



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, September 12, 2017

PEO Offices

Members:

Nicholas Pfeiffer, P. Eng. (Chair)
Fanny Wong, P. Eng. (Vice-Chair)
Jamie Catania, P. Eng.
Denis Dixon, P. Eng.
Roger Jones, P. Eng.
Neil Kennedy, P. Eng.
Dale Kerr, P. Eng.
Colin Moore, P. Eng.
Heather Swan, P. Eng.

Staff:

Sherin Khalil, P. Eng.
José Vera, P. Eng.

Regrets:

Brian Ross, P. Eng.

1. OPENING OF MEETING

The Chair called the meeting to order at 5:45 p.m., with 9 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: D. Kerr Seconded by: F. Wong CARRIED

1.2 Introduction and Questions (Council Liaison)

Staff advised that Michael Wesa is the new Council Liaison for the PSC. Staff reported that M. Wesa did not confirm his attendance for this meeting.

The PSC members advised that staff could offer the option of attending upcoming PSC meetings via teleconference.

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Minutes of June 13, 2017 Meeting

A motion was made to approve the Minutes of the June 13, 2017 meeting, as modified.

Moved by: R. Jones Seconded by: N. Kennedy CARRIED

2.2 Action Items of June 13, 2017 Meeting

Staff reported the status of the action items, as follows:

- Staff met with Ministry of Transportation (MTO) staff regarding the Quality Verification Engineer (QVE) issue. Substantial changes will be made to their process. MTO may eliminate QVE services. Staff will continue to collaborate with MTO staff.
- The PSC members questioned if PEO needs subject matter experts while collaborating with MTO. Staff advised that PEO does not require any experts as PEO is ensuring consistency with the *Professional Engineers Act*. Perhaps PEO will seek experts if MTO requests developing a Practice Bulletin. Furthermore, when MTO develops their guideline, staff can review the guideline to ensure consistency with the *Professional Engineers Act*.
- A PSC member commented that the failure of the Nipigon River Bridge is a serious matter.

- With regard to the Practitioner-Centred Research Project, PEO will do web analytics to verify who is using PEO guidelines, and pop-up surveys comprised of two/three questions will be published on the PEO website.
- With regard to Projects Without Permits, staff is still collaborating with EABO to document when an engineering firm normalizes a situation when there is no building permit.
- There was a discussion regarding the new format and design of guidelines. Several PSC members are objecting to the new format. Staff advised that D. Smith, Director, Communications has taken note of the PSC's comments.
- Staff to look into creating a survey on the new format and design of guidelines.

Action: Staff to look into creating a survey on the new format and design of guidelines.

3. GUIDELINES

3.1 Guideline for Preparing As-Built and Record Documents

The subcommittee Chair reported the following:

- The subcommittee members met two times during the Summer.
- The subcommittee members are still working on review of the public consultation comments.
- The subcommittee members will meet sometime in October 2017.

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

The subcommittee Chair reported the following:

- The Ministry of Government and Consumer Services advised that the regulations on Performance Audits and Reserve Fund Studies will be updated, and perhaps the proposed changes will be available in 2018 for public consultation. However, the subcommittee members will continue working on the guideline.
- The subcommittee members will meet on October 10, 2017.

Question: Since the guideline has been completely edited and changed, does it need to go out again for public consultation?

Answer: Probably.

3.3 Guideline for Solid Waste Management

Staff reported that the Communications Department is working on final editorial changes prior to publication of the guideline. Likely, the guideline will be published by October 2017.

The PSC members have expressed concern regarding the delay in publishing any new guideline. It was suggested that the PSC members send a memo to the President with regard to the delay in publishing guidelines.

Staff reported that the protocol for communication is Chair to Chair.

It was agreed that staff would discuss the PSC's concerns regarding the delay in publishing guidelines with PEO management.

Action: Staff to discuss the PSC's concerns regarding the delay in publishing guidelines with J. Zuccon, Deputy Registrar, Tribunals and Regulatory Affairs, and B. Ennis, Director Policy and Professional Affairs.

Action: Staff to obtain the proposed schedule from the Communications Department for the publication of any new guideline.

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

The guideline has been published on the PEO website.

Staff sent a memo to all the public consultation participants, informing them of the new changes and how comments were reflected in the guideline.

The mandatory assessment of certain buildings is still being considered by the Ministry of Municipal Affairs, and perhaps PEO will receive an update by the Fall.

The performance standard will be developed as soon as PEO receives the changes and update from the Ministry of Municipal Affairs. Consequently, the subcommittee will not be sunset until the development of the performance standard.

A PSC member provided some technical comments on the guideline, and a discussion ensued. It was agreed that the guideline is not a technical document as it provides advice. Furthermore, the guideline has already been published, and perhaps these comments will be considered when the PSC reviews the guideline in five years. Staff commented that PEO has a legal opinion on the purpose and liability of guidelines.

Action: Staff to provide the legal opinion on the purpose and liability of PEO guidelines.

3.5 Guideline for Design Evaluation of Demountable Event Structures

Follow-Up: Staff scheduled a meeting of the subcommittee for early July 2017.

