



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, November 13, 2018

PEO Offices

Members:

Fanny Wong, P. Eng. (Chair)
Neil Kennedy, P. Eng. (Vice-Chair)
Jamie Catania, P. Eng. *[via teleconference]*
Denis Dixon, P. Eng. *[via teleconference]*
Roger Jones, P. Eng.
Dale Kerr, P. Eng.
Nicholas Pfeiffer, P. Eng.
Brian Ross, P. Eng.

Council Liaison:

Lisa MacCumber, P. Eng.

Staff:

Sherin Khalil, P. Eng.

Regrets:

James Lowe, P. Eng.

Guest:

Andy Lee, P. Eng.
(Chair, Environmental Site Assessment, Remediation and Management Subcommittee)

1. OPENING OF MEETING

The Chair called the meeting to order at 6:00 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: N. Kennedy Seconded by: B. Ross CARRIED

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Minutes of October 16, 2018 Meeting

A PSC member suggested that a comment should be added to the Minutes regarding the resignation of one of the PSC members, who was also Chair of the ESDM and AAR Report subcommittee.

A motion was made to approve the Minutes of the October 16, 2018 meeting as modified.

Moved by: R. Jones Seconded by: B. Ross CARRIED

2.2 Action Items of October 16, 2018 Meeting

Staff reported on the status of the Action Items.

Staff reported that a meeting has been scheduled with staff from the Ministry of Labour on November 19, 2018 to discuss Section 54(1)(k) of the *Occupational Health and Safety Act*. Comments from the PSC are required prior to this meeting.

3. GUIDELINES

3.1 Guideline for Environmental Site Assessment, Remediation and Management

An introduction was made to Andy Lee, Chair of the Environmental Site Assessment, Remediation and Management subcommittee, who attended the meeting to present the updated version of the guideline.

A. Lee reported that the subcommittee updated the existing guideline to be in compliance with the relevant legislation.

There was a comment regarding the title of the guideline as a PSC member suggested removing “professional engineers” from the title and adding the word “guideline” to inform the audience that this document is a practice guideline.

There was a comment regarding the layout of the guideline. It was suggested that regulatory requirements could be placed at the beginning of the document, followed by the requirements of the two phases.

A PSC member reported that it would be useful to provide some guidance on when and why Regulations should be used.

There was another comment that some of the contents in the guideline could be moved to the Appendix, such as the “Responsibilities of Engineers” section.

Action: Staff to send the Environmental Site Assessment, Remediation and Management guideline in Word format to the PSC members, with a reminder for the PSC to provide their comments within a deadline of three weeks.

A PSC member commented that the guideline was comprehensive and well written.

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

There was nothing new to report as the Ministry of Government and Consumer Services is currently updating their Regulation on Performance Audits and 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 members will start working on the performance standard as soon as the Ministry of Municipal Affairs updates their Regulation.

Staff has contacted the Ministry of Municipal Affairs to follow up regarding the update of their Regulation; however, no response has been received as yet.

Staff reported that the observer from the Ministry of Municipal Affairs is no longer available and the Ministry will keep PEO apprised of the new observer.

3.4 Guideline for Design Evaluation of Demountable Event Structures

The subcommittee members met on November 7, 2018, to address the public consultation comments.

The subcommittee will continue working to address all public consultation comments and provide the draft guideline to the PSC.

3.5 Use of Seal Guideline

There was nothing new to report as the proposed performance standard is currently under legal review.

3.6 Guideline for Professional Engineers Providing Reports on Mineral Projects

There was nothing new to report.

The subcommittee members met in late September 2018 to address the PSC's comments. A version of the draft guideline will be ready for PSC members early next year.

3.7 Guideline for Preparing As-Built and Record Documents

A meeting has been scheduled for November 20, 2018, to meet the lawyers and discuss the scope of the legal review.

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

There was nothing new to report.

A new Chair for the subcommittee will be required from the PSC. The PSC Chair advised that someone from the PSC could volunteer to chair the subcommittee.

A motion was made to nominate N. Kennedy as the new Chair of the ESDM and AAR Reports subcommittee.

Moved by: B. Ross

Seconded by: D. Kerr

CARRIED

3.9 Coordinating Licensed Professional Joint Subcommittee

There was nothing new to report.

The Ontario Association of Architects prepared a draft guideline and are currently waiting for engineer members to provide their feedback on the revised version.

The subcommittee Chair suggested asking for more volunteers for this subcommittee.

3.10 Guideline for Pre-Start Health and Safety Reviews

Staff reported that Ken Slack, Manager, Complaints & Investigations, PEO, provided his opinion on the existing guideline.

Staff advised that a meeting with the Ministry of Labour will be organized to address the PSC's concerns regarding this guideline. After the meeting, the PSC can decide whether a minor update can be done or forming a subcommittee to revise the document.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

The Council Liaison reported that a short report including the projects that the PSC is currently working on and the PSC Work Plan for 2019 would be helpful for Council. Perhaps a presentation from the PSC Chair to Council would be beneficial.

Action: Staff to provide an Information Briefing Note to PEO Council, identifying the current PSC projects and the PSC Work Plan for 2019.

It was suggested to send a memo from the PSC Chair to PEO Council, offering to attend a future Council meeting to present the mandate of the PSC and perhaps the current projects that PSC is working on.

The Council Liaison reported that a third-party regulatory review has been retained to assess PEO.

4.2 Request from Chair of Experience Requirements Committee

The PSC Chair reported that a request from the Experience Requirements Committee that the Professional Standards Committee review and endorse the Experience Requirements Committee's proposed changes to the "Guide to the Required Experience to be Licensed as a Professional Engineer in Ontario" and to ensure that the proposed changes are consistent with the "Assuming Responsibility and Supervising Engineering Work" guideline.

The Council Liaison questioned whether a legal review was provided on the proposed changes to the "Guide to the Required Experience to be Licensed as a Professional Engineer in Ontario".

A PSC member questioned the rationale of the proposed changes.

There was a comment regarding the original document and the evidence to proceed with the changes.

There was a discussion regarding companies that provide engineering services to the public without engineers on the team. A PSC member commented that these companies could be providing engineering services in their plants.

A PSC member commented that the mentoring engineer should be experienced and competent to supervise the engineering work. A process should be developed for the mentoring proposal.

The PSC members questioned whether this document had been approved by the PEO Council.

Staff reported that PEO Council did not proceed with the Delegation performance standard, and a guideline was recommended in lieu of the performance standard.

A PSC member reported that the proposed changes to the “Guide to the Required Experience to be Licensed as a Professional Engineer in Ontario” may trigger regulatory changes. Consequently, a legal opinion would be required.

Action: PSC Chair and staff to send a memo to the Chair of the Experience Requirements Committee requesting the more information on the evidence, rationale and legal review of the proposed changes.

4.3 Proposal to Develop Practice Bulletin for OSHA Section 54(1)(k)

Staff reported that a meeting has been scheduled with the Ministry of Labour (MOL) staff on November 19, 2018, to discuss section 54(1)(k) of the *Occupational Health and Safety Act*. Comments from the PSC are required prior to this meeting.

Action: PSC members to send their comments and concerns regarding Section 54(1)(k) of the *Occupational Health and Safety Act* to staff.

5. ADJOURNMENT AND NEXT MEETING

The next meeting is scheduled for December 11, 2018.

The meeting adjourned at 7:30 p.m.