



**Professional Engineers  
Ontario**

**Guidance Document  
Members' Submissions**

**March 2006**

## **1.0 PURPOSE OF MEMBER SUBMISSIONS**

### **Avenues for Members Submissions**

It is important that members of the association appreciate that there are three avenues by which they may express their views and propose changes, through member submissions as follows:

1. to present a petition on amending the Regulation or By-Law to Council signed by at least 50 members or by a majority of chapters for Council's consideration (By-Law No.1, s.57);
2. at any time, to complete and submit an Issue Identification Form to the PEO Policy Unit for review by the Executive Committee for further action; or
3. to present a submission at an Annual General Meeting (AGM).

The balance of this guideline has been prepared to provide guidance to members interested in bringing forward a submission at an AGM.

### **Members' AGM Submissions**

Under section 17 of By-Law No. 1, PEO's AGM is held, among other things, to ascertain "the views of the members present at the meeting". Section 22(f) of By-Law No. 1 allows an item to be placed on the agenda of the AGM to permit the consideration of formal submissions from the members. Section 20 of By-Law No. 1 requires the Registrar to give a minimum of 10 days and maximum 90 days advance notice of the time, place, and purpose of the annual meeting or any other general meeting of the members of the association.

Members' submissions have historically been referred to as resolutions. Historically, the discussion has ended in a vote by those in attendance at the AGM. It is recommended that PEO now consider the items brought to the AGM as a member submission. The basis for this change is that the purpose for development of a submission is to create meaningful discussion at the AGM surrounding an issue.

Currently, there are no provisions in the Act, Regulation 941 or By-Law No. 1 to make submissions brought forth by the membership and passed at the AGM binding on Council. However, in the 1990s, PEO adopted the practice of Council promptly considering all passed "resolutions" and permitting the movers and seconders of the "resolutions" to actively participate in the "resolution" debate at Council. At the 2005 AGM, President Comrie committed to Council's consideration of all motions, (passed, defeated or postponed). These practices have not been anchored in a specific authorizing Council motion.

Because the submissions are not binding on Council, and because Council supports PEO members bringing forth meaningful submissions, it is recommended that the formal voting be dropped from the AGM. Further, it is recommended that member issues delivered to the AGM be considered submissions. No changes to By-Law No. 1 are required to implement this change in procedure. Members will also be encouraged to submit issues at any time of the year through the Policy Development Process, using the Issue Identification Form.

The member submission portion of the AGM agenda is important, and both the motion and ensuing debate is of value to members of PEO and Council. Council has established the rules regarding the formalities, which are considered to be adequate, and are annually communicated to the members through *Engineering Dimensions*. A template for development of a member submission is provided as Appendix A to this document.

## **2.0 MANAGEMENT OF AGM AGENDA**

Depending on the time available on the agenda of the AGM and the extent of discussion on submissions prepared by members, it might be possible for debate on some submissions to be shortened or deferred. Should this occur, members will be assured that the Executive Committee is committed to considering all submissions at its first meeting following the AGM or as soon thereafter as possible. In addition, the member(s) who initiated each submission will be invited to the Executive Committee meeting and invited to participate in the submission debate.

To assist with the management of the AGM agenda, complete member submissions, including any supporting background information, are required to be submitted no later than 10 business days prior to the AGM. All submissions received by the deadline will be posted on PEO's website within two days following the deadline. In addition, copies of the submissions will be included in the AGM delegate packages. This will ensure that members attending the AGM will have sufficient time to review the information and prepare for participation in debate on the submission.

*Note: The avenue under section 57 of By-Law No. 1 to bring proposals to amend the Regulation or By-Law through chapter majority or member petition remains open to members.*

## APPENDIX A. SUBMISSIONS FORMAT

WHEREAS:

WHEREAS:

WHEREAS:

THEREFORE BE IT SUBMITTED THAT,

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Chair Signature: \_\_\_\_\_ (applicable only if brought forth by a chapter)

Date: \_\_\_\_\_

### **Background information**

Please provide background information on the submission.

## **GUIDELINES FOR WRITING A SUBMISSION**

A submission is a document which expresses a formal opinion or sentiment. Statements often preface a submission, each introduced by the word "Whereas," that provide the reasons for the submission. The statements contained in the "Whereas" clauses are of no legal effect. Movers and seconders of submissions should be careful not to spend excessive time debating or amending these prefacing statements to the neglect of the main submission.

The "SUBMISSION" clause(s) comes at the end of all prefacing statements and should be concise and clear. "SUBMISSION" clauses should be stated in the affirmative, since the negative form is often confusing.

In summary, the following points should be considered when preparing a submission:

- All submissions must be typed and in proper form to be considered by the AGM Committee.
- "Whereas" clauses or preambles of the submission should identify a problem or need for action, address its timeliness or urgency, and its impact on the mandate and responsibilities of PEO as defined in the *Professional Engineers Act*. They should also include references and indicate whether the proposed policy or action will alter current PEO policy.
- the "Whereas" clauses or preambles are provided to offer an explanation and the rationale of the submission.
- "SUBMISSION" clauses are the essential part of the document; they should positively state the action or policy called for by the submission.
- A single issue should be addressed in each submission.
- Research is the first step in developing a submission. Solid data must be presented that supports the requested action.
- provide background information on the submission to help provide for a well informed debate at the AGM.
- submissions are to be submitted to the CEO/Registrar, 10 business days prior to the AGM.

The mover and/or seconder of a submission will be given up to 10 minutes to present their submission to the AGM. Where time permits, members present at the AGM may make comments of up to two minutes on the submission. The mover and/or seconder of a submission will be allowed two minutes for a closing statement.

In circumstances where the overall time allocation will not permit the above timing, the total amount of available time for submissions will be divided evenly among the number of submissions, and movers and seconders of submissions will be informed.