



Minutes

The 519th MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Friday, June 22, 2018 at 9:00 a.m.

- Present:
- D. Brown, P.Eng., President and Council Chair
 - B. Dony, P.Eng., Past President
 - N. Hill, P.Eng., President-Elect
 - M. Sterling, P.Eng., Vice-President (Elected)
 - K. Reid, P.Eng., Vice-President (Appointed)
 - I. Bhatia, P.Eng., Eastern Regional Councillor
 - G. Boone, P.Eng., Eastern Regional Councillor
 - T. Chong, P.Eng., East Central Regional Councillor
 - L. Cutler, P.Eng., Lieutenant Governor-In-Council Appointee
 - R.A. Fraser, P.Eng., Councillor at Large
 - L. Hidalgo, P.Eng., Western Regional Councillor
 - G. Houghton, P.Eng., Western Regional Councillor
 - Q. C. Jackson, Barrister & Solicitor, Lieutenant Governor-In-Council Appointee [via teleconference]
 - T. Kirkby, P.Eng., Lieutenant Governor-In-Council Appointee
 - L. Lederman, Q.C., Lieutenant Governor-In-Council Appointee
 - L. MacCumber, P.Eng., West Central Regional Councillor
 - T. Olukiyesi, P.Eng., Lieutenant Governor-In-Council Appointee
 - S. Robert, P.Eng., Northern Regional Councillor
 - N. Rush, C.E.T., Lieutenant Governor-In-Council Appointee
 - M. Spink, P.Eng., Lieutenant Governor-In-Council Appointee
 - R. Subramanian, P.Eng., Northern Regional Councillor
 - K. Torabi, P.Eng., East Central Regional Councillor
 - W. Turnbull, P.Eng., Western Regional Councillor
 - G. P. Wowchuk, P.Eng., Councillor at Large
- Regrets:
- M. Chan, P.Eng., Lieutenant Governor-In-Council Appointee
- Staff:
- J. Zuccon, P.Eng., Interim Registrar
 - S. Clark, LL.B., Chief Administrative Officer and Corporate Secretary
 - B. Ennis, P.Eng., Director, Policy and Professional Affairs
 - M. Farag, P.Eng., Acting Deputy Registrar, Licensing and Registration
 - L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance
 - C. Mehta, Director, Finance
 - D. Smith, Director, Communications
 - M. Wehrle, Director, Information Technology
 - R. Martin, Manager, Secretariat
 - D. Power, Secretariat Administrator
 - N. Axworthy, Editor, Engineering Dimensions
 - J. Chau, Manager, Government Liaison
 - J. Max, Manager, Policy
 - B. St. Jean, Executive Assistant

Guests: A. Bergeron, P.Eng., PEO Director, Engineers Canada [minutes 11992 to 12005 only]
H. Brown, Brown & Cohen [minutes 11992 to 12005 only]
D. Chui, P.Eng., PEO Director, Engineers Canada [minutes 11992 to 12005 only]
B. Matthews, P.Eng., CEO, Consulting Engineers of Ontario [minutes 11992 to 12005 only]
S. Perruzza, Chief Executive Officer, OSPE [minutes 11992 to 12005 only]
R. Shreewastav, P.Eng., PEO Director, Engineers Canada [via teleconference minutes 11992 to 12005 only]

On Thursday evening, Council held an in-camera legal briefing plenary session with only Councillors and the Interim Registrar in attendance.

Council convened at 9:00 a.m. Friday, June 22, 2018.

CALL TO ORDER

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

A. Bergeron was congratulated for her induction as a fellow into the Canadian Academy of Engineering.

11992

APPROVAL OF AGENDA

Moved by Vice-President Sterling, seconded by Councillor Chong:

That:

- a. the agenda, as presented to the meeting at C-519-1.1, Appendix A be approved as amended by moving items 3.5 Appointment of Additional Members to the 2018-2019 Central Election and Search Committee and 3.7 Changes to the 2018 PEO Committees and Task Forces Membership Roster from the consent agenda to in-camera; and**
- b. the Chair be authorized to suspend the regular order of business.**

CARRIED

11993

2019 BUDGET ASSUMPTIONS

As per the approved business planning cycle, Council is required to approve the budget assumptions in June for the next financial year. A combination of inputs from concerned domain experts, Council directives, and a trend analysis of historical data are used to generate the budget assumptions.

On June 5, 2018, the Finance Committee met with staff to review the 2019 operating and capital budget assumptions and after extensive discussion, these were approved with a minor change to allow for changes as more information/data on various projects and spend items becomes available.

