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# Minutes

## PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, May 12, 2015

PEO Offices

### **Members:**

Jamie Catania, P. Eng.

Denis Dixon, P. Eng.

Colin Moore, P. Eng.

Brian Ross, P. Eng.

Roger Jones, P. Eng.

Les Mitelman, P. Eng.

Nicholas Pfeiffer, P. Eng.

Fanny Wong, P. Eng. (Vice-Chair) (Acting Chair)

### **Staff:**

Sherin Khalil, P. Eng.

José Vera, P. Eng.

### **Regrets:**

Andy Bowers, P. Eng. (Chair)

Heather Swan, P. Eng.

## **1. OPENING OF MEETING**

The Vice-Chair called the meeting to order at 5:45 p.m., with 8 members of the Committee in attendance. Consequently, quorum was attained.

### **1.1 Approval of Agenda**

A motion was made to approve the agenda as written.

**Moved by:** R. Jones                      **Seconded by:** N. Pfeiffer                      **CARRIED**

## **2. MINUTES OF PREVIOUS MEETING**

### **2.1 Approval of Minutes of April 14, 2015 Meeting**

A motion was made to approve the Minutes of the April 14, 2015 meeting as written.

**Moved by:** C. Moore                      **Seconded by:** J. Catania                      **CARRIED**

## **3. GUIDELINES**

### **3.1 Guideline for Structural Engineering Design in Buildings**

Staff advised that the public consultation deadline for the Structural Engineering Design in Buildings Guideline has been extended from May 8 to May 15, 2015.

Staff has received comments from approximately 15 participants. PEO invited members and other stakeholders for their feedback/comments.

Subcommittee members will be meeting in June 2015 to discuss the comments.

### **3.2 Forensic Engineering Guideline**

J. Catania advised that the subcommittee met on May 5, 2015 to review the balance of the comments provided from the public consultation. The comments have been addressed.

Currently, staff is working on final edits and organizing the structure of the guideline.

The guideline will be sent to the PSC for approval. The guideline may be ready to be sent to Council for approval at its September 2015 meeting.

### **3.3 Condo Reserve Studies Guideline**

Staff advised that the guideline is still in the process of final edits. Staff is aiming to complete the guideline this summer.

**Follow-Up:** Staff added a note clarifying that both high-rise buildings and townhouses are covered.

**Action:** Staff to add a note on engineering qualifications in the preface of the guideline.

**Action:** Staff will edit the guideline and forward to D. Kerr for final edits prior to the public consultation.

**Action:** Staff to send the Condo Reserve Studies Guideline to the PSC members for their feedback and comments.

### **3.4 Solid Waste Management Guideline**

**Follow-Up:** Staff sent a doodle poll to schedule the next subcommittee meeting for sometime in June 2015.

Staff advised that PEO had received feedback from the Ministry of the Environment and Climate Change on common issues that they encounter with respect to Environmental Assessments and Environmental Compliance Approval applications.

The subcommittee members will be meeting sometime in June 2015. The feedback received from the Ministry of the Environment and Climate Change will be discussed at the next meeting.

**Action:** H. Swan to send the SWANA presentation to the subcommittee members.

**Action:** PSC Chair to send a letter to PEO staff on solid waste management issues.

### 3.5 Guideline for Review of Completed Works

**Follow-Up:** Staff has contacted the insurers to find out what the definitions for “as-built drawings” and “record drawings”.

**Follow-Up:** Staff has contacted insurers to find out what disclaimers they recommend for record drawings.

**Follow-Up:** Staff has contacted A. Jones and K. Bentley to find out if they are interested in joining the subcommittee.

F. Wong reported the following:

- Subcommittee members met on May 7, 2015. The meeting was very productive, and the draft guideline was reviewed.
- Subcommittee members agreed to change the title of the guideline to “Preparing Engineering Documents Reflecting As-Constructed Conditions.
- The subcommittee Chair assigned new section(s) to the members. The subcommittee will be meeting in June 2015.
- Staff sent the updated version of the draft guideline and the doodle poll to the subcommittee members.
- The goal is to prepare a written draft of the guideline for the June 2015 meeting; afterwards, the guideline will be sent to the PSC this summer for review.

PSC members have a concern regarding using the word “Conditions” in the title of the guideline. However, F. Wong suggested that PSC members wait until they receive the final version of the guideline to send feedback/comments.

Staff advised that they have contacted the insurers to get some information regarding the following:

- What is definition for “As-built drawings” and “Record drawings”?
- What disclaimers would be recommended for engineers preparing these drawings?

The insurers’ responses will be discussed with the subcommittee members at the next meeting.

