2 then, John, you can fill in.

3 So obviously the 17.1 is a much more -- it's going
4 to require a much more deep dive. It's going to be a
5 challenging process to kind of create -- the hope that
6 we had as a subcommittee is to start with the 18.1,
7 which was kind of more of a manageable bite, and use
8 that as as much of a template as we can moving to the
9 next -- to that 17.1 discussion.

10 So we wanted to put this in front of the ESAC as a
11 whole first, get approval of it, and then use that
12 moving forward. So hopefully after this, getting
13 approval of this new process, we'll then immediately
14 start scheduling those 17.1 meetings.

15 CHAIR CLEARY: And the template kind of --
16 it's already been somewhat used at the State. I mean,
17 I under- -- you know, Dylan Lathe and that
18 organization, that part of the group, has already been
19 doing kind of this anyways. Correct?

20 MR. CARY: Yes.

21 CHAIR CLEARY: Okay. So it's just kind of
22 polishing it up and kind of filling in the holes and
23 understanding what the challenges are. And I think
24 this is a really good learning process in kind of
25 figuring out how you want -- the subcommittee wants to



1 attack the 17.1 and all -- the other part of that
2 because 18.1 is not as -- I mean, far less complicated
3 in product as we're going to see in the 17.1. So
4 that's going to be your heavy lift. Right? That's
5 going to take a little time. And we're going to need a
6 lot of feedback and input from a lot of the different
7 stakeholders.

8 So any other questions or discussion?

9 So do I -- I -- is -- we're going to bring this up
10 to a vote. And the reason why we're doing this is it's
11 the obligation of the subcommittees to do a readout to
12 the ESAC. ESAC can either agree and adopt and --
13 the -- what the recommendations are. If they do that,
14 then it is going to be advised to the State that this
15 is the direction that the stakeholders and subcommittee
16 wants to go. And if it fails, then it just goes back
17 into being looked at. Do we -- how do we handle it.

18 So this is voting for only the ESAC standing
19 members.

20 So do I have a first on adoption?

21 MR. CARY: Well, actually, as the co-chair,
22 I'd like to make -- this is Carl, Lerch Bates -- I'd
23 like to make a motion that we accept the 18.1 vetting.

24 CHAIR CLEARY: Do I have a second?

25 MR. WOOD: Second.



1 CHAIR CLEARY: All in favor, "aye."
2 (Chorus of ayes.)
3 (Clarifying interruption by the
4 reporter.)

5
6 CHAIR CLEARY: Thank you, Garry.
7 Okay. Not wanting to approve it, "nay."
8 (No audible response.)

9 CHAIR CLEARY: The ayes have it unanimously.
10 Let it please be noted that it was unanimously adopted
11 that we are going to advise the State that this is a
12 process for which we'd like them to adopt.

13 And I just want to make a little statement that we
14 understand as an advisory that we're only an advisory
15 committee, not a board. And so when we advise, we do
16 not take into account how you're going to resource it
17 or fund it. That's not part of what we do. We come up
18 with the content, and then the State --

19 Gerald, unfortunately, then it's your job to
20 figure out, if you do adopt it, how to fund it, how to
21 resource it. That's something that we don't discuss,
22 and nor is it part of our purview. So I just want to
23 make sure everybody understands that.

24 Subcommittee, great job. You guys really worked
25 hard. I know the time you put into it. I'm really



1 proud of the subcommittees that we've been doing. And
2 you guys have done a great job.

3 John, great job leading it.

4 Carl, really good.

5 Everybody that participated worked hard.

6 Dylan, the State, and other participants, really
7 good job. So thank you very much.

8

9

Handrails

10

11 CHAIR CLEARY: We need to move on to
12 handrails.

13 And that -- the chair of that is Ricky Henderson.
14 So we want to also close this out.

15 So you're on, Ricky.

16 MR. HENDERSON: Thanks, Scott.

17 Yeah. So this subcommittee was dealing
18 specifically with handrails inside the cabs of
19 elevators.

20 There was -- due to a number of the questions and
21 corrections related to the WAC rule, we've -- the
22 subcommittee was formed to review the current
23 requirement and -- as it is in the WAC and put forth a
24 recommendation to the advisory committee for any
25 changes that the subcommittee came up with.



1 Subcommittee reviewed the existing WAC
2 Rule 296-96-02530 related to handrails, looked at it,
3 compared it to the existing -- the current WAC rules,
4 also the soon-to-be-adopted 2019 A17.1. Researched,
5 looked into ADA requirements for handrails inside
6 elevator cars as well as the A17 -- A117.1 standard for
7 accessible and usable buildings and facilities as well
8 as the 2021 building code.

9 What we found was a few things. One, there are no
10 ADA requirements for railing -- handrails within the
11 car, and nor is there an A117 requirement for handrails
12 within the car. But there is a specific reference
13 within the WAC requirement to the A117.1.

14 So what the subcommittee did was we looked at it,
15 reviewed what the State's concerns were, and that was a
16 reference to A117, which is -- what we found was, I
17 believe, the root of some of the confusion that was
18 happening in the field.

19 So the subcommittee came forth with some
20 recommended language change, which basically, instead
21 of referencing A117, put forth a specific requirement
22 that the State (audio disruption) looking for within
23 the WAC, instead of referencing the broad code
24 requirement, which really doesn't even apply to
25 handrails inside the car.



