

In The Matter Of:
Illinois State Fire Marshal
Elevator Review Board Meeting

Chairman Frank J. Christensen
February 9, 2012

Marzullo Reporting Agency
345 North LaSalle, 1605
Chicago, IL 60654
(312) 321-9365

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1 ELEVATOR SAFETY REVIEW BOARD MEETING
2 February 9th, 2012
3 8:30 a.m.
4 The Report of Proceedings had in the
5 meeting of the above-entitled cause, taken before PAMELA A.
6 MARZULLO, a Certified Shorthand Reporter and Notary Public
7 in and for the County of Cook and State of Illinois, at
8 9511 West Harrison Street, Des Plaines, Illinois, on
9 February 9th, 2012, at the hour of approximately 8:30 a.m.
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1 **PRESENT:**
2 **ELEVATOR SAFETY REVIEW BOARD**
3 **MR. FRANK J. CHRISTENSEN, Chairman**
4 **MR. BRIAN WILSON, Member**
5 **MR. JOHN D. FINCHAM, Member**
6 **MR. MARK HERTSBERG, Member**
7 **MR. RICHARD JANDORA, Member**
8 **MR. K. DOUGLAS JONES, Member**
9 **MR. GERALD WOLIN, Member**
10 **MR. THOMAS GANIERE, Member**
11 **MR. KELLY WELLER, Member**
12 **MR. TOM JIRIK, Member**
13 **MR. WILLIAM BOGDAN, Member**
14 **ELEVATOR SAFETY REVIEW BOARD MEMBERS NOT PRESENT**
15 **MR. ROD GILLES, Member**
16 **MR. GERALD GROSS, Member**
17 **MR. DAVID A. DATILO, Member**
18 **MR. AL POPOWITS, Member**
19 **MR. CRAIG GRANT, Member**
20 **MR. ROBERT CAPUANI, Director**
21 **MR. BILL BARNES, Acting General Counsel**
22 **OFFICE OF THE STATE FIRE MARSHAL-ELEVATOR SAFETY STAFF**
23 **MR. BILL BARNES, Acting General Counsel**
24 **MS. ELAINE DEL GRECO, Administrative Assistant**
MR. JAMES AUBIN, Elevator Inspector

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1 CHAIRMAN CHRISTIANSEN: I'm going to call the
2 meeting to order. Please rise for the Pledge of
3 Allegiance.
4 (WHEREUPON, the Pledge of
5 Allegiance was recited.)
6 CHAIRMAN CHRISTIANSEN: Did the Board get a
7 chance to review the minutes of November 3rd, 2011?
8 Is there a motion to accept the minutes?
9 MR. HERTSBERG: I understand --
10 CHAIRMAN CHRISTIANSEN: Hang on one second. I
11 have to have a motion first. Is there a motion to
12 accept?
13 MR. GANIERE: I'll make the motion.
14 CHAIRMAN CHRISTIANSEN: There's been a motion
15 made. Is there a second?
16 MR. FINCHAM: I'll second.
17 CHAIRMAN CHRISTIANSEN: Is there any additions
18 or corrections? This is November we're looking at,
19 right?
20 MS. DEL GRECO: Yes. Any additions or
21 corrections?
22 (No response.)
23 CHAIRMAN CHRISTENSEN: None being, all those in
24 favor, say aye.

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1 (A chorus of ayes.)
2 CHAIRMAN CHRISTIANSEN: All those against?
3 (No response.)
4 CHAIRMAN CHRISTIANSEN: Ayes have it. Moving
5 on to old business, Elevator Safety Program Progress
6 Report. The Director, Bob Capuani, is off, injured
7 I believe.
8 MS. DEL GRECO: Yes.
9 CHAIRMAN CHRISTIANSEN: So, Elaine Del Greco
10 will be giving us a report.
11 MS. DEL GRECO: To date, we have 32,906 active
12 conveyance registered. 13,420 are under State rule.
13 19,486 are in the local jurisdiction. We have 103
14 licensed contractors that are active, 47 inspection
15 companies, 189 inspectors, 1,490 active mechanics,
16 695 apprentices, 181 municipalities that have
17 agreements.
18 Since the last Board meeting, we've issued
19 107 permits, and we've processed 3,328 Certificates
20 of Operation.
21 CHAIRMAN CHRISTIANSEN: All right. Moving on,
22 rules update. Bill Barnes, the attorney for the
23 Fire Marshal's Office, anticipates filing second
24 notice this month and hopes to have the rules

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1 promulgated by spring.
2 MS. DEL GRECO: It's been a two-year process.
3 CHAIRMAN CHRISTENSEN: It's been a two-year
4 process. Now we're going to move on to the
5 September 8th minutes. Is there a motion to accept
6 the September 8th minutes?
7 MS. DEL GRECO: The September 8th -- Elaine Del
8 Greco. The September 8th minutes --
9 CHAIRMAN CHRISTIANSEN: We've first got to have
10 it accepted, and then we go on to additions and
11 corrections.
12 MS. DEL GRECO: Accept to discuss?
13 CHAIRMAN CHRISTIANSEN: Yes. Is there a motion
14 to accept the minutes?
15 MR. FINCHAM: I'll move.
16 CHAIRMAN CHRISTIANSEN: Is there a second?
17 MR. JONES: Second.
18 CHAIRMAN CHRISTIANSEN: Is there any additions
19 or corrections?
20 MS. DEL GRECO: The September 8th minutes were
21 approved at the November 3rd Board meeting. In
22 reviewing them, I sent them to all of you again with
23 the corrections that I found that needed to be made.
24 I wanted everybody to review them again,

