



# Minutes

The 511<sup>th</sup> MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Friday, March 24, 2017 at 9:00 a.m.

- Present:
- G. Comrie, P.Eng., President and Chair
  - T. Chong, P.Eng., Past President
  - B. Dony, P.Eng., President-elect
  - D. Brown, P.Eng., Vice President (Appointed)
  - P. J. Quinn, P.Eng., Vice President (Elected)
  - C. Bellini, P.Eng.
  - G. Boone, P.Eng.
  - M. Chan, P.Eng.
  - D. Chui, P.Eng.
  - R. A. Fraser, P.Eng.
  - R. Hilton, P.Eng. [via teleconference]
  - G. Houghton, P.Eng. [via teleconference]
  - Q. C. Jackson Kouakou, Barrister & Solicitor
  - R. Jones, P.Eng.
  - T. Kirkby, P.Eng.
  - E. Kuczera, P.Eng.
  - L. Lederman, Q.C.
  - T. Olukiyesi, P.Eng.
  - D. Preley, P.Eng.
  - N. Rush, C.E.T. [minutes 11764 to 11792a) only]
  - C. Sadr, P.Eng. [minutes 11764 to 11792a) only]
  - M. Spink, P.Eng.
  - N. Takessian, P.Eng. [minutes 11764 to 11792a only]
  - W. Turnbull, P.Eng. [via teleconference, minutes 11764 to 11791 only]
  - M. Wesa, P.Eng.
- Regrets:
- M. Long-Irwin
- Staff:
- G. McDonald, P.Eng., Registrar
  - S.W. Clark, LL.B.
  - L. Latham, P.Eng.
  - C. Mehta
  - M. Price, P.Eng.
  - D. Smith
  - M. Wehrle
  - J. Zuccon, P.Eng.
  - R. Martin
  - D. Power

- Guests:
- A. Bergeron, PEO Director, Engineers Canada [minutes 11764 to 11791 only]
  - I. Bhatia, Incoming Councillor [minutes 11764 to 11791 only]
  - H. Brown, Brown & Cohen [minutes 11764 to 11791 only]
  - D. Campbell, Chair, Government Liaison Committee [minutes 11779 to 11791 only]
  - L. Casselman, Brown & Cohen [minutes 11764 to 11791 only]
  - L. Hidalgo, Incoming Councillor [minutes 11764 to 11791 only]
  - B. Keidan, Brown & Cohen [minutes 11764 to 11791 only]
  - M. Monette, President & Chair, OSPE [minutes 11764 to 11791 only]
  - S. Perruzza, CEO, OSPE [minutes 11764 to 11791 only]
  - C. Roney, President, Engineers Canada [minutes 11764 to 11791 only]
  - N. Hill, Vice-Chair, Council Term Limits Task Force [minutes 11764 to 11791 only]
  - R. Willson, Chair, Council Term Limits Task Force [minutes 11764 to 11766 only]
  - S. Stewart, Auditor, Deloitte LLP [minutes 11764 to 11767 only]

On Thursday evening, Council held a plenary session to receive and discuss the Equity and Diversity Committee Report; Enforcement Committee Report and Regulatory Conflict Protocol.

Council convened at 9:00 a.m. Friday, March 24, 2017.

**CALL TO ORDER**

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

**11764  
APPROVAL OF AGENDA**

Moved by Councillor Takessian, seconded by Councillor Sadr:

**That:**

- a. the agenda, as presented to the meeting at C-511-1.1, Appendix A be approved as amended; and**
- b. the Chair be authorized to suspend the regular order of business.**

**CARRIED**

Moved by Councillor Fraser, seconded by Councillor Jones:

**That item 4.8 Policy Respecting PEO's Appeal of Discipline Decisions be moved from In-Camera to Open Session.**

**CARRIED**

**11765  
PRESIDENT/REGISTRAR'S REPORT**

President Comrie provided highlights of his recent activities which included attendance at the following events

- APEGNB Annual General meeting in Fredericton
- York Chapter Annual General meeting on February 11<sup>th</sup> that included a licensing ceremony
- Liberal provincial caucus on February 16
- Engineers Canada meeting from February 27 to March 1
- Windsor-Essex Annual General Meeting on March 7
- March 8 Engineers Innovation Forum on autonomous vehicles
- Past President's Lunch on March 9

- Dinner organized by OACETT with some technology Deans from several colleges. President-elect Dony and Registrar McDonald also attended. This was an exploratory meeting to discuss bridging possibilities for technologists to become licensed professional engineers
- Meeting with Attorney General Yasir Naqvi regarding their update on what is happening with the Belanger report
- The annual lighting up of the CN tower to mark the end of National Engineering month

President Comrie discussed issues with the 2017 election process and how they were resolved. He noted that an independent auditor was engaged to review the process.

