

DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELEVATOR SAFETY ADVISORY COMMITTEE MEETING

TRANSCRIPT OF PROCEEDINGS

Tuesday, November 19, 2019
Tukwila, Washington

Taken Before:

Mary Jo Fratella, RPR, CCR #2083

of

CAPITOL PACIFIC REPORTING, INC.

2401 Bristol Court S.W., Suite C-103, Olympia, WA 98502

Tel (360) 352-2054 Toll Free (800) 407-0148

www.capitolpacificreporting.com

admin@capitolpacificreporting.com

BE IT REMEMBERED that an Elevator Safety Advisory Committee Meeting was held at 9:00 a.m. on Tuesday, November 19, 2019, at the Department of Labor and Industries, 12806 Gateway Drive South, Tukwila, Washington.

Committee Members present were: Robert McNeill, Scott Cleary, Brian Thompson, Garry Wood, and Jan Gould. The Department of Labor and Industries was represented by Wayne Molesworth, Operations Manager for the Elevator Inspection Division.

WHEREUPON, the following proceedings were held,
to wit:

1	A G E N D A	
2		
3	November 19, 2019 - Tukwila	PAGE NO.
4		
5	Introductions	3
6	Comments Regarding August Minutes	4
7	Chief's Report	5
8	Stakeholders' Comments	15
9	Rule Making/Legislative Updates	26
10	Subcommittees Status	31
11	MCP	37
12	Update on Operations of Elevator Program	46
13	Overtime Inspections and Clarification of Inspection Priority	46
14	Future Business	50
15	Subcommittee Conversations	50
16	Update on Operations of Elevator Program (Continuing)	51
17	Future Business (Continuing)	54
18	Sign-up for GovDelivery Emails	54
19		
20		
21		
22		
23		
24		
25		

P R O C E E D I N G S

Introductions/Comments Regarding August Minutes

CHAIRMAN MCNEILL: Welcome to the November 2019 Elevator Safety Advisory Committee agenda. My name is Rob McNeill. I'm the chairman. We'll make introductions. If anyone wants to speak and hasn't signed up to speak about any topic on the agenda, please come up and grab the sheet, and we'll get you down so you can give us some input on the topics of interest to you.

I'll start with introductions. My name is Rob McNeill. I'm the Chairman. I represent licensed elevator contractors.

MR. MOLESWORTH: My name is Wayne Molesworth. I'm the Operations Manager for the Elevator Inspection Division.

MR. CLEARY: I'm Scott Clearly, Mobility Concepts, I represent 270, exemption from licensure, and residential and commercial accessibility.

MR. THOMPSON: Brian Thompson, principle of architecture and engineering with Aegis Engineering, representing registered architects and engineers.

MR. WOOD: Garry Woods with Excel Pacific

1 General Contractors representing general contractors.

2 MS. GOULD: Jan Gould, City of Seattle
3 Elevator Program, representing Authority Housing
4 Jurisdiction.

5 MR. MCNEILL: Thank you. Jim Norris was
6 here representing labor. He had a business emergency
7 and had to leave just before the meeting. The first
8 item of business was to introduce Gerald Brown, the
9 Chief Inspector. Unfortunately, he had a family
10 emergency and cannot make it today; so, we apologize
11 for people that have commuted from far away to make
12 the meeting, but he will be here for the next ones and
13 we look forward to working with him.

14 The next item on the agenda is the approval of
15 the August minutes. Are there any changes to the
16 meeting minutes?

17 MR. CLEARY: I'd like to call out page 45.

18 CHAIRMAN MCNEILL: Mr. Cleary.

19 MR. CLEARY: Page 45 on line 20 they refer
20 to Annette Taylor as the Assistant Attorney General.
21 That needs to be -- She's the Deputy Director; is that
22 correct?

23 MR. MOLESWORTH: Deputy Assistant Director.

24 MR. CLEARY: She's the Deputy Assistant
25 Director.

1 CHAIRMAN MCNEILL: So, noted; so, we will
2 change the minutes, change --

3 MR. CLEARY: It's on multiple pages.

4 CHAIRMAN MCNEILL: -- Ms. Taylor's title
5 from Assistant Attorney General to Assistant Deputy
6 Director.

7 MR. MOLESWORTH: That's correct.

8 MR. MCNEILL: In the minutes wherever it is
9 found.

10 MR. MOLESWORTH: It's Deputy Assistant
11 Director.

12 MR. MCNEILL: Okay. Thank you. I will
13 restate that. Deputy Assistant Director. Any other
14 additions or comments to the minutes? Seeing none,
15 the minutes from the previous meeting are amended and
16 approved as noted.

17 The next item is the Chief's Report and Mr.
18 Molesworth will take the place of Gerald for the
19 updates.

20

21 Chief's Report

22

23 MR. MOLESWORTH: Its been a pretty good
24 first quarter of fiscal year '20. As you may or may
25 not know, we start our fiscal year on July 1st and it

1 goes through '19 and then ends at the end of June,
2 July, or June 2020. So, the first year of fiscal year
3 2020 we did 2,820 annual inspections compared to the
4 first quarter, or first quarter of last year, fiscal
5 year '19, that was 1,470, so, we increased that number
6 by 48% from last year. So, a real good start to this
7 year and hopefully we can continue on.

8 The other thing to remember about the first
9 quarter of any year is usually the time July and
10 August is when our inspectors take their most
11 vacation; so, this was a really good showing for them.
12 They did a great job of getting out there and getting
13 those completed.

14 Alterations, we did, and this is kind of where
15 people think that we're doing less of some other type
16 of inspections so we're able to do more of annual
17 inspections. In actuality, in 2020, this first
18 quarter, we did 337 alterations, compared to the first
19 quarter of '19 we did 328. So, just a few more, but
20 still more inspections, alt inspections that we did
21 last year at this time.

22 New inspections, we did 359 new inspections and
23 last year at this time first quarter we did 299; so we
24 increased by about 58 new inspections during that
25 period of time, and that can be any different type of

1 new inspection.

2 Miles driven, this last quarter of this year we
3 did 76,172 miles for our inspectors in the last three
4 months, it's a lot of miles, and the year before in
5 the same time frame we did 77,146, and so we drove
6 less miles, did more inspections, and what we
7 attribute that to a lot of times is the IVIP
8 inspections and those things that keep us from
9 driving out of our way to do other inspections. We're
10 putting together a few different processes that limit
11 our miles.

12 Accidents, a little bit different, we had 22
13 accidents in the first quarter of this year and 11 for
14 first quarter last year, so we have to look at that,
15 and that's one of those things that when we see a
16 number like that we're going to take a look at that
17 and see what were those causes. But, again, those are
18 not at-fault causes. Those are -- As far as I know,
19 we didn't have any at-fault. They were just rider
20 error, right? That's tripping, that's not holding on
21 to the handrails, that's carrying too many bags, the
22 thing is packed full of people, and most of these
23 accidents take place in large volume areas like
24 SeaTac. So, that's where that comes from.

25 Another thing to note with that data is that we

1 had -- in the first quarter of fiscal year '19 we had
2 22 FTEs. The first quarter of '20 we had 42 FTEs. I
3 might add to that that this new budget coming up,
4 which is probably part of this, as well, with the new
5 budget coming up we actually put in for six regular
6 inspectors, so Inspector 2 positions, and then we put
7 in a budget request for an additional two Inspector 1
8 positions which we would use for the IVIPs in
9 assisting other inspectors in the field. It's looking
10 really good, by the way. It'll be the first time that
11 we actually got FTEs from a budget request instead of
12 from somebody giving us FTEs because of an accident.
13 So, it's encouraging that we've made those kinds of
14 strides to where they're looking to give us additional
15 staff.