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1 because they just weren't put together well. So,
2 does anybody have any further corrections or
3 changes, other than what I put together?
4 MR. WELLER: Elaine, is that the one where we
5 had all kind of issues?
6 MS. DEL GRECO: Yes, that one.
7 MR. WELLER: Okay. I understand.
8 MR. HERTSBERG: Since we have too many
9 corrections, it looks there needs to be some work
10 done.
11 MS. DEL GRECO: Yes.
12 MR. HERTSBERG: Why don't we postpone it until
13 the following meeting.
14 CHAIRMAN CHRISTIANSEN: Okay.
15 MR. GREGORY: Doesn't that postpone any actions
16 that you might have taken?
17 CHAIRMAN CHRISTIANSEN: No, just the minutes.
18 The actions are already set in place.
19 MR. GREGORY: Okay.
20 CHAIRMAN CHRISTIANSEN: All right. Mark
21 brought it up that he thinks we postpone it until
22 they are corrected, the minutes. Is there a motion
23 to -- I guess we have to go back on the original
24 motion and withdraw.

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1 MR. WELLER: Withdraw.
2 CHAIRMAN CHRISTIANSEN: Withdraw the motion,
3 and a new motion to correct the minutes of
4 September 8th.
5 MR. JONES: We withdraw it.
6 MR. FINCHAM: I withdraw.
7 CHAIRMAN CHRISTIANSEN: Okay. Mark, are you
8 going to make a new motion?
9 MR. HERTSBERG: A new motion?
10 CHAIRMAN CHRISTIANSEN: To correct the minutes.
11 MR. HERTSBERG: Postpone the acceptance of the
12 minutes for the September 8th meeting to the
13 following meeting.
14 CHAIRMAN CHRISTIANSEN: Is there a second?
15 MR. WILSON: Yes.
16 CHAIRMAN CHRISTENSEN: All those in favor, say
17 aye.
18 (A chorus of ayes.)
19 CHAIRMAN CHRISTENSEN: All those against?
20 (No response.)
21 CHAIRMAN CHRISTENSEN: Ayes have it. Moving on
22 to new business. Code data plate, Robert Capuani.
23 There's a request by Bob, as I am going to read this
24 code data plate.

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1 At the May 12th, 2011, meeting, the
2 Elevator Safety Review Board, the Board unanimously
3 concluded that it would allow all Illinois
4 registered conveyances a one-year grace period to
5 achieve compliance with ASME A17.1,
6 Section 8.6.1.5.1, an apprentice's code data plate,
7 and 8.6.1.6.3, an apprentice's wiring diagrams,
8 starting May 13th, 2011.
9 Because of the recent concerns from
10 various elevator companies stating that they will
11 not be able to meet the May 13th, 2012, deadline,
12 due to the lack of information that was requested
13 from the municipalities, I, as Administrator to the
14 Board, am requesting that the Board approve a
15 one-year extension on the code data plate issue.
16 This would avoid violations and expense at
17 that the conveyance owners would accrue in not
18 meeting the May 13th, 2012 deadline. The
19 Administrator will again request help from the
20 municipalities, asking for the years that the
21 Elevator Code were adopted from 1950 forward.
22 Is there a motion to bring the date to
23 May 13th, 2012? That's what he's asking.
24 MR. WELLER: I will make the motion. Weller.

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1 CHAIRMAN CHRISTIANSEN: Is there a second?
2 MR. WOLIN: Second. Jerry Wolin.
3 CHAIRMAN CHRISTIANSEN: Any questions?
4 MR. GREGORY: Can I make a statement? I
5 support this, but I would like to remind all the
6 people who represent municipalities, buildings,
7 constituencies with elevators and so forth, that the
8 code data plate on your elevators is something that
9 will -- that is of great value to the building
10 owner, because it sets in place the code under which
11 it should be inspected. Okay?
12 It's of great value to the elevator
13 inspection companies, like Patty over there, because
14 then it tells the elevator inspector what code to
15 inspect it to. So, it's good for the building
16 owner, and it's good for the inspector. It is
17 something that is very good.
18 Try to get your municipalities to help
19 with this. For example, maybe, Patty, you could,
20 where you've been inspecting elevators for whatever
21 suburb for many, many years, you got data that you
22 could feed into the system of the suburb, your
23 client, that would let -- you know, help them to see
24 what should be the code on the code data plate.

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1 Maybe you don't. I have no idea, but it
2 would be of great help. It protects the building
3 owner. It protects you. I'll say one real quick
4 story.
5 I've handled, as an expert witness, a case
6 against Thompson Elevator Inspections, where the
7 outside Loony Toon expert said that "You should have
8 enforced a certain specific area of the code,
9 restricted door opening, which was not in force in
10 that particular suburb. So, your insurance company
11 ended up paying some amount just to get out of it,
12 but you were not guilty of anything. It wasn't your
13 call," et cetera, et cetera, et cetera.
14 The code data plate would have allowed
15 that to be defended much easier. End of lecture.
16 CHAIRMAN CHRISTIANSEN: Kelly?
17 MR. WELLER: I just want to echo Dick's
18 comments. We had this discussion. We wanted to get
19 this done. We wanted to get it implemented. I
20 think it is important, it's part of the code.
21 Let's put something. Maybe I just want to
22 go on the record, so next year when I look at this,
23 and as those of us who have been here long enough
24 know these are just continuances after continuance.

