



Minutes

The Eighty-Sixth meeting of the Enforcement Committee held on Tuesday November 21, 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.
Joe Adams, P.Eng.
Ajai Varma, P.Eng.
Solomon Ko, P.Eng.
Don Marston, P.Eng.
- Staff: Linda Latham, P.Eng. (Deputy Registrar, Regulatory Compliance)
Cliff Knox, P.Eng. (Manager, Enforcement)
Steven Haddock (Enforcement and Advisory Officer)
Ashley Gismondi (Enforcement and Outreach Officer)
Maria Iannone (Administrative Assistant)
- Regrets : Gary Houghton, P. Eng. (Council Liaison)
Edward Poon, P.Eng.

1. Welcome and Call to Order

The Chair, Mr. Barker, called the meeting to order at 1:35 p.m. with a quorum of eight (8) and welcomed everyone.

2. Approval of Agenda

Motion #1: That the Enforcement Committee agenda dated November 21, 2017 be approved.

Moved by William Jackson, P.Eng., seconded by Stephen Georgas, P.Eng.

CARRIED

3. Verification of Minutes

Mr. Barker asked the Committee for any changes to the revised minutes as issued last week.

Motion #2: That the Enforcement Committee Minutes dated July 17, 2017 be approved.

Moved by Joe Adams, P.Eng., seconded by Ajai Varma, P. Eng.

CARRIED



4. Business Arising from Minutes

Mr. Barker referred to the "Business Arising" email issued on August 28, 2017. He noted that except for the recruitment process, most items have been addressed.

Mr. Barker commented that Council approval of the Enforcement Policy has been deferred to 2018 by the Registrar. Ms. Latham commented that the Strategic Plan was approved by Council at its November meeting and includes a focus on enforcement. She added that it would make sense to approve the updated policy as part of the Strategic Plan.

Mr. Knox reported that Communications had done its initial review of the Enforcement Reporting Guide and that staff are working on the final corrections. Staff hope to roll out the guide in the New Year.

Mr. Barker asked about the proposed meeting with Ministry of Government and Consumer Services. Mr. Knox reported that a contact at the ministry had been identified and now staff need to arrange a formal meeting to discuss the process.

5. Report from Chair

Mr. Barker and Mr. Georgas attended the Committee Chairs Workshop on November 3, 2017. The theme was getting the most out of volunteers and how to make the experience both beneficial and pleasurable. The facilitator discussed different styles of interaction and how people respond differently based on their personal styles.

Mr. Georgas commented that the underlying theme was how to recognize different personalities and be sensitive to different styles so we can receive the most contributions from everyone.

6. Council Liaison Update

Mr. Knox commented that Council has approved a fixed term limit of 10 years for all non-statutory committees, and committees were asked how compliance with the motion would impact them. Volunteer management has prepared a revised Terms of Reference for each committee, which will be asked to prepare a succession plan to reach compliance, and future needs.

Mr. Barker asked about the motion to engage a governance consultant. Mr. Knox commented that this relates to the AGM resolution to look at PEO's governance processes and to determine whether Council is making effective motions and addressing issues that move the association forward. Ms. Latham commented that Council decided to narrow the question of what is governance.

Mr. Knox commented there is a separate task force on the composition of Council.

7. Staff Update

Mr. Knox reported on a monthly enforcement statistics report that has been developed and noted that there has been an improvement in the time to close files. The report will be provided as information for Council, but we will continue the format used in the annual report for aggregate numbers.

Mr. Knox gave an overview of the media release for the prosecution of Dole Contracting. Mr. Ko asked how the media release works. Mr. Knox commented that PEO's Communications department sends it out to standard media outlets as well as an e-blast to all members.



Mr. Knox also reviewed PEO's response to a CBC Marketplace feature on questionable degrees and certifications. The story might have raised concern about engineering credentials and the response was issued to assure the public that PEO carefully vets the academic credentials of applicants before issuing a licence, and ensure that individuals are fully qualified to practice engineering.

Mr. Barker asked if the story was focused on specific professions. Mr. Knox commented that most of the reported cases involved individuals who purchased credentials for social counselling.