16 October, I want to go through the numbers for
17 October real quick. Back in October last year we did
18 803 annual inspections. This year in October we did
19 980. So, about 180 additional inspections this year
20 in October versus last year October. We did 122 alts
21 last year in October and we did 110, so a few less
22 this October for our alternate inspections. We had
23 new inspections we did 87 last year in October. We
24 did 115 new inspections this year.

25 So, a lot of these numbers tell me a couple

1 different things. They really tell me that industry
2 is thriving. We're continuing to grow. We're
3 continuing to see more work going on out there and
4 which means that it's going to task us to be able to
5 get to more of those inspections timelier. And, so,
6 we plan on continuing on with phase two of our project
7 and adding a few more things, as well as Gerald has a
8 few ideas that we want to implement and move forward
9 with those, as well. It may help us to actually get
10 to a larger number of inspections. So, that was the
11 numbers update.

12 The next thing I wanted to cover in the Chief's
13 Report would be the technical bulletins. You'll see
14 them way in the back, or over on the table over here,
15 or maybe we handed some of them out. Did we hand
16 these out, Jane?

17 MS. NESBITT: Yes. But if anybody needs
18 some, I have extras.

19 MR. MOLESWORTH: Okay. There's additional
20 over there. If we don't have enough, let us know. We
21 can get some to you. These are also found on the
22 website and so you can get on the website and find the
23 technical bulletins there. Technical bulletins are a
24 nice little -- they clarify different things that we
25 do out there that aren't really clear in how we

1 actually enforce the law and how we actually expect
2 them to happen. So, Rob has got one that he wants to
3 go through really quick just to give you an idea of
4 what they're used for.

5 MR. MCNEILL: Thank you. So, if you look
6 at the technical clarifications that you may have,
7 there is one dated December 21, 2018, and this
8 technical clarification was on the topic of elevator
9 communication devices. So, previous to the rule
10 making changes last year wireless communication wasn't
11 allowed in the state. It is now and this
12 clarification clearly outlines the requirements by the
13 State for proper use of wireless two-way
14 communication. So, that's an example of the technical
15 bulletins. They're very useful for all stakeholders
16 and we thought that it would be appropriate starting
17 out at the end of the year and the new year that
18 everyone be aware that they are on the website and to
19 check frequently for the new ones to come up, and
20 we'll also bring those up in the future meetings.

21 MR. MOLESWORTH: Okay. Thank you, Rob.
22 So, the next item was the A17.3 training. I know this
23 has kind of been a point --

24 MR. CLEARY: Scott, Mobility Concepts. On
25 these technical clarifications if there's errors in

1 that stuff, because I don't think these have been
2 vetted with the stakeholders, what's the procedure to
3 make sure that the information in these technical
4 clarifications are actually technical clarifications?

5 MR. MOLESWORTH: So, if you guys send us
6 the parts of it that you think are incorrect, then we
7 can review those, and make those adjustments, and put
8 them back out there.

9 MR. CLEARY: And I'd like to recommend that
10 before these go out they're vetted by the appropriate
11 stakeholders.

12 MR. MOLESWORTH: Okay. So, A17.3 training,
13 we went through some training with inspectors last
14 October during our quarterly training and covered it
15 pretty thoroughly. The question has always been when
16 are we going start enforcing A17.3 and actually write
17 corrections on A17.3? The problem we have at the
18 current time is that we've got-- some of those items
19 have a two year correction time frame or a five year
20 correction time frame. The problem we have currently
21 is that we don't have a good way of tracking those.
22 We're currently working with our IT specialists and
23 our current CMS system to see if there is a way that
24 we can actually track those items so that we can
25 ensure that they get done in a proper time frame. As

1 of yet, we haven't come up with that, and, so, until
2 we do, we don't think that it's a good idea to start
3 enforcing it until we can actually track those items.
4 Even though we've adopted the code, we have that
5 authority to postpone that until we have all the
6 elements in place. So, that's a little update on 17.3
7 for you. And I wish I had more as far as the time
8 frame, but we just haven't got that information as of
9 yet.

10 MR. MOLESWORTH: Scott?

11 MR. CLEARY: Just for my own edification
12 and for other stakeholders -- Scott Cleary with
13 Mobility Concepts -- where in the statute or rule does
14 it give the Department the ability to not enforce
15 codified parts of the code?

16 MR. MOLESWORTH: So, the adoption process
17 and the implementation process sometimes don't
18 coincide, right? We can adopt that process with the
19 idea that we're going to implement it, but the
20 implementation, if we have problems such as this, we
21 can postpone that. I'd have to look and get you the
22 exact wording on it, but 17.3 is actually -- the
23 beginning of 17.3 it talks about the AHJ having the
24 ability to set the correction time frames and that
25 type of thing themselves, and so --

1 MR. CLEARY: But as a company working
2 within the parameters of the adopted codes how do we
3 know as an industry what is going to be cod-- when its
4 been codified, when is it going to become effective,
5 and when is it going to be applied? It would be nice
6 for the stakeholders to know what the State intends to
7 do when it's going through the process of codifying
8 the agreement. So, obviously it's code, so it seems
9 like kind of a pick and choose, you know. I just
10 believe it would be nice to have some clarification on
11 that.

12 MR. MOLESWORTH: So, we can put something
13 like that out on the listserv, if you would like, and
14 also we can take a little bit closer look --

15 MR. CLEARY: Okay.

16 MR. MOLESWORTH: -- to make sure that we
17 are getting a good communication.

18 MR. CLEARY: Thank you.

19 MR. MOLESWORTH: We just don't think it's
20 appropriate to put something out unless we can
21 actually enforce it by the proper time limits and so
22 for those reasons we chose not to.

23 So, open seats on the ESAC. I heard some people
24 talking about they were interested in some different
25 seats. We've, I think, got our process worked out a

1 little bit. We do have some seats that are being
2 filled. We have the city of Spokane seats, which are
3 a primary and an alternate, that were approved this
4 last session and we also increased it with an ad hoc
5 position, as well, and so there have been people that
6 have submitted letters of interest and have been
7 approved. What we're waiting for right now is the
8 letters. There was a little glitch in the process;
9 so, we're waiting for the letters to go up to Joel to
10 be signed and then sent out to those people that were
11 accepted. Duane Leopard was accepted as the alternate
12 on the Spokane position, and Ricky Henderson, who is
13 our ad hoc, he was approved for that, and so those
14 letters will be going out shortly. We do have some
15 alternates still available for the representative of
16 registered general contractors. There's an alternate
17 position available. A representative for building
18 owners there's a primary and an alternate available.
19 So, we don't have a building owner on the committee
20 right now, correct?

21 MR. MCNEILL: That's correct.

22 MR. MOLESWORTH: So, we'd like, if you know
23 people that are interested in that one, I really would
24 like to see that one filled so we have that
25 represented here. And those are the two that we've

1 got that are still vacant and we don't have any
2 letters of interest for those at the present time. By
3 next meeting we will have filled those -- got those
4 letters out to the individuals that are sitting for
5 the City of Spokane and the ad hoc position and will
6 both be sitting up here with us by next meeting, so...

7 MR. MCNEILL: Good.

8 MR. MOLESWORTH: And that looks like the
9 end of the report.

10

11

12 Stakeholders Comments

13

14 MR. MCNEILL: Great. We're going to shift
15 gears just a little bit before we get into the other
16 topics and let the stakeholders that signed up to
17 speak about topics on the agenda that we would act
18 upon now that we're past the reports to speak. So,
19 I'll call your name, and we'll get a microphone to
20 you, and you can make any comments that you wish. You
21 have five minutes for your comments. First up is Bob
22 McLaughlin. We'll get you a microphone.