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1 So, please let's not let this be a
2 continuance. I would ask that you favor this
3 motion.
4 CHAIRMAN CHRISTIANSEN: Doug?
5 MR. JONES: Just a question: I know Thompson
6 Elevators has our work in Schaumburg, and they
7 actually did that for us. In Patty's defense,
8 they've already done that with the State Fire
9 Marshal Office.
10 The only question I had was we have 181
11 municipal agreements. Do we have any idea how many
12 of those, because that's the ones we have to target,
13 right?
14 CHAIRMAN CHRISTIANSEN: Well, right now all we
15 have is Lisle, Glenview, Schaumburg, Wheaton, Long
16 Grove and Oak Park.
17 MR. JONES: That's it?
18 CHAIRMAN CHRISTIANSEN: That have complied.
19 MS. DEL GRECO: All within the past week.
20 MR. JONES: Is there something that can be done
21 to target those with municipal agreements,
22 specifically a letter to them stating -- that's
23 already have been done pretty much?
24 MS. DEL GRECO: Yes.

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1 MR. JONES: I don't know how to get the other
2 170 municipalities to do this. Is there some
3 leverage that we can offer?
4 MS. DEL GRECO: We can do a reminder letter to
5 them that this was the due date.
6 MR. WELLER: I'm open to amendment, if someone
7 wants to put that on.
8 CHAIRMAN CHRISTIANSEN: They have no problem
9 putting the letter out. They'll put a letter out.
10 MR. JONES: That's basically -- that is the
11 target we have, for lack of a better term, 170
12 municipalities that haven't done what they are
13 supposed to do.
14 CHAIRMAN CHRISTIANSEN: Right.
15 MS. DEL GRECO: Okay.
16 CHAIRMAN CHRISTIANSEN: No more questions, all
17 those in favor, say aye.
18 (A chorus of ayes.)
19 CHAIRMAN CHRISTIANSEN: All those against?
20 (No response.)
21 CHAIRMAN CHRISTIANSEN: Ayes have it. Meeting
22 date change. Elaine brought it to my attention we
23 need to change the date of the meeting. It was
24 recommended to change the date of the meeting. If

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1 nobody has a problem for May, they have it on
2 May 17th.
3 MS. DEL GRECO: May 17th, one week later than
4 what was originally scheduled. That's because of
5 the NATO/G8 conferences that are going to be in
6 Chicago. The State Police recommended don't bring
7 any extra people into the loop. Just get away, if
8 you can.
9 MR. GREGORY: Isn't our meeting going to be in
10 Springfield?
11 MS. DEL GRECO: It will be in Springfield.
12 MR. GREGORY: Let's all go there.
13 MS. DEL GRECO: It would get us away from
14 downtown.
15 CHAIRMAN CHRISTENSEN: That was the
16 recommendation. Is there a motion to change it to
17 May 17th?
18 MR. JONES: Motion to accept the change.
19 CHAIRMAN CHRISTIANSEN: Is there a second?
20 MR. GANIERE: Second.
21 CHAIRMAN CHRISTENSEN: There's been a second.
22 Is there any questions?
23 (No response.)
24 CHAIRMAN CHRISTENSEN: All those in favor, say

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1 aye.
2 (A chorus of ayes.)
3 CHAIRMAN CHRISTIANSEN: All those against?
4 (No response.)
5 CHAIRMAN CHRISTENSEN: Ayes have it.
6 MR. WELLER: It's still in Springfield now?
7 MS. DEL GRECO: Yes.
8 CHAIRMAN CHRISTENSEN: Moving on to public
9 comment. Patty Young?
10 MS. YOUNG: At this time I do not have any
11 public comment, based on what we've already
12 discussed. If something comes up that becomes a
13 discussion, I would like to add a comment.
14 CHAIRMAN CHRISTIANSEN: Not a problem, Patty.
15 Terry Shanklin?
16 MR. SHANKLIN: Yeah, I've got a couple of
17 things I would like to bring up. Terry, T-e-r-r-y,
18 Shanklin, S-h-a-n-k-l-i-n. I have a couple things.
19 With all the accidents that have been
20 happening, there seems to be a conflict in the codes
21 in A17.1 2010, A17.1 2007, and it goes back. Under
22 definitions, it talks about authorized personnel.
23 It says that "Authorized personnel:
24 Persons who have been instructed in the operation of

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1 the equipment and designated by the owner to use the
2 equipment."
3 And under definitions, it also talks about
4 elevator personnel, "Persons who have been trained
5 in the construction, maintenance, repair, inspection
6 or testing of the equipment." That comes into
7 conflict, to me, that I see it as a possible red
8 flag.
9 A17.1 Special Provisions,
10 Section 8.6.11.1, "Firefighter's Emergency
11 Operation: All elevators provided with
12 firefighter's emergency operation shall be subjected
13 monthly by an authorized personnel to phase one
14 recall by the use of a key switch and a minimum of a
15 one-floor operation on a phase two, except in
16 jurisdictions enforced by the NBCC."
17 MR. GREGORY: Which is Canada.
18 MR. SHANKLIN: Which is Canada, National
19 Building Codes of Canada, "Deficiencies shall be
20 corrected. A record of finding shall be available
21 to the elevator personnel and the authority having
22 jurisdiction."
23 The problem with that is that a lot of
24 people, a lot of buildings, the owner may appoint

