



Minutes

The 502nd MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Friday, September 25, 2015 at 9:00 a.m.

- Present:
- T. Chong, P.Eng., President and Chair
 - J. D. Adams, P.Eng., Past President
 - G. Comrie, P.Eng., President-elect
 - B. Dony, P.Eng., Vice President (Appointed)
 - P. J. Quinn, P.Eng. Vice-President (Elected) [minutes 11542 – 11566]
 - I. Bhatia, P.Eng.
 - D. Brown, P.Eng.
 - D. Chui, P.Eng.
 - N. Colucci, P.Eng.
 - B. Dony, P.Eng.
 - R. A. Fraser, P.Eng. [minutes 11542-11563]
 - S. K. Gupta, P.Eng.
 - R. J. Hilton, P.Eng. [minutes 11542-11563]
 - R. Huang, LL.B. [minutes 11542-11563]
 - C.M. Kidd, P.Eng.
 - L. King, P.Eng.
 - B. Kossta
 - E. Kuczera, P.Eng.
 - M. Long-Irwin [minutes 11542 – 11563]
 - D. Preley, P.Eng.
 - S. Reid, C.Tech.
 - S. Robert, P.Eng.
 - C. Sadr, P.Eng.
 - R.K. Shreewastav, P.Eng. [via teleconference – minutes 11542-11571 except minutes 11547-11556 and 11557 a-b]
 - M. Spink, P.Eng.
 - W. Turnbull, P.Eng.
- Regrets:
- R. Jones, P.Eng.
- Staff:
- G. McDonald, P.Eng., Registrar
 - S.W. Clark, LL.B.
 - M. Cellucci
 - C. Mucklestone
 - L. Latham, P.Eng.
 - M. Price, P.Eng.
 - Z. Sarmento
 - J. Zuccon, P.Eng.
 - R. Martin
 - D. Power

- Guests:
- C.D. Roney, P.Eng. , PEO Director, Engineers Canada [minutes 11542 – 11556]
 - H. Brown, Brown & Cohen [minutes 11542 – 11571, except minute 11557]
 - A. Brownlee, Office of the Fairness Commissioner [minutes 11542 – 11571, except minute 11557]
 - R. Gupta, Finance Committee member [minutes 11542 – 11556]
 - N. Hill, AGM submitter [minute 11563 only]
 - R. Linseman, AGM submitter [minutes 11563 – 11567]
 - R. Willson, AGM submitter [minute 11563 only]
 - S. Perruzza, OSPE [minutes 11542 – 11571, except minute 11557]
 - B. Steinberg , CEO [minutes 11542 – 11571, except minute 11557]

On Thursday evening, Council held a plenary session to discuss the Continuing Professional Development, Competency and Quality Assurance Task Force (CPDCQA TF) update; the fall regional town halls; OCEPP update and Legislation Committee update.

Council convened at 9:00 a.m. Friday, September 25, 2015.

CALL TO ORDER

Notice having been given and a quorum being present, the Chair called the meeting to order.

**11542
APPROVAL OF AGENDA**

Moved by Councillor Colucci, seconded by Councillor Kuczera:

That:

- a. the agenda, as presented to the meeting at C-502-1.1, Appendix A be approved, and**
- b. the Chair be authorized to suspend the regular order of business.**

CARRIED

**11543
PRESIDENT/REGISTRAR’S REPORT**

President Chong reported that:

- everyone, particularly staff, should be vigilant regarding cyber security referring to the recent data breach experienced by the Association of Professional Engineers and Geoscientists of Alberta (APEGA)
- six town hall meetings are scheduled throughout the province to discuss the implementation of the Elliot Lake recommendations with members

**11544
LICENSING COMMITTEE POSITION PAPERS**

Moved by President-Elect Comrie, seconded by Councillor Gupta:

That Council approve the Licensing Committee Position Papers on the Rationale for Technical Examination Programs and on the Canadian Experience Requirement for Licensure for PEO public communication as presented to the meeting at C-502-2.1, Appendices A and B.

CARRIED

11545

The motion to rescind certain policy motions was reviewed and approved

**LEGISLATION COMMITTEE RESCINDING
COUNCIL MOTIONS**

by the Legislation Committee.

[Secretariat Note: Rescinding of the following motions required a simple majority of votes cast to carry.]

