



# Minutes

## NATIONAL FRAMEWORK TASK FORCE MEETING

Friday, January 27, 2017 - 8:30 a.m.  
PEO Offices - Room 1C

### Members:

Diane Freeman, P. Eng. (Chair)  
Christian Bellini, P. Eng. (Vice-Chair)  
Roydon Fraser, P. Eng. *[via teleconference]*  
Brian Ross, P. Eng.  
Virendra Sahni, P. Eng.

### Staff:

Jordan Max, Manager, Policy  
Andrew Tapp, Policy Analyst  
Johnny Zuccon, P. Eng., Deputy Registrar, Tribunals and Regulatory Affairs

### Regrets:

Santosh Gupta, P. Eng.  
Ross Judd, P. Eng.  
Kathryn Sutherland, P. Eng. (Ex-Officio Member)  
George Comrie, P. Eng. (President)

## 1. PROCEDURAL

### 1.1 Opening Remarks

The Chair called the meeting to order at 8:43 a.m., and welcomed and thanked everyone for attending. She noted that, before getting into the details of the specific elements, the Task Force needed to discuss some strategies on how it should be making recommendations to Council.

1.2 Approval of Agenda

The members were asked if there were any additions or changes to the agenda. No additions or changes were provided.

A motion was made to approve the agenda as written.

**Moved by: C. Bellini                      Seconded by: R. Fraser                      CARRIED**

1.3 Approval of Minutes of October 11, 2016 Meeting

The members were asked if there were any additions or changes to the Minutes. No additions or changes were provided.

A motion was made to approve the Minutes of the October 11, 2016 meeting as written.

**Moved by: C. Bellini                      Seconded by: V. Sahni                      CARRIED**

1.4 Action Items Update from October 11, 2016 Meeting

The members were referred to the Actions Items Update document included in the agenda package.

*Review of Terms of Reference and Membership Continuation*

**Send out a Notice of the Chairs of the Professional Standards Committee, Complaints Committee and Registration Committee to seek representatives to join the Task Force. [Completed]**

J. Max noted that this had been completed.

*Engineers Canada Consultation on 13 Elements of Engineering Regulation*

**Produce a log document to identify the problem statement, policy intent and, where possible, any past PEO activities or Council motions on the subject. [Completed]**

J. Max noted that this had been completed and the document would be reviewed under Item 3.1 of today's meeting.

Next Meeting and Adjournment

**Send a doodle poll to canvass the Task Force members for their availability on January 10 or 13, 2017 for the next meeting. [Completed]**

J. Max noted that this had been completed.

**2. FOR DECISION**

2.1 Task Force Membership

J. Zuccon noted that B. Ross had been appointed by the Professional Standards Committee as its representative. The Task Force has not yet received a nominee from the Complaints Committee. R. Judd has indicated that he will not be available due to other professional commitments until April 2017. It was suggested that perhaps another day of the week might better suit his schedule, and staff were directed to contact him. In the interim, it was suggested, and accepted, that R. Fraser, as an ARC member, could also fill in for R. Judd until he is available.

**Action:** Staff to contact R. Judd to see if other days of the week would allow him to attend the NFTF meetings. R. Fraser to also be the de facto ARC representative on the Task Force until R. Judd is able to attend the Task Force's meetings.

A motion was made to accept the revised membership of the Task Force to be listed in the Terms of Reference.

**Moved by: V. Sahni                      Seconded by: C. Bellini                      CARRIED**

**3. FOR REVIEW**

3.1 Engineers Canada Consultation on 13 Elements of Engineering Regulation

The members were referred to the documents included in the agenda package.

(a) Element Problem Statements and Related PEO Positions

J. Max introduced the format and contents of the table. For each of the 13 elements, PEO staff had taken the Purpose and Policy Direction as supplied by Engineers Canada, drafted an inferred problem statement, and added a history of all prior Council motions or related PEO positions on the topic.

He also reminded the Task Force members that Engineers Canada was no longer requiring its constituent members to concur with the elements, but to “provide expert feedback” on them instead.

The Task Force members then discussed what role and actions it should take in respect to the elements and Engineers Canada’s expectations for response. A variety of possible actions were discussed, including asking Engineers Canada to supply the background evidence and best practices behind each element, directing PEO staff to search for and provide its own evidence and experience with these elements, asking Engineers Canada to confirm PEO’s interpretation of the Problem Statement, recommending positions to PEO Council, and determining which of the elements might require an Act change to implement, and which could be enacted by policy change alone. It was agreed that staff should review the elements to determine which ones would require an Act change to implement, and prepare draft advice to Council on each of the 13 elements.