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1 somebody to be an authorized person. They
2 absolutely have no clue of what that operation is
3 supposed to be, a fireman return is supposed do,
4 supposed to do in phase one, phase two.
5 Consequently, by the time we figure out
6 what went wrong, it's too late. If the elevator
7 doesn't come down when they call it, on the logs,
8 I've never seen anything on a log. I don't know if
9 you have, Dick, or other inspectors have seen it in
10 the log noted as four cars came down and one didn't.
11 It's my thought that a letter should go to
12 ASME and inform them that that should be done by an
13 elevator constructor. It should be elevator
14 personnel on that.
15 CHAIRMAN CHRISTIANSEN: Terry, I would like --
16 Dick, would you like to comment on that?
17 MR. GREGORY: Obviously I know exactly what it
18 says in the code. A lot of the elevator maintenance
19 companies, including the intergalactic companies, as
20 I like to call them, are already doing that
21 8.6.11.1, as opposed to wanting to train some
22 authorized personnel in the building. I think that
23 in a lot of buildings, that's already getting
24 handled.

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1 I think the issue, when this was put into
2 the code, was, you know, it may end up costing the
3 building owner a lot more money, and there was no --
4 I mean, you can send a letter, you, personally,
5 could send a letter as, you know, you are a QEI
6 inspector.
7 MR. SHANKLIN: Yes.
8 MR. GREGORY: As a QEI inspector, you can send
9 in a request for a technical revision to change
10 these words, and that will go to, you know, look in
11 front of the code, Gerald Burdshaw. It says, "Blah
12 blah, blah." Send it there and request a technical
13 revision.
14 MR. SHANKLIN: I understand that. The problem
15 I have with it, Dick, is that it's not universal
16 because people -- they are specified to use the
17 equipment, not to test it.
18 I see it when they take that monthly
19 inspection, I think it's a test when they call them
20 units down. I will send a letter, but I think it
21 would have a lot more weight to come from the AHJ.
22 I would have no problem with sending a letter.
23 CHAIRMAN CHRISTIANSEN: Hang on one second.
24 Kelly?

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1 MR. WELLER: Terry, you prefaced your opening
2 comment "with the accidents." Is there a
3 correlation that we've seen?
4 MR. SHANKLIN: My understanding of what
5 happened in Chicago, there's been some grizzly
6 accidents lately. I'll get to my other topic, but
7 when they came in, they only had phase one with a
8 key; and when the fire department came in, they
9 turned the key, and those elevators didn't come
10 down.
11 Now, did it come down because of some
12 reason that possibly something blocked the door,
13 there was a problem with it, other than that. Most
14 likely what happened is those elevators, what they
15 had for firemen return, didn't recognize a fire in
16 the building.
17 There was nothing in there to say, "Hey,
18 there is a fire on the 8th floor. Go down to the
19 first floor." There was no recall for that, for
20 smoke detectors.
21 MR. WELLER: That is what you are saying should
22 be tested once a month?
23 MR. SHANKLIN: Everything is tested once a
24 month. It goes in under the provision of the City

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1 of Chicago under Home Rule. The guy goes in there,
2 he's an engineer, turns the key, three elevators
3 come down, one doesn't.
4 He doesn't know why that elevator didn't
5 come down. He didn't know if somebody has got it on
6 inspection, right, in most cases, nor do they
7 document it. So, my thought is that is testing.
8 The language in the code says they are
9 there to use the equipment. I feel that they're
10 testing the equipment under that. When something
11 happens, when something happens, everybody says,
12 "Why? How could that happen?"
13 The City of Chicago knew about the
14 provisions and the adequacies of that equipment,
15 when they had 23 elevator inspectors in the city,
16 and now they've got 6. So, I mean, it should be no
17 surprise to anybody what happened there.
18 This, to me, I think it's something that
19 should be done. I'll put a letter together and I'll
20 send it. I think it would have a lot more weight
21 coming from the AHJ and Elevator Safety Board,
22 because I see it as pretty distinct and very clear.
23 CHAIRMAN CHRISTIANSEN: Dick, I know you want
24 to talk about it.

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1 MR. GREGORY: Go ahead, get everybody else.
2 CHAIRMAN CHRISTIANSEN: I know you have a lot
3 to do with the City of Chicago.
4 MR. GREGORY: Not anymore.
5 CHAIRMAN CHRISTIANSEN: Not anymore?
6 MR. GREGORY: No.
7 CHAIRMAN CHRISTIANSEN: Okay. All right.
8 MR. SHANKLIN: That is another mistake they
9 made.
10 CHAIRMAN CHRISTIANSEN: I was afraid there
11 might be a lawsuit pending or anything.
12 MR. GREGORY: There is.
13 CHAIRMAN CHRISTIANSEN: That you might be
14 involved with.
15 MR. GREGORY: I would just say that it's the
16 exercise of the thing to make sure it works.
17 Historically, when all elevators were relay
18 controllers, that is obviously when you and I
19 started in this trade, the fire service relays just
20 sat there for years and never functioned.
21 When you turned the key switch, you know,
22 15 years of oxidation, and they didn't work. That
23 is across the entire country. There was a fire,
24 other than the one that you are discussing here,