Moved by Councillor Fraser, seconded by Vice-President Dony:

To rescind the following motions previously passed by Council:

C-435, 10316 CERTIFICATION OF AUTHORIZATION – Policy Direction

That the online membership directory identify all licence holders who carry, or do not carry, professional liability insurance.

That:

- a) all licence holders be identified on the online directory by the discipline (CEAB degree or PEO syllabus) in which they are licensed; and
- b) discipline-specific seals be issued, and additional seals be issued to licence holders who can demonstrate competency in additional discipline(s) (i.e. similar to an application for a licence).

That:

- a) all engineers offering engineering services to the public be required to be listed on the initial Certificate of Authorization application and annual renewal form;
- b) the signing officer of the firm be required to sign a declaration acknowledging awareness of the requirement of Section 50 of the Regulation that PEO be advised of changes within 30 days.

That:

- a) PEO validate that the services offered on the Certificate of Authorization are supported by competent licence holders with the discipline(s) that support its scope(s) of practice as stated on its application; and
- b) the services offered by the holder of a Certificate of Authorization be listed on the online directory.

That, for a nominal fee, a check-box on the application for licence for a sole practitioner be provided to indicate that he/she will be providing services to the public, and to denote if he/she carries professional liability insurance.

That practitioners be required to file a declaration of competency on an annual basis.

C-436 10332 CERTIFICATE OF AUTHORIZATION (C of A) Proposed Implementation Plan to Revamp

Section 1, Item 4, of Briefing Note C-436-11 be amended to read:

4. “ all licence holders be identified on the online directory by the discipline (CEAB degree or PEO Syllabus) in which they are primarily licensed;”

Section 1, Item 5, of Briefing Note C-436-11 be amended to read:

5. “discipline-specific seals may be issued, and additional seals may be issued to licence holders who can demonstrate competency in additional discipline(s) (i.e. similar to an application for a licence)”.

That Council directs the Registrar to initiate the implementation plan proposed in agenda Appendix C-436-11(a) and as amended above.

C-447, Minute 10513 CERTIFICATE OF AUTHORIZATION COMPOSITION PROJECT – Discipline-Specific Seals

That Council approve for use the discipline-specific seal graphic design F presented to the meeting at agenda Appendix C-447-8(a)(i), to be effective with the launch of the implementation of the enhancements to the Certificate of Authorization.

CARRIED

[Secretariat Note: Rescinding of the following motions required a two-thirds majority of votes cast to carry.]

Moved by Councillor Fraser, seconded by Vice-President Dony:

To rescind the following motions previously passed by Council:

C-406, 9711 CERTIFICATE OF AUTHORIZATION REVIEW TASK FORCE REPORT

4. Limitations should be imposed on the number of Certificates that a licensee can be responsible for.
5. Over 30% of C of A's have opted for compulsory disclosure, but PEO has no idea if these entities are providing clients with a disclosure notice. In order to follow up on disclosure notifications, PEO should have powers of inspection built into the Act.
7. PEO could assist licence individuals by ensuring that C of A holders provide proper professional working conditions (i.e. prevent overriding of P.Eng. decisions by non-P.Eng.; giving P.Eng. more clout in controlling the professional engineering activities of a firm).

C-443, Minute 10445 LICENSING PROCESS TASK FORCE

27. That a new regulation be added to cover licensing of applicants already registered in another jurisdiction with which PEO has in place a mobility agreement, by which such applicants will be deemed to meet all requirements for licensure except for the *good character* requirement with the following provisions:

- a) The applicant has successfully passed a Professional Practice Examination in a Canadian jurisdiction, or has been licensed to practise professional engineering in a Canadian jurisdiction for at least five (5) years; and**
- b) The applicant has provided satisfactory evidence of having at least twelve (12) months of Canadian experience that meets the requirements of subsection 33. (3) 3. of this Regulation; and**
- a) The applicant has not previously applied to the Association for a licence and been deemed to not meet the academic requirements.**

C-455, minute 10631 PEO SYLLABI

That the syllabi shown in agenda Appendix C-455-5.2, Appendix A:

- a) be amended by deleting, in each syllabus, all references to the number of examinations required in each category; and**
- b) be reaffirmed, as amended above, as at April 17, 2009.**

CARRIED

11546

**ELECTION MATTERS – ISSUES REPORT
AND PROCEDURES**

Moved by Past President Adams, seconded by Councillor Sadr:

That Council, with respect to the 2016 Council election:

- a) approve the recommendations contained in the 2015 Central Election and Search Committee Issues Report as presented to the meeting at C-502-2.3, Appendix A;**
- b) approve the 2016 Voting Procedures, as presented to and as amended at the meeting C-502-2.3, Appendix B;**
- c) approve the 2016 Election Publicity Procedures, as presented to and as amended at the meeting C-502-2.3, Appendix C;**
- d) approve the 2016 Nomination Petition Form as presented to the meeting at C-502-2.3, Appendix D;**
- e) approve the 2016 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-502-2.3, Appendix E.**

CARRIED

**11547
ENGINEERING DIMENSIONS
DISTRIBUTION**

Since *Engineering Dimensions* represents the most viable and widely recognized communications tool for an interactive relationship with license holders and future license holders, PEO must make it as engaging and accessible to as many of them as possible. Reverting to sending the print edition to everyone who does not request the digital edition would be a step in this direction.

Moved by Vice-President Quinn, seconded by Councillor Bhatia:

That PEO resume sending the print edition of *Engineering Dimensions* to all PEO licence holders and interns, unless they request the digital edition, and that \$304,000 be added to *Engineering Dimensions*' 2016 budget for this purpose.

**CARRIED
Recorded Vote**

<u>For</u>	<u>Against</u>
J.D. Adams	D. Brown
I. Bhatia	B. Dony
D. Chui	R. Hilton
N. Colucci	R. Huang
G. Comrie	B. Kossta
R. Fraser	M. Long-Irwin
S. Gupta	D. Preley
C. Kidd	S. Reid
L. King	M. Spink
E. Kuczera	W. Turnbull
P. Quinn	
S. Robert	
C. Sadr	

Notice of Item – Vice-President Quinn will present a motion at the November Council meeting for the review of *Engineering Dimensions* in its entirety.

Notice of Item – Councillor Brown will present a motion at the November Council meeting that Council’s direction that PEO resume sending the print edition of *Engineering Dimensions* be done as a one year trial and that a review be done upon completion of the trial to determine if this action has resulted in increased readership and that the review include updated data contained within Appendix A, item C-502-2.4.

**11548
2016 OPERATING BUDGET**

Ms. Cellucci advised that the Finance Committee would be meeting in October to finalize the draft 2016 operating and capital budgets for approval at the November Council meeting. She reviewed the operating budget highlights and responded to queries.

**11549
2016 CAPITAL BUDGET**

Ms. Cellucci reviewed the capital budget highlights and responded to queries.

Mr. R. Gupta, Finance Committee member, was invited to provide a brief overview regarding the challenging role of the Finance Committee.

Further to the notional intent agreed to by Council at the September 24, 2015 Plenary Session with respect to OCEPP, Registrar McDonald confirmed that a motion, including budget implications, would be presented at the November Council meeting for approval.

**11550
CONSENT AGENDA**

Moved by President-Elect Comrie, seconded by Vice-President Dony:

That the Consent Agenda be approved.

CARRIED

Included on the consent agenda:

- 3.1 Minutes – 238th EXE Committee Meeting – January 20, 2015
- 3.2 Minutes – 501st Council Meeting – May 29, 2015
- 3.3 Appointment of Regional Election and Search Committees
- 3.4 Approval of CEDC Applications
- 3.5 Changes to Committees/Task Forces Roster
- 3.6 Audit Committee Terms of Reference

[Note: minutes 11551 to 11556 reflect the motions provided in the briefing notes presented to the meeting.]

Councillor Brown referred to the changes contained within the Audit Committee Terms of Reference and requested that, in future, documents with significant changes include explanations. Details regarding changes to the Audit Committee Terms of Reference will be provided to Council members.

**11551
MINUTES – 238th EXE COMMITTEE
MEETING – JANUARY 20, 2015**

That the minutes of the open session of the 238th meeting of the Executive Committee, held on January 20, 2015 as presented to the meeting at C-502-3.1, Appendix A be ratified.

CARRIED

**11552
MINUTES – 501st COUNCIL MEETING –
MAY 29, 2015**

That the minutes of the open session of the 501st meeting of Council, held on May 29, 2015 as presented to the meeting at C-502-3.2, Appendix A accurately reflect the business transacted at that meeting.