President Comrie congratulated Councillor Spink on her “Leading Women Building Communities” award for mentoring from the Ontario Women’s Directorate which was presented to her by MPP Yvan Baker on March 31, 2017.

**11766  
COUNCIL TERM LIMITS TASK FORCE  
REPORT**

The Council Term Limits Task Force (CTLTF) was created by PEO Council at its February 2016 meeting, pursuant to its November 2015 approval in principle of establishing term limits and succession planning for Council positions. Per its Terms of Reference, the Task Force was to analyze the practices at other self-regulating organizations and engineering associations in Canada, and to provide a report to Council before the 2017 AGM.

In fulfilling its mandate, the Task Force analyzed the membership of PEO Council for the previous 20 years, which covers the period since the last major review of election procedures in 1997. In addition to surveying the practices of other regulators, it also surveyed the literature on the governance of non-profit boards, and consulted with two experts in the field to obtain additional background information. The results of this research were reviewed in an “If...Then” exercise and subsequently summarized in a conclusions and rationales matrix to ensure that conclusions were logically based.

The Task Force conducted a series of meetings starting in March 2016 and finishing in February 2017. Its draft Report was issued in December 2016 and peer reviewed by three PEO committees, Legislation Committee (LEC), Human Resources Committee (HRC) and Central Election and Search Committee (CESC), before being finalized and presented to Council for deliberation. In addition, the Task Force provided a presentation of its preliminary results to the Council plenary meeting in February 2017.

The Chair recommended that Council move into committee of the whole in order to facilitate discussion.

**Moved by Councillor Jones, seconded by Vice-President Quinn that Council move into committee of the whole.**

**CARRIED**

**Moved by Councillor Jones, seconded by Vice-President Quinn that Council return to regular session.**

**CARRIED**

The Chair reported that, while in committee of the whole, there was strong support from Council regarding term limits in general but that the recommendations regarding life time bans were too restrictive and should therefore be revisited by the task force.

Moved by Councillor Wesa, seconded by President-elect Dony:

- a. That Council receives the Council Term Limits Task Force (CTLTF) Report and Recommendations as presented to the meeting at C-511-2.1, Appendix A.**
- b. That the matter be referred back to the Council Term Limits Task Force for further deliberation and that the Task Force report back at the June 2017 Council meeting.**
- c. That the Task Force be given a budget of \$2000 to cover the cost of a face-to-face meeting.**

**CARRIED**

Councillor Fraser requested that the final report of the Council Term Limits Task Force be made available to delegates at the April 22nd Annual General Meeting. This report will also be made available on PEO's website.

**11767  
2016 AUDITED FINANCIAL STATEMENTS**

PEO's governing legislation and its by-laws require that Council approve the audited financial statements of the Association for presentation to members at PEO's Annual General Meeting and that the statements be published on PEO's website for access to all members.

Moved by Councillor Chui, seconded by Councillor Kuczera:

**That Council:**

- a) approve the Audited Financial Statements for the year ended December 31, 2016, and the Auditor's report thereon, as presented to the meeting at C-511-2.2, Appendix A; and**
- b) authorize the President and President-elect to sign the Audited Financial Statements on Council's behalf.**

**CARRIED**

**11768**

Council is required to recommend the appointment of an auditor for

**RECOMMENDATION OF AN AUDITOR FOR 2017**

2016 to members at the upcoming Annual General Meeting for their approval.

As part of every five year cycle, an RFP for audit services was issued to reputable firms in late July 2016. After a review of the proposals submitted, the Audit Committee unanimously decided to recommend Deloitte as PEO's auditor for the next five years with the appointment to be confirmed every year.

Moved by Councillor Chui, seconded by Councillor Jones:

**That Council recommend to members at the April 2017 Annual General Meeting, the appointment of Deloitte LLP as PEO's auditor for 2017 to hold office until the next annual meeting or until their successor is appointed.**

**CARRIED**

**11769  
REGULATORY CONFLICT PROTOCOL**

Council was asked to adopt a protocol for PEO to use to address current and future possible regulatory conflicts between external statutes and regulations and the Professional Engineers Act and its regulations.