23 MR. MCLAUGHLIN: I was hoping that we'd
24 have the presentation from Jane on the website and
25 because those were my questions. I prefer to let Jane

1 do her presentation and then ask my questions, if
2 that's possible, or if you prefer I list them now I
3 can do that, too, but I think --

4 MR. MCNEILL: What's the pleasure of the
5 committee?

6 MR. CLEARY: I think we should go through
7 and the ESAC is going to talk about it and then maybe
8 that will precipitate or answer some of the questions
9 first.

10 MR. MCNEILL: Okay, we'll do that. Is
11 everybody in agreement with that? Is that -- Are we
12 able to do that? Wayne?

13 MR. MOLESWORTH: So, I was just going to
14 ask Jane, do we have the ability to do that here right
15 now?

16 MS. NESBITT: So, Jane Nesbitt.
17 Unfortunately, I just spoke with IT. The projector is
18 disconnected from the PC and they are unable to fix
19 it, and I apologize.

20 MR. MOLESWORTH: But we may be able to
21 answer the questions without --

22 MR. MCLAUGHLIN: Bob McLaughlin
23 representing homeowners with residential inclined
24 elevators. I've only had a few minutes to look at the
25 website last night. I'm very happy to see that it

1 includes an e-mail address or a web master as we
2 covered in the mini specs exercise earlier this year.
3 Having that is very essential. One thing I did notice
4 was that and the question that I would ask Jane is
5 does the content change once we log in? I have not
6 yet created a user name and a password. So, is there
7 a difference in the amount of material that I can see
8 prior to logging in as to post logging in? So, that's
9 one question.

10 The other thing is I noticed that on the tab for
11 staff in between our quarterly meetings being able to
12 have a staff directory is essential to be able to
13 communicate with the department, and I was not able to
14 pull up the staff directory on the staff tab.

15 The third item was that at the last meeting we
16 had, and I think it was the stakeholder portion, but
17 there was quite a process that went on in terms of our
18 ability to communicate with the Department and back.
19 We covered a lot of material, and I haven't had a
20 chance to go through the minutes yet to see if any of
21 that was reported in the official section, but Jane
22 was actually conducting quite a process of writing
23 things down, that the response from the Department was
24 these would be things that you would look at in the
25 future. So, there's a lot of housekeeping and

1 day-to-day communications between the stakeholders and
2 the Department, and right now looking at this material
3 I can't see whether there's anything more that we need
4 to do to refine what the new website does not cover.
5 Let me put that in the form of a question: Do we then
6 direct our comments to the web master and maybe be
7 duplicating work that's already in process, or do we
8 communicate with your staff, or do we wait until the
9 next quarterly meeting? So, that's just something to
10 think about. And that completed that question. I do
11 have a question about subcommittees when we get to
12 that. Thank you very much.

13 MR. MOLESWORTH: Jane, do you have any
14 comments that you'd like to make or add?

15 MS. NESBITT: Jane Nesbitt. So, there was
16 a couple questions in there; so, let me make sure that
17 I address all of them. There was the staff directory
18 portion on the website; so, as an agency they're
19 moving away from listing employees individually. They
20 are listing either 1-800 numbers or the general line.
21 That way when individuals leave positions you will
22 always get a person. So, that's why, if you look on
23 there, you won't find, like, individual names. I know
24 that's difficult, especially regarding trying to
25 schedule inspections, but this is a pilot and we're

1 trying to document how difficult it is. So, that's
2 that portion, if that's -- Does that answer that
3 question?

4 MR. MCLAUGHLIN: No.

5 MS. NESBITT: No? Do you want to clarify
6 it then or so I can make sure --

7 MR. MCLAUGHLIN: Yes. One of the things
8 that was covered in the discussions at the last
9 meeting was, for example, not only staff, but also
10 ancillary people. We used the example of Alicia,
11 being able to contact her if we have questions about
12 pending legislation and so on. To go to an anonymous
13 number and leave a message we may or may not get a
14 timely response on that. I noticed that one thing
15 that is mentioned in the meetings was that there was a
16 process for the new website to delete material that
17 wasn't being used. You talk about a color code and I
18 hope that just because not a lot of people contacted
19 your staff that that just got dropped off without
20 further thought.

21 I will disagree that having a central number is
22 an advantage to the stakeholders. Being able to get
23 in touch with someone in Olympia on a specific issue
24 saves everybody a lot of time, so... And I also
25 disagree with the staff turnover argument, for lack of

1 a better word. That more than anything else makes
2 having that staff directory important. Positions
3 change, people change, and knowing that saves
4 everybody a lot of time. So, I would like to ask that
5 you reconsider that.

6 And as Jane just reminded me, the other piece of
7 that was able being able to -- Let me put it this way:
8 There were a lot of items that we discussed and I
9 would like to kind of retrieve that. I know it was
10 documented on the screen, but there were a lot of
11 suggestions made and I hope that that's an active
12 process for things to maybe reconsider as the website
13 gets more use.

14 MS. NESBITT: Jane Nesbitt. Thank you.
15 So, we will document that. We do take your feedback
16 seriously, and we do document it, and the more
17 feedback we get the more we elevate it back to a
18 decision maker. So, thank you. And in regards to the
19 other question on the communication --

20 MR. MCLAUGHLIN: The levels.

21 MS. NESBITT: The levels?

22 MR. MCLAUGHLIN: Yeah, if you could speak
23 to that.

24 MS. NESBITT: It hasn't gone sideways.
25 It's being documented. And that isn't in regards to

1 this website process, it's regarding the conveyance
2 management system, the new. Are you talking about the
3 stakeholder exercise that we did?

4 MR. MCLAUGHLIN: Oh, this?

5 MS. NESBITT: Yes.

6 MR. MCLAUGHLIN: Yeah.

7 MS. NESBITT: So, that was a separate
8 meeting.

9 MR. MCLAUGHLIN: Yes. Different software.

10 MS. NESBITT: Yes.

11 MR. MCLAUGHLIN: Okay.

12 MS. NESBITT: And, so, this is being
13 launched at a separate time.

14 MR. MCLAUGHLIN: All right. What about my
15 question regarding whether one signs into the website
16 or just goes in as a newcomer is there a difference in
17 the content that will be pulled up?

18 MS. NESBITT: Yes. And that's for this.
19 Are you talking about for the sign-in for --

20 MR. MCLAUGHLIN: All right, I opened the
21 website a few minutes ago here and there's an
22 opportunity to log in. I have not had -- I have not
23 created a user name and password yet. If I -- Let's
24 take an example of the staff directory, which is one
25 of the first things I look for. Using that as an

1 example, if I created a user name, and a password, and
2 log in, is there more content that the website will
3 then display to me such as a staff directory?

4 MS. NESBITT: The answer is no.

5 MR. MCLAUGHLIN: Thank you.

6 MS. NESBITT: Was there any other
7 questions?

8 MR. MCLAUGHLIN: None at this time.

9 MS. NESBITT: Okay.

10 MR. MCLAUGHLIN: Thank you.

11 MR. MCNEILL: Great. Thanks, Jane.

12 MR. CLEARY: Um --

13 MR. MCNEILL: Yes, Scott?

14 MR. CLEARY: Scott Cleary with Mobility
15 Concepts. Now, my understanding is things that really
16 affect stakeholders usually or should be getting
17 vetted through the ESAC, and I understand that taking
18 names off like inspectors, which I think makes it
19 difficult as global within L & I, but isn't that kind
20 of stuff isn't it better to vet it before you go live
21 with a website than afterwards because you can't find
22 anybody now for inspectors, right? You've got
23 geographical areas, and you've got the two -- you got
24 the two supervisors' names, and now you have to field
25 a lot more, right? I find it doesn't make any sense.