President-elect Hill referred to IT Projects where it was noted that costs excluded labour and associated licensing fees and asked why these costs were not included. M. Wehrle replied that most vendors will not provide pricing a year in advance. They are also constantly changing

what is available from the version that PEO currently has as well as what technology is chosen based on projects approved by Council at which time licensing fees can be costed out. Costs will be provided at budgeting time. M. Wehrle confirmed that IT Projects included a budget line for PEO's website upgrade.

Councillor Spink noted that it would be helpful to have a graph that shows revenue projections over the next ten years. K. Reid advised that the Finance Committee has already requested information regarding revenue and demographic projections going forward.

Councillor Spink asked if there was a budget for staff H.R. resiliency. Interim Registrar Zuccon replied that this is outside the budget process since it would be brought before Council specifically.

Councillor Spink noted the need to provide resources regarding the licensing issues that were discussed at the 2018 Council workshop. Councillor Kirkby replied that the Finance Committee is looking at potential initiatives that should be funded moving forward as well as PEO's funding sources. Vice President Reid added that the Finance Committee has discussed areas where money can be saved while continuing to maintain existing services.

Councillor Bhatia asked about pension liability regarding inflationary increases, etc. Vice President Reid advised that there is an actuarial re-assessment in progress which the Finance Committee will discuss once it has been received.

In response to Councillor Fraser's comment about the 1% merit increase for staff and how this affects salary increases Councillor Reid replied that the 1% merit is just a one-time payout and does not adjust salary ranges.

Councillor Cutler advised that one of the Finance Committee's priorities is to have a review of all spending by committees and task forces over the past five years.

Moved by Vice-President Reid, seconded by Councillor Olukiyesi:

- 1. That the 2019 Budget Assumptions presented to Council as C-519-2.1, Appendix A and as recommended by the Finance Committee, be approved.**
- 2. That the Interim Registrar be directed to initiate the budgeting process, per PEO's Budgeting Cycle, to present the 2019 operating budget and capital budgets at the September 2018 Council meeting based on the approved assumptions**

CARRIED

**11994
REPORT ON YEAR ONE OF THE PEAK
PROGRAM**

At its meeting on November 18, 2016, Council received the report of the Continuing Professional Competence Program Task Force and directed the Registrar to move forward with implementation of the program that was scheduled to begin on March 31, 2017. Council also passed a motion that Council direct the Registrar to provide a report to Council at its June 2018 meeting providing information on the first year of operation of the PEAK program and providing recommendations to Council on the next steps.

B. Ennis confirmed that while no additional funding was being requested at the current time, funds would be required to carry on additional tasks related to the PEAK Program for data collection, verification of data, etc. Vice-President Reid requested that any additional funding related to the program be presented to Council as a separate motion.

Moved by Councillor Spink, seconded by Councillor Turnbull:

- 1. That Council receive the Report on Year 1 of the PEAK Program.**
- 2. That Council direct the Interim Registrar to begin planning for the third year of operation of the PEAK program and to include for this continuation of the program in the 2019 budget.**

CARRIED

**11995
BY-LAW CHANGE – LIFE MEMBER
DEFINITION**

On February 2, 2018, Council approved changes to By-Law No. 1 to add all fees formerly listed in Regulation 941 (see C-516-2.1). The fee amounts were not changed.

However, in the process of reviewing the necessary by-law amendments, section 39(5) was amended to read:

39. (5) Every Life Member is exempt from the requirement to pay the annual fee referred to in Section 39(4).

This language removed the requirement that to qualify as a “life member” one needed to have been a President of the association.

Prior to February 2, 2018, section 39(6) of By-Law No. 1 read as follows:

39. (6) Notwithstanding the foregoing provisions, every Member who has been a President of the association shall be designated as a “Life Member” and exempt from the requirement to pay the annual membership fee prescribed in section 39(2).

Upon further policy review by staff, it appears that the removal of past presidency as the qualification for Life Member was unwarranted, and therefore the Legislation Committee is proposing to reinstate the past president qualification in the definition of “life member” in the By-Law. The Committee also advised that as this is a correction to a status quo ante, subsequent member confirmation of the by-law change as per

section 8(3) of the Professional Engineers Act is not required.

The Legislation Committee reviewed the draft of the By-Law change prepared by Richard Steinecke and was satisfied that it matched the former definition.

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor Houghton, seconded by Councillor Fraser:

That Council makes the following by-law which will take effect immediately when passed:

Section 39(5) of By-law No. 1 is revoked and replaced with the following:

39. (5) Every Member who has been a President of the association shall be designated as a “Life Member” and is exempt from the requirement to pay the annual fee referred to in Section 39(4).

