



Ombudsman and Whistle Blower Annual Report

May 1, 2022, to April 30, 2023

Purpose – For Information

This report provides information on the activities of the Ombudsman Office and the 3rd Party Whistle Blower Service in fiscal 2023.

Ombudsman's Office

From May 1, 2022, to April 30, 2023, the Ombudsman Office received 266 contacts. There were no open Ombudsman cases at fiscal year-end.

Typically, most of the contacts are resolved by explaining TSSA regulatory requirements and in some cases, brokering a resolution between TSSA and the regulated party. To date, all regulated sectors have contacted the Ombudsman's office.

As with previous years, the majority the contacts involved the fuels safety program at 46%. Certification had the next largest number of contacts at 23% followed by invoicing at 12%. This has been brought forward to management and additional resources are being hired in certification and the invoicing issues are being investigated.

The Ombudsman Office assisted with two particular issues:

- Last year the Ombudsman Office received numerous complaints about the mobile food truck approvals specifically regarding the lengthy time required to process applications. To address this, TSSA implemented an interim solution and is now revising the approval process specific to food trucks which will greatly expedite the approval process
- Delay in issuing propane facility licences and tradespersons' certificate where the Ombudsman's Office drafted authorization letters in lieu of the actual licence/certificate which allowed facilities to operate and people to work while their applications were processed

3rd Party Whistle Blowing Service

The Whistle Blowing Service includes a confidential 24/7/365 telephone hotline and internet portal that allows TSSA employees, regulated parties, and members of the public to raise issues regarding alleged wrongdoings by TSSA or the parties that TSSA regulates. There were 31 reported cases in FY2023. All cases but one were addressed and closed. Four cases pertained to TSSA, 24 pertained to regulated parties and two cases were not within TSSA's jurisdiction.

Regarding the cases concerning TSSA:

- One was an allegation against an inspector and the person noted to provide substantiation was not aware of any unsatisfactory issues
- One case was regarding a specific employee's benefits which was handled by HR
- One case was with elevator inspections being inconsistent. TSSA introduce elevator and escalator compliance standards on March 1, 2023, to improve inspector consistency
- One case was regarding TSSA service levels for approving mobile food trucks

Regarding the cases concerning regulated parties:

- Six cases were closed where there was insufficient information to proceed and requests for additional information did not get a response or the information provided was out of date or TSSA would not be able to influence the outcome.
- Twelve cases required an inspector to be dispatched or intervene:
 - Nine cases confirmed non-compliances and orders were issued as appropriate or corrective action taken.
 - Three cases confirmed the site was compliant
- Four cases were resolved by providing explanation/interpretation of TSSA's regulations
- One case involved a dispute with a contractor where the contractor handled the case
- One case involved an employee/employer dispute where the Ministry of Labour was also involved. The employee/employer reached a settlement

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