1 MR. HENDERSON: Uh.

2 MR. RUNYON: Did I misunderstand you?

3 MS. GOULD: It's in ASME 2.14, additional
4 equipment in car.

5 Hang on here.

6 MR. HENDERSON: Yep.

7 MR. RUNYON: Oh, it's in 2.14?

8 Thank you. That's all I needed.

9 MS. GOULD: I'll put it in the chat.

10 CHAIR CLEARY: Thanks, Jan.

11 Thanks, James -- Jim.

12 Any more questions?

13 Jim, put your hand down, please, if you don't have
14 another one.

15 Perfect.

16 Okay. Do we have a motion to adopt?

17 MR. WOOD: Motion to adopt.

18 CHAIR CLEARY: Second?

19 MS. GOULD: Jan Gould, second.

20 CHAIR CLEARY: That was Garry Wood, first
21 one.

22 All in favor say "aye."

23 (Chorus of ayes.)

24 CHAIR CLEARY: Against?

25 (No audible response.)



1 CHAIR CLEARY: Okay. So we -- it's been
2 passed. And we will advise the State look at and adopt
3 it.

4 So thanks, Ricky. Really, really good.

5 MR. HENDERSON: No problem.

6 CHAIR CLEARY: And with that, we've kind of
7 finished up the main body of things. I would like to
8 bring --

9 Matthew, are you still -- are you still on?

10 MR. ERLICH: Yes, I am. Hi.

11 CHAIR CLEARY: How you doing?

12 And I think it would be really good to kind of
13 introduce yourself and make sure, you know, you kind of
14 discuss a little bit --

15 Bob had some good insight on what have you been
16 doing.

17 I know you've been working on the 3-and-5 rule and
18 some of the other stuff. But you play a very critical
19 role. But you're always kind of back in the shadows.
20 And kind of like to bring you forward a little bit so
21 everybody knows what a good job you do and you are
22 engaged more than your name comes up.

23 So I want to thank you for the work that you do.

24 But it's -- it's also good that everybody knows
25 your role and how you support ESAC.



1 MR. ERLICH: Thank you.

2 You know, my supervisor asks me a lot about what I
3 do. So . . .

4 But I work in the public-affairs unit of the Web
5 and Communication Division of the agency. I've been a
6 reporter and editor for about 20 years and spent
7 another 20 years in public, private, and nonprofit
8 agencies. I've been at L&I about, well, almost nine
9 years now, which really isn't a long time in L&I years.
10 But it's -- I've been around a small block.

11 And part of my job is to support communication
12 needs of a variety of programs, including the elevator
13 program. So, for instance, I did post the news release
14 that went out earlier on concerns over residential
15 elevators. That doesn't come from my imagination. In
16 fact, there's nothing that I produce that isn't vetted
17 by at least Gerald and his staff or his supervisor and,
18 in fact, his supervisor, as well. In fact, news
19 releases do go in front of L&I leadership for approval
20 before final distribution.

21 The news release, when it is distributed, goes
22 out -- our current list holds about 17,000 different
23 email addresses. So there are an awful lot of people
24 who do receive it.

25 We do try to make sure that the ESAC receives a



1 copy, as well, so that they're aware of what's going on
2 and can refer that to some of their -- the people --
3 their stakeholders.

4 So in some respects, if there is overlap of people
5 telling people the same thing about what's going on,
6 from a communication standpoint we look at that as a
7 positive because, as we all know, frequency matters.
8 You know, McDonald's doesn't do one commercial about a
9 Big Mac; they do a gazillion of them, and we all could
10 probably quote what's inside a Big Mac. So for us, the
11 frequency matters.

12 And because we don't have -- you know, Gerald
13 doesn't have a marketing budget per se, we have to rely
14 on the support of stakeholders to get the message out.

15 And so those are the things that I do,
16 particularly as it relates to construction hoists,
17 Conveyance Management System, and a variety of other
18 issues that, of course, are critical to the riding
19 public.

20 And it's my pleasure and honor to be dealing with
21 such high-quality people that Jim has, not only Jim but
22 that Jim has working for him.

23 So briefly, that's what I do. And there's really
24 no mystery or magic to what it is I do.

25 I speak a lot with the programs, with inspectors



1 to try to make sure that we get to the issue and then
2 tell people about it, if that's what you're looking for
3 from me, Scott.

4 But I appreciate, also, your kind words, truly.
5 Again, it's very much a team effort. And really the
6 thanks should go to Gerald and Melissa and Paoa and
7 everybody else, Candace, everybody else in the program
8 who's been educating me over these years. I might even
9 be able to take the Cat 4 exam at some point when it
10 comes out and have a chance at, well, at least taking
11 it, anyways, but passing it may be another issue.
12 But --

13 CHAIR CLEARY: Yeah. That's going a little
14 far. That's going a little far.

15 MR. ERLICH: I'm really here to answer any
16 questions. But really my work is in the background and
17 comes out when there's a news release. And if media
18 have questions, I direct them to the right person.

19 Thank you.

20 CHAIR CLEARY: Fantastic. And you've been
21 around for a while, too. I mean, you go back, you
22 know, many years. So this is not a new -- you've been
23 more engaged than normal. But it's been really good.
24 So thanks again.

25 MR. ERLICH: Thank you very much, truly.



1 CHAIR CLEARY: All right. Thank you again.
2 So any questions at all?

3 (No audible response.)

4 CHAIR CLEARY: All right. Thank you.

5

6 Continued Business and Audience Questions

7

8 CPH Update

9

10 CHAIR CLEARY: Now we're going to go -- this
11 is something that --

12 Gerald, you're up.

13 We need to get -- you know, we're going to get
14 some clarity on what direction we're going on the CPH.
15 So we're going to get a CPH update. And that kind of
16 plays into curriculum on the 04 category and everything
17 else.

