



# Minutes

## Consulting Engineer Designation Committee

Meeting: Thursday, January 28, 2016

Present: Doug Barker, P.Eng.  
Denis Dixon, P.Eng.  
Shawn Gibbons, P.Eng.  
Santosh Gupta, P.Eng.  
Rob Kivi, P.Eng.  
Eric Nejat, P.Eng. – Chair  
Rick Patterson, P.Eng.  
Larry Pond, P.Eng.  
Chris Redmond, P.Eng.  
Steve van der Woerd, P.Eng.

Regrets: Lawrence Fogwill, P.Eng., Manager, Registration

Staff: Michael Price, P.Eng., Deputy Registrar, Licensing & Registration  
Cliff Knox, P.Eng., Manager, Enforcement  
Imelda Suarez

### Call to Order

The meeting was called to order by the Chair at 10:08 a.m.

1. Agenda

Shawn Gibbons moved to adopt the agenda. Seconded by Doug Barker.

CARRIED

2. Minutes of Previous Meeting

Rick Patterson moved to adopt the minutes of the October 22, 2015 with the following corrections. In Section 4.1, Larry Pond seconded the recommendation for the redesignation applicants. In Section 4.4, Roy Fletcher moved the recommended applicants for

redesignation. The motion to adopt the minutes as amended was seconded by Steve van der Woerd.  
CARRIED

3. Business Arising from the Minutes

Cliff Knox discussed the use of “Engineering” and “Consulting Engineering” in the company name. His report is attached as Appendix A.

4. Regional Sub-Committee Reports – Designation/Redesignation

4.1 Western Region

Rick Patterson moved that applicant 1.1 from the Western Subcommittee report be recommended for **designation**; seconded by Shawn Gibbons.

CARRIED

Rick Patterson moved that applicants 2.1 to 2.6 from the Western Subcommittee report be recommended for **redesignation**; seconded by Doug Barker.

CARRIED

Rick Patterson moved that the application for redesignation of applicant 3.1, Gary Houghton, be **denied**. Although this applicant has a current CofA, he has been employed by a municipal government for the past 3 years and does not have an active consulting practice, as it has been and still is dormant with no active works, such as marketing, that would make him “currently engaged” in the independent practice of professional engineering in Canada {Sec 56(1)(b) and 57(2)(b)}. Seconded by Doug Barker.

CARRIED

4.2 Eastern Region

Shawn Gibbons moved that applicants 1.1 to 1.2 from the Eastern Subcommittee report be recommended for **designation**; seconded by Rick Patterson.

CARRIED

Shawn Gibbons moved that applicants 2.1 to 2.3 from the Eastern Subcommittee report be recommended for **redesignation**; seconded by Rick Patterson.

CARRIED

#### 4.3 Toronto

Doug Barker moved that applicants 1.1 to 1.4 from the Toronto Subcommittee report be recommended for **designation**; seconded by Shawn Gibbons. CARRIED

Denis Dixon moved that applicants 2.1 to 2.31 from the Toronto Subcommittee report be recommended for **redesignation**; seconded by Steve van de Woerd. Doug Barker and Eric Nejat abstained.

CARRIED

Applicant 3.1, Adel Fahmi, from the Toronto Subcommittee report be **deferred** pending receipt of additional referees to attest to the applicant's engineering work. The applicant may be invited to a subsequent meeting of the TSC for interview.

#### 4.4 Southern Region

There are no applicants for designation.

Steve van der Woerd moved that applicants 2.1 to 2.5 from the Southern Subcommittee report be recommended for **redesignation**; seconded by Rick Patterson. CARRIED

#### 4.5 Northern Region

Larry Pond moved that applicant 1.1 from the Northern Subcommittee report be recommended for **designation**; seconded by Chris Redmond. CARRIED

Larry Pond moved that applicants 2.1 to 2.2 from the Northern Subcommittee report be recommended for **redesignation**; seconded by Shawn Gibbons.

CARRIED

### 5. Permission to Use the Title "Consulting Engineers"

Applicants 1.1 to 1.4 were **approved** for the Permission to Use the Title "Consulting Engineers".