1 So, I don't -- It doesn't matter what electrical does
2 or what everybody else does. I think for us with
3 inspectors in geographical areas it's critical that we
4 know who's there. It's critical that we know who
5 those representatives are that are doing the different
6 things. And I just think that we -- I think it's
7 misguided not to get this feedback before we go live
8 on this thing.

9 MR. MOLESWORTH: I'd like to make a comment
10 first, if I could.

11 MS. NESBITT: Okay.

12 MR. MOLESWORTH: Wayne Molesworth. I want
13 you to know that we actually fought it. Sorry. We
14 actually fought for having all the names on the
15 website. This decision was made at a director level
16 by our communications experts and other people on that
17 committee that decided that that was something that
18 they wanted to put in place agency-wide, and, so,
19 because we've got this feedback from the ESAC, this is
20 what we can take forward to them to make sure that
21 they understand what our customers are saying about
22 it. Unfortunately, that's kind of the path we have to
23 take with things like that, and so we will follow
24 through on it definitely.

25 MS. NESBITT: Jane Nesbitt. For complete

1 transparency, we are documenting the number of calls
2 that we are receiving and we do appreciate the
3 feedback.

4 MR. MOLESWORTH: Please no robo calls.

5 MR. MCNEILL: Scott?

6 MR. CLEARY: Scott Cleary, Mobility
7 Concepts. I'd like to hear from the supervisors, if I
8 could, on what their feeling is on this because I know
9 you guys are hard enough to get a hold of. You've got
10 a lot on your plate. It just seems that this is
11 another layer that just doesn't help the stakeholders
12 get things done efficiently.

13 MR. METCALFE: Rich Metcalfe, L & I. I'm
14 probably getting close to 20 calls extra a week that
15 wouldn't have called had that information been on the
16 website.

17 MR. BARRETT: Ray Barrett, L & I, and my
18 regions are generally a little less busy on a daily
19 basis than Rich's, but I get an extra 10 or 15 calls a
20 week than I would normally be getting.

21 MR. CLEARY: Scott Cleary. Can we put a
22 recommendation that the bodies of the persons that
23 makes these calls comes to our meetings every now and
24 then and hears it because I understand trying to
25 streamline and make things more efficient, but this

1 one here makes no sense whatsoever to me.

2 MS. NESBITT: Thank you, Scott.

3 MR. MCNEILL: Thank you, Scott. Okay,
4 we'll move on with the agenda. There was one comment
5 on 17.3. So, Spencer you wanted to comment on 17.3,
6 so we'll let you do that before we get into the other
7 topics.

8 MR. ROSS: Please, thanks. Just to clarify
9 a little bit --

10 THE COURT REPORTER: Can you please give me
11 your name?

12 MR. ROSS: Spencer Ross, Eltech. You had
13 mentioned the couple items in A17.3 particularly that
14 have the multiple year roll-out and how it sounds like
15 administratively it's difficult to come up with a way
16 to make that coherent and make sense on the inspection
17 reports, but the vast majority of A17.3 does not have
18 such restrictions. For example, the requirement for
19 installation of door restrictors, I think you can do
20 that tomorrow, right? It's a life safety device.
21 People have died in Washington because they're not
22 there. We have now have the ability to have code
23 behind the installation of them. Is there any reason
24 the rest of A17.3 isn't being enforced?

25 MR. MOLESWORTH: No. That was a decision

1 the tech specialists had a discussion about and so I
2 can take that to them and say, "Okay, well, what items
3 and how would we implement that?" It's -- What we've
4 experienced is it's very hard when we send a message
5 out to inspectors that we're going to inspect these
6 parts of 17.3 because then we get other parts of 17.3
7 that are being written, as well, that probably
8 shouldn't be, but that's not your problem. So, we
9 need to figure out how we can do that and actually
10 enforce it. So, I appreciate your comment. I'll
11 bring that back up with them and we'll have a
12 discussion with Gerald about how he'd like to move
13 forward in enforcing the rest of 17.3.

14 MR. MCNEILL: Thank you. We'll move on to
15 rule making and legislative updates. Alicia, would
16 you please give us an update?

17
18
19
20 Rule Making/Legislative Updates

21
22 MS. CURRY: Good morning, everybody. Just
23 to give everyone a quick update on the rule making
24 activities for the elevator program, the program has
25 two elevator rule makings right now. The first one we

1 gave an update at the last ESAC meeting. It was the
2 expedited rule making. We filed a CR 105 to that
3 initial rule making on October 2nd and the public has
4 until December 2nd to send any objections for that
5 rule making. If we don't receive any objections, then
6 the rules would go into effect on December 3rd. That
7 rule making was in response to the agency-request
8 legislation that took effect, that was SSB 5471, and
9 that increased the number of ESAC members from seven
10 to nine, and also adopted new requirements for
11 temporary elevator mechanic licenses and also to allow
12 for permanent removal of stairway chairlifts and
13 platform lifts by homeowners in their residences. And
14 the second one was -- the second one was the rule
15 making that we started in January of 2019 and that was
16 the rule making where we convened the technical
17 advisory committee in April, as well as the rules that
18 ESAC reviewed in May. We ended up withdrawing that
19 CR101 in July and filing a new CR101 for that in
20 October, October 22nd. And also included in that rule
21 making will be a 5% fee increase. The 5.808% is the
22 fiscal growth factor increase for fiscal year 2020 and
23 that fiscal growth factor is based on the average of
24 the population growth and inflation. That's what
25 helps us maintain the cost of being able to do

1 business. And the rules for that we're scheduled to
2 file in January, a CR102, which would start the public
3 comment period, as well as we would hold public
4 hearings, and the hearings are tentatively scheduled
5 for sometime I believe in March, and then those rules
6 would take effect June 1, 2020.

7 Is there any questions on rule making? Yes.

8 MR. CLEARY: Scott Cleary. I have two.
9 One is kind of what we go through for everyone that
10 doesn't really understand the process, the CR process.
11 Can you explain the difference between the three? And
12 also the last time we had a public comment going
13 through changes we've never really seen them in a
14 timely manner; so, has that been looked at to make
15 sure that public comment before it becomes a rule is
16 looked at, addressed, and published?

17 MS. CURRY: Well, to answer the first
18 question, the rule making process is in three stages.
19 It's a CR101, CR102, and CR103. Those are the three
20 stages. The CR 101 is what initiates the rule making
21 process. It's our notice to the public that we're
22 going to begin the rule making process. And then the
23 CR102 that's kind of the second stage in the process
24 and that's what starts the open public comment period,
25 as well as we hold a public hearing on the proposed

1 rules. That's the language that we're proposing to
2 change. And then the CR103 that is what we file to
3 adopt rules. So, those are the three stages of the
4 rule making process.

5 Of course, the expedited rule making is a little
6 bit different. The expedited rule making is what we
7 call a CR105 that we file, and the public has 45 days
8 to be able to submit objections to that rule making,
9 and then we file a CR103 to adopt those rules if we
10 don't receive any objections.