Moved by Councillor Kuczera, seconded by Councillor Bellini:

**That Council approve and adopt the Regulatory Conflict Protocol as presented to the meeting at C-511-2.4, Appendix A, and authorize the Registrar to take the necessary actions.**

**CARRIED**

**11770  
LICENSING COMMITTEE – RESCINDING  
AND REPLACING COUNCIL RESOLUTIONS  
REGARDING LICENSING PROCESS TASK  
FORCE (LPTF) RECOMMENDATIONS THAT  
REQUIRED REGULATION CHANGES**

Following Council's direction in March 2014, the Legislation Committee continued its review of the TK-17 version Regulation amendments for Council governance, discipline-specific Certificates of Authorization and licensing process (academic and experience requirements) to determine which required additional policy work and those which were deemed no longer advisable and therefore need rescinding.

The Legislation Committee completed its review of all of the outstanding TK-17 Council motions to clarify whether their policy intent was clear enough to support drafting and to meet the government's new Regulatory Impact Assessment criteria.

The Legislation Committee determined that most of the Certificate of Authorization and one of the Licensing Process Task Force (LPTF) motions are not advisable and should be rescinded. The majority of the LPTF motions were referred on August 13, 2015 to the new Licensing Committee (LIC) for further clarification.

The Licensing Committee has reviewed all the recommendations referred to it by the Legislation Committee and has consulted with the

Academic Requirements Committee and the Experience Requirements Committee regarding the current relevancy of the recommendations.

At the request of President Comrie, President-elect Dony assumed the Chair so that President Comrie could speak to the motions.

- (a) **LPTF Recommendations 8 and 10, Tabled 16Nov2007 (C-443, Minute #10445) and reintroduced as a single resolution Passed 25Jan2008 (C-445, Minute #10477) redefining the academic requirement**

**[Secretariat Note: By Council Special Rules of Order the following motion required a two-thirds majority of votes cast to carry.]**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That the following academic requirements be specified in Regulations:**

**The applicant shall demonstrate that he or she,**

- i) has obtained a bachelor's degree in an engineering program from a Canadian university that is accredited by the CEAB, or**
- ii) has obtained formal academic training that meets one of the Council approved syllabi and can demonstrate academic depth per the approved list of alternatives, or**
- iii) is a member in good standing of an organization with which PEO is a party to a mutual recognition agreement, or**
- iv) has completed a Council prescribed program, or**
- v) has met the minimum academic requirements for a Limited Licence and has completed the ARC assigned examination program.**

**CARRIED**

Moved by President Comrie, seconded by Councillor Fraser:

**That Council endorses the Interpretive Statement on Equivalent Engineering Educational Qualifications as presented to the meeting at C-511-2.5, Appendix B.**

**CARRIED**

- (b) **LPTF Recommendation 9, Passed 16Nov2007 (C-443, Minute**

**#10445) re confirmatory examinations**

**[Secretariat Note: By Council Special Rules of Order the following motion required a two-thirds majority of votes cast to carry.]**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**9. That a new regulation be added requiring all applicants for a licence to demonstrate that they meet the academic depth requirement by passing confirmatory examinations, unless exempted by the regulation, and establishing:**

- The normal confirmatory examination program for applicants who fully meet the academic breadth requirement;**
- The directed confirmatory examination program for applicants who do not fully meet the academic breadth requirement;**
- Exemptions for good performance on examinations;**
- Additional requirements for poor performance on examinations**

**CARRIED**

**(c) LPTF Recommendations 11 and 12, Tabled 16Nov2007 (C-443, Minute #10445) and reintroduced as a single resolution Passed 25Jan2008 (C-445, Minute #10477) to define PEO's standards for "good performance" and "poor performance" on examinations in the Regulations**

**[Secretariat Note: By Council Special Rules of Order the following motion required a two-thirds majority of votes cast to carry.]**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That PEO's current standard for "Good Performance" and "Poor Performance" on examinations be included in the Regulations.**

**CARRIED**

Moved by President Comrie, seconded by Councillor Takessian:

**That the criteria for assigning confirmatory examinations programs not be enshrined in the Regulations, but instead, that the Explanatory Note on PEO's Examination Process as presented to the meeting at C-511-2.5, Appendix C be approved.**

CARRIED

**[Secretariat Note: By Council Special Rules of Order motions 11770 (d) to (m) all required a two-thirds majority of votes cast to carry.]**

**(d) LPTF Recommendation 16, Passed 16Nov2007 (C-443, Minute #10445) re referencing Experience Guide in Regulations**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That the experience requirements in the Regulations be emended to reference PEO's Guide to the Required Experience for Licensing as a Professional Engineer in Ontario.**

CARRIED

**(e) LPTF Recommendation 18, Passed 16Nov2007 (C-443, Minute #10445) re objective criteria for academic equivalency**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That all applicants whose academic credentials do not meet an objective criterion set out in the Regulations or established by Council resolution be referred by the Registrar to the Academic Requirements Committee (ARC) for assessment as to whether or not they meet PEO's academic breadth and depth requirements for licensure. The following objective criteria should be placed in the Regulations:**

- Graduates of a CEAB-accredited engineering program;
- Applicants who qualify under the CCPE Inter-Association Mobility Agreement (IAMA).