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1 there was a fire about a week-and-a-half later in a
2 50-story building on Sheridan Road, and everything
3 worked perfect. Everything worked perfect, you
4 know, major intergalactic companies, Solid State
5 Elevators, boom, everything worked perfect. So, the
6 exercise is worthwhile and, you know --
7 MR. SHANKLIN: I don't mean to interrupt you.
8 You see it as an exercise, I see it as a test.
9 MR. GREGORY: Okay.
10 MR. WELLER: Dick, is there a requirement that
11 there's a record or a log of that that's kept?
12 MR. GREGORY: Yes.
13 MR. WELLER: So, in Terry's instance, that last
14 episode he said, you know, the janitor, the
15 custodian, checked the building, and he noted
16 everything worked great; and then it didn't work
17 great two weeks later in a situation. Doesn't that
18 put the building owner at risk?
19 MR. GREGORY: Oh, yes, it does.
20 MR. WELLER: So, they're assuming that risk.
21 Are we responsible for defining that?
22 MR. GREGORY: Let me interrupt you a second.
23 If the janitor tries it, and it doesn't all work,
24 that is a call-back. He calls the elevator company

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1 and says, "It don't work."
2 MR. WELLER: Well, what if he doesn't know it
3 doesn't work? I mean, are these guys shrewd enough
4 to know, "Hey, it doesn't work"?
5 MR. GREGORY: All three elevators, let's say,
6 come down, open the doors and sit there, it worked.
7 One of them doesn't come down. He doesn't have to
8 figure out why it didn't come down. He just has to
9 call the elevator company. That's all.
10 MR. WELLER: It's just a yes or no?
11 MR. GREGORY: Yes.
12 MR. SHANKLIN: He has to note it and call the
13 elevator company, right?
14 MR. GREGORY: Yes.
15 MR. SHANKLIN: But if he doesn't do that, then
16 you got a problem.
17 MR. GREGORY: Then you got a problem, yes.
18 MR. SHANKLIN: Therein lies the problem,
19 therein lies responsibility, the liability because
20 it should be done, and I'll just leave it at that.
21 I'll send a letter. I would like to recommend the
22 letter go to the ASME from the AHJ in regards to
23 that.
24 CHAIRMAN CHRISTIANSEN: I don't know if

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1 everybody has seen the newspapers or on TV or
2 whatever, but a lady in Chicago, the elevator doors
3 opened up, and she was burned alive immediately.
4 The fire was on that floor. That is what Terry is
5 talking about right now.
6 MR. HERTSBERG: In all honestly, that building
7 had no smoke detectors. It is a totally different
8 issue altogether.
9 MR. SHANKLIN: Right. They still tested it.
10 They still tested it. The problem is what I'm
11 saying, Mark, my understanding when the fire
12 department got there and turned the key switch,
13 nothing came down. That was my understanding.
14 MR. HERTSBERG: One elevator was burnt.
15 MR. SHANKLIN: Yes, absolutely. What I'm
16 saying is I think there is a lot of instances where
17 an individual, by turning that key in a lot of
18 buildings, the elevator doesn't come down, and he
19 just logs it. When something goes wrong, he's not
20 getting the black eye.
21 MR. GREGORY: He is, because he signed it. He
22 is getting the black eye.
23 MR. WELLER: Mr. Chairman?
24 MR. SHANKLIN: It's questionable. He'll get a

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1 little bit. I think the elevator constructor gets
2 it more.
3 MR. WELLER: I think it's a valid concern, you
4 know. I think it's something -- I don't know that
5 sending a letter for a technical provision, because
6 that is going to probably fall on, more than likely,
7 deaf ears.
8 Maybe in light of this instance, maybe a
9 letter to the conveyance owners in Illinois
10 suggesting the accidents and the risks associated
11 with that, that they make careful record, and to
12 make sure that those procedures are done and at
13 whatever level of comfort they need it to be done
14 at.
15 I don't know that we can define that, but
16 the risk is on them. Maybe that is something that
17 can be more effective than trying to get the
18 regulator above us changing the code.
19 MR. SHANKLIN: Also, I think the language of
20 the code has to be cleared up a little bit, because
21 it talks about usage, right, that they are
22 authorized to use it and not test it.
23 Elevator personnel does all the testing.
24 The discrepancy lies in is it an exercise, as Dick

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1 says, or is it a test? I tend to think it's a test.
2 CHAIRMAN CHRISTIANSEN: Rick?
3 MR. JANDORA: This section of code also
4 includes items such as cleaning hoistway windows,
5 starting of escalators. So, this section of code
6 was always intended for authorized personnel.
7 There are requirements for elevator
8 personnel to come in and thoroughly check out
9 elevator fire service, and that's done under
10 category one requirements; and, so, on an annual
11 basis, the elevator personnel do come in, witnessed
12 by the third-party inspection agency, to insure that
13 everything conforms.
14 And I would also say it's still the
15 responsibility of the elevator inspection companies
16 to insure that that log is being used as well as,
17 you know, available at the job site that it's
18 available for the elevator personnel.
19 And, so, the other thing I would add is,
20 you know, one of the main reasons why authorized
21 personnel have been performing this work for so many
22 years is because coming into a 50-story building and
23 turning a key switch, putting all the elevators on
24 fire service, is not something that can get done