11 Does that make it clear, Scott?

12 MR. CLEARY: Yes. Thank you.

13 MS. CURRY: And, then, to answer your
14 second question, I know that everybody is kind of
15 anxious to see what the draft is of the rules,
16 especially since we started this process in January,
17 and everybody reviewed the rules and we made the
18 changes for consideration in April and May. There is
19 a draft available, not to the public yet. Gerald is
20 still in the process of reviewing that draft and
21 hopefully in the next couple weeks we can get the
22 draft published on the website for everybody to take a
23 look at before we file the proposed rules.

24 MR. CLEARY: Will the ESAC get a chance to
25 look at it before it gets onto the website?

1 MS. CURRY: I'll have to double check with
2 Gerald about that. I know that we are scheduled to
3 file the CR102, the proposed rules, in January, and
4 your next committee meeting is in February, so I'm
5 going to have to check with Gerald about how he wants
6 to handle that process.

7 MR. CLEARY: Thank you.

8 MR. MCNEILL: Thank you, Alicia. The next
9 topic is the L & I website update. Jane, I think this
10 will be fairly short based on the IT issues.

11 MS. NESBITT: Jane Nesbitt. I spoke
12 earlier in regards to some technical difficulties and
13 I apologize. Our website went live November 4th, and
14 it's a whole new change, and it is mobile friendly,
15 and I know that a few of you guys have some laptops
16 and tablets, most of you guys do have your phones, and
17 if anybody has any questions I'm happy to answer them.
18 Unfortunately, I am unable to do a live demo, but
19 there is some significant changes. Like Bob mentioned
20 earlier, staff is -- specifically inspectors are not
21 listed like they were prior, and that was an
22 enterprise decision, and some other changes are there
23 was journey mapping that was done previously, which
24 means that we had the idea of the customer and we
25 mapped it out so that you would be -- like the

1 building owner you would be, like, if you go to the
2 website and you're like, "I would like to look up
3 inspections" and that would be easier for you guys to
4 look up, or if I'm a mechanic what would I like to
5 look at first, so that's what we had in mind while
6 building the site, and, of course, there is feedback
7 listed below where you can, of course, give us your
8 feedback and let us know where we can improve. Does
9 anybody have any questions or feedback?

10 MR. MCNEILL: Thank you, Jane. We'll make
11 sure that we carry forward that agenda item for the
12 next meeting.

13 MS. NESBITT: Yes. And, again, I apologize
14 for the inconvenience.

15

16

17 Subcommittees Status

18

19 MR. MCNEILL: The next topic is
20 subcommittees status. Myself and other subcommittee
21 chairs will give reports. The alterations
22 subcommittee did not have any meetings between the
23 last two ESAC meetings mainly to get the new chief up
24 to speed. We will be working on subcommittee dates
25 and we'll publish those on the listserv so everyone

1 will be aware of the meeting dates, the topics, and
2 where we will meet, and everyone is welcome to join.

3 The next item is curriculum and education
4 testing. There were a couple people that want to
5 speak. We'll let the chairperson give a quick report
6 and then we'll let the stakeholders make comments.

7 MR. CLEARY: Scott Cleary. So, basically
8 I'm the chair for the subcommittee for the curriculum.
9 We've kind of waited until Gerald got positioned
10 because there has been a lot of discussions in the
11 past and I think I'm an advocate that we really look
12 at the categories. So, before we put a curriculum
13 subcommittee together I think we really need to look
14 at do we need 10 categories in this state, and can we
15 combine some of them, and can we make sure that
16 they're a healthy category. For example, category
17 three, other than us putting together a training
18 program, there's nothing nationally where you can
19 get -- glean together training for a handful of
20 manlifts, belted manlifts, or pre-1982 SPE; so,
21 basically, it's a dead category. So, we've got to
22 look at what makes sense for curriculum, but we've got
23 to look at, you know, what do we have to do for the
24 categories. The material lifts, how they're handled I
25 think would be good to look at. So, I have a sign-up

1 form, and so basically what I'd like to do is have
2 representatives from all different categories so we
3 can discuss what we need to do.

4 I had a conversation with Gerald and Wayne,
5 well, was it last week --

6 MR. MOLESWORTH: Yeah.

7 MR. CLEARY: And we discussed that. I
8 think we may look at both of them being in kind of the
9 same subcommittee and look at, you know, what do we
10 need to do category-wise. I think we're the only
11 state in the nation that's got so many categories and
12 I think we've got some redundancy. Maybe we leave
13 some of the categories there and move some of the
14 products around. We've done that with LULAs, you know
15 they were moved out of -- in the last rule making we
16 moved them from 01 to 02, which makes sense. And, so,
17 can we do some other efficiencies and make it easier
18 to understand? But also if our intent of the
19 subcommittee is to make sure it's easy for the State
20 to be able to vet what the experience is so they can
21 sit for the state test we've got to make sure that,
22 you know, we can set up that curriculum that makes
23 sense for each one of the categories. So, I'm looking
24 for feedback from stakeholders on what they think.
25 And we're going to kick off the subcommittee. I have

1 another meeting later this week with Gerald to talk
2 about this, but I'd like to have a representative from
3 all the different categories. I chaired the last
4 curriculum subcommittee back in '11 and we didn't have
5 everybody represented. So, I think having everybody
6 at the table that is represented in each category is
7 important because, if you don't, other people may be
8 making decisions for you. So, I think it's very
9 important to have good attendance at this because it's
10 quite important.

11 MR. MCNEILL: Thank you. Mike Wilson
12 wanted to speak about licensing and education; so,
13 Mike, we'll get a micro phone to you. And also Lyall
14 Wohlschlager. So, Mike and then Lyall will be able
15 to speak.

16 MR. WILSON: This is Mike Wilson, Mobility
17 Concepts. Scott just said everything I wanted to say.
18 So, it was just I wanted to get if we're going to
19 address the licensing is that we would need to then
20 address the education to go along with that, so we get
21 the tests that were written that you have to pass to
22 be, you know, related with the category of the
23 licenses rather than being just a history test.
24 That's all I have.

25 MR. MCNEILL: Thank you. Lyall.

1 MR. WOHLSCHLAGER: Lyall Wohlschlager,
2 Mobility Concepts. One of the other things that,
3 Scott, that we had a problem with last time was the
4 participation on the last subcommittee. Even with
5 curriculum a lot of the categories were not
6 represented there, and so we need to encourage and
7 figure out how to reach out to those folks,
8 particularly in some of those smaller categories
9 because that's where they're having a problem getting
10 licensed mechanics because they don't have an avenue
11 for getting licensing through curriculum and testing.
12 So, we need to make sure that we're reaching out to
13 those folks and getting participation so that we can
14 get the program in place.

15 MR. CLEARY: One of the things that came
16 out of our meeting with the State is that we need a
17 cohesive way that makes sense for the State to be able
18 to vet what comes in to be able to qualify to sit for
19 the test, and I think we also need to talk about
20 continuing education because it doesn't make any sense
21 for continuing education you sit for eight hours on
22 something that's totally not applicable to what you
23 do. I don't think that's what the intent of it is. I
24 think we need to hone it down and have some other
25 requirements, especially a lot of codes. That's one

1 of the things that we need to talk about.

2 So, this subcommittee I think is going to be
3 really important for a lot of different layers, but we
4 need to have the right representation. This is an
5 opportunity for everybody to be able to have
6 participation in something that affects this industry.
7 So, it's really, really important to have
8 representatives and stakeholders in the categories
9 because I think there's a -- there's a lot to do and
10 talk about.