6. Activity Reports

- 6.1 Santosh Gupta reported on several matters discussed in the November 20, 2015 Council meeting. A copy of the Disposition of Motions is attached as Appendix B.
- 6.2 Rob Kivi reported that Consulting Engineers of Ontario has completed a strategic planning exercise, and they are moving forward to map that strategic plan to the budget. CEO is still actively involved in the review of the Construction Lien Act, in the development of Bill 6 (Infrastructure for Jobs & Prosperity Act), and in the advocacy for the Qualifications-Based Selection of Engineers (QBS) model. There is also work involving the Ministry of the Environment regarding climate change with respect to streamlining and improving the environmental assessment process. Lastly, CEO has completed the update of the agreement with the Municipal Engineers Association (MEA) for consulting engineering services.
- 6.3 Michael Price reports that the Terms of Reference are being established for the Continuing Professional Competence Program Task Force, the successor to the original task force that made recommendations last November, in the coming February Council meeting.

Michael Price also reports that Engineers Canada has moved its office from Elgin to Metcalfe. EC has been trying to be involved in the educational credential assessment for immigration for several years, but seemed to stop interest in this matter last August. Also, EC has a consultation group established for the criteria for accreditation of Canadian Engineering Schools, which included representation of the Deans, the CEAB, and the associations. They are supposed to report back to the February Engineers Canada meeting, but they are recommending that the CEAB & the Deans continue to meet and have a report for Engineers Canada Board for September.

7. New Business

7.1 2016 Election of Chair & Vice Chair

Michael Price acted as Chair for this section of the meeting. Denis Dixon nominated Eric Nejat as Chair of the committee. There were no other nominations for Chair.

CARRIED

Eric Nejat nominated Doug Barker as Vice Chair of the committee; seconded by Steve van der Woerd.

CARRIED

## 7.2 Volunteer Service Pins Presentation

The following main committee members received their volunteer service pins:

- Shawn Gibbons – 10 years
- Chris Redmond – 15 years
- Doug Barker – 25+ years

The pins were presented by past President Denis Dixon, Deputy Registrar Michael Price and Councilor Santosh Gupta.

The Chair also recognized the following subcommittee members who received their volunteer service pins during their respective subcommittee meetings:

- Tom Woolhouse – 10 years (Toronto Subcommittee)
- Andrew Robinson – 25 years (Eastern Subcommittee)

## 7.3 Expiry Dates on Consulting Engineer Designation Certificates

Imelda Suarez reported on how the expiry date was shown (or not shown) in the Consulting Engineer Designation certificates over the years. We will continue with our current practice, wherein the expiry date for the designation is not shown.

## Adjournment

The meeting adjourned at 11:53 am.

Date of Next Meeting: May 19, 2016



# Memorandum

**To:** Eric Nejat, P.Eng.  
Chair, Consulting Engineer Designation Committee

**From:** Cliff Knox, P.Eng.  
Manager, Enforcement, Regulatory Compliance

**Date:** April 7, 2016

**Subject:** Notes from Consulting Engineer Designation Committee Meeting, January 28, 2016

As a general introduction it was noted that PEO's enforcement activity with regard to business names that include "engineering" consists of roughly 250 investigations a year, resulting in approximately 80 consent letters to requesting companies, and approximately 25 business name challenges filed with the Ministry of Government and Consumer Services. The language of relevant external statutes relating to business names require that the applicant obtain written consent from PEO to use the term "engineer" or "engineering" in its registered business name.

A consent letter issued by PEO will stipulate that the company must either hold a current Certificate of Authorization, or undertake to obtain one as a condition of the consent to use "engineering" in its business name. Enforcement staff are currently considering to request a change to external legislation that would require that the company obtains a C of A prior to getting business name approval from the government. This may be achievable for Ontario corporations, but federal corporations also require consent from Engineers Canada, and it's considerably more difficult to change federal statutes.

The term "consulting engineer" has additional protection under Sections 67 through 69 of Regulation 941. Specifically, a firm may only include this term or variations of it in a business name if there is a designated consulting engineer who will take responsibility for the consulting work done by the firm. Action could be taken against a firm in the event that the "consulting engineer" term is used should the designated engineer leave the firm or allow his or her designation to lapse. There has been no reported situation of a lapsed consulting engineering firm in recent years.

At present, the title provisions for "engineer", "engineering" and "consulting engineer" appear to provide adequate protection for PEO's respective branding.