- Action:**
- 1) Staff to review the elements to determine which ones would require an Act change to implement, and report back at the next meeting.
  - 2) Staff to send the inferred problem statements to Engineers Canada to seek confirmation.
  - 3) Staff to add a column to the table for “Next Steps”.

Following this, the Task Force discussed each of the 13 elements and agreed to the following draft Advice to Council to be inserted into the new column on the table:

### **Alternative Dispute Resolution (ADR)**

Engineers Canada needs to confirm the problem statement for ADR. The Task Force would need evidence that it is effective before it would consider implementing it.

### **Canadian Experience Requirement**

Council’s current position is defensible, and any changes made to the experience requirement would have to be based on evidence. The Task Force is not in a position to comment further until it sees Engineers Canada’s guideline.

## **Code of Conduct**

Engineers Canada is, through the code of conduct, creating its own standards of conduct, which differs from PEO's. Council should decide whether or not to adapt the new code. Legal consultation may be required.

The Task Force will ask the Complaints Committee about how and how many of PEO's misconduct rules are used.

## **Fitness to Practice**

Council needs to determine if public safety is adequately protected by Section 28(3)(b) of the Act (findings of incompetence), or if they believe something else must be done.

It was noted that APEGA is making changes to fitness to practice, and that it might be beneficial to seek out Richard Steinecke's opinion.

## **Information to be Included in the Register**

The most recent updates to the types of information stored in the Register, and made available on the website, can be found in the Act changes made in response to the Belanger Inquiry. Engineers Canada may want to use PEO's policy to inform their element.

## **Membership Rights and Responsibilities**

PEO has different licensing instruments, rather than different classes of membership. PEO's current system serves the needs of the public as long as the rights and responsibilities of license holders are clear. Disclosures to the public should be on licence status, not Association membership status.

## **Practice Review**

PEO's Self-Assessment Guideline and the PEAK program have just been introduced. The focus should be on achieving quality practice. A move to mandatory requirements at this time would require evidence, and go against the principles of "right-touch" regulation. The mandatory approach proposed is closer to the Registrar's Investigation powers. Practice reviews should be directed at the firm level, not at the individual licence holder level.

### **Public Identification of Engineering Expertise**

APEGA is not proposing any legislative changes in this area at this time, and PEO should consider doing the same.

### **Rights and Responsibilities of Non-Practicing Members**

PEO does not have any obligation to non-practicing members, but it has an obligation to the public to disclose when members are in fee-remission and are unable to practice. PEO does not have this issue on its policy horizon at this time.

### **Sharing of Regulatory Information**

PEO is currently making changes to how it shares regulatory information, based on the recommendations of the Belanger Inquiry. The changes match the spirit of this element.

### **Specialist Certifications**

APEGA is not proposing any legislative changes in this area at this time, and PEO should consider doing the same.

### **Titles, Rights and Responsibilities of Registrants**

PEO has different licensing instruments, rather than different classes of membership. PEO's current system serves the needs of the public as long as the rights and responsibilities of license holders are clear. Disclosures to the public should be on licence status, not Association membership status.

### **Use of International Registers**

PEO is in agreement with APEGA: no international registers until PEO has a national register. Additionally, PEO believes in assessing people and not programs.

(b) APEGA Feedback on Elements

This document was referred to in the above discussion.

(c) APEGBC Feedback on Elements

This document was referred to in the above discussion.

(d) NAPEG Feedback on Elements

This document was referred to in the above discussion.

**4. FOR DISCUSSION**

4.1 Next Steps

The Task Force will continue to review the draft table with the two new columns, and forward the Inferred Problem Statement to Engineers Canada to confirm them before bringing any comments, proposals or recommendations to Council. The Task Force members who are also members of other PEO committees should bring these matters to their respective committees for more detailed comment, including what if any evidence exists in regards to the elements.

Staff should forward any new comments on the elements received from other engineering associations to the Task Force members.

Staff should forward Richard Steinecke's document on Reasonable and Probable Grounds for Registrar's Investigations to the Task Force members.

The Task Force also noted that there are other elements forthcoming from Engineers Canada, and it will need to apply the same deliberative process for those as was used for the first 13 elements.

**5. NEXT MEETING AND ADJOURNMENT**

It was agreed that the next meeting would be held on February 24, 2017 from 8:30 a.m. to 3:30 p.m.

There being no further business, the meeting adjourned 1:20 p.m.