**and the following objective criteria should be established by Council resolution:**

- Graduates of academic programs for whom a standard treatment has been approved by Council resolution

CARRIED

**(f) LPTF Recommendation 27, Passed 16Nov2007 (C-443, Minute #10445) re national mobility**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**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
- c) The applicant has not previously applied to the Association for a licence and been deemed to not meet the academic requirements.

**CARRIED**

- (g) LPTF Recommendation 33, Passed 16Nov2007 (C-443, Minute #10445) re “stale dating” of degrees

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That the Regulations be amended to provide that applicants with accredited degrees that were awarded more than six (6) years prior to the date of application will be assessed against the current applicable PEO Syllabus for academic breadth.**

**CARRIED**

- (h) LPTF Recommendation 35, Passed 16Nov2007 (C-443, Minute #10445) re limit on length of time an application file can be kept open

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That an applicant’s file be kept open for a maximum of eight (8) years from the date of application.**

**CARRIED**

- (i) LPTF Recommendation 46, Passed 16Nov2007 (C-443, Minute #10445) re criteria for closing an applicant’s file

Moved by President Comrie, seconded by Councillor Fraser:

**That the following resolution be rescinded:**

**That a new Regulation be added to provide for an applicant’s file to be**

closed by the Registrar in the event that the applicant does not make satisfactory progress towards demonstrating compliance with the academic requirements by passing technical examinations specified by ARC, along the following lines:

*Where an applicant has chosen to attempt technical examinations specified by the Academic Requirements Committee as a means of demonstrating compliance with the academic requirements pursuant to Section 34., and*

*(i) fails to pass at least one examination within two years of notice of the determination made under Section 40.(2), or*

*(ii) fails to pass all of the specified examinations within eight (8) years of receiving notice of the determination made under Section 40.(2),*

*the Registrar may withdraw the applicant's application for a licence unless the applicant submits to the Registrar in writing reasonable justification for the failure to attempt or pass the examinations.*

**CARRIED**

**(j) LPTF Recommendations 8 and 10, Tabled 16Nov2007 (C-443, Minute #10445) and reintroduced as a single resolution Passed 25Jan2008 (C-445, Minute #10477) redefining the academic requirement**

Moved by President Comrie, seconded by Councillor Fraser:

**That the following academic requirements be specified in Regulations:**

**The applicant shall demonstrate that he or she has obtained**

**(i) A bachelor's degree in a Canadian engineering program that is accredited to the Council's satisfaction, or**

**CARRIED**

**(k) LPTF Recommendation 50, Passed 16Nov2007 (C-443, Minute #10445) re References to "thesis" in the Regulations**

**That the following resolution be rescinded:**

**That all references in the Regulations to "thesis" except that in Section 85. (that set out the fee payable on submission) be deleted, as this is an element within the PEO syllabi.**

And be replaced by:

That all references in the Regulations to “thesis” be replaced with “engineering report”.

CARRIED

(l) LPTF Recommendation 30, Passed 16Nov2007 (C-443, Minute #10445) re when the Professional Practice Examination may be written

Moved by President Comrie, seconded by Councillor Fraser:

That the following resolution be rescinded:

That Section 37. of the Regulations be amended to provide that an applicant may write the Professional Practice Examination(s) any time they are offered.

And be replaced by:

That the current Regulations be amended to reflect the following policy:

- The Professional Practice Examination may be written at any time after the academic requirement has been met.
- An applicant’s file may be closed by the Registrar if all other requirements for licensure have not been met within eight (8) years of meeting the academic requirement.

CARRIED

(m) LPTF Recommendations 36 and 45, Passed 16Nov2007 (C-443, Minute #10445) re timing and other operational details of examinations

Moved by President Comrie, seconded by Councillor Fraser:

That the following resolutions be rescinded:

36. That the Regulations be amended to remove provisions related to timing of examinations and academic year, and

45. That sections 34 through 36 of the Regulations be deleted as they are primarily operating procedures.

And be replaced by:

That sections 34, 35, and subsection 36.(1) of the Regulations be removed, and that the term “academic year” be replaced with “year” in section 36.

President Comrie resumed the Chair.