CARRIED

Past President Dony and Councillor Reid abstained

**11996
ELECTION MATTERS – ISSUES REPORT
AND PROCEDURES**

Members of Council are to be elected annually in accordance with sections 2 through 26 of Regulation 941 under the *Professional Engineers Act*.

In accordance with the Protocol for Annual Review of Election Procedures, the Central Election and Search Committee (CESC) undertook a review of the procedures for the conduct of the 2018 Council Elections. PEO convention requires that Council approve voting procedures and election publicity procedures, which form part of the voting procedures, for its annual elections. All recommendations approved by the CESC were incorporated into the draft Voting and Election Procedures and the 2019 Council Elections Guide, as the case may be, for Council approval.

The CESC Issues report deals with a number of issues including:

- Electronic signatures be allowed on Nomination forms;
- Amend the voting platform to provide a summary and confirmation of voters selection before the vote is actually cast;
- Update the Candidate Travel Allowance
- Candidates be required to use a more structured template to present their bio and platform material

S. 13(1) and 13(2) of Regulation 941 requires Council to appoint a Regional Election and Search Committee (RESC) for each Region composed of the Chair of each Chapter in the Region and appoint the

Junior Regional Councillor in each Region as the Chair of the RESC for that Region.

Past President Dony advised that feedback from all sources, i.e. candidates, chapters, etc. was welcome and would be considered by the 2018-2019 Central Election and Search Committee and included in the annual Issues Report. Comments, etc. can be sent to the CESC, via S. Clark.

Vice-President Hill noted that since the standard template was voted down by Council in 2017 it should be presented as a separate item rather than parceled within the Issues Report.

President Hill noted the costs associated with the all candidate regional meetings and requested a full report after the next election cycle to determine if these meetings were good value for the money being spent. Councillor Turnbull advised that the RCC will be discussing options, including whether these meetings should be discontinued or if there is a better way.

Moved by Past President Dony, seconded by Councillor Boone:

That Council, with respect to the 2019 Council election:

- a) approve the recommendations contained in the 2018 Central Election and Search Committee Issues Report as presented to the meeting at C-519-2.4, Appendix A;**
- b) approve the 2019 Voting Procedures, as presented to the meeting at C-519-2.4, Appendix B;**
- c) approve the 2019 Election Publicity Procedures, as presented to the meeting at C-519-2.4, Appendix C;**
- d) approve the 2019 Nomination Form as presented to the meeting at C-519-2.4, Appendix D;**
- e) approve the 2019 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-519-2.4, Appendix E;**
- f) appoint the Regional Election and Search Committees (RESC) for each Region;**
- g) appoint the Junior Regional Councillor in each Region (Serge Robert, P.Eng., Guy Boone, P.Eng., Keivan Torabi, P.Eng., Gary Houghton, P.Eng., Lisa MacCumber, P.Eng.) as Chair of the RESC for their Region.**

Moved by Councillor Reid, seconded by Councillor Wowchuk:

That the motion be amended to remove item 13 regarding the publicity template from the Issues Report.

CARRIED

Responding to a query from Councillor Spink asking if police checks were done on candidates, S. Clark replied that this was not a requirement in the Regulations. He indicated that this matter would be put before the 2018-19 Central Election and Search Committee for its consideration.

Councillor Fraser requested data on the election participation rate of members over the past several years to determine the effectiveness of the election process referencing discussion at the 2018 Council workshop regarding the engagement of different generations. S. Clark advised that this would require follow up.

Council then voted on the main motion as amended:

That Council, with respect to the 2019 Council election:

- a) approve the recommendations contained in the 2018 Central Election and Search Committee Issues Report as presented to the meeting and amended by removing Issue 13 regarding the publicity template at C-519-2.4, Appendix A;**
- b) approve the 2019 Voting Procedures, as presented to the meeting at C-519-2.4, Appendix B;**
- c) approve the 2019 Election Publicity Procedures, as presented to the meeting at C-519-2.4, Appendix C and amended;**
- d) approve the 2019 Nomination Form as presented to the meeting at C-519-2.4, Appendix D;**
- e) approve the 2019 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-519-2.4, Appendix E;**
- f) appoint the Regional Election and Search Committees (RESC) for each Region;**
- g) appoint the Junior Regional Councillor in each Region (Serge Robert, P.Eng., Guy Boone, P.Eng., Keivan Torabi, P.Eng., Gary Houghton, P.Eng., Lisa MacCumber, P.Eng.) as Chair of the RESC for their Region.**

