



Minutes

The seventy-third meeting of the Enforcement Committee held on
Tuesday, May 19, 2015 at 1:30 p.m., PEO Offices

Present: Peter Broad, P.Eng. (Chair)
Stephen Georgas LL.B., P.Eng.
Gary Houghton, P.Eng.
William Jackson, P.Eng.
Solomon Ko, P.Eng.
Don Marston, P.Eng.
Edward Poon, P.Eng.
Ajai Varma, P.Eng.

Council Liaison: appointment pending

Staff: Marisa Sterling, P.Eng. (Manager, Enforcement)
Steven Haddock (Compliance Officer)
Maria Iannone (Administrative Assistant)

Regrets: Roger Barker, P.Eng. (Vice-Chair)
Linda Latham, P.Eng. (Staff Advisor, Deputy Registrar)

Observer: Ewald Kuczera, P.Eng. (PEO Councillor)

1. Welcome and Call To Order

Mr. Jackson assumed the position of chair and called the meeting to order at 1:45 p.m. with a quorum of 7 members and welcomed everyone.

Mr. Jackson presented a 15-year PEO service award to Mr. Houghton.

Ewald Kuczera was introduced as the Council Liaison candidate for the Enforcement Committee, to be confirmed by PEO Council at their May 2015 meeting. Mr. Kuczera introduced himself as a civil engineer, formerly director of public works in Niagara Falls, and the elected western regional councillor in 2013 and again in 2015.

2. Approval of Minutes

MOTION #1: That the enforcement committee minutes dated March 17, 2015 be approved.
Moved by Stephen Georgas, P.Eng., seconded by Don Marston, P.Eng.

CARRIED

The action log was reviewed and will be updated by staff.



Minutes

- Staff confirmed that the industrial subcommittee of the Professional Standards Committee (PSC) has completed their final report. This report had been planned to be reviewed for approval by the PSC at their April 2015 meeting and then submitted to Council thereafter.

Action #1: Staff to confirm if the PSC did review and approve the report of the industrial subcommittee, and if so, staff to obtain a copy for the enforcement committee.

- No committee members provided staff with any feedback on the enforcement statistics that are reported each year in the PEO Annual Report.

3. Approval of Agenda

MOTION #2: That the enforcement committee agenda dated May 19, 2015 be approved.

Moved by Stephen Georgas, P.Eng., seconded by Ajai Varma, P.Eng.

CARRIED

4. Committee Membership

Mr. Broad arrived at the meeting and assumed the role of Chair.

a. New member search update

Mr. Jackson suggested that the existing list of experience needed by the committee needs revision to reflect present enforcement committee needs and conditions. Given this, and since there is only one position available, he felt that the enforcement committee does not have a pressing need at this time for a specific experience background and recommended that the decision to proceed with filling the vacant seat be held in abeyance until such time as a need for the addition of a specific skill set for the committee arises. He told the committee that in the past the committee had identified a specific experience that was greatly needed but that this need was not filled.

Mr. Jackson moved a motion to not fill the vacant position on the committee. There was no seconder for the motion so it was abandoned.

Mr. Jackson abstained from the subsequent voting and candidate ranking process.

There was a discussion concerning how to proceed with the selection of a new committee member to fill the vacant position in the committee. As per the direction agreed to at the previous meeting, the Chair asked each committee member to submit their top three (3) candidates to fill the committee vacancy. After staff tabulated the votes, the top five (5) finalist candidates were identified. Each committee member then ranked each of the top five finalist candidates. After staff tabulated the results of the second ranking, the top three (3) overall candidates were identified.

It was then agreed by majority consent that the top three (3) overall candidates would be interviewed by the Chair and Vice-Chair, and that one preferred candidate would be presented to the committee at the July 2015 meeting for final consideration.



Minutes

Action #2: Staff to confirm each of the top three candidates continues to be interested in the volunteer opening.

Action #3: Staff to work with the Chair and Vice-Chair to arrange interviews with the top three candidates.

Action #4: The Chair or Vice-Chair to invite the top candidate to the July 2015 meeting of the committee.

Action #5: The Chair or Vice-Chair, after introducing the preferred applicant at the July meeting, or at a subsequent meeting, shall make a motion for the applicant to be accepted as a full member of the committee effective the date of the approved motion.

b. Council Liaison search

Staff updated the committee that PEO Councillor Ewald Kuczera has agreed to assume the Council Liaison role for the enforcement committee. Both the chair and vice-chair of the committee are in agreement. PEO Council will decide whether to approve Mr. Kuczera's appointment at their May 2015 meeting.

Action #6: Staff to advise the committee if Mr. Kuczera is appointed their liaison.

5. Council Liaison Update

Mr. Broad summarized the PEO Volunteer Leadership Conference that he and Mr. Barker attended before the PEO AGM in April 2015. Overall, Mr. Broad felt that the conference was a good start to open up dialogue with PEO chapters on enforcement matters. He suggested that enforcement staff consider organizing more town hall meetings with PEO chapters on the industrial exception and other enforcement topics.

Mr. Broad also felt that the conference would have been more effective if PEO chapters had been given in advance summary documents on the status of various enforcement topics, such as the industrial exception, as it would have clarified many misunderstandings that were raised.

6. Work Plan – Policy Issue A (Reporting)

MOTION #3: That the subcommittee's report presented at the March 17th meeting be accepted.

Moved by Solomon Ko, P.Eng., seconded by Don Marston, P.Eng.

CARRIED

Action #7: Staff to work with the subcommittee members to set-up a meeting to outline the content for a guide or enforcement reporting.



Minutes

7. Work plan – Policy Issue B (Legislated Powers)

No further update at this time.

8. Work plan – Policy Issue C (Explanation of Professional Engineering Work)

Mr. Broad voiced his concern that city planners and municipal planning departments don't appear to staff engineers.

Action #8: Mr. Broad to distribute a draft document with the members of subcommittee C.

9. Work plan – Policy Issue D (Examples of Professional Engineering Work)

Mr. Varma shared the difficulty he believes PEO will have getting evidence from employers who are violating the enforcement provisions of the Professional Engineers Act.

Mr. Broad suggested that the subcommittee make a plan to reach out to PEO chapters to assist with reporting potential violations and providing the associated evidence to PEO.

Action #9: Subcommittee D to develop a plan of how to engage PEO chapters in reporting potential enforcement violations and producing the associated evidence.

10. Repeal of the Industrial Exception

Ms. Sterling provided an update on the policy research underway on the industrial exception clause. Mr. Broad suggested that PEO share with PEO chapters and the general public the learnings to date from the voluntary compliance companies.

11. Other Business

- Hydro One
Ms. Sterling gave an update on PEO's recent media releases regarding the man who apparently was an employee of Hydro One and who held the job title "Network Management Engineer".

12. Attendance

Roger Barker was absent with leave.

13. Next meeting



Minutes

2015 meeting dates were confirmed as follows:

- Tuesday, July 21st
- Tuesday, September 15th
- Tuesday, November 17th

14. Adjournment

Motion #4: To adjourn at 3:44 pm.
Moved by Mr. Bill Jackson, P.Eng.

CARRIED

P. Broad, P.Eng. – Chair

L. Latham – Staff Advisor

Date