**11771  
UPDATING PEO SYLLABI**

The Academic Requirements Committee (ARC) is mandated to assess non-CEAB applicants' academic preparation to determine if they meet PEO's academic requirements for licensure. It does so by comparing the applicant's transcripts and courses studied to a syllabus of a particular discipline. Most syllabi are developed and maintained by the Engineers Canada Canadian Engineering Qualifications Board (CEQB) and PEO adopts them for its own examinations. The CEQB has recently revised the Chemical, Civil, Electrical, Mechanical and Naval Architectural Engineering syllabi to 2016 syllabi and developed a new Mechatronics Engineering syllabi which were reviewed and revised by the ARC at its August 2016, September 2016, January 2017 meetings and will become effective as of the May 2017 technical examinations sitting.

Moved by President-elect Dony, seconded by Past President Chong:

**That the PEO revised Chemical, Civil, Electrical, Mechanical, Naval Architectural Engineering Syllabi, and new Mechatronics Engineering Syllabus presented to the meeting at C-511-2.6, Appendices A, B, C, D, E and F respectively, be approved for use, effective for the May 2017 technical examinations sitting.**

CARRIED

**11772  
RECOMMENDATIONS ON FRAMEWORK  
FOR REGULATION ELEMENTS**

The National Framework Task Force (NFTF) was formed by Council in May 2009 "to explore, under the auspices of Engineers Canada, a national framework for licensure". In late 2014, Engineers Canada reconstituted the Canadian Framework for Licensure as the aspirational, non-licensing specific "Framework for Regulation", and in June 2016, Engineers Canada requested feedback on 13 additional elements. In July 2016, PEO's Executive Committee agreed that the National Framework Task Force (NFTF), chaired by Diane Freeman, was the best vehicle to provide comment on the 13 new elements on PEO's behalf.

Members of PEO's National Framework Task Force reconvened on Tuesday, October 11, 2016 to review their terms of reference and membership. This was done in view of how best to assist PEO Council with providing input to the 13 Consultation Documents issued in draft by Engineers Canada's Framework for Regulation group. Engineers Canada also posted four more elements in October 2016.

PEO staff were directed by the NFTF to review the policy intent of the draft elements, and contacted Engineers Canada to obtain problem statements for each one. As Engineers Canada could not provide these, staff inferred possible problem statements for each element. To aid the Task Force in providing advice, staff also compiled a list of Council

motions and statements related to each item, and sought advice from staff subject matter experts. This information was presented to the task force, who formulated their responses to each element over two sessions in January and February 2017.

Moved by Councillor Fraser, seconded by Councillor Bellini:

1. That Council accept the National Framework Task Force's recommendations on Engineers Canada's most recent "Elements of Engineering Regulation", as detailed in the "Recommendations to Council" column as presented at C-511-2.7, Appendix A, and forward them on to Engineers Canada as PEO's comments.
2. That Council asks Engineers Canada to clarify the criteria used for determining which elements should be included in the Framework for Regulation.

**CARRIED**

**11773  
COMMITTEES/TASK FORCES TERMS OF  
REFERENCE, HR AND WORK PLANS**

Moved by Councillor Bellini, seconded by President-elect Dony:

1. That Council approve the Legislation Committee (LEC) AND Licensing Committee (LIC) Terms of Reference as presented to the meeting at C-511-2.8, Appendices A and B.
2. That Council approve the Licensing Committee (LIC) 2017 Human Resources and Work Plans as presented to the meeting at C-511-2.8, Appendix C.

**CARRIED**

**11774  
CHANGES TO COMMITTEES/TASK FORCES  
ROSTER**

Moved by Councillor Bellini, seconded by Councillor Sadr:

**That Council approve changes to the 2017 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-511-2.9, Appendix A.**

**CARRIED**

**11775  
APPOINTMENT OF PEO DIRECTORS TO  
ENGINEERS CANADA BOARD**

Since President Comrie submitted his name as a candidate for a PEO Director to the Engineers Canada Board, President-elect Dony assumed the position of Chair.

Councillors Sadr and Kirkby withdrew their names as candidates.

All Candidates were invited to speak to Council about their candidacy. Candidates who were unable to attend in person were given the opportunity to submit a written personal introduction.

The following candidates addressed Council:

Annette Bergeron  
Councillor Chui

President Comrie

Nick Colucci was not present at the meeting nor did he submit a written personal introduction.

Moved by Councillor Takessian, seconded by Councillor Kuczera:

**That Danny Chui, P.Eng. and Annette Bergeron, P.Eng. be appointed as a PEO Director to the Engineers Canada Board of Directors, for a three-year term effective as of the 2017 Engineers Canada Annual General Meeting.**

**CARRIED**

Moved by Councillor Jones, seconded by Councillor Chan:

**That the ballots for the appointments of the PEO Directors to the Engineers Canada Board of Directors be destroyed immediately.**

**CARRIED**

Upon completion of the PEO Directors to Engineers Canada Board election, President Comrie resumed the position of Chair.