Furthermore, staff has contacted engineers from the municipalities to invite them as members of the subcommittee.

**Action:** Staff to propose to the subcommittee that stakeholders may need to be invited as guests after the draft guideline is completed.

**Action:** The subcommittee will provide a draft guideline to the PSC in early 2015.

**Action:** Staff to change the title of the guideline from “Review of Completed Works” to “Preparing Engineering Documents Reflecting As-Constructed Conditions” on the agenda of the next meeting.

### **3.6 Guideline for Structural Engineering Assessments**

B. Ross reported that the subcommittee members met on April 15, 2015 and will next be meeting on May 13, 2015.

There was a discussion regarding the designation survey, and staff has reported the following.

A public opinion research firm has been retained to carry out a survey of employers, clients and government on the attitudes toward the need for specialist designations for engineers. This study will be completed in mid-June 2015.

The report from this survey, the survey of members, and the legal opinion will be presented to Council in September 2015, with a request for direction on how to proceed.

The Ministry of the Attorney General has asked PEO for an update on the status of implementation of the recommendations. The Ministries are reporting to Cabinet in October 2015.

The Ministries will be surveyed as part of the study mentioned above. The Ministry of Municipal Affairs and Housing has a Task Force working on the recommendations regarding structural assessment of buildings (“BSTAP”). PEO and the Ministry of Municipal Affairs and Housing are discussing relevant items, as needed.

A report on the survey should be available by the end of May 2015. Based on a preliminary review, the following can be reported:

- 1) Engineers expect that other professionals they deal with must be designated as specialists.
- 2) Engineers consider themselves as specialists in the work that they perform.
- 3) Engineers are overwhelmingly opposed to the idea that PEO would create specialist designations.

**Follow-Up:** Staff updated the PSC members on the discussion regarding the designation survey.

**Action:** Staff to update the PSC members regarding the research firm who was retained for the survey.

**Action:** Staff to send written feedback from the designation survey to the PSC members.

### **3.7 Data Matrix Bulletin**

There was nothing new to report; this is a work-in-progress.

Practitioners have requested that PEO issue a Practice Bulletin. Accordingly, the Practice Bulletin will be issued electronically, and will be available in either PDF or Word format.

**Action:** Staff to prepare a first draft of this bulletin.

**Action:** Staff to send an example of the data matrix to the PSC members.

### **3.8 Guideline for Temporary Structures for Events**

**Follow-Up:** Staff wrote the draft of the Terms of Reference for “Temporary Structures for Events”.

Staff advised that the draft of the Terms of Reference has been sent to Tony Crimi and Albert Schepers of the Expert Advisory Panel on Outdoor Temporary Stages. The draft Terms of Reference will be sent to the PSC.

**Action:** Staff to send the final Terms of Reference for “Temporary Structures for Events” to the PSC for approval.

### **3.9 Duty to Report**

There was nothing new to report.

Previously, it was reported that the Ontario Centre for Engineering and Public Policy (OCEPP) will delay the seminar; however, no date has been scheduled yet.

### **3.10 Use of Seal**

Staff advised that Engineers Canada has a model guide for Authentication of Engineering Documents.

The Use of the Professional Engineer's Seal Guideline may need to be updated to cover the authentication.

Engineers Canada's model guide should be considered when the Use of the Professional Engineer's Seal Guideline is updated.

### **3.11 Professional Engineers Providing Reports on Mineral Properties**

Staff advised that the PSC Chair indicated that Marilyn Spinks is requesting an update on the Mining Guideline.

The Chair has asked staff to review the Mining Guideline to verify if the guideline needs to be updated and be prepared to give a status/action plan to the PSC members at the September 2015 meeting.

**Action:** Staff to review the Mining Guideline and prepare an action plan for the September 2015 meeting.

**Action:** Staff to ask Marilyn Spinks to write an article for "*Engineering Dimensions*".

## **4. STANDARDS**

### **4.1 Tower Crane Review Standard**

Staff advised that the Ministry of Labour is no longer holding the Tower Crane Standard.

Currently, staff is working on final modifications to the Standard before it is released.

## 4.2 Supervising and Delegating Standard

Staff advised that Engineers Canada has a Direct Supervision model guide.

The Direct Supervision model guide will be considered when the Performance Standard is reviewed.

**Action:** Staff to prepare a Briefing Note to PEO Council to approve the Supervising and Delegating Standard after legislative drafting from the Ministry of the Attorney General.

**Action:** PSC members to send any comments/feedback regarding the Supervising and Delegating Standard prior to the next meeting with the Ministry of Labour.