18 So you're up, sir.

19 MR. BROWN: Okay. Thank you.

20 As mentioned earlier in the stakeholder meeting,
21 we're still looking at our January 1st deadline to
22 try to get all of our standing CPH and construction-
23 personnel hoists and construction-material hoists
24 registered to create a directory for inspectors to use
25 to be able to monitor what's up and what's not.



1 And the reason that's important is because to
2 enact this inspection permitting process, we had to
3 have a starting point. And the starting point that we
4 had was to have everybody show what's -- what's -- what
5 equipment is actually standing now and to let that
6 equipment stay just like it is and maintained by who --
7 who owns it and who uses it and who's contracted to
8 maintain it until it's relocated in 2023. And then
9 they would have to file a permit and have an elevator
10 contractor's license and elevator mechanics doing the
11 work for that category, which is 04. But I'd encourage
12 everybody to do that.

13 We have a lot of new -- new -- let me say that
14 differently. We have a lot of contractors that have
15 started up since we quit inspecting them. And we're
16 trying to encourage the balance of them to send out
17 some information to get registered as contractors and
18 stuff.

19 So please do that.

20 And we've had a few register already, and that's
21 just great.

22 But I'd encourage to -- encourage everyone to help
23 out to make this process smoother.

24 And if you have any questions on this, I'm open to
25 questions right now, or you can email me. And I'll put



1 my email in the chat. But it's just
2 Gerald.brown@lni.wa.gov.

3 But thank you. That's pretty much where we're at
4 on CPHs.

5 CHAIR CLEARY: Mandi, do you have any
6 comments or input or questions?

7 Or Chris?

8 MS. KIME: Not at this time.

9 CHAIR CLEARY: Okay. Go ahead, B.A.

10 MR. PHILLIPS: So, for submitting stuff for
11 new mechanics, what are we going to use for education?
12 Or what will be accepted for education as far as
13 vetting for new mechanics, seeing how there's really
14 none out there?

15 MR. BROWN: What we're doing, B.A., is we're
16 asking you to submit an application for a -- let's see.
17 It's -- an 0 -- oh, boy. I'm drawing a blank here.

18 CHAIR CLEARY: 04.

19 MR. BROWN: -- 09 license for temporary
20 mechanic.

21 CHAIR CLEARY: Oh, okay.

22 MR. BROWN: And we would have you submit all
23 of the information that you possibly can for education
24 and training and guidance.

25 To be able to sit for the Category 4 test, the



1 individuals have to work for a Washington State-
2 licensed elevator contractor for a year. So the way
3 that we're approaching this is we are going to review
4 documentation and have qualified individuals that meet
5 the number -- you know, the hours and training that we
6 have to the best of that ability and then work for that
7 period of a year for a contractor, and then at that
8 time they would be eligible to take the 04 test.

9 But in the meantime they would be working as a
10 temporary mechanic with the credentials they can throw
11 at us.

12 MR. PHILLIPS: Okay.

13 MR. BROWN: Just to try to give a big picture
14 of that, we're not going to grab a guy off the street
15 and say, "Okay. I want to work him as a TM," you know,
16 he has -- can't show any training, can't show any
17 experience, things like that.

18 "But I got this other guy. He's been doing it for
19 ten years, and, you know, he's had all these, you know,
20 trainings that he's been to for the manufacturers and
21 everything else." You know, those are the people we're
22 taking a hard look at.

23 So give me your best and your brightest and your
24 most skilled and most trained. And we have to have a
25 starting point. And as long as they meet the hours and



1 things like that that we're talking about, even though
2 we don't have a big list of, you know, authorized
3 education providers at this time, we're going to have
4 to keep the industry going. We're going to have to
5 work with people to get the safest 09 mechanics that we
6 can.

7 And that's how we're approaching it, B.A. Does
8 that kind of answer your question?

9 MR. PHILLIPS: Yes. The biggest crux is
10 classroom time because I've got three or four years of
11 server supports. I mean, we keep pretty diligent MCPs
12 on all the elevators we put up, take down, own, and
13 everything like that.

14 CHAIR CLEARY: B.A.?

15 MR. PHILLIPS: So I've got an OJT, and I can
16 back it up with documents. I can give you a three-ring
17 binder this thick of service reports with guys' names
18 on it and stuff. But it's the classroom time that's
19 the crux because, I mean, we've got Crosby rigging
20 classes and our NCCO rigging classes and stuff like
21 that.

22 But, I mean, to go and get the electrical
23 experience for troubleshooting and stuff like that,
24 that's where we're finding out the real -- the real
25 issues.



1 CHAIR CLEARY: B.A., can you go ahead and
2 state your name and affiliation for the records,
3 please?

4 MR. PHILLIPS: Sorry about that.
5 Buford Phillips, Apex Tower Crane.

6 CHAIR CLEARY: Gerald, that's the thing
7 that's going to -- you're going to have to reconcile
8 because the WAC is pretty specific on what the
9 requirements are to get a TM. Right?

10 MR. BROWN: Right.

11 CHAIR CLEARY: Is this -- 'cause is this an
12 exception just for 04? Or how is it going to work?
13 'Cause there's a lot of other categories that have the
14 same concerns. And so how do we -- how do we integrate
15 and make that work?