11 MR. MOLESWORTH: Wayne Molesworth. I just
12 kind of want to back those two guys up a little bit
13 with the importance of having somebody from each
14 category because what we hear from is some
15 stakeholders have a very specific job that they do and
16 this will affect them in the fact that we will have to
17 compress those categories if we want fewer categories,
18 and the complaint is already, with as many as we have,
19 "I'm being tested on things that I never will
20 install", and so that's true, and so we want to be
21 careful not to affect those stakeholders in a negative
22 way, as well as bring this together so that it makes
23 perfect sense. So, if you belong to one of those
24 categories I would stress that it's going to be well
25 worth your while to participate so that we get a very

1 good product out of this instead of just letting
2 somebody else do it, right? That's all I wanted to
3 say.

4 MR. CLEARY: And I'll reiterate because I
5 think we're the only state in the nation that
6 regulates hand pull manlifts, right? So, the people
7 that do that, and we have Marty here from H & S that
8 does that, and just about all of them in the state,
9 especially on the eastside, and for him to be able to
10 take care of, what is it, 450 or 500 overall
11 conveyances in that industry there's really no way to
12 get a work force from anywhere. So, we need to look
13 at that and make sure we put this curriculum together
14 that we have his input and others in the industry, and
15 we be able to have on-ramps for them because right now
16 it's a dead category.

17 MR. MCNEILL: Thank you. And you also
18 covered licensing, so we'll move on to MCP.

19

20

21 MCP

22

23 MR. MCNEILL: I'll give us an update on the
24 MCP subcommittee, and then we have Marty Hughes and
25 Ricky Henderson that would like to make comments.

1 So, the MCP subcommittee did meet. They
2 reviewed the present test log, as well as the MCP, and
3 found some changes that needed to be made in the log.
4 Those changes have been made and given to the State to
5 change it with forms. I am going to let Wayne give
6 you an update from the State representing the State on
7 just the status of the MCP for next year.

8 MR. MOLESWORTH: So, we covered a little
9 bit of this in the stakeholder meeting, but a lot of
10 you weren't here during our stakeholder meeting this
11 morning. So, the current status of the MCPs is that
12 they're back with forms, the different forms that come
13 as part of the MCP. There were some different things
14 that were found that were inaccurate and so we're
15 running it through forms to correct those, and with
16 any process we're learning that we want to make sure
17 that all members of these committees are reviewing any
18 of our documentation or any of our products that we
19 put together, right, so that we don't have this
20 problem in the future because this is a little bit
21 uncomfortable because we thought we had gone through
22 that thing completely, we went through it several
23 times, and so that's a lesson learned for us. But
24 we're not going to require them during this cycle of
25 having the MCPs in place and having the maintenance

1 done, the maintenance records in place. You will
2 still be able to use them when we get them put on the
3 website corrected. We will put out something on the
4 listserv to make you aware that those are available to
5 you. We would appreciate it if you started using them
6 at your earliest convenience the next time you need to
7 supply the MCP on that conveyance, and then we will
8 look at how we will implement them once they are
9 corrected in the next cycle so that we can move
10 forward with having everybody having a very consistent
11 MCP on site. It will make it easier for you, make it
12 easier for the building owners, make it easier for the
13 inspectors, and it will be a nice consistent package.

14 So, I think that was the information we covered
15 during the stakeholder meeting.

16 MR. MCNEILL: Thank you. Marty Hughes,
17 we'll get a microphone to you. You had a stakeholder
18 comment on an MCP and we'd love to hear it.

19 MR. HUGHES: Marty Hughes, Holbrook
20 Elevator. We primarily work in the grain industry and
21 that's what I was concerned with with the MCP. I
22 just want to make sure I could be part of the
23 conversation was the main reason I wrote my name down.

24 So, most of the units that we deal with are
25 under the 270 category, so my customers are having a

1 problem coming up with something that's sufficient
2 that doesn't look like -- you know, an awful lot of
3 things are not applicable to a basic machine compared
4 to an elevator and so that's all I want to work with,
5 but we covered part of that in the stakeholders
6 meeting, and it sounds like we're addressing that
7 issue, and we'll just stay involved as we go to make
8 sure all segments of the industry are covered without
9 overkill.

10 MR. MCNEILL: Thank you.

11 MR. CLEARY: Rob --

12 MR. MCNEILL: Mr. Cleary.

13 MR. CLEARY: Scott Cleary. One of the
14 things, too, I think that, and Leonard or Rob can talk
15 about, is this new MCP format was intended for 17.1
16 equipment, right? And the equipment that we have is
17 kept in 17.1 by reference to the 23 605, and we kept
18 it in there like how it was in the past. So, there's
19 no guidance for this type of equipment in 17.1, other
20 than some basic format. So, that's why I think it's
21 really important that we really look at and make sure
22 that we have a different type of format in the 270 and
23 the glean stuff.

24 MR. MCNEILL: Thank you.

25 MR. MOLESWORTH: One more thing that I

1 didn't mention -- Wayne Molesworth -- is that Scott
2 brought that up during the stakeholder meeting and we
3 commented that it would be a good idea to start a push
4 from the stakeholders, a push from the ESAC, to
5 actually make something like that happen. So, that's
6 kind of a separate issue, other than the MCP work
7 we've done already, but we can use some of that work,
8 but we'll need to have that because we have no basis
9 for that particular type of MCP and ANSI to drive it.
10 We need something from stakeholders to drive that need
11 and be able to put that into a WAC.

12 MR. MCNEILL: Thank you. Ricky Henderson,
13 do you have any comments? Okay.

14 MR. HENDERSON: Maybe just one. Ricky
15 Henderson. Sort of rolling back to Wayne on the
16 question on the MCP and the State logs that are going
17 to be corrected and put on the website, we've
18 currently got State logs on the website, and a lot of
19 customers have got those printed and on site for next
20 year, and those are the ones that have some errors on
21 them. Are those going to be also sufficient for next
22 year, the ones that have some of the errors, as well
23 as the corrected ones, or are they going to have to be
24 replaced?

25 MR. MOLESWORTH: So, embarrassing for me,

1 but I don't know what those errors were. I've heard
2 that they're very minimal, and, if they're very
3 minimal, then I would say that we're good with the
4 ones that we have in the place. If they are just
5 clerical and we've got some old code number on there
6 or something like that, then I would say that we can
7 go ahead and use those because we're not looking at
8 those specifics as much as we're looking at do you
9 have all the elements on site, is it up to date, and
10 do you have the proper frequencies, right, and then
11 we're good.

12 MR. HENDERSON: Sounds good.

13 MR. MOLESWORTH: I think you can use them,
14 and I don't think that we're going to have a problem
15 with that, but I am going to communicate that, that
16 there may be some of those out there. If inspectors
17 are looking at that, they understand we're going to --

18 MR. HENDERSON: That was my concern in that
19 aspect. Thank you.

20 MR. MCNEILL: Just kind of like most of
21 them were minimal on the test log, there were a couple
22 items that were mistakenly included in the log based
23 on the way that the ASME code was written. So, I will
24 be presenting those items to ASME through the ASME
25 subcommittees so ASME can clear their headings up in

1 A17.1. Unfortunately, the next ASME will be coming
2 out in November, but, nevertheless, the 2019, but
3 nevertheless we will work through ASME at a national
4 level to get these code issues that have improper
5 headings clarified so our jurisdiction and other
6 jurisdictions don't make the mistake of putting in
7 test requirements that aren't actually test
8 requirements in 17.1. There were two.

9 So, other than that, the logs were excellent,
10 and we again thank Leonard and the subcommittee for
11 their hard work on getting things moving forward.

12 MR. MOLESWORTH: Thank you, Leonard.

13 MR. MCNEILL: The next topic is an update
14 on the operations in the elevator program on overtime
15 inspections and inspection priority. Wayne, the floor
16 is yours.