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1 during regular working hours.
2 It's not something you can do from between
3 the hours of 7:00 o'clock a.m. to 6:00 o'clock p.m.
4 You can't do it. And, so, it was one of those
5 things, from my perspective, this type of
6 flexibility was offered to authorized personnel
7 where you have buildings like that, where they can
8 come in and do this on the 3:00 o'clock in the
9 morning shift.
10 They can exercise the conveyances, and it
11 is a matter of turning a key switch. You turn a key
12 switch, and I'll use Chicago as my example, turn the
13 key switch that's located in the buck, or outside of
14 Chicago perhaps it's located in the hall station,
15 you turn it and every elevator should show up.
16 Every elevator that is in that group
17 should come down, and you have the responsibility to
18 get on to that elevator, turn the key switch, take
19 it to one floor, and return. That's the
20 responsibility.
21 Now, if you have 8 elevators, I mean, that
22 could take you half an hour. You just can't do that
23 between 7:00 and 5:00 or 7:00 and 6:00. So, it's
24 not a bad thing. I'm not saying, you know, it

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1 doesn't make any sense.
2 MR. SHANKLIN: I understand.
3 MR. JANDORA: I would say that's one of the
4 reasons why it hasn't been performed by elevator
5 personnel.
6 MR. SHANKLIN: I'm just suggesting that
7 elevator personnel doing it would tighten the reins.
8 It would tighten the reins. I understand it's an
9 extra cost, but what price do you put on life and
10 limb?
11 MR. JANDORA: And contractually, this is
12 something that takes place between the conveyance
13 owners and the elevator manufacturers or service
14 providers that they hire; and we have, in many
15 situations, the owners of conveyances will ask for
16 that to be included in their contracts and ask for
17 it to be performed at off hours.
18 So, it is something that does take place.
19 I think Dick's point earlier, it's just not wide
20 spread, because of the cost implications.
21 CHAIRMAN CHRISTIANSEN: Terry, will you
22 relinquish, not give up your floor, but relinquish
23 the floor to Patty for a minute?
24 MS. YOUNG: I just wanted to make a comment.

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1 The definition of authorized personnel, if you went
2 back to the archives of the Board's meeting minutes
3 as it was brought up, I'm thinking about three years
4 ago, for the definition, and who could and who
5 couldn't, and if memory serves me right, I believe
6 that it was still designated as somebody who is
7 authorized by the building owner, the conveyance
8 owner, as long as they are properly trained, but I
9 would make the recommendation to check the meeting
10 minutes from years back.
11 CHAIRMAN CHRISTIANSEN: I remember it. It was
12 in there.
13 MS. YOUNG: I want to make sure. We have a
14 couple new board members here. Thank you.
15 CHAIRMAN CHRISTENSEN: Dick?
16 MR. GREGORY: Camping on Rick, when we go to
17 the 2010 code, it will be in 8.6, the required
18 testing, annual testing, by elevator personnel.
19 MR. SHANKLIN: Right, they moved it from --
20 MR. GREGORY: 8.11.
21 MR. SHANKLIN: They moved it to 8.6.
22 CHAIRMAN CHRISTIANSEN: Kelly?
23 MR. WELLER: I would like to summarize. I'm
24 not inclined to want to send a technical revision to

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1 redefine authorized personnel. I think that's great
2 that you want to do that. I think you are in the
3 right position to ask for that.
4 MR. SHANKLIN: I think the Fire Marshal is
5 also.
6 MR. WELLER: My second request is this is an
7 important issue relating to fire safety that's a
8 primary mission for the State Fire Marshal's Office.
9 It probably wouldn't be a bad idea to just send
10 something out and say, "Make sure this is getting
11 done." You know, this is an important issue. I
12 want people to think about it.
13 Like you say, the night watchman or the
14 night janitor, maybe he's not doing ut. Maybe he's
15 putting it down, maybe he's not; but if somebody
16 says, you know, "We got a lot of risk here, if he's
17 not doing it, and it's not being documented," maybe
18 they will rethink it.
19 If we save one, we've done our job with
20 the letter. So, I would just say we use this event,
21 however tragic it is, to bring this issue top of
22 mind.
23 CHAIRMAN CHRISTIANSEN: Are you making a
24 motion, Kelly?

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1 MR. WELLER: If I'm allowed to. I don't think
2 this would be something that would be of legal
3 concern to ask for a letter.
4 CHAIRMAN CHRISTIANSEN: To the municipalities?
5 MR. WELLER: To effect it.
6 CHAIRMAN CHRISTIANSEN: To conveyance owners,
7 it would be a lot of letters. I think we need to
8 get it out to the municipalities.
9 MR. WELLER: I would like to make the motion
10 that we ask the State Fire Marshal to provide us a
11 recommendation whether they think that would be
12 efficient.
13 MR. GANIERE: Mr. Chairman, point of order.
14 Although I agree very much with Mr. Weller, we can't
15 have a motion that is not on the agenda.
16 CHAIRMAN CHRISTIANSEN: We'll make that on the
17 agenda for the next meeting.
18 MR. GANIERE: It's in the Open Meetings Act.
19 CHAIRMAN CHRISTENSEN: Okay. We'll put that on
20 the next agenda for May. Doug?
21 MR. JONES: Just a question. Patty mentioned
22 the expression "properly trained makes them an
23 authorized person." How is that defined?
24 MR. SHANKLIN: It's ambiguous.

