



# Minutes

## LEGISLATION COMMITTEE MEETING

Friday, April 7, 2017 - 11:00 a.m.

PEO Offices - Room 1C

### Members:

Ewald Kuczera, P. Eng. (Chair)

Christian Bellini, P. Eng.

George Comrie, P. Eng. (President, Ex-Officio Member) *[via teleconference from 11:15 a.m. and in person from 12:00 p.m.]*

Bob Dony, P. Eng. (Vice-Chair/President-Elect, Ex-Officio Member)

Roydon Fraser, P. Eng. *[via teleconference]*

Gary Houghton, P. Eng.

### Staff:

Jordan Max, Manager, Policy

Gerard McDonald, P. Eng., Registrar

Andrew Tapp, Policy Analyst

Johnny Zuccon, P. Eng., Deputy Registrar, Tribunals and Regulatory Affairs

## 1. PROCEDURAL

### 1.1 Opening Remarks

The Chair called the meeting to order at 11:08 a.m., and welcomed and thanked everyone for attending.

### 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: B. Dony**

**Seconded by: C. Bellini**

**CARRIED**

1.3 Approval of Minutes of March 3, 2017 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 of the March 3, 2017 meeting as written.

**Moved by: G. Houghton**

**Seconded by: C. Bellini**

**CARRIED**

1.4 Action Items Update from March 3, 2017 Meeting

The members were referred to the Actions Items Update document included in the agenda package.

Licensing Committee Recommendations

**Check the list of Licensing Committee proposals against the list of Council motions that were referred to it by the Legislation Committee in 2015, and report back at the next Legislation Committee meeting. [Completed]**

J. Max reported that the list was compiled, and is linked to the Action Items Update Log. Approximately one-third of the referred items had been addressed by the Licensing Committee at the most recent Council meeting. In discussion, the Committee agreed that the list should be shared with the Licensing Committee for their continued work on the outstanding motions. The motions approved by Council requiring Regulation changes will be discussed at Item 3.2 at today's meeting.

**Action:** Staff to forward the comparison list to the Licensing Committee.

**2. FOR DECISION**

2.1 Policy Review - Discipline Hearing Panel Composition

The members were referred to the documents included in the agenda package.

A. Tapp gave a slide presentation on the policy review carried out on Discipline hearing panel size and composition, which had originated in the Strategic Plan,

and answered Committee members' questions on it, such as timelines and best practices. The Committee was asked if any further policy work was required on efficacy measures for tribunals, which would entail original research. The Committee felt that the proposed changes on exempting elected Councillors from panels would address the structural issues, but that no further policy work was required. It was agreed that the policy review be forwarded to the Discipline Committee for its information.

A motion was made that the Legislation Committee forward this policy review to the Discipline Committee for its information.

**Moved by: B. Dony**

**Seconded by: C. Bellini**

**CARRIED**

**Action:** Staff to forward the Discipline Panel Hearing Composition Policy Review to the Discipline Committee for its information.

### **3. FOR DISCUSSION**

#### **3.1 Enforcement Process to Determine Infringements on the Practice of Professional Engineering**

The members were referred to the memo included in the agenda package.

J. Max reported that the Chair had received a memo from the Manager, Enforcement, detailing the unit's internal process for determining if an activity constituted the practice of professional engineering. The memo was reviewed, and there was substantial discussion on the need for clarity on practice to avoid conflicts with any future "demand-side" legislation requests. No further action is required.

#### **3.2 New Regulation Changes - Licensing Committee**

The members were referred to the document included in the agenda package.

J. Max noted that several of the motions approved by Council at its recent meeting would require Regulation changes. G. Comrie reviewed the specific items in the Council Briefing Note, namely, j), k), l) and m), which would require amendments to Regulation 941. As per the Regulatory Policy Protocol, the policy intent (motion) would be forwarded to the Attorney General for legal drafting and further review by the Committee, which might be incorporated in the same Regulation changes for Fees.

A motion was made to forward Council motions j) through m) to the Attorney General for Regulation drafting.

**Moved by: B. Dony**

**Seconded by: C. Bellini**

**CARRIED**

**Action:** Staff to forward the recent Council motions requiring Regulation changes to the Attorney General for drafting.

