



# Minutes

## LEGISLATION COMMITTEE MEETING

Friday, April 5, 2019 - 10:00 a.m.

[Meeting held via teleconference]

### Members:

Thomas Chong, P. Eng.  
Gary Houghton, P. Eng. (Chair)  
Lisa MacCumber, P. Eng. (Vice-Chair)  
Gregory Wowchuk, P. Eng.

### Staff:

Jordan Max, Manager, Policy  
Andrew Tapp, Policy Analyst

### Regrets:

David Brown, P. Eng. (President, Ex-Officio Member)  
Lola Hidalgo, P. Eng.  
Nancy Hill, P. Eng. (President-Elect, Ex-Officio Member)

## 1. PROCEDURAL

### 1.1 Introduction

The Chair called the meeting to order at 10:04 a.m. and welcomed everyone.

### 1.2 Approval of Agenda

The members were asked if there were any additions or changes to the agenda. No additions or changes were provided.

A motion was made to approve the agenda as written.

**Moved by: G. Wowchuk      Seconded by: L. MacCumber      CARRIED**

1.3 Approval of Minutes of March 8, 2019 Meeting

The members were asked if there were any additions or changes to the Minutes. No additions or changes were provided.

A motion was made to approve the Minutes as written.

**Moved by: T. Chong      Seconded by: G. Wowchuk      CARRIED**

1.4 Action Items Update from March 8, 2019 Meeting

J. Max reviewed the action items presented, as follows:

By-Law No. 1 Revisions - Fees

(b) Draft By-Law

**Submit the Briefing Note and draft By-Law changes to PEO Council**  
[Completed]

J. Max reported this item as completed.

Regulations (Academic and Examination) - Ontario Labour Mobility Act (OLMA)

**Put the issue of Regulation Change Proposal Timing on the agenda of the April 2019 Legislation Committee meeting.** [Completed]

J. Max reported this item as completed; refer to Item 3.1 of this meeting's agenda.

Regulations (Provisional Licence)

(b) Ontario Fairness Commissioner Feedback

**Complete the Briefing Note and Preliminary Regulatory Impact Assessment and deliver them to PEO Council.** [Completed]

J. Max reported this item as completed.

## 2. FOR DECISION

### 2.1 2018-2019 Legislation Committee Work Plan Evaluation

The Committee reviewed the Work Plan for 2018-2019 and used it to analyze its performance. The Committee went through each of the tasks that had been assigned to it for the year and concluded that they had completed 8 out of 12 items when taking continuing items into account, but only 2 out of 6 items for non-repeating items. However, most of the incomplete items are due to having to wait for policy input from other committees, some of which only meet a few times per year.

The Committee concluded that the results of the 2018 self-evaluation could be used for the 2019 evaluation, with staff being instructed to make the following changes:

- (1) To change the Committee's answer to Question 15 from "Always/Sometimes" to "Sometimes".
- (2) To update the Work Plan assessment portion of the evaluation to reflect the Legislation Committee's 2018-2019 performance and add a note stating that the results were affected by having to wait for the input of other committees.
- (3) To add "a status report on the annual Work Plan should be included in each meeting as a standing item".

A motion was made that the Legislation Committee accept the 2018-2019 Work Plan Evaluation, as detailed above, and will submit the evaluation to the People Development Department.

**Moved by: L. MacCumber      Seconded by: T. Chong      CARRIED**

**Action:** Staff will submit the 2018-2019 Legislation Committee Work Plan Evaluation to the People Development Department.

**Action:** Staff to add the 2019-2020 Work Plan (once approved) as a standing information item on every Legislation Committee meeting agenda.

*[Editorial: The updated Committee self-evaluation is appended to these Minutes.]*

### 3. FOR DISCUSSION

#### 3.1 Regulation Change Proposal Timing

The Committee examined the Regulation changes that were pending approval by Council or pending delivery to the Ministry of the Attorney General for drafting. The impetus for this evaluation was that PEO was in the middle of a large-scale external review of its licensing processes, and the result of this review could require changes to the pending Regulation amendments. It would seem unprofessional for PEO to send amendments to Council or the Ministry of the Attorney General only to immediately withdraw or modify them. The Legislation Committee needed to determine which Regulation amendments should be sent to the Ministry of the Attorney General or Council now, and which should be delayed pending the results of the external review.

G. Wowchuk suggested ranking the items by three levels of importance (low, medium or high) and by three levels of urgency (urgent, not urgent and routine), and to list the amendments under each of the resulting categories. J. Max and the Committee added a second ranking criterion based on the timeliness of the amendments. Evaluating the pending regulatory amendments using these two criteria resulted in the Committee proposing to send the provisional licence changes and two of the changes regarding academics (the ones the Committee decided were “medium” priority) to the Ministry of the Attorney General for drafting, and sending the three amendments marked as “Housekeeping Regulation Changes” to Council for approval before being delivered to the Ministry of the Attorney General for drafting.

A motion was made to deliver the Regulation changes related to provisional licences and the two academic Regulation changes marked by the Committee as “medium” priority to the Ministry of the Attorney General for drafting, and to deliver the housekeeping amendments to Council for approval before being sent to the Ministry of the Attorney General for drafting.

**Moved by: L. MacCumber      Seconded by: T. Chong      CARRIED**

**Action:** Staff to deliver the Regulation changes related to provisional licences and the two academic Regulation changes marked by the Committee as “medium” priority to the Ministry of the Attorney General for drafting, and to deliver the housekeeping amendments to Council for approval before being sent to the Ministry of the Attorney General for drafting (possibly in the same package as the other Regulation changes).