CARRIED

Recorded Vote

<u>For</u>	<u>Against</u>	<u>Abstain</u>
I. Bhatia	L. Cutler	L. Hidalgo

G. Boone	R. Fraser	L. MacCumber
T. Chong	L. Lederman	S. Robert
B. Dony	T. Olukiyesi	R. Subramanian
N. Hill	K. Reid	
G. Houghton	M. Sterling	
Q. Jackson	K. Torabi	
T. Kirkby	G. Wowchuk	
N. Rush		
M. Spink		
W. Turnbull		

**11997
COUNCIL EXPERIENCE REQUIREMENTS
FOR ELECTED OFFICER POSITIONS**

Prior to the 2008 Council elections, PEO’s election regulations (formerly in Section 7 of O. Reg. 941 – see Appendix A) prescribed that:

- candidates for election to the office of President-Elect must have already served for at least two (2) years on the Council before assuming the office of President-elect; and
- candidates for election or appointment as Vice President must have served at least one (1) year on Council before assuming the office of Vice President.

By resolution of Council, these and other constraints were removed in April, 2008 with the intent of widening access to the officer positions.

Since the removal of the Council experience requirements for Vice President and President-elect in 2008, there have been several candidates for these positions without Council experience. This places the organization at risk that its senior elected officers may lack the necessary PEO-specific domain knowledge and skill to provide effective leadership and to garner the respect and support of their Council colleagues, the membership, and the public at large.

Historically, with very few exceptions, candidates for election as President-elect or Vice-President have come from the ranks of current regional Councillors or Councillors-at-Large. This may be viewed as a logical succession, with the entry point to Council service being typically the role of a regional councillor. This succession model is consistent with that of most boards of directors, in which it would be rare for a new member of the board to assume an executive or chair position, regardless of the individual’s experience on other boards. Candidates for officer positions are typically expected to have already served on the board for some period of time, during which they will have become familiar with the work and functioning of the board, and will have had opportunities to demonstrate their leadership and collaboration skills to their colleagues. This is generally accepted as good board governance practice. PEO chapter executives and committees tend to follow a similar succession model as well.

Moved by Councillor Chong, seconded by Past President Dony:

That Council approve the policy intent to reinstate the experience requirements for election or appointment to the offices of Vice President and President-Elect that were in effect prior to the 2008 Council elections, and that the Central Election and Search Committee work with the Legislation Committee on drafting the required changes to Ontario Regulation 941.

Councillor Fraser advised that he wished to refer this motion to the CESC to consider other acceptable, pre-President and Councillor equivalent experience and to consider the best way of implementing this moving forward rather than exactly what was in place prior to 2008. This should include the reason(s) for removing the constraints in the first place as well as the reason(s) for going back.

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor Fraser, seconded by Councillor Lederman:

That the policy intent to reinstate the experience requirements for election or appointment to the offices of Vice President and President-Elect be referred to the Central Election and Search Committee (CESC) for review.

CARRIED

**11998
COMMITTEES/TASK FORCES TERMS OF
REFERENCE**

One of the roles of Council, as identified in the Committees and Task Forces Policy (Role of Council, Item 3), is to approve committee/task force mandates, Terms of Reference, annual work plans, and annual human resources plans.

In accordance with the Committees and Task Forces Policy – Reference Guide (Sections 2.5 and 3.2), the Discipline Committee (DIC) submitted its revised Terms of Reference to the Advisory Committee on Volunteers (ACV) for review and comment. The ACV approved the document at its May 24, 2018 meeting.

Moved by Councillor Reid, seconded by Councillor Hidalgo:

That Council approves the Discipline Committee (DIC) Terms of Reference as presented at C-519-2.6, Appendix A.

Council input was received regarding reasons the above motion should be referred as follows:

- Performance metrics for DIC members – to be referred to the Advisory Committee on Volunteers (ACV)
- Changes to the document should be highlighted

- Show how the Terms of Reference align with the strategic objectives
- Reasons for no term limits
- Outline plan or commitment for providing continuous learning

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor Lederman, seconded by Councillor Olukiyesi:

That the Discipline Committee (DIC) Terms of Reference as presented at C-519-2.6, Appendix A, be referred to the Discipline Committee for further review.

CARRIED

**11999
TERMS OF REFERENCE FOR THE
SUCCESSION PLANNING TASK FORCE
(SPTF)**

At the June 2017 meeting, Council approved the creation of the Succession Planning Task Force (SPTF) as part of the recommendations made by the Council Term Limits Task Force (CTLTF). Recommendations 15 in the CTLTF report stated;

The SPTF will develop a comprehensive plan with schedule, future operating expenses of search and training modules, candidate targets, media programme to educate members etc.

