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# Minutes

## The seventy-first meeting of the Enforcement Committee held on Tuesday, January 20, 2015 at 1:30 p.m., PEO Offices

- Present: Peter Broad, P.Eng. (Chair)  
Roger Barker, P.Eng. (Vice-Chair)  
Stephen Georgas LL.B., P.Eng.  
Don Marston, P.Eng.  
Ajai Varma, P.Eng.  
Solomon Ko, P.Eng.  
William Jackson, P.Eng.  
Edward Poon, P.Eng.
- Council Liaison: Rob Willson, P.Eng.
- Staff: Marisa Sterling, P.Eng. (Manager, Enforcement)  
Steven Haddock (Compliance Officer)  
Maria Iannone (Administrative Assistant)
- Regrets: Gary Houghton, P.Eng.  
Linda Latham, P.Eng. (Staff Advisor, Deputy Registrar)

### 1. Welcome and Call To Order

The Chair, Mr. Broad, called the meeting to order at 1:40 p.m. with a quorum of 8 and welcomed everyone.

The Chair presented a 5-year PEO service award to Mr. Barker and a 5-year service award to Mr. Ko.

Action #1: Staff to confirm with PEO's Volunteer Management department if Mr. Ko's service award should instead be for 15 years.

### 2. Approval of Minutes of November 18, 2014

**Motion #1: That the enforcement committee minutes dated November 18, 2014 be approved,**  
Moved by Roger Barker, P.Eng., seconded by Stephen Georgas, P.Eng.

**CARRIED**

### 3. Approval of Agenda

**Motion #2: That the enforcement committee agenda dated January 20, 2015 be approved.**  
Moved by Don Marston, P.Eng., seconded by Stephen Georgas, P.Eng.

**CARRIED**



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# Minutes

## 4. Committee Membership

### a. New member search update

Ms. Sterling commented that we have no further applicants since last November 2014. The Committee Coordinator will be sending an email blast this week which will include the posting and will continue to refresh it.

Ms. Sterling explained the ranking process and suggested for the committee to review the list and make a selection. Mr. Broad suggested for each member to select their top three candidates and bring to the next meeting to discuss further.

Mr. Ko inquired if knowing an applicant would be a conflict of interest. Ms. Sterling clarified that it is valuable to disclose any information as there may be insights that are not on an application that maybe helpful to make a decision. If there is personal gain, then yes, it's important to disclose this as a conflict.

Action #2: Ms. Sterling to follow-up on the residency location of the volunteer applicant Sarma Vangala, P.Eng., PhD

Action #3: Staff to send out full application packages received for the volunteer opening on the committee.

Action #4: Each committee member is to identify their top 3 candidates for the next committee meeting on March 17, 2015.

### b. Notice of Chair / Vice Chair election – Jan 2015

Ms. Sterling opened the discussion for election of the Chair and Vice Chair. It was agreed by all members that Mr. Peter Broad (Chair) and Mr. Roger Barker (Vice-Chair) be proclaimed.

**Motion #3: That Peter Broad be re-elected as Chair and Roger Barker be re-elected as Vice-Chair of the Enforcement Committee for the 2015 calendar year.**

Moved by Don Marston, P.Eng., seconded by Edward Poon, P.Eng.

**CARRIED**

### c. 2015 Subcommittees – creation, chairs

Mr. Broad commented that existing subcommittees are in progress and asked the members if they have any additional subcommittees they would like to add. Ms. Sterling reminded the committee of their approved work plan for 2015 and the need to structure committees to accomplish this work plan.



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# Minutes

Mr. Broad commented that we will continue with the four subcommittees and once we have a new member we can see if they want to join an existing subcommittee or look at a new one at that time.

Action #5: All committee members will continue to serve in the subcommittee positions they held in 2014, for the 2015 calendar year.

## **5. Council-appointed Liaison**

Mr. Willson discussed three items:

1. PEO confidentiality agreement and requested all members to sign the agreement.
2. November Council meeting where PEO's annual budget and strategic plan were approved.
3. A new Volunteer Leadership Conference which will take place the day before PEO's AGM on April 24, 2015. This year, the attendees will be expanded from chapter representatives to committee representatives: at least two members from PEO Chapters and PEO Committees, most likely the Chairs and Vice-Chairs. The purpose is to find common ground between chapters and the committees and to re-focus on regulatory matters.

Mr. Barker asked for a copy of the Strategic Plan. Mr. Haddock suggested that a copy of *Engineering Dimension* can be picked up at reception within which can be found the new Strategic Plan.

Action #6: Maria Iannone to forward to Fern Goncalves the signed confidentiality agreements of Mr. Jackson, Mr. Poon and Mr. Broad. All other committee members confirmed they had already submitted signed confidentiality agreements to PEO.