16 So that's a really good question, B.A.

17 And that's something that -- you know, it's going
18 to be -- have to be reconciled.

19 A question I got is: How did we get to this? Why
20 was CPHs ever taken out of this? And maybe we don't
21 want to get into the big and long and -- story.

22 MR. BROWN: No.

23 CHAIR CLEARY: But I keep -- my phone's
24 blowing up on, "How did we get here?"

25 Any insight for that -- for these people that are



1 listening?

2 MR. BROWN: I got a really unfunny story to
3 tell you, that we used to inspect these on a regular
4 basis. We had a list of licensed contractors, licensed
5 mechanics and things like this and, you know, people
6 like B.A. with Apex, you know, licensed for years. And
7 it's the whole process of trying to bring in new
8 mechanics in all our licensing categories.

9 And so unfortunately there was a decision that was
10 made by a previous administration to stop inspecting
11 them. And there has been a wholeheartedly -- a
12 wholehearted agency and stakeholder support to resume
13 inspections and the permitting and licensing process to
14 get this moving forward. And we are well on our way to
15 making that happen.

16 It's been frustrating and tedious to get to where
17 we're at. But we've finally got a clear path forward,
18 and we have the support of the stakeholders. We have
19 the support of the contractors.

20 I haven't heard anybody say, "Oh, no, we don't
21 want to inspect those." You know, do you --

22 Part of your job is -- the requirement, as you
23 ride these conveyances, you should have the same
24 protections as the guy across the street at the bank
25 riding a conveyance that's inspected.



1 We've got some wonderful people that put these
2 things in. And we are trying to do everything we can
3 to move this process forward.

4 And so, yes, there has to be some clarifications
5 and decisions. And I'm sure that we will be able to
6 address the needs of the industry and make this happen.
7 We are totally committed to that.

8 So thank you.

9 CHAIR CLEARY: Okay. Mandi?

10 MS. KIME: I would just like to address the
11 fact that one of the things that Gerald said --

12 CHAIR CLEARY: Please --

13 MS. KIME: Yeah, Mandi Kime, Associated
14 General Contractors.

15 CHAIR CLEARY: Thank you.

16 MS. KIME: So one of the things that Gerald
17 said is, you know, that this happened because of a
18 previous administration. And one of the concerns that
19 has been brought forth multiple times through Cat 4
20 discussions of this issue is the fact that we want to
21 make sure we execute this well enough to where there's
22 no gray area for future administrations.

23 We're not always going to have Gerald here. And I
24 can assure you that I won't always be on the ESAC. So
25 we want to make sure that when those of us who have had



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1 these conversations and fixed the problem -- that we
2 don't have a challenge later down the line where a new
3 interpretation can be generated either. So in order to
4 do that, it has taken extra effort, frustrating effort,
5 exhausting effort, but extra effort.

6 So just wanted to address that because I know that
7 comes up every time when we say, "Well, a previous
8 administration . . ." Well, what's to keep us from
9 having that same pickle again?

10 CHAIR CLEARY: Great point. And I think --
11 we've heard it. I think -- hopefully the State has
12 heard it. And I think whatever we do, we want to make
13 sure that it's crystal clear, no ambiguities.

14 Thank you, Mandi.

15 Jim Runyon?

16 MR. RUNYON: Yeah. Jim Runyon, tech
17 specialist for the elevator program.

18

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25

1 Just to give you some guidance on this, this
2 originally started way back -- it wasn't an
3 administration's call. It was an AG's call.

4 The AG was reading the statute and said, because
5 it's a temporary device, we don't regulate those
6 because they're up during a construction of the
7 building and then they're taken down. So they're not a
8 permanent fixture in the building. And that was how
9 those things got taken out of the elevator program's
10 umbrella.

11 And then somewhere along the line they changed
12 AGs, and somebody came back and said, "Oh, no. You can
13 have those."

14 Nothing changed in the statute. But apparently
15 everybody reads things differently. So who's ever got
16 the -- who's ever got the ball gets to shoot the
17 basket.

18 And that's kind of where we came to now, is that,
19 well, now they're back under the elevator program's
20 purview. But they always were even when we weren't
21 formally inspecting them. You could call for an
22 inspection, you know, have your plans looked at, call
23 for an inspection, even though it was all voluntary at
24 the time. So they never -- they were never completely
25 off the radar.



1 But now we're back on because we've written -- or
2 somewhere along the line there was some rules written
3 around that statute, and it allows us to now say we do
4 have jurisdiction over those, and that's where all this
5 is coming from.

6 So, hey, you know, be careful when you write a
7 rule or a statute or something. Make sure it's really
8 what you want to say to begin with. Otherwise, you're
9 going to go through this again.

10 Statute hasn't changed any. You know, to
11 Mandi's -- to -- Mandi's concern is five years from now
12 or ten years from now when we're all gone, somebody can
13 go back and read that statute and come up with the same
14 interpretation that we did originally, which started
15 this process.

16 So I think when you want to go back in and change
17 something, you really have got to go back to the root
18 cause of the issue, and that's the way the statute is
19 worded. If they meant for us to keep putting -- or
20 inspecting these things, then it should be worded
21 accordingly 'cause the word "temporary" was used in
22 that statute, and these devices are temporary.
23 Regardless of what code they may fall under, they're
24 still a temporary installation. And I think that's
25 what was driving the issue to begin with.



1 the question is:

2 What do you want to see us doing next year? On
3 your behalf, how do you want to see how the -- our
4 meetings and what your representatives -- how we
5 interact with the State and how we interact with
6 stakeholders?