CARRIED

**11553
APPOINTMENT OF REGIONAL ELECTION
AND SEARCH COMMITTEES**

That the following Regional Election and Search Committees for the 2016 Council elections be appointed:

1. **Western Regional Election and Search Committee;**
2. **West Central Regional Election and Search Committee;**
3. **Eastern Regional Election and Search Committee;**
4. **East Central Regional Election and Search Committee; and**
5. **Northern Regional Election and Search Committee**

CARRIED

**11554
APPROVAL OF CEDC APPLICATIONS**

- 1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as set out in Section 1 of Appendix A of Briefing Note C-502 presented to the meeting.**
- 2. That Council approve the applications for re-designation as Consulting Engineer as set out in Section 2 of Appendix A of Briefing Note C-502 presented to the meeting.**
- 3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms set out in Section 3 of Appendix A of Briefing Note C-502 presented to the meeting.**

CARRIED

**11555
CHANGES TO 2015 COMMITTEES AND
TASK FORCES MEMBERSHIP ROSTER**

That the recommended changes to the 2015 PEO Committees and Task Forces Membership Roster be approved as presented at C-502-3.5 Appendix A.

CARRIED

**11556
AUDIT COMMITTEE TERMS OF
REFERENCE**

That the Audit Committee (AUC) Terms of Reference as presented at C-502-3.6, Appendix A be approved.

CARRIED

**11557
IN-CAMERA SESSION**

Moved by Councillor Sadr, seconded by Councillor Bhatia:

That Council move in-camera.

CARRIED

While in-camera, Council:

- a) ratified the in-camera minutes of the Executive Committee, held on January 20, 2015, as presented to the meeting at C-502-4.1, Appendix A;
- b) verified the in-camera minutes from the 501st meeting of Council held May 29, 2015;
- c) received a report from the HRC Committee;
- d) approved eligibility criteria to serve on PEO Regulatory Committees;
- e) approved the appointment of the Official Elections Agent;
- f) approved the appointment of the Chief Elections Officer;
- g) approved the appointment of two additional members to the Central Election and Search Committee;
- h) approved the recommended nominee for the 2016 PEO President’s Award;
- i) received an update regarding the repeal of the industrial Exception;
- j) received decisions and reasons of the Discipline Committee;
- k) received a legal update on legal actions in which PEO is involved;
- l) there were no issues reported regarding PEO’s Anti-Workplace

Violence and Harassment Policy.

Moved by Councillor Gupta, seconded by Councillor Turnbull:

That Council return to open session.

CARRIED

**11558
ELIGIBILITY TO SERVE ON PEO
REGULATORY COMMITTEES**

- 1. That staff of the organizations listed at C-502-4.4, Appendix A, as amended, be precluded from serving on the PEO regulatory committees listed at C-502-4.4, Appendix B.**
- 2. That volunteers accepting appointments to PEO regulatory committees listed at C-502-4.4, Appendix B be advised that they will be considered to have resigned from the committee upon acceptance of any staff position with an organization named at C-502-4.4, Appendix A, as amended.**
- 3. That the rosters of PEO regulatory committees whose membership is inconsistent with this policy be amended and presented for Council approval at its November, 2015 meeting.**

MAIN MOTION AS AMENDED CARRIED

**11559
APPOINTMENT OF THE OFFICIAL
ELECTIONS AGENT**

That Council appoint Everyone Counts, Inc., as the Official Elections Agent for the 2016, 2017 and 2018 Council elections.

CARRIED

**11560
APPOINTMENT OF CHIEF ELECTIONS
OFFICER**

That Council approve the appointment of Allison Elliot as Chief Elections Officer

CARRIED

**11561
APPOINTMENT OF TWO ADDITIONAL
MEMBERS TO THE 2015 CENTRAL
ELECTION AND SEARCH COMMITTEE**

That Zhong Liu, P.Eng. and Alain Mukama P.Eng. be appointed as the two additional members to the 2015- 2016 Central Election and Search Committee.

CARRIED

**11562
PRESIDENT'S AWARD**

That Carol Layton, Deputy Minister of Transportation be named the recipient of the 2016 PEO President's Award.

CARRIED

**11563
AGM SUBMISSIONS**

The following Member Resolutions were passed at the 2015 Annual General Meeting and as such the proponents of these resolutions were invited to the September Council meeting. Council reviewed the first submission.

THEREFORE BE IT RESOLVED THAT, PEO Institute term limits for all positions on Council for which an individual has already served and going forward will serve.

Ms. Hill, submitter of the first submission, addressed Council.

Council reviewed the second submission.