**11776  
CONSENT AGENDA**

Moved by Councillor Kuczera, seconded by Councillor Jones:

**That the Consent Agenda be approved.**

**CARRIED**

Included on the consent agenda:

- 3.1 Minutes – 510<sup>th</sup> Council meeting – February 3, 2017
- 3.2 Approval of CEDC Applications

[Note: minutes 11777 to 11778 reflect the motions provided in the briefing notes presented to the meeting.]

**11777  
MINUTES – 510<sup>th</sup> COUNCIL MEETING –  
FEBRUARY 3, 2017**

**That the minutes of the open session of the 510<sup>th</sup> meeting of Council, held on February 3, 2017 as presented to the meeting at C-511-3.1, Appendix A, accurately reflect the business transacted at that meeting.**

**CARRIED**

**11778  
APPROVAL OF CEDC APPLICATIONS**

Under Section 61(2) of Regulation 941 under the Professional Engineers Act, the Consulting Engineer Designation Committee (CEDC) may make recommendations to Council in respect of all matters relating to application for designation as a consulting engineer. The CEDC is recommending that Council approve the following motions:

- 1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-511-3.2, Appendix A, Section 1.**

**2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-511-3.2, Appendix A, Section 2.**

**3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-511-3.2, Appendix A, Section 3.**

**11779  
STRATEGIC PLAN UPDATE**

Registrar McDonald reported that 85% of the strategic plan activities are now complete. Fifteen new strategies have been introduced to the third and final year of the plan. There will be some items that will not be fully complete at the end of the year, therefore these items will carry over into the next plan to ensure completion. There were no questions or comments.

**11780  
LEGISLATION COMMITTEE UPDATE**

Councillor Kuczera advised that the Legislation Committee reviewed the draft by-law amendment with respect to fees. This has been forwarded to the Attorney General’s office to implement complementary changes to Regulation 941. The next meeting of the Legislation Committee is scheduled for April 7, 2017.

**11781  
REGIONAL COUNCILLORS COMMITTEE  
UPDATE**

Councillor Sadr advised that there had not been any RCC meetings since the February Council meeting. The next scheduled meeting is April 1<sup>st</sup> in Kingston. Councillor Sadr expressed his thanks to all Councillors and Chapter staff who he had the pleasure working with during his four years on Council.

**11782  
ENGINEERS CANADA UPDATE**

C. Roney advised that Engineers Canada has selected a very capable, energetic interim CEO, Stephanie Price. The search for a permanent CEO is now underway.

The Strategic Plan document contained in the agenda package will help Engineers Canada ensure that it is working for the benefit of its regulators. Consultations from the regulators helped form the strategic direction and initiatives contained in this document. There are six categories in the Strategic Plan which are 1. National Voice, 2. Public Protection, 3. Proactive Regulation and Integrity, 4. Valued Profession, 5. Societal Leadership and 6. Diversity and Inclusion. He asked Council members to identify their top five categories and rank them in priority and to advise if they feel that anything is missing and should be included. Engineers Canada is looking for direction from the regulators as to what it should be focussing on.

All Council members will be receiving a survey shortly. C. Roney asked that the survey be completed by April 7, 2017.

C. Roney discussed the Carver governance model that Engineers Canada had been using which, in its current form, is not the right model for

Engineers Canada and is therefore under review.

Engineers Canada recently undertook a public perception survey sent to 1,200 people across Canada. C. Roney shared the results of this survey noting that the link for the survey results was included in a Registrar's Update.

C. Roney discussed some promising practices such as the Employee Member in Training Program in British Columbia which helps firms to attract top EIT's. He also noted that Ontario's PEAK program is being keenly watched by some of the other provinces.

C. Roney congratulated A. Bergeron on her re-election as an Engineers Canada Director and welcomed Councillor Chui as a new Engineers Canada Director.

The Council of Deans of Engineering Applied Sciences passed some motions in November 2016 that were widely supported, looking at workload issues related to the whole accreditation process and what they view as more innovative approaches in the delivery of engineering education from an accreditation standpoint.

Workshops were convened at the last Engineers Canada meeting to go through some of the issues, in particular accreditation. C. Roney advised that a lot of progress was made and that many of the accreditation issues should be resolved shortly. President-elect Dony indicated that a parallel initiative has been scheduled for May 29<sup>th</sup> and that some Councillors may have the opportunity to participate.