7 So I want to open that up to anybody and
8 everybody. And as brutally honest as you want to be, I
9 would greatly appreciate that. So I -- we've listened,
10 I think, opening up to some conversation during the
11 meetings. I think today's been helpful. So hopefully
12 we can build on that are for next year.

13 But we're looking for feedback, honest feedback
14 that will help us do a better job representing the
15 stakeholders.

16 So with that, I open it up to anybody and
17 everybody.

18 Sergey.

19 MR. DOLGIKH: Hey, this is Sergey, elevator
20 inspector Region 4.

21 I'm not going to try to beat this horse to death.
22 It's already beaten to death, the CPHs.

23 But I just want to grab a quick question here as
24 to whether the vendors that install them will provide
25 us with some kind of informational training of sort or



1 some kind of processes that they implement installing
2 CPHs because, you know what, frankly, some inspector
3 can be doing jumps every week, and some of us are not
4 necessarily in the area where those CPHs are being
5 regularly installed all the time.

6 And so just to keep our minds fresh on what's
7 going on with them, it would be a great thing if some
8 vendors would come up with that kind of training.

9 Thank you.

10 CHAIR CLEARY: Okay. Thank you, Sergey.

11 Norm?

12 MR. MARTIN: Thank you.

13 Been around, you know, 30 years as a regulator
14 plus another nine with Schindler dealing with just
15 about every jurisdictional authority in the country
16 now. And I was around during the time the study went
17 out to the various stakeholders, you know, two chiefs
18 ago, that caused structural change in the State of
19 Washington program.

20 There's one issue -- in fact, the entire -- in
21 fact, that entire study ought to be reviewed again by
22 everybody to get a sense of where we were compared to
23 where we are, which is very, very positive.

24 There's one item that I think has still not been
25 addressed, and it's unique to the state of Washington,



1 and that is the appeal process. You know, when someone
2 has a disagreement with a jurisdictional authority,
3 there should be a pretty clean process of how you raise
4 that grievance in a formal way.

5 And most jurisdictional authorities do that
6 through an appeals board of some sort rather than
7 having to go through the administration, as here, in
8 your case, a second or third time before it may or --
9 you know, may or may not be understood and -- et
10 cetera.

11 But that's been a shortcoming I've seen over the
12 years. It's just not a clean, easy way, arm's length
13 separation to determine whether or not the
14 jurisdictional authority has made an error or has -- or
15 has -- or an individual or a company or an owner has a
16 need to be able to seek relief. And a lot of times
17 that needs to be done in an arm's length manner.

18 And most of those types of various boards are made
19 up of, you know, usually an architect and a fire
20 official and plan -- you know, building -- you know,
21 strong building background, member of the public, you
22 know, architects, and elevator person, but at least
23 something of that nature where you get an independent
24 review.

25 So anyway that might be something that would



1 benefit all stakeholders, whether you're in the
2 elevator industry itself directly or in the
3 handicap/accessible-type of equipment and other types
4 of equipment that are conveyances.

5 So anyway that's my --

6 CHAIR CLEARY: That's a good point.

7 MR. MARTIN: -- that's my thoughts.

8 CHAIR CLEARY: That's a good point.

9 Gerald, is there a way of forming some sort of
10 that, or is that something that's in statute, or is
11 that something you can do in rule, or is that something
12 that you will or wouldn't entertain, looking at some
13 sort of a review board of peers?

14 MR. BROWN: I think that would probably have
15 to be something that's stated in the RCW, and then the
16 WAC would address the how-to. But just getting the
17 statement into the RCW that are part of this appeal and
18 review process for the specific items that Norm's
19 talking about, yeah, I really do think that -- going to
20 have to show up in the RCW first. But that is an
21 open-amendment thing for legislative change and
22 addressing that. So I'm open to that. I just know
23 that that's probably the process we'd have to go
24 down -- the road we'd have to go down.

25 CHAIR CLEARY: Okay.



1 THE REPORTER: I heard Norm. But I didn't
2 hear a last name.

3 MR. MARTIN: Oh, I apologize. Norman Martin,
4 M-A-R-T-I-N, Schindler Elevator.

5 CHAIR CLEARY: Okay. Thanks, Sue.
6 Thanks, Norm.

7 Does that give you some understanding of the way
8 forward? And I think what I'm hearing Gerald say is,
9 if you want to change this, get something put together
10 and see if we can get it in the RCW.

11 MR. BROWN: Yes.

12 CHAIR CLEARY: I think it's a good idea.
13 It's a very good idea.

14 MR. MARTIN: I do understand that. And like
15 I say, it was one of the items, I think, if you -- you
16 may find it back in the original study back in the day.
17 I know I submitted it at the time.

18 CHAIR CLEARY: Okay.

19 MR. MARTIN: So anyway, I appreciate you guys
20 hearing me and appreciate all the efforts everybody's
21 made within the State, as well, the city making
22 things --

23 CHAIR CLEARY: And I think, Melissa, it would
24 be a good agenda item maybe for next year to talk
25 about, discuss a little bit. Maybe we want to go



1 forward.

2 B.A., I see you had your hand up.

3 Then Carl.

4 MR. PHILLIPS: I was talking with Sergey.

5 Buford Phillips, Apex Tower Crane.

6 I was talking with Sergey in the chat.

7 Jim called me a couple days ago about training
8 inspectors. So there's a good baseline of what's going
9 on as far as CPH inspections with people not used to
10 seeing them. We're just working out logistics and
11 stuff.