Mr. Jackson commented on the PEO member's directory and had a concern about how the status for retired members is shown. Ms. Latham explained that a decision was taken to provide a consistent statement for members who are on fee remission, or are otherwise not able to practice.

8. Election/Confirmation of Chair

Mr. Barker passed the Chair to Mr. Georgas for this agenda item.

Mr. Georgas noted that the intent was to confirm Mr. Barker as Chair for another year, and asked if there were any other nominations from the floor. No other nominations were proposed.

Motion #3: That Roger Barker, P.Eng. is elected as Enforcement Committee Chair for a one year term, to be effective as of January 1, 2018.

Moved by Mr. Jackson, P.Eng., seconded by Mr. Broad, P.Eng.

CARRIED

Mr. Georgas passed the Chair back to Mr. Barker for the remainder of the meeting.

9. Election/Confirmation of Vice-Chair

Mr. Barker asked Mr. Georgas if he was willing to serve as Vice Chair for another year, and he confirmed his intention to do so. Mr. Barker then asked if there were any other nominations from the floor and none were proposed.

Motion #4: That Stephen Georgas, P.Eng. is elected as Enforcement Committee Vice Chair for a one year term, to be effective as of January 1, 2018.

Moved by Don Marston, P. Eng., seconded by Joe Adams, P.Eng.

CARRIED

10. Committee Evaluation

Mr. Knox noted that the form has been updated from last year, and that it should be completed based on activity up until year-end.

Action #1: Committee members are to complete the evaluation and forward to Mr. Knox by year-end.

11. Committee Term Limits

Mr. Knox reviewed the directive that was passed by Council, and the standard language to be added to the terms of reference for all non-statutory committees. Mr. Barker asked for clarification on the reason for making a distinction between statutory and non-statutory committees as it relates to term limits.



Ms. Latham commented that Council had already set term limits for councillors and the office of the President and it made sense to extend similar limits to committees. Last year, the Advisory Committee on Volunteers was assigned to look at term limits for committees and it ultimately identified a 10-year maximum term limit for committee members. The decision was made to implement this next year with a 3-year transition period. The rationale for exempting statutory committees was that these committees have requirements for detailed procedural knowledge and some members may not be involved for all matters addressed by those committees.

Mr. Broad commented he felt that the 10-year term limit was not appropriate for this committee and expressed that committees should have been consulted for their input prior to making this decision. Mr. Georgas asked if there is any procedure to have Council reconsider its decision. Ms. Latham commented that a member motion would need a two thirds majority to be passed by Council, but it's unlikely that the decision will be changed. Mr. Barker commented that there would need to be a persuasive argument for this committee to be treated differently.

The committee expressed mixed opinions on whether a ten-year term limit was appropriate, but generally agreed that there must be a balance between retaining experienced members and bringing on new volunteers. Mr. Adams noted that the limit was reasonable, but there could be improvements with orientation of new members.

Mr. Marston asked about current vacancies and whether there was a roster of candidates. Mr. Knox commented that People Development had been informed of the vacancy, but there had been no posting. Mr. Marston commented that the Council directive may create difficulties for filling vacancies.

Action #2: Mr. Knox is to arrange for posting of current vacancies on the committee.

Mr. Broad asked if there was a way to make Enforcement a statutory committee. Mr. Knox responded that it would need to have a specific regulatory function, and be explicitly named in the *Professional Engineers Act*.

Ms. Latham commented that she could ask what is the plan to facilitate inter committee movement to help the transition. Departing members should be asked where their interests lie to facilitate placement in new positions.

Break: 3:05 – 3:15

Mr. Marston asked whether there had been Council discussion on the elimination of any committees. Mr. Knox commented that it is unlikely that this committee would be stood down when the new strategic plan includes a focus on enforcement.

The committee expressed concern that the proposed transition plan did not seem to consider either the retention of departing committee members or the associated recruitment efforts that will result from committee vacancies. It was determined that the committee should issue a statement to capture its concerns.

Motion #5: The enforcement committee will be in compliance with Council's directive on term limits effective January 1, 2018, but ongoing compliance will be dependent on the effectiveness of outplacement and recruitment of new members.

