



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, February 5, 2019

PEO Offices

Members:

Jamie Catania, P. Eng.

Dale Kerr, P. Eng.

James Lowe, P. Eng.

Nicholas Pfeiffer, P. Eng. (Acting Chair)

Brian Ross, P. Eng.

Council Liaison:

Lisa MacCumber, P. Eng.

Staff:

Sherin Khalil, P. Eng.

Guest:

Harry Cayton (Professional Standards Authority)

Regrets:

Fanny Wong, P. Eng. (Chair)

Neil Kennedy, P. Eng. (Vice-Chair)

Roger Jones, P. Eng.

1. OPENING OF MEETING

In the absence of the Chair and Vice-Chair, N. Pfeiffer acted as Chair and called the meeting to order at 6:00 p.m., with 5 members of the Committee in attendance. Consequently, quorum was attained.

1.1 Welcome and Introduction

The Acting Chair welcomed Harry Cayton of the Professional Standards Authority, and introductions were made to everyone.

1.2 Approval of Agenda

A motion was made to approve the agenda as written.

Moved by: B. Ross Seconded by: J. Catania CARRIED

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Minutes of January 15, 2019 Meeting

A motion was made to approve the Minutes of the January 15, 2019 meeting as written.

Moved by: J. Lowe Seconded by: D. Kerr CARRIED

2.2 Action Items of January 15, 2019 Meeting

Staff reported on the status of the Action Items.

3. GUIDELINES

3.1 Guideline for Environmental Site Assessment, Remediation and Management

The subcommittee will meet on February 14, 2019 to address the PSC's comments on the draft guideline.

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

A meeting of the subcommittee will be scheduled to continue work on the draft guideline.

It was previously reported that the Ministry of Government and Consumer Services may take a long time to update their Regulation on Performance Audits and Reserve Fund Studies. Consequently, the subcommittee will continue working on the guideline, rather than waiting for the Ministry, since there is no indication when the Regulation will be updated. Furthermore, the subcommittee Chair reported that the industry had several concerns regarding the existing Regulation on Performance Audits and Reserve Fund Studies, and that the PEO guideline could help to influence the industry in a positive manner.

The question arose if the guideline was for engineers, and the Committee was advised that it was for engineers who do reserve fund studies.

3.3 Guideline for Structural Condition Assessments of Existing Buildings and Designated Structures

There was nothing new to report.

It was previously reported that the Ministry of Municipal Affairs developed a white paper on “Potential Changes to Ontario’s Building Code Parking Structures”. The subcommittee will start working on the performance standard as soon as the Ministry of Municipal Affairs updates their Regulation.

A PSC member commented that the Ministry may rely on the National Building Code.

Another PSC member suggested keeping track of any communication between PEO staff and the Ministry of Municipal Affairs.

3.4 Guideline for Design Evaluation of Demountable Event Structures

The subcommittee members will schedule a meeting to complete addressing the comments received from the public consultation.

A question arose regarding how many comments were received from the public consultation comments. Staff reported that most of the comments received were regarding a specific section which describes action to be taken under certain weather conditions, particularly with respect to wind loads.

3.5 Use of Seal Guideline

The proposed performance standard has been under legal review. The subcommittee has received a copy of the legal review and will update the proposed performance standard accordingly.

The subcommittee Chair reported that the subcommittee members had some comments regarding the legal review received, and these comments were sent to the lawyer to update the legal review accordingly.

3.6 Guideline for Professional Engineers Providing Reports on Mineral Projects

The PSC members reviewed the draft guideline and provided their comments.

A meeting of the subcommittee will be scheduled to address the PSC's comments on the draft guideline.

3.7 Guideline for Preparing As-Built and Record Documents

There was nothing new to report as the draft guideline is currently under legal review.

3.8 MECP - Professional Engineers Providing Engineering Reports under O. Reg. 1/17 (ESDM and AAR Reports)

The subcommittee met on January 16, 2019 to address the comments received from the Ministry of the Environment, Conservation and Parks (MECP), and will meet again on March 6, 2019 to complete addressing the Ministry's comments.

The next step will be a legal review of the draft guideline.

A PSC member advised that a number of engineers are enquiring as to when the guideline would be completed.