A draft Terms of Reference was presented to the Executive Committee at the October 30, 2017 meeting. The Committee directed staff to amend the Terms of Reference such that the key duties of the SPTF are to provide oversight and coordination with respect to the implementation of the Succession Planning recommendations. The amended SPTF Terms of Reference was peer reviewed by the Advisory Committee on Volunteers (ACV) at its March 8, 2018 meeting. The ACV recommended that the SPTF Terms of Reference be presented to Council.

President-elect Hill advised that the Terms of Reference for the Succession Planning Task Force was tabled at the March 2018 Council meeting in order to adjust the composition to ensure diversity representing different groups to be presented at the June Council meeting. Councillor Spink added that some changes have been made so that the Terms of Reference are less prescriptive as well as adding more peer review since this task force affects a number of committees.

A new call for candidates will be issued based on the revised constituency, number and qualifications of task force members. Previous candidates will be contacted to determine if they wish to continue their candidacy.

Moved by Councillor Spink, seconded by President-elect Hill:

That Council approve the Succession Planning Task Force Terms

**of Reference as presented to the meeting at C-519-2.7,
Appendix B.**

**CARRIED
Recorded Vote**

<u>For</u>	<u>Against</u>	<u>Abstain</u>
I. Bhatia	T. Chong	T. Kirkby
G. Boone	L. Cutler	T. Olukiyesi
B. Dony	R. Fraser	
L. Hidalgo	L. Lederman	
N. Hill	K. Reid	
G. Houghton	G. Wowchuk	
Q. Jackson		
L. MacCumber		
S. Robert		
N. Rush		
M. Spink		
M. Sterling		
R. Subramanian		
W. Turnbull		

**12000
ALIGNMENT OF PEO EDUCATION
COMMITTEE TERMS OF REFERENCE**

Councillor Spink referred to the PEO Education Committee's Terms of Reference and whether staff and volunteer time and money spent by the EDU Committee aligns, supports and adds value to PEO achieving its regulatory mandate.

Moved by Councillor Spink, seconded by Councillor Hidalgo:

- 1. To direct PEO's Education Committee (EDU) to re-write their Terms of Reference to align with PEO's 2018-2020 Council Approved Strategic Plan and to ensure their Terms of Reference maps to the objects outlined in the Professional Engineers Act.**
- 2. The revised EDU Terms of Reference to be submitted in time to be reviewed by Council at its November, 2018 meeting.**

Council input was received regarding reasons the above motion should be referred as follows:

- Peer review by the EDU Committee
- Formal feedback from the EDU Committee regarding the concerns, questions and ideas contained within the Briefing Note presented at C-519-2.8
- Is the EDU Committee in favour of the motions presented at C-519-2.8?
- Is the EDU Committee in favour of changing their Terms of Reference?

Motion required a two-thirds majority of votes cast to carry.

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

That the matter of a re-write of the Education Committee’s Terms of Reference to align with PEO’s 2018-2020 Council approved Strategic Plan be referred back to Councillor Spink.

**CARRIED
Recorded Vote**

For

I. Bhatia
G. Boone
T. Chong
L. Cutler
B. Dony
R. Fraser
L. Hidalgo
N. Hill
G. Houghton
Q. Jackson
T. Kirkby
L. Lederman
L. MacCumber
T. Olukiyesi
K. Reid
S. Robert
N. Rush
M. Sterling
R. Subramanian
W. Turnbull
G. Wowchuk

Against

M. Spink

**12001
PEO’S INDEMNIFICATION INSURANCE FOR
COUNCILLORS**

PEO Councillors have significant responsibilities. Some directors of nonprofit corporations have been criticized (and sanctioned, in some cases) for their alleged failures in fulfilling their fiduciary duty by not being able to clearly demonstrate the “due diligence” needed to meet a “duty of care” in their roles as directors of their organizations. Councillor’s exposure to potential personal liability is rare.

Directors and officers of corporations will not be liable for a breach of their duty of care owed to the corporation if they act prudently and on a reasonably informed basis. Perfection is not demanded; rather, the court will examine whether an appropriate degree of prudence and diligence was brought to bear when making a decision. Decisions that boards make must be reasonable in light of the circumstances in which the decision was made. A common test may be; was the decision made in a situation where the decision-making process was careful and rigorous?

Council must be comfortable that it is receiving the right information in a timely manner; that it is spending adequate meeting time on risk management; that management is candid with the board; and, in general, that it has confidence in management and the committees which report to it.

Finally, the board must be confident that adequate arrangements are in place (suitable advice has been sought, board processes are proper, effective indemnification and directors' and officers' insurance are in place) to protect the board if things do go wrong.