**503<sup>rd</sup> Council Meeting (Appendix B)**  
**November 20, 2015**

**DISPOSITION OF MOTIONS**  
**(Subject to subsequent Council verification of meeting Minutes)**

<p><b>APPROVAL OF AGENDA</b></p>	<p>That:</p> <p>a. the agenda, as presented to the meeting at C-503-1.1, Appendix A be approved; and</p> <p>b. the Chair be authorized to suspend the regular order of business.</p> <p style="text-align: right;">CARRIED</p>			
<p><b>CONTINUING PROFESSIONAL DEVELOPMENT, COMPETENCE AND QUALITY ASSURANCE TASK FORCE</b></p>	<p>1. That Council approve the guiding principles and the basic program elements outlined in the section on Proposed Implementation in the Final Report as presented to the meeting at C-503-2.1, Appendix A.</p> <p>2. That Council direct the Registrar to create Terms of Reference for a continuing professional development program task force comprised of eight PEO members (a majority of whom are sitting Councillors), who will be responsible for finalizing a risk review form, a continuing professional development requirement algorithm, and criteria for acceptable technical activities, and to provide the Terms of Reference to Council for approval at its February 2016 meeting.</p> <p>3. That Council direct the Registrar to develop a communications plan to notify PEO licence holders and other stakeholders about the proposed continuing professional development and quality assurance program and provide that plan to Council for approval at its February 2016 meeting.</p> <p style="text-align: right;">CARRIED RECORDED VOTE</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> <p><b><u>For</u></b></p> <p>I. Bhatia D. Brown D. Chui N. Colucci G. Comrie B. Dony C. Kidd L. King B. Kossta M. Long-Irwin D. Preley S. Reid S. Robert C. Sadr R. Shreewastav M. Spink W. Turnbull</p> </td> <td style="width: 33%; vertical-align: top;"> <p><b><u>Against</u></b></p> <p>J. D. Adams E. Kuczera P. Quinn</p> </td> <td style="width: 33%; vertical-align: top;"> <p><b><u>Abstain</u></b></p> <p>S. Gupta R. Jones</p> </td> </tr> </table>	<p><b><u>For</u></b></p> <p>I. Bhatia D. Brown D. Chui N. Colucci G. Comrie B. Dony C. Kidd L. King B. Kossta M. Long-Irwin D. Preley S. Reid S. Robert C. Sadr R. Shreewastav M. Spink W. Turnbull</p>	<p><b><u>Against</u></b></p> <p>J. D. Adams E. Kuczera P. Quinn</p>	<p><b><u>Abstain</u></b></p> <p>S. Gupta R. Jones</p>
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<b>FUTURE OF OCEPP</b>	<ol style="list-style-type: none"> <li>1. That Council discontinue the Ontario Centre for Engineering and Public Policy and its operations.</li> <li>2. That funds associated with OCEPP be removed from the 2016 budget.</li> <li>3. That the OCEPP Advisory Board be stood down with thanks.</li> </ol> <p style="text-align: right;">CARRIED</p>		
<b>2016 OPERATING BUDGET</b>	<p>That Council approve the draft 2016 operating budget as recommended by the Finance Committee as presented to the meeting, and as amended, at C-503-2.3, Appendix A.</p> <p style="text-align: right;">CARRIED RECORDED VOTE</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b><u>For</u></b></p> <p>I. Bhatia D. Brown D. Chui N. Colucci G. Comrie B. Dony S. Gupta C. Kidd L. King B. Kossta E. Kuczera M. Long-Irwin D. Preley S. Reid S. Robert C. Sadr R. Shreewastav M. Spink W. Turnbull</p> </td> <td style="width: 50%; vertical-align: top;"> <p><b><u>Against</u></b></p> <p>J. D. Adams R. Jones P. Quinn</p> </td> </tr> </table>	<p><b><u>For</u></b></p> <p>I. Bhatia D. Brown D. Chui N. Colucci G. Comrie B. Dony S. Gupta C. Kidd L. King B. Kossta E. Kuczera M. Long-Irwin D. Preley S. Reid S. Robert C. Sadr R. Shreewastav M. Spink W. Turnbull</p>	<p><b><u>Against</u></b></p> <p>J. D. Adams R. Jones P. Quinn</p>
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<b>2016 CAPITAL BUDGET</b>	<p>That Council approve the draft 2016 capital budget as recommended by the Finance Committee as presented to the meeting at C-503-2.4, Appendix A.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY RECORDED VOTE</p> <p><b><u>For</u></b></p> <p>J.D. Adams I. Bhatia D. Brown D. Chui N. Colucci G. Comrie B. Dony S. Gupta R. Jones C. Kidd L. King</p>		