17 MR. THOMPSON: Brian Thompson. Before we
18 leave the subcommittee I had a question. I wasn't
19 sure if it would be part of Ms. Curry's legislative
20 update or a part of the subcommittee's, but at the
21 last meeting there was a discussion about pausing
22 CR101 until there was time for the committee to
23 address the concerns regarding TML consequences in the
24 process, and I am not aware that that meeting has
25 occurred, so I just wanted to find out what the status

1 and plan was in that regard.

2 MS. CURRY: I'm sorry, we talked about
3 postponing the CR101 for the temporary mechanic
4 licenses?

5 MR. THOMPSON: Brian Thompson again.
6 There was a concern raised regarding the potential for
7 extending the TML to one year to cause an issue with
8 the testing process, and so there was a discussion
9 between Ms. Taylor and myself, and the conclusion on
10 page 61 from Ms. Taylor was that we'll do that, and
11 the "that" was going to be, as stated by Mr.
12 Molesworth, a smaller committee, or a meeting, or a
13 separate meeting with the ESAC.

14 MS. CURRY: Oh, I think that was what was
15 involved at the rule review meeting, correct, not the
16 expedited -- I just need a second to look. Can I look
17 at this for just one second? Go ahead, Wayne.

18 MR. MOLESWORTH: Wayne Molesworth. So,
19 there was four different items that we talked about
20 last meeting that may affect some of the rules we're
21 putting together, and so I think what we went ahead
22 and did was we continued on with the CR101 with what
23 we had in it because if we postponed it it would be
24 the same as just starting the new rules, right? So,
25 we wanted to keep what we already had in place and

1 then we'll start a new process where we'll -- after we
2 have a chance to discuss some of these items, then
3 we'll put those in place.

4 One of those was we had talked about earlier was
5 should we allow somebody that's failed the mechanics
6 exam to actually get a temporary mechanics license,
7 and we hadn't had any discussion about that, and so I
8 think it was that was kind of where the delay came
9 from, some of those items like that, but I think we
10 just went ahead with what we had and will start a new
11 review process because it would have put us farther
12 behind. But I think -- but I think it's worth saying
13 that one of my visions for this committee is to have
14 some of those discussions in real time, and things
15 like that. That particular one probably doesn't need
16 a subcommittee as much as it needs to have a
17 discussion amongst the members in this forum and then
18 come to a decision of what we wanted to be done,
19 right, unless it takes a lot of discussion, in which
20 case you could extend to the next meeting and, you
21 know, organize a meeting with each other in between.
22 But I would like to see some of that discussion on
23 those items here.

24 MS. CURRY: Correct. I didn't remember us
25 talking about postponing filing of the CR101, maybe

1 not including that change, but the CR101 is really the
2 notice that -- you know, to the public. It's what
3 we're going to be -- the rule changes that we're going
4 to be considering, and we're considering all -- we're
5 considering changes to all rules, the entire chapter.
6 So, yeah, I didn't remember us having any discussion
7 about possibly postponing filing of that CR101, but
8 maybe just not including that particular change in the
9 rule making until discussions had been held.

10 MR. THOMPSON: Thank you.

11 MR. MCNEILL: Wayne will continue with the
12 update on inspections.

13 MR. MOLESWORTH: Oh, okay.

14

15

16 Update on Operations of Elevator Program

17

18 MR. MOLESWORTH: So, Wayne Molesworth.
19 Overtime inspections and clarifications of inspection
20 priority. So, we put a new policy in place that's
21 actually worked fairly well. One of the problems we
22 were having was directed overtime, and what we found
23 was that by working with contractors and working with
24 the inspectors we could usually find a time that we
25 could do those inspections without being on overtime.

1 We found that a lot of times we were being asked
2 because of not the customer's need but the scheduling
3 need for the elevator company, and in some cases
4 that's appropriate, but in some cases that means that
5 we don't get to somebody else's work.

6 The other problem with the overtime inspections
7 at this point is that we lose money every hour we go
8 out on overtime because of our fee schedule. As
9 Alicia has stated, we are looking for a fee increase
10 of four or five percent, I think it is, and so that
11 may change. But currently what we charge on our fee
12 schedule we can't charge anything more that's
13 actually in our fee schedule. We lose about 20 bucks
14 an hour, in that vicinity. So, it's not good business
15 for us to do it, if we can find another way to do it.
16 And we appreciate you guys working with us that have
17 worked with us on trying to schedule those things
18 during normal working hours.

19 Its actually worked out well in the last --
20 Since we started doing it I've only received just this
21 last week one in the last three or four months, I
22 think. We had a couple and then it just -- it dropped
23 off and people were scheduling them during normal
24 business hours. If you wind up with needing something
25 and the inspector can't do it himself, call the

1 supervisor. The supervisor will line somebody up to
2 help you get that inspection done, right? It doesn't
3 have to be that individual inspector and so we can
4 find other people to fill those gaps.

5 What I'm hearing -- what I'm hearing from
6 stakeholders as we go through this is that they want
7 more inspector availability, and so I have been told
8 that we don't work on Fridays, but what I'm getting
9 from elevator companies is yes we do because we don't
10 have enough hours in the week to get our job done
11 otherwise. So, it's making us take a good look at how
12 we're doing business and what our hours are with that
13 need being out there for more time to schedule
14 inspections. So, we're looking at those things right
15 now.

16 So, as far as overtime goes, if it's a customer
17 need, if it's hurting a business, if it's, you know,
18 something that is important to that individual for
19 doing business, we evaluate those and get you help, if
20 we can, during that period of time. Surprisingly
21 enough, it hasn't happened in the last two or three
22 months, though; so, it's interesting.

23 MR. MCNEILL: Thank you.

24 MR. WOOD: Garry Wood, I represent general
25 contractors, and I think part of the reason it hasn't

1 come up is because -- Is this not on?

2 MR. MCNEILL: Just get closer.

3 MR. WOOD: Okay. Is this close enough? I
4 think part of the reason it hasn't happened is, as a
5 general contractor and talking with elevator
6 companies' inspectors, is the fact that everybody
7 believes the State can't or won't do overtime
8 inspections. So, that's probably why you haven't been
9 asked.

10 The need is there to a certain degree. I
11 obviously respect the inspectors' time, and, if
12 they're not willing to work overtime, that's one
13 thing, if they are, that's fabulous. But with the
14 nature of the industry, you know, moving so quickly is
15 that the construction industry, as everybody knows,
16 it's there are times when we reach out similar to what
17 we do in the City of Seattle, and, you know, we know
18 that we can sometimes get them in city limits and
19 that's very helpful for a project because there's a
20 lot of reasons why things happen, and sometimes it's
21 our responsibility as the GC to make sure that
22 everything is right, and sometimes things happen
23 sideways. But, ultimately, I think that's probably
24 the reason behind the lack of requests recently.

25 MR. MCNEILL: Thank you, Garry. We'll move

1 on to future business.

2

3

4

Future Business

5

6 MR. MCNEILL: The first item is subcommittee
7 conversations. As mentioned during the subcommittee
8 reports, we -- the subcommittee chairs will be meeting
9 with L & I, with Wayne and Gerald, to determine need
10 and urgency, and we'll post those subcommittee
11 meetings through listserv so you know what meetings
12 are coming up, and please come and attend and help us
13 continue to improve everything that all stakeholders
14 encounter in the normal course of business.

15 Jane, would you like to talk about signing up
16 for delivery e-mails quickly? I'm not trying to rush
17 you, but I just meant shortly.