Councillor Fraser suggested that this matter be referred to the Interim Registrar in order to provide Council, at the September Council meeting, with an overview of indemnification and directors' and officers' insurance coverage currently in place as well as providing high level answers to the questions noted on page 2 of the Briefing Note presented at C-518-2.9.

Moved by Councillor Spink, seconded by Councillor Hidalgo:

That Council Direct the Registrar to develop an ongoing process:

- 1. To review current Councillor indemnification insurance and determine if the type and level of coverage is adequate**
- 2. To recommend to Council a sustainable process for review of indemnification insurance moving forward including but not limited to frequency of reviewed, depth of the review that should be undertaken and how to report to Council**
- 3. To develop a process to educate new, existing and future Councillors on the topic of their Indemnification insurance coverage using example scenarios of how a claim might be triggered**
- 4. To report back to Council on the above by the September 2018 Council Meeting.**

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor Fraser, seconded by Councillor Chong:

That the matter of PEO's indemnification insurance for Councillors be referred to the Interim Registrar for review.

CARRIED

**12002
ADVERTISING POLICY FOR CHAPTER
PROVIDED CONTINUING KNOWLEDGE
ACTIVITIES**

The following motion was made at the Regional Councillors Committee (RCC) meeting on Saturday, April 7, 2018:

"To direct Staff to develop a policy detailing the proper usage of the word PEAK for chapter event advertising. Moved by I. Bhatia. Seconded by L.

Hidalgo. Motion CARRIED.”

Chapters often hold events that provide the type of technical information and training that would qualify as continuing knowledge activities suitable for reporting under the PEAK program.

Chapters should not be discouraged from providing these events. However, for various reasons PEO has decided not to endorse or otherwise identify any continuing knowledge activities as suitable for.

First, a basic principle of the PEAK program is the idea that each practitioner is allowed to decide what continuing knowledge activity is relevant to keeping themselves current. Identifying certain activities as PEAK applicable would indicate that those activities not so identified are not applicable. Second, if PEO did allow providers to identify their offerings as PEAK applicable, this would appear to be an endorsement by PEO, an endorsement that we can't really guarantee without checking out each of the offerings. The work involved in seeing whether these courses were actually applicable would be tremendous.

Since PEO will not endorse any continuing knowledge activities, chapters, being arms of PEO, should not endorse or identify any activities as PEAK applicable.

Moved by Councillor Turnbull, seconded by Councillor MacCumber:

That Council approve the Advertising Policy for Chapters as presented to the meeting at C-519-2.10, Appendix A.

President-elect Hill suggested a standard template be created regarding advertising for technical seminars. She noted that all providers should be on the same playing field, not just the Chapters. Engineers are expected to self-monitor and so any courses they take regarding their PEAK hours must be relevant to their practice.

Councillor Fraser advised that he would like to refer this item for the specific task of considering appropriate wording to be used by all who advertise and market technical seminars for PEAK requirements.

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor Fraser, seconded by Councillor Wowchuk:

That the Advertising Policy for Chapter provided continuing knowledge activities be referred to the Regional Councillors Committee (RCC) to consider appropriate wording to be used by all for PEAK requirements.

CARRIED

**12003
RISK ITEMS**

In order to be identified as a leader in self-regulation, Council and the Registrar are responsible to ensure PEO complies with any existing legislation and regulations. This includes requirements under the *Occupational Health and Safety Act (OHSA)*, and *Accessibility for Ontarians with Disabilities Act (AODA)*.

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor MacCumber, seconded by Councillor Bhatia:

That the matter regarding risk items referring to compliance of PEO staff and volunteers to the requirements under the Accessibility for Ontarians with Disabilities Act, and associated regulations, the Occupational Health and Safety Act, and associated regulations and the PEO Anti-Workplace Violence and Harassment policy be referred to the Interim Registrar to verify training requirements with a report back to Council at its September 2018 meeting.

CARRIED

**12004
ENGINEERING CO-OP STUDENT PILOT**

At the 2017 Chapter Leaders Conference, the idea of hiring an engineering student and/or EIT to support Chapters was brought forward by PEO Councillor Roydon Fraser.

Western Region Chapters expressed interest in leading this pilot at the February Western Region Congress. This was discussed at RCC and in general RCC was supportive but needed more details regarding what the role, workload, etc. for the student would be.

Given the timing process between RCC meetings, Congresses and PEO Council meeting, this motion was brought forward to PEO Council (which includes RCC members) since the PEO Grand River Chapter needs direction to prepare accordingly, should PEO Council be supportive of this motion.