	<p>B. Kossta  E. Kuczera  M. Long-Irwin  D. Preley  P. Quinn  S. Reid  S. Robert  C. Sadr  R. Shreewastav  M. Spink  W. Turnbull</p>
<b>BORROWING RESOLUTION</b>	<p>That Council:</p> <p>a) approve the borrowing of money upon the credit of the association by way of:</p> <p style="padding-left: 40px;">i) an operating overdraft up to an amount not to exceed CAD\$250,000; and</p> <p style="padding-left: 40px;">ii) use of corporate credit cards with an aggregate limit not to exceed CAD\$120,000.</p> <p>b) in compliance with PEO's Internal Control Banking Policy, hereby confirms that this Borrowing Resolution is to expire on January 31, 2017.</p> <p style="text-align: right;">CARRIED</p>
<b>ENGINEERING DIMENSIONS EDITORIAL OBJECTIVES</b>	<p>That:</p> <ol style="list-style-type: none"> <li>1. Council approves the objectives as presented to the meeting at C-503-2.6, Appendix A;</li> <li>2. Council approves the establishment of a three person Advisory Communications Board, (the ACB), to act for Council, (with final decision making authority should the Editor require guidance as to content), and report to Council for ratification of its decisions in a timely fashion.</li> <li>3. The ACB consist of three recent past-presidents willing to serve, who will establish its terms of office and reference for Council approval.</li> <li>4. Council agrees that the renewal of Engineering Dimensions is a matter where time is of the essence, and that all shall act accordingly.</li> <li>5. The ACB have an annual expense allowance of \$2,000 from the operations budgets.</li> </ol> <p>That this item be tabled to the February 2016 Council meeting.</p> <p style="text-align: right;">CARRIED</p>
<b>GUIDELINE – DESIGN EVALUATION OF DEMOUNTABLE EVENT STRUCTURES SUBCOMMITTEE</b>	<p>That Council direct the Professional Standards Committee to form a Design Evaluation of Demountable Event Structures subcommittee to develop a guideline as described in the Terms of Reference presented to the meeting at C-503-2.7, Appendix A.</p> <p style="text-align: right;">CARRIED</p>
<b>PROFESSIONAL ENGINEERS</b>	<p>That Council:</p>

<b>PROVIDING FORENSIC ENGINEERING INVESTIGATIONS</b>	<ol style="list-style-type: none"> <li>1. Approve the practice guideline for Professional Engineers Providing Forensic Engineering Investigations as presented to the meeting at C-503-2.8, Appendix A;</li> <li>2. Direct the Registrar to publish the guideline and notify members and the public of its publication through usual PEO communications; and</li> <li>3. Stand down the Guideline for Forensic Engineering Subcommittee with thanks.</li> </ol> <p style="text-align: right;">CARRIED</p>
<b>PROFESSIONAL STANDARDS INDUSTRIAL SUBCOMMITTEE FINAL REPORT</b>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receive the Professional Standards Industrial Subcommittee Final Report as presented to the meeting at C-503-2.9, Appendix A;</li> <li>2. Direct the Registrar to send the Professional Standards Industrial Subcommittee Final Report to the Enforcement department and external stakeholders for their consideration; and</li> <li>3. Stand down the Professional Standards Industrial Subcommittee with thanks.</li> </ol> <p style="text-align: right;">CARRIED</p>
<b>COUNCIL TERM LIMITS</b>	<ol style="list-style-type: none"> <li>1. Respecting two 2015 Member AGM Motions, Council affirms in principle that term limits and succession planning should be established for all Council positions.</li> <li>2. That Council direct the Registrar to develop the draft terms of reference and proposed list of members for a task force to examine the issues of term limits and succession planning for Council positions for approval by Council at its February 2016 meeting.</li> <li>3. That the terms of reference require the task force to provide a report with recommendations for approval by Council before the 2017 Annual General Meeting.</li> </ol> <p style="text-align: right;">CARRIED</p>
<b>ACT CHANGE PROTOCOL</b>	<p>That Council adopt the Act Change Protocol for all future proposals to amend the Professional Engineers Act as presented to the meeting at C-503-2.11, Appendix A.</p> <p style="text-align: right;">CARRIED</p>
<b>ANNUAL TECHNOLOGY ALLOWANCE FOR COUNCILLORS</b>	<p>That Council approve the policy for an annual technology allowance of \$300 for Councillors as presented to the meeting at C-503-2.12, Appendix A.</p> <p style="text-align: right;">CARRIED</p>
<b>PRESIDENT'S CHAIN OF OFFICE</b>	<p>That Council approve the use of, design and production of a President's Chain of Office as presented to the meeting at C-503-2.13, Appendix A, at a cost of \$2,399.00.</p> <p style="text-align: right;">CARRIED</p>
<b>ONE YEAR REVIEW OF ENGINEERING DIMENSIONS'</b>	<p>That Council review after one year the decision to resume sending the print edition of Engineering Dimensions to all licence holders and engineering interns to ascertain</p>