12 CHAIR CLEARY: Perfect. I think that's
13 healthy for the industry.

14 Thanks, B.A.

15 Carl?

16 MR. CARY: Yeah. Thank you. Carl Cary,
17 Lerch Bates.

18 Gerald, I was just wondering if, just for the good
19 of the order, we could speak through our discussion and
20 email exchange related to intercom requirements and the
21 removal of WAC -- the WAC requirement that set a
22 specific location for intercoms and the language in
23 2016 that basically just says an intercom needs to be
24 accessible to emergency personnel.

25 I've had a couple of projects that have -- you



1 know, with the ambiguity of that statement, have
2 located it in an area which, you know, I may claim is
3 accessible to emergency personnel or someone else might
4 not deem it as such or vice versa.

5 And in our feedback there was -- it appeared that,
6 you know, you were making some recommendations. But,
7 you know, recommendations aren't requirements; they're
8 usually far separated. And looks like maybe a push to
9 maybe have a WAC update in the future that kind of
10 defines a central location.

11 So just wondering if we can just talk through that
12 real quick.

13 MR. BROWN: I was -- I was referring back
14 to -- I thought it should be -- Gerald-particular
15 opinion was it ought to be near the fire-service key
16 switch 'cause the firemen are coming to that so they
17 should be able to talk to the car and go to that
18 location. And lo and behold, somebody pointed out
19 that's kind of what the old WAC said. And so to me
20 that made perfect sense.

21 Can I mandate it? No. That's why we have this
22 forum, and then we have the process for legislative
23 change and WAC rule change.

24 Do I think it should be back? Yeah. It would
25 make it a lot easier for everybody on their design to



1 know that, whenever that fire key switch is in the
2 lobby, there should be a speaker right there so you're
3 talking to those cars you can see and not around the
4 corner or down the hall or behind those closed doors
5 talking to that car.

6 So yeah. There is no -- right now we're saddled
7 to the "available to emergency personnel." Does that
8 mean signage? Does that mean -- you know, what does
9 that actually mean?

10 And I know how building owners love these ugly
11 informational signs that only matter if the building's
12 on fire or somebody's stuck in an elevator. And so
13 we're not going to see signage because of that.

14 So yeah. We probably need to revisit and have
15 that be a recommendation to come back into the WAC to
16 address that issue. But for right now, we're all ASME
17 17.1, and it says "accessible to emergency personnel."

18 And we do have some older inspectors that remember
19 the good old days when we actually had the answer to
20 that question.

21 But the reality is -- is we're going to have to
22 instruct our people that it has to be available to
23 emergency personnel, and that's as good as we can go
24 for right now. I just -- I just don't have enough
25 input to write a policy or a TC on it at this point



1 because every building's different.

2 You know, the straight core -- the -- and this is
3 probably why the ASME didn't get more specific than
4 that, because it's hard to rubber stamp and say, you
5 know, one thing fits all like the WAC did. They don't
6 have that luxury.

7 But I totally understand your frustration. I
8 totally understand our inspectors trying to do the best
9 to their ability to interpret "This is an accessible
10 location."

11 But like I said, the code is vague on a hard
12 location. And it -- you know, like I said, every
13 building's different. But can the emergency personnel
14 get to it, you know?

15 CHAIR CLEARY: Thank you, Gerald.

16 Thank you, Carl.

17

18 Grain Industry Inspections

19

20 CHAIR CLEARY: I have one other topic I'd
21 like to bring up. And this has to do with the grain
22 industry and doing their inspections.

23 Tom Hawks is on here. He represents Northwest
24 Grain Growers and Lyall Wohlschlager.

25 We had talked a little bit in the past about doing



1 some virtuals, I think, because of the DOSH
2 requirements for suiting up when you have -- you know,
3 you're -- some of these granaries are in the middle of
4 nowhere. And they're going to have mice. They're
5 going to have spiders. They're going to have cobwebs.
6 And so -- but you still regulate them.

7 And they're not getting their annuals. They're
8 not getting the oversight that I think we really need
9 to have on those.

10 So I'll let Tom talk a little bit.

11 But we've entered into negotiations with the state
12 for doing some virtual inspections, how do we set it
13 up. It's been very successful on residential stair
14 chairs.

15 And Tom Hawks represents Northwest Grain Growers.
16 He's been engaged with this for a long time in the
17 grain industry working to develop programs, MCPs, all
18 the different training, all the different testing.
19 He's done a marvelous job.

20 So, Tom, I think we've talked about Northwest
21 Grain Growers is willing to do some beta testing. You
22 guys have more conveyances than, I think, any other
23 granary in the state. So if you'd just like to discuss
24 what you guys are willing to do and see how we can move
25 this forward. And that'd be helpful.



1 MR. HAWKS: Well, I think if the State could
2 just give us a list of what they want to see, and then
3 we can do the first two or three in a location where we
4 have an Internet connection, they could walk us through
5 if they want to see something at a different angle or
6 whatever so we get a good understanding of how and what
7 they want to see.

8 Then we can go out and record the ones that are in
9 remote areas and either email or post somewhere or put
10 it on a thumb drive and mail it in, however we need to
11 get it to them. Then they could look at it at their
12 leisure and see if we can make it work, just tweak it
13 and try to get something working for them. I think
14 that would be more efficient on their end.

15 And if we can do those exams during the time we're
16 at that facility anyway doing our maintenance and
17 exams, it would be more efficient for us than having to
18 run them around when they do come.