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1 MR. JONES: It's ambiguous. Is there anything
2 -- again, is there anything, I guess, with ASME that
3 defines that?
4 MR. GREGORY: No.
5 CHAIRMAN CHRISTIANSEN: This was brought up,
6 like Patty said, about three years ago when an
7 engineer was able to do it. He was assigned to that
8 job, or a janitor. He was assigned that job. So,
9 yes, it is something to be very weary about.
10 MR. WELLER: We're going to be in a circular
11 loop on this. If I could ask that we table this,
12 whatever the appropriate motion is, and that we put
13 this as an agenda item on the next meeting.
14 We can talk about what an authorized
15 person is. We could discuss areas of concern. We
16 could discuss the Fire Marshal's ability to notify
17 and to educate the conveyances at that point.
18 CHAIRMAN CHRISTIANSEN: We don't need a motion
19 on that. We're just going to add that on the
20 agenda.
21 MR. SHANKLIN: Thank you for your patience.
22 Mr. Chairman, I have another issue that I would like
23 to bring up, if I can.
24 CHAIRMAN CHRISTIANSEN: Go ahead.

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1 MR. SHANKLIN: Under the act, I understand that
2 the Board accepted the CET as an apprenticeship
3 program, because it was okayed by the Department of
4 Labor.
5 They elongated the time of the
6 grandfathering to bring it in; and under the act,
7 under Section 45, Section C, it says, "Applicants
8 for the elevator mechanic's license must demonstrate
9 one of the following:"
10 And under that subsection, you have
11 subsection 3(3)(4). (3) says, "A certificate of
12 successful completion of the mechanic examination of
13 a nationally-recognized training program for the
14 elevator industry, such as the National Elevator
15 Industry Educational Program or its equivalent."
16 And 4 says, "A certificate of completion
17 of an elevator mechanic apprentice program with
18 standards substantially equal to those of this act,
19 and registered with the Bureau of Apprenticeship and
20 Training, U.S. Department of Labor, or a state
21 apprenticeship council."
22 What I'm saying is that if the NEIEP,
23 National Elevator Industry Educational Program, is
24 the minimum standard. CET fails to meet that

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1 minimum. The apprenticeship program under NEIEP has
2 244 hours of classroom time, CET has none. We have
3 1700 hours of working on-the-job training with that,
4 and the NEIEP program is college accredited, CET is
5 not.
6 So, I would ask the Board to reconsider
7 the acceptance of the CET, to make sure it requires
8 the Department of Labor that, in fact, the CET
9 program meets those standards; and if not, what
10 standards do they meet.
11 Certainly under the times that we're going
12 through right now, that line should be drawn. I
13 don't have a problem whether they are organized
14 labor, union or non-union. Right? My concern is
15 about the person who is working on that piece of
16 equipment and that conveyance is knowledgeable
17 enough to be able to do it.
18 That's not to say that everybody who goes
19 through an apprenticeship program has the ability to
20 do everything that you want them to do, but you
21 certainly tighten the reins on it, to make it
22 better.
23 You know, every industry, you have people
24 in our industry you can send them to school, you can

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1 put them there, you can give them the books, you can
2 bring them to the river, but they're not going to
3 drink the water.
4 That is just people in general, but we
5 need to tighten the reins on that. So, I would ask
6 that the Board would reconsider.
7 CHAIRMAN CHRISTIANSEN: Terry, I wasn't too
8 sure if we could reconsider that motion. What we'll
9 have to do, because it is not part of the agenda,
10 we'll have to put that on the agenda for the next
11 meeting in May.
12 MR. SHANKLIN: That would be fine. That would
13 mean somebody who voted for it --
14 MR. WELLER: I want to be clear what we voted
15 on. We did not approve the apprenticeship program.
16 The apprenticeship program was never approved, and
17 you can see that over and over again. There was no
18 apprenticeship program approved. It was whether
19 they were an equivalent licensing authority.
20 MR. GREGORY: What's our education. We better
21 look at the minutes. We better look at the minutes,
22 because it was very narrow.
23 MR. WELLER: It wasn't an apprenticeship
24 program.

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1 MR. SHANKLIN: I apologize. I know the last
2 time I came here there was a committee to
3 investigate it. What their findings are is their
4 findings.
5 I'm concerned in regards to the standards,
6 that the Department of Labor is going to set, on the
7 CET. If they are approved by that, right, once
8 again, something happens, we all get a black eye.
9 We all get painted with the same brush. Is this
10 fair? No. But what is, right?
11 CHAIRMAN CHRISTIANSEN: The CET, what I recall
12 on the CET, they set a grandfathering date, and then
13 they kept on moving the grandfather date, and
14 grandfather date. With that CET, there was no
15 overseers in taking that test. They were allowing
16 just about anybody to sit for that CET test.
17 What you're saying is now we're allowing
18 people that have grandfathered themselves in, that
19 might not even work in the industry.
20 MR. SHANKLIN: My understanding, I'm sorry not
21 to interrupt you, my understanding is they could
22 also -- my understanding is that they could buy the
23 answers to that test for 39.95. Right? What type
24 of standard are we setting, right?

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1 CHAIRMAN CHRISTIANSEN: That was true, you
2 could buy it. Go ahead.
3 MR. GREGORY: First of all, I certainly agree
4 with you that they did keep moving the grandfather
5 date, but that was locked off some years ago. There
6 is no grandfathering with them.
7 I think we need to read the minutes,
8 because I'm not going to depend on my memory, but I
9 believe although I thought they were coming here to
10 ask to approve their whole apprenticeship program
11 and everything, that's not what they asked for. I
12 think Kelly has got a better memory. He's obviously
13 younger and better looking than me. He's got a
14 better memory, and --
15 MR. SHANKLIN: You can't say that about me.
16 MR. WELLER: I don't know that I have a better
17 memory. I agree with you, we were very specific in
18 what we gave them approval for.
19 MR. GREGORY: Very narrow. It was of the
20 educational program. That is not what I thought
21 they were going to come here for, but it is what it
22 is. So, I think you have to look at the minutes,
23 and look at that, and you can put it on the next
24 agenda to discuss it.