### 3.3 Legislation Committee 2016-2017 Evaluation

The members were referred to the documents included in the agenda package.

J. Max noted that committees are required, as per the Committees and Task Forces Policy Reference Guide, to self-evaluate on an annual basis and that, since this was the last meeting of this Council year, it would be appropriate to do so. The Committee worked through the supplied template (see attached) and the Legislation Committee 2016-2017 Work Plan list of Tasks and Measures to answer those questions. This should be made available to the incoming Committee to develop its annual Work Plan.

**Action:** Staff to provide the 2016-2017 Legislation Committee Self-Evaluation to the incoming Committee for its consideration in its development of the 2017-2018 Work Plan.

The Committee agreed unanimously to thank the Chair for his leadership and effort for a successful Committee year.

## 4. **NEXT MEETING AND ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 1:32 p.m.

The next meeting will be scheduled once the Committee is reconstituted, following the Council meeting after the PEO Annual General Meeting. As in previous years, the current Committee members will be asked via e-mail to confirm these Minutes following today's meeting.

COMMITTEES AND TASK FORCES POLICY  
REFERENCE GUIDE

**Committee Self Evaluation**

<b>Committee Self Evaluation Form</b>				
Committee: Legislation Committee		Date: April 7, 2017		
<b>Please respond to each questions with one of the following: Always, Sometimes or Never</b>				
		Rating		
<b>Committee and Task Force Operations</b>		<b>Always</b>	<b>Sometimes</b>	<b>Never</b>
1. Did the committee/task force operate within the specific Terms of Reference, annual Work Plan, Human Resources Plan and PEO core values?		x		
2. Did the committee/task force adequately meet the training needs of committee/task force members where required?		x		
3. Did the committee/task force work effectively with the Council-appointed liaison?		x		
4. Did the committee/task force suggest improvements to PEO processes?		x		
5. Did the committee/task force consult with other committees/task forces to identify and address policy issues?		x		
Additional comments to the above: Use Strategic Objectives to inform future agenda discussions to provide continuity.				
<b>Role of the Committee / Task Force Chair</b>		Rating		
		<b>Always</b>	<b>Sometimes</b>	<b>Never</b>
6. Did the chair effectively lead the committee/task force in completing its duties and responsibilities?		x		
7. Did the chair make effective use of committee/task force members' knowledge and time?		x		
8. Did the chair arrange for the preparation and distribution of a formal agenda in advance of each meeting, including any required supporting material?			x	
9. Did the chair provide committee/task force members with a meeting schedule?		x		
10. Did the chair work effectively with the committee advisor?		x		
Additional comments to Question 8: Note that one-week advance materials was instituted; consideration should be given to decreasing the frequency (monthly meetings) based on the volume of work - schedule monthly meetings with option to cancel.				

Role of Committee/Task Force Members	Rating		
	Always	Sometimes	Never
11. Were committee/task force members respectful of the roles of the chair, their colleagues, the liaison and the committee advisor?	x		
12. Did committee/task force members participate actively?	x		
13. Did committee/task force members come to meetings prepared?	x		
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?	Not applicable		
15. Did committee/task force members dedicate the required time to the work of the committee/task force?	x		
<p>Additional comments to the above:</p> <ul style="list-style-type: none"> <li>• 14 above is not relevant to the process for electing Councillors to this committee.</li> <li>• Members felt free to openly discuss issues and concerns.</li> <li>• "This is one of the better committees".</li> <li>• Appreciation for proactive staff support - example of best practices (President's comment).</li> <li>• Value to having committee members with other prior/concurrent committees.</li> <li>• Possibly invite other committee chairs to attend as guests and other outreach activities.</li> </ul>			
<b>Committee Performance Metrics (from the annual Work Plan)</b>			
As per the Tasks, Outcomes and Success Measures in the 2016-2017 Legislation Committee Work Plan.	<p>Assessment of results:</p> <ul style="list-style-type: none"> <li>• Committee was successful in bringing forward 3 protocols to assist Council and other committees.</li> <li>• Act/Reg Change Log.</li> <li>• Regulatory Conflict Log.</li> </ul> <p>Assessment of results:</p> <ul style="list-style-type: none"> <li>• All items on the Task list that the committee had responsibility for have been completed.</li> </ul>		