Moved by Peter Broad, P. Eng., seconded by Ajai Varma, P.Eng.

CARRIED

Mr. Knox reviewed the updated Terms of Reference document which must be formally approved by Council. Minor amendments were noted to be included in the final version.



Motion #6: That the amended Enforcement Committee Terms of Reference be submitted for approval by PEO council.

Moved by Ajai Varma, P. Eng., seconded by Joe Adams, P.Eng.

CARRIED

12. 2018 HR Plan

Mr. Knox commented that this is a housekeeping item to confirm the plan that has been approved by Council.

Motion #7: That the Enforcement Committee 2018 Human Resources Plan as submitted for approval by PEO council is confirmed.

Moved by Stephen Georgas, P. Eng., seconded by Bill Jackson, P.Eng.

CARRIED

Action #3: Mr. Knox is to revise the HR Plan for the next meeting to include a succession plan.

13. Volunteer Recognition

Mr. Barker presented recognition awards to Bill Jackson and Solomon Ko for their contribution.

14. 2018 Work Plan

Mr. Knox commented that the Work Plan was forwarded to Council as a place holder. Committees were required to submit their HR Plan and Work Plan by September 30th. This is another housekeeping item and can be amended as needed.

Motion #8: That the Enforcement Committee 2018 Work Plan as submitted for approval by PEO council is confirmed.

Moved by Peter Broad, P. Eng., seconded by Stephen Georgas, P.Eng.

CARRIED

Mr. Knox discussed PEO's new strategic plan that was passed at the November Council meeting. The strategic plan includes a focus on enforcement activities, hence there is a task in the 2018 Work Plan to develop activities arising from the strategic plan.

Action #4: Committee members and staff are to think about potential additions to the 2018 Work Plan as it relates to PEO's new strategic plan.

Mr. Jackson discussed his proposal to develop a framework for enforcement of emerging disciplines and suggested that Software Engineering could be looked at as an example. Mr. Barker suggested that the discussion be continued at the next meeting.

15. Work Plan – Policy Issue 2017-A: Guidance for Outreach

Ms. Gismondi gave an update on consultations with other departments about potential collaborations for outreach. Most departments felt there would be value in collaboration and the subcommittee will be meeting to discuss this feedback in detail.

Mr. Barker asked about the possibility of adding outreach to chapters as part of the subcommittee's assignment. Mr. Knox commented that he was asked to prepare some information for the recent Chapter Leaders Conference on



engaging chapter volunteers for enforcement. Ms. Latham noted that it's expected that the committee will be asked to find ways to engage chapters as a regulatory resource, as this is also referenced in the strategic plan.

Action #5: Mr. Knox is to forward a copy of the information to Ms. Gismondi for distribution to the subcommittee.

16. Work Plan – Policy Issue 2017-B: Enhancement Enforcement for Industry

Mr. Knox reported that he had prepared a guidance memo for the subcommittee. Mr. Barker requested that the memo be reviewed by the subcommittee prior to the next meeting.

Action #6: Mr. Knox is to arrange a teleconference meeting of the 2017-B subcommittee before Christmas.

17. Work Plan – Policy Issue 2017-C: PSHR Performance Standard Proposal

Mr. Knox commented that Mr. Broad had prepared a draft report for the subcommittee, and that a separate memo to the Professional Standards Committee was drafted to outline the case for a proposed performance standard. Mr. Barker suggested that the subcommittee review the memo and report back at the next meeting.

Action #7: Mr. Knox is to arrange a teleconference meeting of the 2017-C subcommittee before Christmas.

18. Other business

Mr. Broad asked whether a request should be made to increase the budget for enforcement. Ms. Latham commented that this may be looked at as an outcome of the strategic plan initiatives.

19. Attendance

Regrets: **Edward Poon, P.Eng.** (without notice)

20. Next Meeting

Mr. Knox suggested that the next meeting be held last week of January or in early February.

Action #8: Maria is to send out a Doodle poll on dates for the next meeting.

21. Adjournment

Motion #9: To adjourn at 4:25 pm.

Moved by Bill Jackson, P.Eng.

R. Barker, P.Eng. - Chair

M. Iannone – Secretary

Date