On November 18, 2016 Council requested the Chair of the FIC to report on the impact of a twenty-dollar fee reduction on PEO finances. This information was contained in the Information Briefing note presented to Council at C-511.5.5 including a summary of the impact of reducing membership fees to \$200 as of January 1, 2017 on PEO finances as follows:

- 1) This would lead to an average reduction of \$1.5m per annum in revenues
- 2) The average revenue loss would translate to a net loss of \$775k per annum
- 3) The operating reserve will fall from an average \$11m to \$7m
- 4) Net assets will fall from an average of \$16.5m to \$12m

If a fee reduction is deemed necessary then alternatives to make up for the lost revenue need to be found, or an approximate 6% budget cut implemented, failing which there is a high likelihood of an overall degradation in PEO's finances over a period of time. This could lead to:

**11783  
REPORT ON FEE REDUCTION**



- 1) Difficulty in sustaining regular day to day operations.
- 2) Diminished ability to spend on capital expenditures deemed necessary for sustaining or improving operational efficiencies.
- 3) Diminished ability to spend on strategic plan initiatives, potentially adversely affecting PEO's ability to discharge its regulatory obligations.
- 4) PEO would be unable to pay-off the outstanding mortgage in 2019 (subject to Council approval) as this would result in the operating reserve falling below \$1.5m - well below the minimum required level of \$4.5m.

In light of the above, it would be prudent to maintain *status quo* and revisit the membership fees in 2019 when the mortgage term will end and the outstanding loan can either be refinanced or be paid off in full.

In 2019, the outstanding mortgage will mature and the principal owed will be \$5.6m. Depending on the circumstances in 2019, PEO could either choose to fully pay off the outstanding amount while still maintaining an operating reserve of \$5.9m – well above the minimum required threshold of \$4.5m.

Alternatively, PEO could consider refinancing the outstanding amount of \$5.6m if the PEO investment portfolio is earning good returns (the revised policy became effective Jan 1, 2017) and is higher than the refinancing rate, also if the capital was needed for other, approved projects.

Councillor Jones, Finance Committee Chair, advised that this matter was discussed at a joint meeting of the Audit and Finance Committees.

Councillor Fraser asked that this matter be considered by Council in 2019 when the outstanding mortgage at 40 Sheppard Avenue West matures.

**11784  
OSPE-PEO JOINT RELATIONS COMMITTEE  
(JRC) UPDATE**

President Comrie advised that the OSPE-PEO Joint Relations Committee (JRC) reviewed the proposed OSPE bylaw changes which will be presented at OSPE's Annual General Meeting in May.

**11785  
OSPE BYLAW CHANGES**

President Comrie advised that most of the proposed OSPE bylaw changes being presented for approval at its upcoming Annual General meeting in May relate to the associate category of membership. He indicated that there were a series of proposals that were made to amend the bylaws presented at the 2016 AGM which were sent back for rework by the members present at that meeting.

M. Monette, OSPE President and Chair, advised that additional information regarding this was available on the OSPE website and had been sent to OSPE members as well. The bylaws are being adjusted to ensure inclusivity to OSPE's full membership. The proposed changes will

allow Associate members to participate on the Board.

**11786  
STATUS UPDATE FOR THE STRUCTURAL  
CONDITION ASSESSMENT PERFORMANCE  
STANDARD**

Registrar Zuccon advised that Structural Condition Assessment Performance Standard is being held in abeyance pending an announcement from the Ministry of Municipal Affairs regarding its intention to include the requirement for owners to retain engineers to conduct periodic mandatory structural assessment in the Building Code.

**11787  
CP<sup>2</sup> TASK FORCE UPDATE**

Councillor Turnbull advised that the task force received a version of the Ethics Refresher Module which it reviewed and provided comments, resulting in some modifications. The launch of the module is on track for March 31, 2017.

In response to a query from Councillor Fraser asking if the CP<sup>2</sup> Task Force consulted with those who develop the Professional Practice Examinations, Councillor Turnbull replied it did not. Councillor Fraser noted the need for testing. A. Bergeron advised that the Ethics Module is not a pass/fail test but rather a learning mechanism. This module will be changed on an annual basis.

**11788  
CONTINUING PROFESSIONAL  
COMPETENCE PROGRAM TASK FORCE  
REPORT AND RECOMMENDATIONS**

The Continuing Professional Competence Program Implementation Task Force ((CP)2 TF) was created in order “to establish criteria and details for elements needed to operationalize the program proposed by the Continuing Professional Development, Competency, and Quality Assurance Task Force.” Council received the final report of the Task Force at its November 2016 meeting. The Task Force has completed all work that has been assigned to it and the PEAK program is on track to being fully implemented by March 31, 2017.

Moved by Vice President Brown, seconded by Councillor Jones:

**That Council stand down the Continuing Professional Competence Program Task Force with thanks.**

**CARRIED**

**11789  
GOVERNMENT LIAISON PROGRAM  
UPDATE**

Councillor Chan informed Council regarding the changes to political fundraising rules and the impact on the PEO Government Liaison Program (GLP) activities.