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1 CHAIRMAN CHRISTIANSEN: We will discuss it at
2 the next meeting in May. Okay? Rick?
3 MR. JANDORA: I was going to say if what Terry
4 is saying is true, that you can purchase the answers
5 to the test for 39.95, I have a serious problem with
6 that. I voted in favor of approving that program as
7 an equivalent; but if those answers are available, I
8 would highly consider rescinding my vote.
9 MR. SHANKLIN: I'm going back quite a while.
10 CHAIRMAN CHRISTIANSEN: There was a book
11 available for them that had answers for what was
12 going to be on the test.
13 MR. JANDORA: I would be interested in that
14 information. I don't know that that information was
15 provided before. If that's true --
16 MR. SHANKLIN: It would be similar to teaching
17 the test. For whatever purpose, it would be taking
18 some class, and the answers would be available.
19 MR. GREGORY: I taught in the NEIEP school for
20 30 years. Mechanics would ask me, "How do we pass
21 this mechanic's exam?"
22 I said, "You take every unit of every
23 module, and there are questions at the end of each,
24 and you go through every one, and you find out where

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1 the answers are in that unit, and you write down
2 page 6, paragraph 2, or whatever, you go through
3 every single one. There are only so many answers
4 possible."
5 Some guy, but I won't give you his name,
6 his family always told him he could never pass a
7 mechanic's test, that he could never pass it. He
8 wasn't smart enough. I saw him on a job, actually
9 on a huge 10 West Hubbard job where the elevator
10 fell, and he was the mechanic running it, and he
11 was -- you know, he's IUEC. He was really good.
12 I said, "So, you are a mechanic now?"
13 "Yeah." Then he told me, he said, "When I had you
14 as a teacher, you told me what I needed to do, and I
15 did exactly what you told me. I went through every
16 unit. I found out where the answers were, because
17 there is only so many questions." He says, "I got
18 probably the highest grade anybody ever made."
19 So, you can study any -- whoever's
20 material you want, including the NEIEP material, and
21 if you are diligent and study it that way, by golly,
22 you're going to pass. The answers are in the book.
23 CHAIRMAN CHRISTENSEN: Go ahead, Kelly.
24 MR. WELLER: We're going off the reservation.

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1 CHAIRMAN CHRISTIANSEN: Yes.
2 MR. WELLER: So, my request is we're a policy
3 committee. Right? If you got an issue with
4 something we've done, address us with your request.
5 I request the Board to review their opinion based on
6 this, this and this. Right?
7 Put it in the letter, send it out there.
8 We'll put it on the minutes. We're got to have the
9 ability for the other group to at least know that
10 we're going to discuss it.
11 So, I think for us to do something today,
12 I would be more than willing to request that you
13 provide a letter, ask us specifically what you want
14 us to rule on, or to express an opinion on, and that
15 gives us a framework to have this at the next
16 discussion.
17 CHAIRMAN CHRISTIANSEN: Just send the letter to
18 the Fire Marshal's Office on what you would like on
19 the agenda.
20 MR. SHANKLIN: Okay. Thank you.
21 CHAIRMAN CHRISTIANSEN: Okay.
22 MR. SHANKLIN: Thank you for your patience.
23 CHAIRMAN CHRISTIANSEN: Ed Aubin?
24 MR. AUBIN: I don't believe I have anything to

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1 say at this time. Although, just to concur with
2 what Dick said about the study groups, going back
3 when I was a student when Dick was teaching, like a
4 lot of us, along with that, or to correlate with
5 that, we used to have our own study groups.
6 They had a mechanic's review test, which
7 they still have, and we still ask our students, we
8 tell our students, to team up with three or four
9 guys, use myself as an example, we met once a week,
10 four guys, my brother, myself and two other IUEC
11 members, and we would review everything that we
12 needed to, as Dick just stated, prior to the test.
13 In doing that, with the instructions we
14 had from qualified people like Dick, we had no
15 trouble passing that test.
16 I guess to clarify what Terry said, when
17 he said 1700 hours a year for the students, or 1700
18 hours, that's per year. I think the four years in
19 the apprenticeship program is something like 6800
20 hours.
21 CHAIRMAN CHRISTIANSEN: Okay. Thanks, Ed.
22 More public comments? We don't have any other
23 sheets. Is there a motion to adjourn?
24 MR. HERTSBERG: Motion to adjourn.

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1 MR. GANIERE: Second.
2 CHAIRMAN CHRISTENSEN: There are no variances
3 or appeals, guys. Meeting adjourned.
4 (WHICH WERE ALL THE PROCEEDINGS HAD.)
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1 STATE OF ILLINOIS)
2 COUNTY OF C O O K) SS:
3
4 PAMELA A. MARZULLO, C.S.R., being first duly sworn,
5 says that she is a court reporter doing business in the city
6 of Chicago; that she reported in shorthand the proceedings
7 had at the Proceedings of said cause; that the foregoing is
8 a true and correct transcript of her shorthand notes, so
9 taken as aforesaid, and contains all the proceedings of said
10 meeting.
11
12 PAMELA A. MARZULLO
License No. 084-001624
13
14 SUBSCRIBED AND SWORN TO
15 before me this ____ day
16 of _____, 2012.
17 _____
Notary Public
18
19
20
21
22
23
24

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