

**WORK PLAN - 2019
FEES MEDIATION COMMITTEE (FMC)**

C-521-2.9 Appendix J(ii)

Approved by Committee: October 2, 2018	Review Date:
Approved by Council: <i>November 16, 2018</i>	Approved Budget: \$6,500 *subject to the approval of the overall PEO budget by Council
Mandate [as approved by Council]:	<p>Fees Mediation Committee</p> <p><u>32. (1)</u> No person who is a member of the Complaints Committee or the Discipline Committee shall be a member of the Fees Mediation Committee. R.S.O. 1990, c. P.28, s. 32 (1).</p> <p>Duties of Fees Mediation Committee</p> <p><u>(2)</u> The Fees Mediation Committee,</p> <p>(a) shall, unless the Committee considers it inappropriate to do so, mediate any written complaint by a client of a member of the Association or of a holder of a certificate of authorization, a temporary licence, a provisional licence or a limited licence in respect of a fee charged for professional engineering services provided to the client; and</p> <p>(b) shall perform such other duties as are assigned to it by the Council. R.S.O. 1990, c. P.28, s. 32 (2); 2001, c. 9, Sched. B, s. 11 (48).</p> <p>Arbitration by Fees Mediation Committee</p> <p><u>(3)</u> The Fees Mediation Committee, with the written consent of all parties to the dispute, may arbitrate a dispute in respect of a fee between a client and a member of the Association or a holder of a certificate of authorization, temporary licence, provisional licence or limited licence and in that case the decision of the Fees Mediation Committee is final and binding on all parties to the dispute. R.S.O. 1990, c. P.28, s. 32 (3); 2001, c. 9, Sched. B, s. 11 (49).</p> <p>Procedure</p> <p><u>(4)</u> Where the Fees Mediation Committee acts as arbitrator under subsection (3), the <i>Arbitration Act, 1991</i> does not apply. R.S.O. 1990, c. P.28, s. 32 (4); 2010, c. 16, Sched. 2, s. 5 (63).</p> <p>Enforcement</p> <p><u>(5)</u> A decision by the Fees Mediation Committee under subsection (3), exclusive of the reasons therefor, certified by the Registrar, may be filed with the Superior Court of Justice and when filed the decision may be enforced in the same manner as a judgment of the court. R.S.O. 1990, c. P.28, s. 32 (5); 2001, c. 9, Sched. B, s. 11 (66).</p>
Terms of Reference [Key duties]:	To review and mediate or arbitrate fee disputes between engineers, engineering companies and their clients in accordance with the Act and Regulations.
Equity and Diversity Awareness	<p>Equity and Diversity Awareness</p> <ol style="list-style-type: none"> 1. <i>Was the E & D module reviewed in order to have tasks and activities align with the E&D Policies?</i> YES 2. <i>Is each task/activity being done in an equitable manner and engaging diverse groups?</i>- YES 3. <i>Are there any barriers to information dissemination, human resources, physical space, and cultural differences?</i> - NO

**WORK PLAN - 2019
FEES MEDIATION COMMITTEE (FMC)**

Tasks, Outcomes and Success Measures:	Task/Activities:	Outcomes Success measures	Due date:
	Review Applications for Mediation / Arbitration:	100%	Ongoing
	Convene Mediation/ Arbitration:	100%	Ongoing
	Issue Mediator's / Arbitrator's Report:	100%	Ongoing
	<i>Q1: The multi-cultural calendar was considered when scheduling the meeting dates – YES</i> <i>Q2: Persons with disabilities and food allergies were appropriately accommodates - YES</i>		