A question arose regarding approval of the legal review, and staff reported that the Registrar approved the legal review of this guideline.

There was a discussion regarding whether the draft guideline should be reviewed by the PSC members prior to the legal review. A PSC member advised that it should be reviewed by the lawyers so that the subcommittee members can implement any legal recommendations into the guideline, and subsequently be reviewed by the PSC members.

3.9 Coordinating Licensed Professional Joint Subcommittee

There was nothing new to report.

The subcommittee Chair is reviewing the draft guideline and, once the Chair provides feedback to staff, the draft guideline will be sent to the members of the Review Network.

A PSC member questioned staff whether Chris Roney was contacted to determine if he was interested in joining the Review Network.

Action: Staff to remind the subcommittee Chair to provide her feedback on the draft guideline.

Action: Staff to contact Chris Roney to determine if he is interested in joining the Review Network of the Coordinating Licensed Professional Joint Subcommittee.

3.10 Guideline for Pre-Start Health and Safety Reviews

Staff reviewed the existing guideline and, in consultation with subject matter experts, staff provided practice concerns involving the *Pre-Start Health and Safety Reviews* guideline and outlined information that is missing from the existing guideline, as follows:

- The existing guideline provides the responsibilities of the engineer; however, there is insufficient information regarding the engineer's obligations.
- The existing guideline does not provide any information on the responsibilities of the client since the audience of PEO guidelines could be engineer , clients, the public, etc.
- The existing guideline states that engineers should obtain sufficient information to develop a Pre-Start Health and Safety Review; however, the guideline does not provide examples of the data that should be collected.
- The existing guideline does not provide sufficient information on the site inspection and its requirements;
- The existing guideline does not provide sufficient information on what the Pre-Start Health and Safety Review should include. For example, engineers should limit their responsibilities and include any limitations in their reports, such as, Ontario Electrical Safety Authority (ESA) approvals, Technical Standards and Safety Authority (TSSA) approvals, Set-Up, Lock-Out/Tag- Out, etc., to avoid any confusion with their clients.
- Since employee engineers can provide Pre-Start Health and Safety Reviews to their facilities, it would be helpful to remind engineers of their obligations to disclose any perceived conflict of interest.
- Furthermore, the guideline does not provide any information on the engineer's required competency in this area of engineering since engineers

could be subject to professional misconduct for accepting assignments for work not within their area of expertise.

- The existing guideline does not include a section for “Definitions”.
- The References section should be updated to perhaps add other references, such as, CSA, ANSI, etc., which may be helpful for engineers.

The PSC members agreed on updating the guideline; however, it was recommended to defer approval to next PSC meeting.

The Acting Chair suggested to add the evaluation process to the agenda of the next meeting. All steps were taken to determine the evidence of updating this guideline for further discussion at the next meeting.

It was suggested that staff write Terms of Reference for this guideline and bring them to the next meeting to have a motion to update the guideline and approve the Terms of Reference.

A PSC member reported that the Council Liaison on the Enforcement Committee sent an e-mail asking for an update on the recommendation to develop a performance standard. The PSC members advised that a verbal update could be provided to the Council Liaison of the Enforcement Committee. Following the next meeting, a response from the PSC will be provided to the Enforcement Department.

Action: Staff to write the Terms of Reference and add the evaluation process to the agenda of the next meeting.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

There was nothing new to report.

A question arose if the PSC was looking for new members, since the PSC is currently comprised of 9 members, whereas the Terms of Reference indicates 10 to 12 members.

The PSC members agreed on the above and advised that this item should be added to the agenda of the next meeting for further discussion.

A PSC member suggested that staff bring the Equity and Diversity Requirements document to the next meeting for consideration when starting the evaluation of new members.

5. ADJOURNMENT AND NEXT MEETING

Action: Staff to add new "PSC Members" as an agenda item for the next meeting.

Action: Staff to bring the following documents to the next meeting for further discussion:

- The requirements of Equity and Diversity.
- Human Resources Plan and Terms of Reference.
- Technical background of the current PSC members.

The next meeting is scheduled for March 5, 2019.

The meeting adjourned at 7:30 p.m.