J. Chau, in response to a query, advised that the briefing note provided in the agenda package outlined a number of examples of activities that PEO’s Government Liaison Program members can engage in.

It was suggested that PEO conduct a post mortem of failures such as the Repeal of the Industrial Exception in order to identify some lessons learned. It was also suggested that the Q & A format that will be provided to Chapter GLP Chairs as a guideline also be made available at regional congresses for Chapter Chairs and Vice-Chairs through their

Regional Councillor. J. Chau will work with M. Ng on this.

There were no questions or comments.

**11790**  
**STATISTICS – COMPLAINTS, DISCIPLINE,  
LICENSING AND REGISTRATION UPDATE**

**11791**  
**COUNCILLOR ITEMS**

**PEO Not for Profit Status**

Councillor Preley referred to the revenue that will be generated as it relates to PEO's not for profit status once the mortgage on 40 Sheppard Avenue West is retired and was advised that this will be reviewed by the Finance and Audit Committees in 2019 when the mortgage comes up for renewal.

**Election Matters**

Past President Chong noted that two positions in the 2017/18 elections were acclaimed and asked if there were any initiatives to encourage more candidates, particularly in the Northern Region. Councillor Wesa pointed out that there are less than 2,800 members in that region and that while some members have expressed interest, they are unable to make a commitment due to career demands, etc.

Moved by Councillor Kirkby, seconded by Councillor Turnbull:

**That Council move in-camera.**

**CARRIED**

**11792**  
**IN-CAMERA SESSION**

While in-camera, Council:

- a) received an HRC update;
- b) verified the in-camera minutes from the 510<sup>TH</sup> meeting of Council held February 3, 2017 as presented;
- c) approved the recipients of the Ontario Professional Engineers Awards;
- d) received decisions and reasons of the Discipline Committee;
- e) received an update regarding the repeal of the Industrial Exception;
- f) noted there were no issues reported regarding PEO's Anti-Workplace Violence and Harassment Policy;
- g) received a legal update on legal actions in which PEO is involved;
- h) discussed the Appeal to Divisional Court of a Discipline Panel decision.

**11793**  
**POLICY RESPECTING PEO'S APPEAL OF  
DISCIPLINE DECISIONS**

The following item was moved from the in-camera agenda into open session.

A policy was proposed to mandate a process for Council to develop a proper understanding of, and then deliberate on and decide on a Council policy respecting:

- a) when a DIC Panel decision should be appealed at PEO initiative by

- PEO, or
- b) an appeal initiated by a Defendant Member (or other party), should be opposed by or otherwise joined by PEO; and

how such appeal(s) involvement by PEO should be authorized and governed.

In 2011 Council directed the Registrar, through the Complaints and Discipline Process Task Force, to develop criteria for when it is appropriate for PEO to appeal a decision of the Discipline Committee. Since this was not done, Council directed the current Registrar to provide this for Council's consideration at its June 2017 meeting.

Moved by Councillor Fraser, seconded by Councillor Lederman:

- a) **That Council develop a Policy on "Whether to intervene in Appeals from DIC Panel Decisions", and if so: "How such intervention should be Authorized and How it should otherwise be Guided and Governed".**
- b) **To convene a Discipline Panel Appeals Task Force (DIPA TF), of Council members (not including the Steering Group members referred to in parallel briefing note motions), Chaired by Vice-President Quinn, to study the matter of Council developing a process policy on if, when, and how to appeal DIC Panel decisions, and to report to Council prior to the 2017 calendar year-end.**
- c) **To authorize and instruct the DIPA TF to develop and implement a Work Plan that involves: assembling background, analytical and opinion material; the views of other PEO entities such as the Legislation Committee, Discipline Committee, PEO staff experts and stakeholders; and, if in the Task Force Chair's opinion, necessary or desirable: retaining Legal and/or other experts for analysis and advice.**
- d) **That sufficient funding be authorized for motions (a), (b), and (c).**

Moved by Councillor Spink, seconded by Councillor Jackson:

**That the main motion be tabled.**

**CARRIED**

President Comrie expressed his appreciation for the support, encouragement and co-operation that he received from Council as President during the 2016/2017 Council year.

Councillor Chui, on behalf of Council, thanked President Comrie for his

leadership as President during the 2016/2017 Council year.

There being no further business, the meeting concluded.

These minutes consist of twenty-one pages and minutes 11764 to 11793 inclusive.

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G. Comrie, P.Eng., CMC, Chair

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G. McDonald, P.Eng., Registrar