## 5. OTHER BUSINESS

### 5.1 Status of PSC Projects

There was nothing new to report.

**Action:** Staff to provide additional information on the proposed Guideline Interpreting PEA for Regulators.

### 5.2 Elliot Lake Inquiry Report

**Follow-Up:** PEO has obtained a legal opinion on Item 1.5 of the implementation plan. However, it cannot be shared with the PSC members until Council reviews it and decides how to proceed.

**Action:** Staff to obtain updates from the Continuing Professional Development, Competence and Quality Assurance Task Force.

### 5.3 Industrial Subcommittee

Previously, a motion was made that the PSC members approve the report to be sent to Council, with actions for the Registrar.

**Action:** Staff to send a Briefing Note to PEO Council for their approval.

#### 5.4 Risk Management Model Guideline

Staff advised that, currently, there was no evidence to develop a Risk Management Model Guideline.

**Action:** Staff to remove this item from the agenda of the next meeting.

#### 5.5 Climate Change and Engineering

There was discussion regarding Engineers Canada developing an Infrastructure Resiliency Certification Program. Staff advised that there is no conflict with the PEO licence and that the certification program is only considered as a training course.

Staff advised that the Engineers Canada model guide has changed to a national guideline, and is now available to the public.

A member advised that practitioners might need to have a Climate Change and Engineering Guideline in Ontario, and that PEO should consider this.

**Follow-Up:** Staff reviewed the Engineers Canada certification program to see if it would conflict with the PEO licence, and updated the PSC members.

**Action:** Staff to send the Engineers Canada Climate Change National Guideline to the PSC members.

#### 5.6 Evidence-Based Legislation

**Follow-Up:** Staff determined that *Preliminary Regulatory Impact Assessment (PRIA)* requirements could apply to some Performance Standards since they could be interpreted as regulations that affect businesses, such as Certificate of Authorization holders.

**Action:** Staff to seek clarification on this protocol from the Ministry of the Attorney General; for example, is an impact study required?

#### 5.7 Practice Review Pilot Voluntary Program

There was nothing new to report.

**Action:** Staff to contact the Discipline Committee to find out if they will use the new Practice Review Guideline.

**Action:** Staff to contact Consulting Engineers Ontario for new volunteers.

**Action:** Staff to contact the Chair of the Complaints Committee to find out if the Practice Review Guideline could be used by the Committee.

## **5.8 International Engineering Practice Guideline**

There was nothing new to report.

**Action:** The Chair to draft a memo to Past President Adams indicating that there were only three Discipline cases pertaining to international engineering, and there were no common trends in the practice issue. Therefore, a practice article in *“Engineering Dimensions”* would be more appropriate.

## **5.9 PSC Membership**

**Follow-Up:** Staff invited D. Kerr and N. Kennedy to become members of the PSC in September 2015.

## **5.10 Dam Safety Review Guideline**

Staff advised that the Ontario Ministry of Natural Resources has a Dam Safety Review Guideline. Furthermore, the Professional Engineers and Geoscientists of B.C. have Legislated Dam Safety Reviews.

The PSC members are requesting more information for the practice issues regarding dam reviews before taking further action.

**Action:** Staff to undertake an evidence study for dam review guideline practice issues in Ontario.

**Action:** Staff to communicate with the Ministry of Natural Resources to get more information regarding the dam review regulations.

## **5.11 Site Remediation**

Engineers Canada has a model guide for “Professional Engineers Providing Services in Environmental Site Assessment, Remediation and Management”. When updating the Site Remediation Guideline, the Engineers Canada model guide should be considered.

**Action:** Staff to send PEO's Site Remediation Guideline and Engineers Canada model guide to the PSC members to verify if the Site Remediation Guideline needs to be updated.

#### **5.12 Annual General Meeting Training Update**

F. Wong advised that she attended the PEO's Annual General Meeting, along with A. Bowers, to represent the PSC, and discussed all pending issues and projects that the PSC is working on.

#### **5.13 New Limited Licence Regulations**

**Follow-Up:** Staff reviewed the announcement on the limited licence and found out that it affects the guidelines. Staff is currently verifying how many guidelines need to be updated.

### **6. ADJOURNMENT AND NEXT MEETING**

The meeting adjourned at 7:45 p.m.

The Chair and the Vice-Chair will not be available to attend the June 9, 2015 meeting. An Acting Chair will be voted for at the June 9, 2015 meeting.

Below are the meeting dates for the balance of 2015:

- June 9, 2015
- September 15, 2015
- October 20, 2015
- November 17, 2015
- December 8, 2015