19 And so anyway, I'd be willing to work with them to
20 try and get something working.

21 CHAIR CLEARY: And having written procedures
22 and having everything else kind of scripted out, I
23 think, is pretty important 'cause it's not getting done
24 now. Right?

25 And so, I have confidence in Northwest Grain



1 Growers, working with them for 12 years, that they do
2 it and they do it right. And they'd be the perfect
3 ones to be able to see if we can make something like
4 this work because we've spent a lot of time developing
5 programs, procedures.

6 'Cause a lot of this stuff was built in the '30s
7 and '40s. I mean, there's a hand -- half of them are
8 hand-pull man lifts, which aren't regulated by anybody
9 else in the country.

10 And the -- a lot of the other ones are
11 put-together electric lifts. You know, some of them
12 are Sidneys. Some of them are Carter Millers. Some of
13 them are Schumachers. But a lot of them were just
14 things that were put together after World War II so we
15 could get back to --

16 You know, these farmers and that stuff are
17 producing grain for the country. And we want to
18 regulate this. But we have to have an opportunity to
19 do it in a manner that makes sense. And they're spread
20 out over a vast area, which complicates, you know,
21 getting your inspectors out there in a timely manner.
22 It's hard to do it during harvest. And some of these
23 are only used for two or three months out of the year.
24 Some are full-time facilities, which makes it a little
25 bit easier.



1 So I think we need to do something, and I think
2 this is a great way of doing this.

3 So, Sergey?

4 MR. DOLGIKH: Yes. This is Sergey Dolgikh,
5 elevator inspector Region 4.

6 Scott, you knew I probably got baited into this
7 one. Right?

8 Anyway, since I've worked with IVIPs quite a bit,
9 a suggestion would be -- it's not more of a question
10 but a suggestion. Like Mr. Hawks was saying, some of
11 those -- and most of them are out in the middle of
12 nowhere with -- we have had instances in eastern
13 Washington, and most of those towers are in eastern
14 Washington.

15 When we did our residential inspections even on
16 stair chairs, we had a poor signal for -- to be
17 performed virtually via a real-time Zoom-type of -- or
18 Teams-type of camera streaming. And so that would be a
19 challenge, I believe, in that sort of way.

20 But on the other hand I think we can trust enough
21 to the mechanics who perform the service or the testing
22 of those facilities that could probably record a
23 quality video of what they have done or the type of
24 service they do or -- I mean, technically it's to the
25 benefits of the owners of those grain elevators to be



1 performing safely.

2 And so I think that if such video were to be
3 provided to the inspector on the route per se and say,
4 "Hey, do you see anything in this picture that you" --
5 "might be of concern?" I think those kind of things
6 would work.

7 Just my suggestion. Thank you.

8 CHAIR CLEARY: Well -- and I think trusting
9 them but verifying it is really important 'cause right
10 now you're trusting they're doing it, but you're doing
11 no verification on a large percentage of these.

12 MR. DOLGIKH: And so the reason -- what I was
13 saying is basically I do trust that those videos will
14 be verification, those clips of specific items being
15 checked --

16 CHAIR CLEARY: Yes.

17 MR. DOLGIKH: -- as though we were doing
18 inspection. That would clear up a lot of
19 misunderstanding out of the way.

20 CHAIR CLEARY: And then you can do a spot
21 audit when they're out in that area, going back and
22 verifying paperwork and that the work's actually being
23 done. So I think there's some ways of doing it.

24 Lyall, do you have any feedback on this? You've
25 been heavily engaged in the grain industry for years,



1 too.

2 MR. WOHLSCHLAGER: Yeah. Lyall Wohlschlager,
3 alternate rep for the grain industry.

4 No. I think it's a fantastic idea. I know
5 there's a lot of loose ends on trying to do this via
6 video or virtually. But we have a participant that's
7 willing to try prototyping it. And I think -- and we
8 can work closely with your IVIP group to try to put
9 some processes in place to give it a try. So I think
10 it would be beneficial to the state and to the end
11 user, in this case, if we can take a look at seriously
12 pursuing that in 2024 -- or 2023. Excuse me.

13 CHAIR CLEARY: Well, I think your IVIP -- I
14 think Dylan and Sergey and James and everybody else
15 that was participating in that IVIP proves that it
16 works.

17 And what's the alternative? You're not getting to
18 them now. And DOSH has made it -- Gerald, correct me
19 if I'm incorrect. They've made it dang near impossible
20 to get your inspectors on a site without using full PPE
21 respirators and everything else to try to do a job.

22 And sometimes --

23 You know, I've done stuff in Kennewick at the big
24 grain mills. It's 120 degrees in the summer, you know,
25 getting up on those -- you know, for belt man lifts and



1 for even some of the other stuff. And how do you test
2 out hand pulls in a fully encapsulated suit? It's, in
3 my view very, very troublesome.

4 So we got to do something. Right? I mean, you're
5 still regulating. You're still regulating those
6 conveyances, correct?

7 MR. BROWN: Yes, we are. And I think this
8 would be a great subcommittee topic to get the right
9 people involved with this.

10 There's some things I'm working on in the
11 background that I haven't seen fruition on yet. But
12 we've got to be able to have a way to do some type of
13 interactive inspection on these just so we don't have
14 to keep going back of, "Hey, we forgot to look at this
15 or that."

16 And so coming up with the written procedures and
17 coming up with the process to be able to see these
18 things -- and yes, there are some (audio disruption),
19 of course, that are available that do have Internet
20 service. And I appreciate the industry pointing that
21 out and willing to work with us on this.

