



# Minutes – DRAFT

## The Eighty-Third meeting of the Enforcement Committee held on Monday, March 20, 2017 at 1:30 p.m., PEO Offices

- Present: Roger Barker, P.Eng. (Chair)  
Stephen Georgas, LLB., P.Eng. (Vice-Chair)  
Peter Broad, P.Eng.  
William Jackson, P.Eng. (Teleconference)  
Joe Adams, P.Eng.  
Solomon Ko, P.Eng.  
Ajai Varma, P.Eng.
- Staff: Cliff Knox, P.Eng. (Manager, Enforcement)  
Steven Haddock (Enforcement and Advisory Officer)  
Ashley Gismondi (Enforcement and Outreach Officer)  
Maria Iannone (Administrative Assistant)  
Linda Latham, P.Eng. (Deputy Registrar, Regulatory Compliance)
- Guest: Gerrard McDonald, Registrar
- Regrets: Gary Houghton, P.Eng. (Council Liaison)  
Edward Poon, P.Eng.  
Don Marston, P.Eng.

### 1. Welcome and Call to Order

The Chair, Mr. Barker, called the meeting to order at 1:40 p.m. with a quorum of 7 and welcomed everyone.

### 2. Approval of Agenda

**Motion #1: That the Enforcement Committee agenda dated March 20, 2017 be approved.**

Moved by Joe Adams, P.Eng. seconded by Stephen Georgas, P.Eng.

**CARRIED**

### 3. Strategic Plan Consultation

Gerard McDonald Registrar, provided a presentation on the PEO Strategic Plan.



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#### 4. Verification of Minutes

Mr. Barker asked Committee for any changes on the draft minutes. No changes all in favour.

**Motion #2: That the Enforcement Committee Minutes dated January 26, 2016 be approved.**

Moved by Joe Adams, P. Eng., seconded by Steven Haddock, Enforcement and Advisory Officer

**CARRIED**

#### 5. Business Arising from Minutes

Mr. Knox commented, some action items need to be followed up but will be covered in the agenda items.

#### 6. Council Liaison Update

Mr. Barker commented that we have some dispositions of motions. The committee task force terms of reference a number were referred.

Mr. Knox commented that it was not related specifically to the Terms of Reference but its other housekeeping matters with those terms of reference.

#### 7. Staff Update

Mr. Knox informed the Committee that the report on the Repeal research project has been released.

Mr. Barker commented on the report finding it significant in the research project that completion of a pre-start Health and Safety review was not identified in half of the review cases. PSR's are not been done universally as required under the law. Recommended that PEO establish an information sharing agreement with the Ministry of Labor and develop policy recommendation to strengthen PSR Legislation.

Mr. Knox commented that the Burden Reduction Act had a clause that it was going to repeal the repeal. It passed on 3<sup>rd</sup> reading which cancels the Repeal requests the Industrial Exception remains in tact.

Mrs. Latham encouraged the committee to read the report and commented that this was lost politically.

Mr. Varma commented that many companies tend to ignore PSR's.

Mr. Knox commented that of the prosecution that were reviewed none had specific charges to failure to complete a PSR which could have been sited in the prosecution documents. Ministry if not executing its ability to prosecute.

Mr. Barker asked who is responsible for developing a sharing agreement with MOL and Develop policy recommendation to strengthening the legislation.



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Ms. Latham informed the Committee that the Minister has signed off on a letter indicating their intent to develop an information sharing agreement. The responsibility belongs to Mr. McDonald.

Mr. Barker asked in reference to PEO being advised to develop policy recommendation to strengthen PSR Legislation is this something another Committee would address or does it rest on the Enforcement Committee.

Mr. Knox commented that it rests on whatever relationship that can be built with Ministry of Labor. Ultimately its up to the Ministry and the Legislature to make the changes.

### **8. Committee Annual Evaluation**

Mr. Knox commented on the committee evaluation that 8 responses have been received. Responses consistent. Good feedback and will have a summary document available to members.

**Action #1:** Mr. Knox to provide summary document of the committee evaluation to members.

### **9. Revised Terms of Reference**

Mr. Barker advised the committee that it is required to approve Terms of Reference by the end of the month.

Mr. Knox updated the Committee of the changes of the qualifications and elections of the Chair and Vice-Chair to align to our current practice. Members have the option to remain on the committee for a maximum of 10 terms, 10 one year terms and maybe renewed for an additional 10 years or less subject to approval by committee and council

Mr. Georgas suggested that it should be member's terms maybe renewed for an additional 10 years or less.