*[Editorial: The updated chart is appended to these Minutes.]*

### 3.2 Change Letters - Regulation 854 and Regulation 855

The Committee reviewed the regulatory conflict change letters that staff had sent to the Ministry of Labour regarding amendments the government was making to Regulations 854 and 855. There are conflicts between these Regulations and the *Professional Engineers Act*, and these letters suggest additional changes that would resolve the conflicts. The Committee noted that, for future meetings, any change letter updates should be placed in the “For Information” section of the agenda.

## 4. FOR INFORMATION

### 4.1 Bill 70 - Registered Professional Planners Act, 2019

The Committee reviewed Bill 70, a private member’s bill proposing a new Act that would govern the planning profession in Ontario. It was noted that the Act only covered the right to title and would not interfere with engineers who conducted planning activities as part of their practice.

## 5. NEXT MEETING AND ADJOURNMENT

The Chair thanked all the Legislation Committee members and staff for a productive Committee year.

There being no further business to conduct, the meeting was adjourned at 11:15 a.m.

## Committee Self Evaluation

Committee Self Evaluation Form			
Committee: <b>Legislation</b>		Date: <b>April 5, 2019</b>	
<b>Please respond to each question with one of the following: Always, Sometimes or Never</b>			
	Rating		
Committee and Task Force Operations	Always	Sometimes	Never
1. Did the committee/task force operate within the specific Terms of Reference, annual Work Plan, Human Resources Plan and PEO core values?	<b>x</b>		
2. Did the committee/task force adequately meet the training needs of committee/task force members where required?	<b>x</b>		
3. Did the committee/task force work effectively with the Council-appointed liaison?	<b>n/a</b>		
4. Did the committee/task force suggest improvements to PEO processes?	<b>x</b>		
5. Did the committee/task force consult with other committees/task forces to identify and address policy issues?	<b>x</b>		
Additional comments to the above: <ul style="list-style-type: none"> <li>• <b>Q3 is n/a since there is no Council liaison for the Legislation Committee as a Board committee.</b></li> <li>• <b>Need for a Legislation Committee training module for all Councillors to be developed and integrated into new Councillor orientation.</b></li> <li>• <b>Workplan status should be reviewed at each committee meeting.</b></li> </ul>			
Role of the Committee / Task Force Chair	Always	Sometimes	Never
6. Did the chair effectively lead the committee/task force in completing its duties and responsibilities?	<b>x</b>		
7. Did the chair make effective use of committee/task force members' knowledge and time?	<b>x</b>		
8. Did the chair arrange for the preparation and distribution of a formal agenda in advance of each meeting, including any required supporting material?	<b>x</b>		
9. Did the chair provide committee/task force members with a meeting schedule?	<b>x</b>		
10. Did the chair work effectively with the committee advisor?	<b>x</b>		
Additional comments to the above: <ul style="list-style-type: none"> <li>• <b>Chair was strategic in planning and presenting proposals to Council.</b></li> </ul>			

<b>Committee Self Evaluation Form</b>			
Committee: <b>Legislation</b>		Date: <b>April 5, 2019</b>	
<b>Role of Committee/Task Force Members</b>	<b>Rating</b>		
	<b>Always</b>	<b>Sometimes</b>	<b>Never</b>
11. Were committee/task force members respectful of the roles of the chair, their colleagues, the liaison and the committee advisor?	<b>x</b>		
12. Did committee/task force members participate actively?		<b>x</b>	
13. Did committee/task force members come to meetings prepared?	<b>x</b>		
14. Were committee/task force members given the opportunity to agree to the expectations of effort and intention of committee/task force membership prior to accepting a role on the committee/task force?	<b>n/a</b>		
15. Did committee/task force members dedicate the required time to the work of the committee/task force?		<b>x</b>	
Additional comments to the above: <ul style="list-style-type: none"> <li>• <b>May want to track and report on Committee member attendance.</b></li> <li>• <b>Q14 is n/a as Legislation Committee is a Board committee and membership is determined by Council; more should be done to communicate to potential Committee members what the Committee's expectations of its members are.</b></li> </ul>			
<b>Committee Performance Metrics (from the annual Work Plan)</b>			
Metric: <b>% completions of non-repeating Task/Activities attributable to the Legislation Committee:</b>		Assessment of results: <b>33% (2/6)</b> (Note that delays are due to policy direction from other committees)	

### 3.1 Upcoming Regulation Changes

Regulation Change	Priority	Notes
<b>Academic and Exam Regulation Changes</b>		
Include accredited engineering programs from community colleges	Medium	Timely
Replace the term “thesis” with “engineering report”	Medium	
Restrict when an applicant may write the Professional Practice Examination to only after the academic requirements have been met	Low	May depend on External Review
Allow PEO to close an application after eight years of not meeting all non-academic licensure requirements	Low	May depend on External Review
Allow PEO more administrative flexibility on when to offer technical examinations, and to recognize that more engineering students may fulfill their degree requirements in different time periods	Low	May depend on External Review
<b>House Keeping Regulation Changes</b>		
Update section 29(f) to change “Canadian Council of Professional Engineers” to “Engineers Canada”	Medium	
Remove “subject to the chapter’s by-law” in chapter privileges for engineering interns in section 32.1(2) ii. to remove an improper subdelegation of authority	Medium	
Change the term “membership” to “licence” in section 37(a) for those writing the Professional Practice Exam	Medium	
<b>Provisional Licence Regulation Changes</b>		
Change section 44.1(1) to remove Registrar’s discretion to grant a provisional licence to an applicant who does not yet have 12 months of Canadian Experience to support proclamation of outstanding changes to section 14(7) of the Professional Engineers Act	High	
<b>Vice-President Regulation Changes</b>		
Changes related to term limits and appointed and elected Vice-Presidents	Low	