18 MS. NESBITT: I'm Jane Nesbitt. Thank you,
19 Rob. So, you can sign up on our website. I'm
20 currently looking at it so I can direct you correctly.
21 So, if you go to lni.wa.gov -- Sorry, stand by.

22 MR. MCNEILL: While you get that up, Scott
23 wanted to ask Wayne a question on inspection
24 priorities. Sorry, I didn't mean to put you on the
25 spot.

1 MS. NESBITT: Oh, no, no, thank you.

2

3

4 Update on Operations of Elevator Program (Continuing)

5

6 MR. CLEARY: Scott Cleary. The question I
7 have, and I don't think it was addressed, under your
8 header it says overtime inspections and clarification
9 of inspection priority. So, what is the clarification
10 on inspection priority, is that versus alts new turn
11 ons versus annuals?

12 MR. MOLESWORTH: Yep. Sorry.

13 MR. CLEARY: Can we go through that, please?

14 MR. MOLESWORTH: Sorry about that. Wayne
15 Molesworth. It was brought to my attention that we
16 have inspectors that are saying that annual
17 inspections are a priority, right, that they come
18 first over anything else, and that just is not true.
19 I put out a communication to staff clarifying that to
20 them and telling them what the priority was and how to
21 go about doing that scheduling for news, and alts, and
22 those things that are holding up business, and so all
23 staff have been communicated with that.

24 I had an inspector write me back that's been
25 here for quite awhile and he said, "We've clearly been

1 told that annuals take precedence over anything." And
2 I asked him when he heard us say that, and he says,
3 "Oh, I think it was in a past regime." So, it was the
4 comments that had been made two chiefs ago, and so we
5 were just saying that, no, that's not the priority.
6 The priority is to make sure that business keeps
7 moving and that we keep those inspections going.

8 MR. CLEARY: Scott Cleary. By statute,
9 though, isn't it by statute your main responsibility
10 is to do annuals or is that --

11 MR. MOLESWORTH: No, it's not a prior-- the
12 statute doesn't address priorities. The statute
13 addresses that we have to annually inspect
14 conveyances. That's all it says. It doesn't say you
15 have to do them first. It doesn't say that. It just
16 says you will inspect all conveyances that require it
17 annually that are not exempt and so we can put them in
18 any order.

19 MR. CLEARY: I think that was what that two
20 regimes ago kind of had thought of it as, so... But
21 that does leave something unanswered is that it says
22 you must do the annuals. What happens when they don't
23 get done?

24 MR. MOLESWORTH: Well, we work harder to
25 get them done, and we in the last couple years have

1 implemented several different processes from the
2 review of last quarter compared to the quarter same
3 time last year and you can see that those things are
4 working. Does that mean we're done? Absolutely not.
5 So, we're doing a combination of different things that
6 will help us become more efficient. The new CMS
7 system that we're putting in will make us extremely
8 efficient compared to what we're using now for our
9 computer system. The budget request for an additional
10 eight inspectors will absolutely help us to get to
11 additional inspections, right? So, just to mention a
12 couple larger ones. And the reason that we're getting
13 those other eight inspectors is because of the things
14 we've done in the last two to three years to increase
15 the number of inspectors that we have hired.

16 I'm going to really push this, but the last two
17 years we have hired to the point where we are
18 completely staffed. That has never been done in the
19 history of this agency, so, for the elevator program.
20 So, we're 100% staffed and we've got a recruitment out
21 for one more now because we had one retire, and we're
22 adding a third supervisor to the mix so that we can
23 have more supervisors for fewer staff so we can get
24 more training out in the field so that we can meet
25 your needs better and be better communicators.

1 Instead of having 15 inspectors per supervisor, it
2 will be more like 9.

3 MR. CLEARY: Scott Cleary. Is the numbers
4 for annuals or inspections being done skewed
5 whatsoever by not doing CPHs?

6 MR. MOLESWORTH: So, there's probably a
7 little skew because we don't count CPHs anymore, so
8 we're able to get more of the others done, right? But
9 the CPHs, and we've got a couple of inspectors in the
10 room that do CPHs, and they are not as time consuming
11 as other types of inspections, so... But it could be
12 slightly, but that's another thing.

13 MR. CLEARY: Are they going to re-look at
14 that or is that still the status quo that CPHs aren't
15 being inspected?

16 MR. MOLESWORTH: So, we are reviewing that
17 to see if it's something that our stakeholders want us
18 to bring back, and we've been in touch with several of
19 the companies that install CPHs.

20

21

22 Future Business (Continuing)

23

24 MS. NESBITT: Okay. Thank you. So, Jane
25 Nesbitt. If you go under Licensing and Permits and

1 Elevators, and the tab on the left, Building Owners
2 and Property Managers, it will say Manager Service
3 Company and Contract, and it will say join the
4 elevator program e-mail list, and then you can sign up
5 under the e-mail list and that's listserv/govdelivery.
6 They've changed names. So, there might be a slight
7 pop-up where it says -- like a cookie, you know, a
8 little pop-up warning, just x out and sign up, please.
9 Thank you.

10 MR. MCNEILL: Great. I urge everyone to do
11 that so we can keep you informed of activities between
12 meetings. Does the committee have any future business
13 or any other business they would like to discuss?

14 MR. THOMPSON: This is Brian Thompson. One
15 thing I wanted to add was consideration for the fire
16 rated hoistway openings. There's been a long
17 interpretation that a factory constructed assembly
18 cannot be field modified and I just wanted to maybe
19 assign a subcommittee to look into UL's category code
20 GVUW, which addresses fire door accessories, and the
21 explanation is when used in conjunction with certified
22 fire doors these accessories form the fire door
23 assembly collectively. This can include gasketing
24 material such as brushes that may be installed on
25 certified fire door or frames either of the

1 manufacturer's plans or of the job site.

2 MR. MCNEILL: Okay. I think that's a great
3 subcommittee to move ahead. And we're looking forward
4 to some communication on when you can get going.
5 We'll have you talk to Gerald and Wayne on operations.
6 I think that that would be useful for us to review and
7 get clarification and recommendations.

8 MR. THOMPSON: Sounds like a plan.

9 MR. MCNEILL: Thank you. Seeing no further
10 business, we're about to adjourn. I just wanted to
11 make one comment. I really appreciate everyone coming
12 out, but the last quarter there has been a bit of
13 transition. As you can see, L & I is still working
14 diligently on code, and other items, and inspections,
15 and better ways to do business, and will continue to
16 do so. I expect the momentum to pick up tremendously
17 over the next quarter with a lot more information for
18 the stakeholders and advancements by the next meeting.
19 With that said, this meeting is officially adjourned.

20

21 (Adjourned at 10:22 a.m.)

22

23

24

25

C E R T I F I C A T E

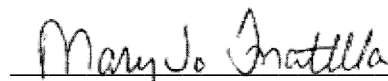
I, Mary Jo Fratella, a Certified Court Reporter in
and for the State of Washington, residing at Covington,
authorized to administer oaths and affirmations pursuant
to RCW 5.28.010, do hereby certify:

That the foregoing proceedings occurred before me at
the time and place stated therein and that the proceedings
were by me stenographically reported and later reduced to
a typed format under my direction;

That the foregoing transcript contains a full, true,
and accurate record of the testimony and proceedings
given and occurring at the time and place of said
proceedings consisting of pages 1 through 57;

I do further certify that I am in no way related to
any party in the matter, nor do I have a financial
interest in this matter or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand this
2nd day of December, 2019.



Mary Jo Fratella, CCR, RPR

Certified Court Reporter, CCR No. 2083