THEREFORE BE IT SUBMITTED THAT, PEO institute a system for identifying potential candidates for all Council positions well in advance of elections, operating on concert with term limits for all Council positions.

Mr. Willson, submitter of the second submission, addressed Council.

Given the close relation of the above two resolutions Councillor Brown offered to work with Ms. Hill and Mr. Willson to draft a motion to establish a Council Term Limits Task Force with properly constituted terms of reference for presentation at the November Council meeting. This offer was accepted by both submitters.

Vice-President Quinn, the submitter of the third submission, as follows, did not address Council.

THEREFORE BE IT RESOLVED that future budgets be based on PEO's needs as a regulator, rather than on raising spending to match projected income.

Council did not take any action on this matter.

Council reviewed the fourth submission.

THEREFORE BE IT SUBMITTED that PEO Council establish a policy whereby any active member providing volunteer hours and service on a PEO Council, approved Committee, a Chapter Executive, or a Chapter Directorate would be allowed to request and be granted a PEO webmail account using the individual name or position with a @peo.on.ca identifier.

Mr. Linseman, submitter of the fourth submission, addressed Council. He explained that his motion relates to a PEO webmail account vs. a PEO email address. He stated that any active volunteer with a PEO webmail account has access to PEO's global email system which include staff, Council, etc. This would also protect volunteer and member personal information such as email addresses.

Councillor Brown suggested that this matter be referred to the IT Envisioning Group (ITEG) for review. There were no objections.

Moved by Councillor Kuczera, seconded by Vice President Quinn:

(I) That Council authorize that the 2016 Election include a ballot with a

**11564
MEMBER REFERENDUM ON
MANDATORY VERSUS VOLUNTARY**

REPORTING OF CONTINUING PROFESSIONAL DEVELOPMENT BY LICENSE-HOLDERS

simple question of whether to require mandatory or voluntary reporting of Continuing Professional Development by the license-holder.

- (II) That the outcome of this referendum be binding on Council; and**
- (III) That Council pursue enabling legislation and/or enact draft regulations or by-laws necessary to effect same.**

Following discussion there was consensus from the table to withdraw the above motion.

Moved by President-Elect Comrie, seconded by Vice-President Quinn:

That Council affirms its intent to ask the membership to ratify in a referendum any mandatory requirement to participate in a continuing professional development competency and quality assurance program.

**CARRIED
Recorded Vote**

<u>For</u>	<u>Against</u>
J.D. Adams	D. Brown
I. Bhatia	C. Kidd
D. Chui	D. Preley
N. Colucci	S. Reid
G. Comrie	S. Robert
B. Dony	C. Sadr
S. Gupta	M. Spink
L. King	W. Turnbull
B. Kossta	
E. Kuczera	
P. Quinn	
R. Shreewastav	

**11565
APTIFY UPDATE**

A report was distributed at the meeting. Registrar McDonald provided highlights.

**11566
LEGISLATION COMMITTEE UPDATE**

There was no update.

**11567
STRATEGIC PLAN UPDATE**

Registrar McDonald reported that an overwhelming majority of projects are on schedule with some exceptions, particularly the Industrial Exception which is beyond PEO’s scope of control in light of information that is being provided by the Ministry of Labour.

**11568
ENGINEERS CANADA UPDATE**

Councillor Shreewastav reported on the following:

- The Linkages Task Force continues to make progress on strategies to work more efficiently with the constituent associations across Canada

- Engineers Canada is working on bylaw changes related to governance
- Big picture thinking regarding the national Code of Ethics

Councillor Shreewastav advised that he attended a CEAB workshop along with Vice-President Dony and that some Deans have expressed interest in lowering the accreditation standards. He indicated that based on the will of Council in the past he will strongly oppose this as one of PEO's Engineers Canada Directors.

**11569
REGIONAL CONGRESS UPDATE**

Councillor Sadr advised that Chapter by-law changes have been put on hold due to a conflict in PEO's Bylaw #1.

**11570
STATISTICS - COMPLAINTS, DISCIPLINE,
LICENSING AND REGISTRATION**

There were no comments or queries regarding the complaints, discipline licensing and registration statistics.

**11571
COUNCILLOR ITEMS**

There were no items brought forward.

There being no further business, the meeting concluded.

These minutes consist of twelve pages and minutes 11542 to 11571 inclusive.

T. Chong, M.Sc., P.Eng., FEC, PMP, Chair

G. McDonald, P.Eng., Registrar