22 But we have to address this. The requirements for
23 state workers working in this information -- not this
24 information, but these work conditions and stuff, it
25 poses a huge life-safety risk to all of the guidelines



1 that we as workers have to follow and the inconvenience
2 to the stakeholders. You know, the way the policies
3 are written does not address this industry favorably
4 of --

5 You know, they're not going to go through and do a
6 total clean-down of every facility before State work
7 can come in according to their perfect world because
8 that's not how it works 'cause mice are always going to
9 want to eat grain and snakes are always going to want
10 to eat mice and owls and anything. So, you know, their
11 world of -- doesn't really address this head on.

12 And so I just don't want to dismiss those safety
13 concerns that the State has put up for State workers to
14 have to follow these guidelines and procedures. But I
15 also understand that we have the safety of the people
16 that are using the conveyances. And I would really
17 like to see this go to committee so we can bring
18 everything to the table and -- on how to make this
19 work. So I --

20 CHAIR CLEARY: Okay.

21 MR. BROWN: -- I know that this needs to be
22 done. And I'm willing to help out and help move this
23 forward.

24 Melissa put something in the chat. If you'd like
25 to participate in a grain inspection subcommittee,



1 please let her know. Everybody throw your name in the
2 hat.

3 And we're going to try to get our most experienced
4 granary inspectors involved in this process so we're
5 not having to reintroduce the wheel to get this thing
6 moving.

7 So that's -- that's what we're looking for. Thank
8 you.

9 CHAIR CLEARY: I think that's a great idea.
10 I appreciate the State's willingness. I think, you
11 know, I'll commission a subcommittee and work with
12 Melissa to get that all chaired up and get that going.

13 I think we also need to look at the ports 'cause
14 they're under the 270 statute. There's a lot of
15 different parameters. I want to include them in this
16 conversation. I know the Port of Tacoma and some of
17 the other ones are interested in being able to do some
18 of this, too. So I think this is -- it's pretty big.
19 It's a small, little segment, but it's something that
20 needs to be done.

21 So with that, we only got five minutes left. And
22 anybody's got any feedback or questions or how things
23 need to be run, I really appreciate everybody's input
24 on this.

25 We were able to ask questions, and we still



1 finished on time, so I think we can do this. Hopefully
2 next time people will come a little bit more with
3 robust questions 'cause now, you know, we're changing
4 some things. So from what I can see, this is the
5 direction we're going to go.

6 Melissa?

7 MS. ERIKSEN: Thank you.

8 I just -- this is the first meeting in years and
9 years where we have had not just the committee speaking
10 during this time portion. It was a resounding, "Yeah,
11 that sounds great" during the stakeholder version.

12 So having gone through an entire meeting, if you
13 can either use your reaction button or whatever from
14 our stakeholders, how do you feel this went with your
15 participation being included, just so that we can, you
16 know, gauge?

17 MR. McLAUGHLIN: Absolutely terrific.

18 MS. ERIKSEN: Thank you, Bob.

19 CHAIR CLEARY: Bob McLaughlin, for the
20 record.

21 Thanks, Bob.

22 We're doing this -- we try to listen. These are
23 usually somewhat dry, and not everybody is affected by
24 each one of the agenda items.

25 But we really want engagement. We want



1 transparency.

2 Get ahold of your rep. Get ahold of me. I'll
3 answer, and I'll ask the tough questions.

4 We're here to make things easier and try to make
5 it easier to do business with the State of Washington.

6 So really appreciate -- I really appreciate the
7 committee members in stepping up twice a month to meet
8 and then the principals.

9 Ricky's done just a stellar job of vice-chair and
10 stepping up on the principals meetings every other week
11 from that.

12 The subcommittees have really put in a lot of hard
13 work. And I want to call out everybody, but especially
14 Brian. His writing skills and his research skills have
15 been very, very helpful.

16 MS. GOULD: Hear, hear.

17 CHAIR CLEARY: Yes, that must be Jan Gould.
18 Go ahead, Jan.

19 MS. GOULD: Yes, it's that engineering
20 background has been vital in the committees I've worked
21 with him on. And, yeah. I really appreciate the
22 touch-base meetings. They're -- they have a great --
23 they have great value.

24 CHAIR CLEARY: Okay. And, Jan, your
25 participation with Jason, it's really helped to get --



1 I'm really disappointed that we don't have
2 Spokane's representative here or anybody. But --
3 that's frustrating.

4 But Seattle, you've really been engaged. And it's
5 really been helpful to get -- having you talk and
6 discuss and work through logistical issues. And it's
7 been very helpful, Jan, your leadership.

8 MS. GOULD: And harmonizing as much as
9 possible.

10 CHAIR CLEARY: We're not there yet, Jan. But
11 we're getting there.

12 So with that, if no one else has anything else,
13 really appreciate everybody's participation, and we
14 will see you on February 23. Everybody have a great
15 Thanksgiving and a very good holiday season and be
16 safe.

17 And, Jim, get well. Get well, Jim.

18 Take care.

19 MS. GOULD: Thank, all, for your
20 participation.

21 CHAIR CLEARY: Thank you.

22 (Proceedings concluded at 11:58 a.m.)

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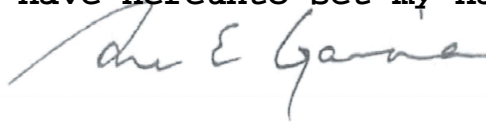
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