<b>RETURN TO PRINT</b>	whether it has increased readership, such review to include an update of the data presented in item C-502-2.4, Appendix A.  CARRIED
<b>COMMERCIAL TENANT PRIVACY POLICY</b>	That Council approve the Commercial Tenant Privacy Policy as presented to the meeting at C-503-2.15, Appendix A.  CARRIED
<b>MEMBER SURVEY QUESTIONNAIRE</b>	That Council approve the implementation of a Member Satisfaction Survey as presented at C-503-2.16, Appendix A.  CARRIED
<b>MINUTES – 239<sup>TH</sup> EXECUTIVE COMMITTEE MEETING – AUGUST 11, 2015</b>	That the minutes of the 239th meeting of the Executive Committee, held on August 11, 2015, as presented to the meeting at C-503-3.1, Appendix A, be ratified.  CARRIED
<b>MINUTES – 240<sup>TH</sup> EXECUTIVE COMMITTEE MEETING – OCTOBER 27, 2015</b>	That the minutes of the 240th meeting of the Executive Committee, held on October 27, 2015, as presented to the meeting at C-503-3.2, Appendix A, be ratified.  CARRIED
<b>MINUTES – 502<sup>ND</sup> COUNCIL MEETING – SEPTEMBER 25, 2015</b>	That the minutes of the open session of the 502 <sup>nd</sup> meeting of Council, held on September 25, 2015 as presented to the meeting, and as amended, at C-503-3.3, Appendix A, accurately reflect the business transacted at that meeting.  CARRIED
<b>APPROVAL OF CEDC APPLICATIONS</b>	<ol style="list-style-type: none"> <li>1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-503-3.4, Appendix A, Section 1.</li> <li>2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-503-3.4, Appendix A, Section 2.</li> <li>3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-503-3.4, Appendix A, Section 3.</li> </ol> CARRIED
<b>PEO ANNUAL COMMITTEE AND TASK FORCES MEMBERSHIP ROSTER</b>	<ol style="list-style-type: none"> <li>1. That Council approve changes to the 2015 PEO Annual Committees and Task Forces Membership Roster as presented at C-503-3.5, Appendix A.</li> <li>2. That Council approve the 2016 PEO Annual Committees and Task Forces Membership Roster as presented at C-503-3.5, Appendix B.</li> </ol> CARRIED
<b>COMMITTEES AND TASK FORCES HUMAN RESOURCES AND WORK PLANS</b>	That Council approve the committee/task force work plans and human resources plans as presented at C-503-3.6, Appendices A to Q inclusive.  CARRIED
<b>CHANGES TO COMMITTEE/TASK FORCE</b>	<ol style="list-style-type: none"> <li>1. That Council approve the Discipline Committee (DIC) Terms of Reference as presented to the meeting at C-503-3.7, Appendix A.</li> </ol>

<b>TERMS OF REFERENCE</b>	<p>2. That Council approve the Experience Requirements Committee (ERC) Terms of Reference as presented at C-503-3.7, Appendix B.</p> <p style="text-align: right;">CARRIED</p>
<b>IN-CAMERA SESSION</b>	<p>While in-camera, Council:</p> <ul style="list-style-type: none"> <li>a) ratified the in-camera minutes of the Executive Committee, held on August 11, 2015, as presented to the meeting at C-503-4.1, Appendix A;</li> <li>b) verified the in-camera minutes from the 502nd meeting of Council held September 25, 2015 as amended;</li> <li>c) approved a recommendation from the Professional Standards Committee regarding the practice standard for tower cranes;</li> <li>d) received the Professional Standards Committee Report on Belanger's Recommendation 1.21 including approval of a recommendation relating to this item</li> <li>e) approved the list of inductees into the Professional Engineers Ontario 2016 Order of Honour;</li> <li>f) approved the 2016 awardee of the G. Gordon M. Sterling Engineering Intern Award;</li> <li>g) received a report from the HRC Committee;</li> <li>h) received an update regarding the repeal of the industrial Exception;</li> <li>i) received decisions and reasons of the Discipline Committee;</li> <li>j) received a legal update on legal actions in which PEO is involved;</li> <li>k) there were no issues reported regarding PEO's Anti-Workplace Violence and Harassment Policy.</li> </ul>
<b>PROFESSIONAL STANDARDS COMMITTEE REPORT ON BELANGER'S RECOMMENDATION 1.21</b>	<p>That Council directs the Registrar to contact the Ministry of the Attorney General to explain that the Professional Engineers Act is not an appropriate route to implement the intent of recommendation 1.21 as contained in the final report of the Belanger Commission.</p> <p style="text-align: right;">CARRIED</p>