Mr. Knox commented that he corrected and moved the Term of Council Liaison to a separate item to align with current policy.

### **Motion #3: Term of Reference approved as amended**

Moved by Peter Broad, P.Eng., seconded by Solomon Ko, P.Eng.

### **10. Work Plan – Policy Issue A: Enforcement Reporting (S. Ko, D. Marston)**

Mr. Knox informed members that he is still working on the final draft which will be the publication draft to be sent out. It will be available on the website, soft copy and hard copy on demand.

### **11. Policy Issue F: Enforcement of Business Names (W.Jackson, S. Georgas, P. Broad)**

Mr. Knox discussed Item 2e and N1e related to Ministry of Government Services need to sit down with the Ministry to find a more effective way to deal with both the Registration and Business Names so we don't have to have as many challenges.



Mr. Georgas commented that enforcing business names using Engineer or Engineering PEO is only aware of this after the name is registered. No onus put on the person incorporating the company to ensure that the name comply by law before a corporation.

Mr. Georgas reviewed the legislation and commented that in its place under the business corporation act and the regulation to incorporate a company where the word engineer or engineering appears in the corporate name the consent of PEO is required. Ministry of Government Services Companies branch is not doing it. We have to impress on the government to insist on this. Suggested that we should approach other regulatory bodies that are in the same situation. The consent of regulatory bodies is required when it comes to corporate names.

Mr. Varma commented that the government does not follow through. Smaller organization take it upon themselves they order the nuans and line up a name with the Ministry.

Mr. Knox commented that you need a policy and it's a matter for the Deputy Minister. Unless they have the permission letter they can't incorporate under a specific name.

Mr. Georgas commented that by teaming up with the Architects we would have more impact.

**12. Policy Issue 2017-A: Guidance for Outreach (J.Adams, E.Poon, D.Marston, W.Jackson, P.Broad)**

Ms. Gismondi gave an update on the survey. Consensus seems to be that nothing on Linked in was focused to there needs, they would prefer a short video or power point online on our website. Separate PEO EIT group would be appropriate. You tube content relevant and to provide the links through PEO and social media channels.

Mr. Adams commented that second year students should be a 5-10 min video giving advantages not disadvantages. For 4<sup>th</sup> year students the EIT potential you can get more into obligations if you are licenced.

Mr. Barker inquired on the focus of people who are not yet licenced people who already licenced are being focused enough on the outreach or are there other reasons for not including them as target audiences.

Mr. Adams commented original focus is trying to get new students.

Mr. Knox commented that we will be working on a broader and strategic approach to identifying the audience demographics that can most benefit. Presently have 3 previous surveys that were working on.

**13. Policy Issue 2017-B: Enhanced Enforcement for Industry (J.Adams, D.Marston, R.Barker, P.Broad, A.Varma, S.Georgas)**

Mr. Broad is presently waiting for feedback from the Ministry of Labor.

Mr. Knox commented that once initial consult with the Ministry will then take some action.

**Action #2:** Mr. Knox will provide information by next meeting in May.

**14. Policy Issue 2017-C: PSHR Performance Standard Proposal (Subcommittee Members TBD)**

Mr. Knox provided guideline to members for review and asked to provide comments.



Mr. Knox discussed aspects of the guideline to members.

Mr. Varma, Mr. Adams and Mr. Broad (taking the lead) on the Redefined mandate of the task force on making the case before this transition

**15. Other Business**

Mr. Barker discussed the presentation he will be presenting to Council on the enforcement committee activities including some of its accomplished highlights and what we do as a committee.

Mrs. Latham commented that there is general confusion with Council about enforcement operations, complaints and discipline, it is an educational opportunity.

**16. Attendance**

**Regrets: Gary Houghton, P.Eng., Don Marston, P.Eng., Ed Poon, P.Eng.**

**17. Next Meeting**

Confirmed for May 23, 2017

**Action #2:** Maria to send out a Doodle Pool to committee members for July 18th.

**18. Adjournment**

**Motion #4: To adjourn at 4:04 pm.**

Moved by Solomon Ko, P.Eng., seconded by Bill Jackson, P.Eng.

**CARRIED**

R. Barker, P.Eng. - Chair

M. Iannone – Secretary

Date