Action #7: Committee members are to submit any ideas they have for the upcoming Volunteer Leadership Conference to Ms. Sterling to then be passed on to Fern Goncalves at PEO.

Action #8: Staff to provide a copy of the 2015-17 PEO Strategic Plan to Mr. Barker and Mr. Georgas in hard copy and all other committee members in soft copy.

## **6. Work Plan – Policy Issue A (Reporting)**

Mr. Marston commented that there is a high percentage of engineers without jobs. He suggested PEO and OSPE could combine efforts in alleviating this situation. Mr. Willson commented that this is a university issue not a regulatory issue.

Mr. Haddock provided a brief update from the provinces in reference to the pocket guide to reporting idea. None of the provinces seem to have such a communications tool at the present time.



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# Minutes

Mr. Ko commented that he will go back to the drawing board and fine tune the report.

Action #9: Staff to provide feedback from the other provinces (excluding Quebec and Newfoundland) by the next meeting on whether they have a pocket guide to whistle blowing.

Action #10: Mr. Ko and Mr. Marston to fine tune their report for the next meeting.

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

Mr. Barker discussed workplace accidents and fines and asked for clarification on workplace accidents related to unlicensed practice. Ms. Sterling commented that PEO is undertaking a research project currently to identify when unlicensed practice contributed to workplace accidents. She added that it appears that no one has really investigated this connection before, including the Ministry of Labour.

Mr. Haddock commented that it's not part of the Ministry of Labour's mandate to look into if there are engineering deficiencies behind the cause of accidents but instead to identify worker hazards. There is a section in the Occupational and Safety Act which makes the engineer doing a PSR responsible if they do not identify safety gaps.

Mr. Georgas commented that there is a distinction between PEO's enforcement fines and fines for Occupational Health and Safety violations. The distinction is an important one between unauthorized practice and Occupational Health and Safety.

Action #11: After staff completes a research project over approximately the next six months, they will try to provide further examples where unauthorized practice or title use led to injury or loss of life.

## **8. Work plan – Policy Issue C (Definition of Professional Engineering)**

Mr. Broad discussed Algo mall, Mount Polley (BC) and the definition of professional engineering. As a subcommittee, he hopes to better define it but also feels that there is more work needed in that area. Hopefully have some report by the April 2015 AGM.

Action #12: Subcommittee to work on a draft report in time for April 2015.

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

Action #13: Mr. Varma to bring an update to the next meeting.



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# Minutes

## 10. Work plan – Policy Issue E (Non-CEAB Training)

Mr. Ko requested to close this policy issue.

**MOTION #4: That Policy Issue E be closed after it was assessed that the offering of engineering training outside of CEAB-accredited programs does not require enforcement action.**

Moved by Solomon Ko, P.Eng., seconded by Edward Poon, P.Eng.

**CARRIED**

## 11. Repeal of the Industrial Exception

Ms. Sterling commented that Council is in the process of reviewing a new strategy, in camera, involving a research project. There will be a midyear and end of year review, after which Council plans to make further decisions on future direction.

Mr. Willson excused himself at 2:45 to attend another meeting.

Action #14: Next update to be provided by staff after the June 2015 meeting of PEO Council.

## 12. SWOT Analysis

Mr. Broad shared his view to keep pushing enforcement mandate to ensure it is relevant to PEO.

Mr. Broad reviewed the SWOT in detail with committee members.

Mr. Haddock discussed enforcement allegations with the members.

Ms. Sterling confirmed that every enforcement prosecution has a press release.

No further actions

## 13. PEO Strategic Plan

Ms. Sterling commented that KPI's are for PEO's enforcement work as this is also linked to the Strategic Plan.

Mr. Haddock commented that with the Strategic Plan a measurement or a set of measurements will give some indication of how well we are doing.

Mr. Haddock discussed illegal practice cases and how it's processed by giving examples.



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# Minutes

Mr. Marston asked if the public are aware of our directory to check individuals. Mr. Haddock commented that we promote this.

Mr. Broad suggested that it would be good to pitch engineering articles to some of the manufacturing companies on why to be a professional engineer.

Action #15: Staff to consider the KPIs suggested by the committee.

## 14. Other Business

No items presented.

## 15. Attendance

Gary Houghton is absent with leave.

## 16. Next meeting

Ms. Iannone confirmed the remaining 2015 meeting dates with the committee.

2015 meeting dates were confirmed as follows:

- Tuesday, March 17<sup>th</sup>
- Tuesday, May 19<sup>th</sup>
- Tuesday, July 21<sup>st</sup>
- Tuesday, September 15<sup>th</sup>
- Tuesday, November 17<sup>th</sup>

## 17. Adjournment

**Motion #5: To adjourn at 4:07 pm.**

Moved by Mr. Bill Jackson, P.Eng.

**CARRIED**

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P. Broad, P.Eng. - Chair

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L. Latham – Staff Advisor

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Date