The first draft of the guideline was sent to the PSC members for review and/or comments.

Action: Staff to send a reminder to the PSC members to review the draft guideline and send their feedback.

3.6 Use of Seal Guideline

Staff reported the following:

- The subcommittee members made a decision to develop the performance standard prior to the development of the guideline.
- The subcommittee members will send the draft performance standard to the PSC members for their review and comments.
- The performance standard will go out for public consultation, the duration of which will be two months.
- Practice Advisory staff conducted webinars on the Use of Seal guideline. Over 1,000 registration requests were received right after the e-blast was sent to the PEO members. PEO technology limits up to 100 participants; consequently, staff conducted two webinars. The plan is to record the webinar on PEO's YouTube channel, which will be available to everyone.

Furthermore, staff visited several companies to provide a presentation on the Use of Seal guideline, which targeted 20-30 engineers per firm.

Question: What is the content of the presentation?

Answer: Q&A sessions, requesting participants to answer.

Staff will use the most common practice questions, which will be addressed in the guideline in the FAQ section.

It was suggested that these common questions should be available on the PEO website.

Further, it was suggested to use YouTube live so that participants would be able to ask questions.

Action: Staff to send the Use of Seal presentation to the PSC members.

3.7 Guideline for Professional Engineers Providing Reports on Mineral Projects

The subcommittee met during the Summer, and every member has been assigned to write a section for the revised guideline.

3.8 Guideline for Environmental Site Assessment, Remediation and Management

The subcommittee met two times during the Summer. The members wanted to comply with the Terms of Reference and appoint new volunteers as the subcommittee currently consists of three members and four observers from the Ministry of the Environment and Climate Change.

It was reported that staff invited approximately five interested volunteers, and interviews would be scheduled for the end of September 2017.

Staff will send the resumes of new volunteers to the PSC members for any concerns they may have.

Action: Staff to send the resumes of new volunteers to the PSC members for any concerns they may have.

It was suggested that all guidelines that are under revision should be noted on the PEO website. Further, the PSC members questioned if there was any place on the PEO website where people could submit their comments to PEO. Staff advised that some guidelines have a page at the end to submit comments.

It was agreed that staff should send the list of PEO guidelines and status to the PSC members.

Action: Staff to send the list of PEO guidelines and status to the PSC members.

3.9 MOECC - Regulatory Studies and Assessments Under O. Reg. 1/17

The subcommittee Chair reported the following:

- The subcommittee met approximately four times during the Summer.
- Two volunteers who are experts on noise reports have been appointed to the subcommittee.
- Currently, the subcommittee has an issue regarding O. Reg. 1/17 as it mandates engineers to sign off on information provided by Toxicologists.
- Staff invited insurance companies to verify if engineering firms would be insured in the situation where an engineer is relying on reports prepared by others.
- Staff invited a lawyer to attend the next subcommittee meeting on September 14, 2017 as a guest to discuss the possible liabilities of engineers.
- There was a discussion regarding the title of the guideline as it may be confusing to people who are not working in this area. It was agreed that the subcommittee Chair would hold a discussion with the subcommittee members regarding the title of the guideline.

Follow-Up: Staff contacted Volunteer Management staff to determine if Council approval is required to revise the Terms of Reference. An information Briefing Note was sent to Council informing them of the new scope of work.

Action: Subcommittee Chair to hold a discussion with the subcommittee members regarding the title of the guideline.

3.10 Coordinating Licensed Professional Joint Subcommittee

The subcommittee Chair reported the following:

- The subcommittee met two times during the Summer.
- Every subcommittee member was assigned to write a section or two for the guideline.

- The subcommittee members created the Table of Contents.
- The subcommittee started gathering the responsibilities of the Coordinating Licensed Professional in other jurisdictions.

3.11 Assuming Responsibility and Supervising Guideline

Staff reported that the public consultation commenced on June 1, 2017, and closed on August 1, 2017. Generally, the comments were supportive of the guideline.

Staff addressed all public consultation comments in the guideline.

The PSC members have some comments on the guideline.

Action: PSC members to send their feedback on the Assuming Responsibility and Supervising Guideline.

4. OTHER BUSINESS

4.1 Council Update

Staff advised that the Ministry of the Attorney General had a concern regarding the meaning of “suspended”. PEO may obtain a legal opinion on an engineer’s obligations after suspension; for example, informing their clients and employers.

4.2 New PSC Members

It was previously agreed to defer the selection of new PSC members to the September 2017 meeting.

It was agreed that a gap and skills analysis should be done for the PSC prior to appointing new members.

Action: Staff to provide a gap and skills analysis on the current PSC members.

4.3 Memo to PSC re Verdict in Criminal Trial of Robert Wood

Staff advised that this memo was provided by a PSC member for information only, and no action is required.

4.4 Work Plan and HR Templates

Staff provided the updated Work Plan and HR Plan, and requested approval from the PSC members.

A motion was made to approve the updated Work Plan and HR Plan.

Moved by: D. Dixon

Seconded by: R. Jones

CARRIED

5. ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 8:00 p.m.

Below are the meeting dates for 2017:

- October 17, 2017
- November 14, 2017
- December 12, 2017