Moved by Councillor Hidalgo, seconded by Councillor Houghton:

For PEO Council to support a pilot project, managed by RCC, to hire an Engineering Coop. Student under the supervision of the PEO Grand River Chapter Chair and Vice-Chair and managed by PEO Chapter management. Results of this pilot to be reported back to PEO Council.

Vice-President Sterling referred to the Chapter management office noting that it would be helpful to know what their resource challenges are and also how this fits into the bigger picture of all other priorities.

Motion required a two-thirds majority of votes cast to carry.

Moved by Councillor MacCumber, seconded by Past President Dony:

That the matter of the engineering co-op student pilot be referred to the Regional Councillors Committee (RCC) for review with a report back to Council at its September 2018 meeting.

CARRIED

**12005
ENGINEERING JOB POSTING WITH NO
P.ENG REQUIREMENTS**

Employers are advertising postings to hire “Engineers” however, the title engineer often does not appear to be linked with a P.Eng licence requirement or even an engineering undergraduate degree (at times).

PEO needs to stay relevant as a regulator and if employers are not asking for a P.Eng for “Engineer” roles then engineering graduates may be reluctant to seek licensure.

Moved by Councillor Hidalgo, seconded by Councillor Houghton:

- 1. To direct PEO’s Enforcement Committee to work with PEO Enforcement & Communications staff to develop an approach to educate people, who are in roles recruiting & hiring “Engineers”, about use of title “Engineer”. That is, to communicate widely that “Engineer” is a protected title and if they are hiring an “Engineer” they must also request that the candidate must be licensed with the provincial Engineering Regulator.**
- 2. The Enforcement Committee is to report back to Council in 6 months with the recommended approach(es) and associated cost implications.**

L. Latham advised that there is a strategy planning exercise currently underway. Enforcement is one of nine strategic directives. The Enforcement Committee has spent a lot of time over the past few months identifying strategies for Council consideration around enforcement. This is an operational activity directed by the Registrar. Employment agencies have been targeted in the past with limited success since PEO does not have jurisdiction. Some agencies complied while others did not.

Councillor Reid stated that PEO needs to look at what can be done. She further noted that PEO cannot protect the term “engineer” and this should be considered when doing the assessment.

Vice-President Sterling noted that Council approved an enforcement plan which included the hiring of an additional staff member in the Enforcement Department. It would be helpful for Council to know what the recommendations are from staff going forward as to what they see

as opportunities to do a better job.

Past President Dony suggested that this matter be referred to the Interim Registrar in light of PEO's Strategic Plan.

Moved by Past President Dony, seconded by Councillor Fraser:

That the matter regarding the engineering job posting with no P.Eng. requirements be referred to the Interim Registrar for review.

CARRIED

Moved by Councillor Chong, seconded by Councillor Bhatia:

That Council move in-camera.

CARRIED

**12006
IN-CAMERA SESSION**

While in-camera, Council:

- a) received a briefing from legal counsel regarding PEO compliance with the Fair Access to Regulated Professions and Compulsory Trades Act (FARPACTA)
- b) verified the in-camera minutes from the 517th meeting of Council held March 23, 2018 as presented and amended;
- c) verified the in-camera minutes from the 518th meeting of Council held April 21, 2018 as presented;
- d) received the HRC update
- e) approved the selection of an HRC consultant to assist with the Registrar Recruitment process
- f) withdrew the motion to appoint additional members to the 2018-2019 Central Election and Search Committee
- g) approved changes to the 2018 PEO Committees and Task Forces Membership Roster
- h) withdrew the motion regarding denied licensing applications for employed engineering professionals
- i) approved filing for the Practice Evaluation and Knowledge (PEAK) Trademark
- j) received decisions and reasons of the Discipline Committee
- k) received a legal update on legal actions in which PEO is involved
- l) noted there were no issues reported regarding PEO's Anti-Workplace and Violence Policy

**12007
CONSENT AGENDA**

Moved by Past President Dony, seconded by Councillor Chong:

That the Consent Agenda be approved as amended.

CARRIED

Included on the consent agenda:

- 3.1 Minutes – 517th Council meeting – March 23, 2018
- 3.2 Minutes – 518th Council meeting – April 21, 2018
- 3.3 Canadian Engineering Accreditation Board (CEAB) Accreditation Decisions

- 3.4 PEO Syllabi
- 3.5 Appointment of Additional Members to the 2018-2019 Central Election and Search Committee (moved to in-camera)
- 3.6 Approval of CEDC Applications
- 3.7 Changes to the 2018 PEO Committees and Task Forces Membership Roster (moved to in-camera)

[Note: minutes 12008 to 12012 reflect the motions provided in the briefing notes presented to the meeting.]

**12008
MINUTES –517th COUNCIL MEETING –
MARCH 23, 2018**

That the minutes of the 517th meeting of Council, held March 23, 2018, as presented and amended to the meeting at C-519-3.1, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

**12009
MINUTES – 518th COUNCIL MEETING –
APRIL 21, 2018**

That the minutes of the 518th meeting of Council, held April 21, 2018, as presented and amended to the meeting at C-519-3.2, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

**12010
CANADIAN ENGINEERING
ACCREDITATION BOARD (CEAB)
ACCREDITATION DECISIONS**

That Council approve the list of academic programs as presented to the meeting at C-519-3.3, Appendix A, that have been accredited (by CEAB) and that meet the intent of Section 33.(1) 1.i. of the Regulations.

CARRIED

**12011
PEO SYLLABI**

That the PEO-revised Environmental and Geological Engineering Syllabi be approved for use as of the December 2018 technical examinations sitting.

CARRIED

**12012
APPROVAL OF CEDC APPLICATIONS**

1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-519-3.6, Appendix A, Section 1.

2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-519-3,6, 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-519-3.6, Appendix A, Section 3.

CARRIED

**12013
COUNCILLOR ITEMS**

a. Committees/Task Forces

Several Councillors commented on the large number of committees/task forces and how Council would work toward reducing them.

**12014
PROPOSED ENGINEERS CANADA BY-LAW
AMENDMENT**

b. Applications

A Councillor raised the issue of increased applications and whether there was a need for additional resources.

Engineers Canada has proposed an amendment to the Engineers Canada By-laws regarding the Engineers Canada Board size.

Stephanie Price, Executive Vice President, Regulatory Affairs, sent the following correspondence.

Dear Members,

As per our earlier correspondence, an amendment to our bylaws has been proposed and we are requesting your vote on the following motion through written resolution.

It is moved by Jeffrey Underhill (President, Engineers and Geoscientists New Brunswick) and seconded by Jonathan Epp (President, Engineers and Geoscientists Manitoba)

THAT Section 4.2 of the [Engineers Canada bylaws](#) be amended to state:

4.2. Composition and Election of Directors

(a) The number of Directors shall not exceed twenty four (24).

(b) Directors shall be elected on the basis of nominations received as follows:

One (1) from the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador;

❖ One (1) from the Association of Professional Engineers of Nova Scotia;

❖ One (1) from the Association of Professional Engineers of the Province of Prince Edward Island;

❖ One (1) from the Association of Professional Engineers and Geoscientists of New Brunswick;

❖ Four (4) from l'Ordre des ingénieurs du Québec;

❖ Five (5) from the Association of Professional Engineers of Ontario;

❖ One (1) from the Association of Professional Engineers and Geoscientists of the Province of Manitoba;

❖ One (1) from the Association of Professional Engineers and Geoscientists of Saskatchewan;

❖ Four (4) from the Association of Professional Engineers and Geoscientists of Alberta;

❖ Two (2) from the Association of Professional Engineers and Geoscientists of British Columbia;

❖ One (1) from the Association of Professional Engineers of Yukon;

❖ One (1) from the Northwest Territories Association of Professional Engineers and Geoscientists; and

❖ *One (1) from the list of nominees put forward by the Minister of Industry*

President Brown explained that the bylaw amendment is intended to be temporary, to prevent further growth in the board size. Engineers Canada will continue to work on the issues associated with board size, as per the Members' motion from May 26th to allow for final resolution of this issue. He asked for a straw vote from Council on this matter indicating its support or not.

By way of a straw vote, Council voted in favour of the temporary bylaw amendment to accommodate 4.2 (a) and (b) above.

**12015
CHANGES TO THE 2018 PEO COMMITTEES
AND TASK FORCES MEMBERSHIP ROSTER**

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

That Council approve changes to the 2018 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-519-3.7, Appendix A.

CARRIED

**12016
HR CONSULTANT SELECTION TO ASSIST
REGISTRAR RECRUITMENT PROCESS**

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

- 1. That Council approves the selection of Western Management Consultants of Ontario (WMC) as the human resources consultant to assist the Human Resources Committee with the Registrar recruitment process at a cost of \$50,000.**
- 2. That Council authorizes the President and Interim Registrar to executive an agreement with Western Management Consultants of Ontario (WMC).**

CARRIED

There being no further business, the meeting concluded.

These minutes consist of twenty pages and minutes 11992 to 12016 inclusive.

D. Brown, P.Eng., Chair

S. Clark, LL.B., Chief Administrative Officer and
Corporate Secretary