



Minutes

EXPERIENCE REQUIREMENTS COMMITTEE

Meeting of June 28, 2017

PRESENT:

Members:

Santosh Gupta, Chair
David Kiguel, Vice Chair
George Apostol
Jim McConnach
Branislav Gojkovic
Andrew Poray
Peter Jarrett
Tibor Palinko
Duncan Blachford
Changiz Sadr
Cam Mirza
Mohinder Grover

Andrew Cornel
Saleh Tadros
Hazemy Gidamy
Barry Hitchcock
Venkat Raman
Antonio Paz
Tom Murad
Galal Abdelmessih
Ravi Gupta
Berta Krichker
George Chelvanayagam
Bill Jackson

Staff:

Michael Price, Deputy Registrar
Pauline Lebel
Faris Georgis
Una Mehta
Muna Labib
Marsha Serrette
Mark Hekimgil
Daniel Mandefro
Ann Pierre
Bhaumick Pabari

REGRETS:

Vasantha Wijeyakulasuriya
Bosko Madic
Sat Sharma

Mihir Thakkar
John Smith
Savio DeSouza

Saverio Pota
David Kahn
Duncan Sidey

Frank Sigouin-Allan
Eugene Puritch

1. Call to Order and Chair's Remarks

The Chair, Santosh Gupta called the meeting to order at approximately 1:35 PM. The Chair congratulated ERC members Tom Murad and Mohinder Grover who received PEO Order of Honour awards at the AGM on Friday, April 21, 2017.

2. Approval of the Agenda

Ravi Gupta requested that an additional item be added to the agenda. Added to the agenda under item 11, Other Business: Act and Regulation Changes.

MOTION:

It was **moved** by George Apostol and **seconded** by Changiz Sadr that the agenda be approved, as amended.

CARRIED

3. Approval of Minutes of the April 26, 2017 Business Meeting

It was **moved** by Jim McConnach and **seconded** by Andrew Poray to accept the minutes of the April 26, 2017 business meeting as amended.

4. Matters and Action Items Arising from the Minutes and the ERC Motions and Actions Lists

The committee reviewed the action list items and made the following suggestions:

- Ongoing action items will be changed to in progress action items.
- A due date should be established for all items. ERC subcommittee will discuss possible due dates for items on the action list.
- If an item is not completed by its due date an update/progress report will be required stating why the item could not be completed. A new revised date should be added to the list
- The implementation of the recommendations of the consultant's report is with the ERC subcommittee and a review of the progress of each item is a standing agenda item at the subcommittee meetings.

5. Chair's Report

Santosh Gupta reported on the following items:

- He, David Kiguel, Ravi Gupta and Christian Bellini attended the June 15th Licensing Committee (LIC) meeting where the Financial Credit Program (FCP) was discussed. PEO was getting enquiries from Ontario universities on who is eligible for the Financial Credit Program. The concern was expressed that PEO was sending a letter to CEAB graduate classes but were only allowing Canadian Citizens and holders of Permanent Resident status to be eligible for the program. Therefore, making Visa/International students ineligible. The committee reviewed the origin of the FCP and uptake of the program. The possible options to consider with the FCP include:
 - i. Cancel the program completely
 - ii. Leave it as is
 - iii. Expand the program to not look at residency status for all CEAB graduates
- The LIC agreed to consult with the ERC to clearly document our appeals process.
- The LIC reviewed the appeals process and concluded that the problem is with the academic requirements. The committee reviewed various solutions but did not come to a recommendation. The ERC will need to clearly document our internal appeals process. It will be further discussed under item number 7. The LIC also discussed the current problem. Licensing is a serial process and the Registration Committee is working on a parallel process. The LIC reviewed the history of the appeals process, including rationale of different proposals around admission appeals, independent determination reviews, and the mandate / role of the Registration Committee (REC).
- The ERC Subcommittee met on June 20, 2017. At the meeting the members of the ERC Manual Working Group (MWG) were selected. Santosh thanked all members who expressed interest in joining the ERC Manual Group. The following volunteers have been selected. Rishi Kumar, Mohinder Grover, Galal Abdelmessih, Andrew Cornel, Berta Krichker, Matthew Xie, and David Kiguel as ERC Vice Chair.
Motion: It was **moved** by Jim McConnach and **seconded** by Tom Murad to endorse the members of the Manual Group.

CARRIED

- Faris Georgis reported on his discussions with the ARC on Limited Licence matters. The ARC has a Limited Licence subcommittee, made up of three ARC members. The subcommittee

reviewed the existing regulation in the Procedures Manual of the ARC. Item 16.1, was updated to reflect the regulation change effective after July 1, 2015. There was a lengthy discussion regarding examinations and whether the ARC should be involved in assigning exams for Limited Licences. The ARC determined that, although the act and regulations allow examinations to be assigned by the ARC, for practical reasons they are not prepared to assign exams for Limited Licence applicants. The ARC believes that the exams they assign are geared to engineers not technicians, technologists or scientists. Applicants with non-Engineering degrees would not have the ability to pass such exams.

Committee members had questions/comments:

- If the ARC is not willing to assign exams because they are technologist and not engineers but we will licence them as engineers do you think there is an inconsistency in our approach?
 - Knowledge can be attained in two ways either by an experience interview or by sitting exams. Eight years of experience is required for a Limited Licence vs 4 years for an engineer. What we should be looking at is competency, within the limited scope. Is this person competent to practice within the scope, do they have the required understanding and knowledge for the applications?
 - The ERC needs to figure out the best way to interview Limited Licence applicants based on equivalent depth as engineers yet for a reduced breadth that is dependent on the limited scope.
- The ERC Subcommittee has been discussing recommendations regarding questions raised by the Licensing Committee and implementation of the consultant's report. Recommendation 10 b) of the consultant's report was to update candidate materials to include expectation of preparation, scope and timing of presentation. A group of subcommittee members have been working on this and have drafted three documents:
 1. A 3-page instructions for regular confirmatory interviews on how to select the projects, and what is important to emphasize during the interview. Once this document is finalized, similar documents will be prepared for the other interview types that the ERC performs.
 2. A form to be completed and submitted by applicants one week prior to the interview. The candidate will provide a brief description of the projects they will present and what engineering principles are used.
 3. Post interview survey.

6. Deputy Registrar's Report

Michael Price reported on the following items:

- PEO Staff is currently involved in developing an online licensing system.
- Council further discussed the strategic plan at their workshop at the beginning of June. During the meeting, they decided to have 3 goal areas and 9 strategic objectives. This will be reviewed and refined at the September's Council meeting.
- He and the Registrar, Gerard McDonald met with the Ontario Fairness Commission on June 6th, 2017. Prior to the meeting there were 7 outstanding new recommendations and 5 that were carried over from the previous assessment. After the meeting the 5 carried over items were reduced to 3. The 7 outstanding items remain. Once the conflict of interest, bias and appeals are addressed there may be further reductions. PEO has until July 19th to provide evidence to the OFC to remove the three issues stated above.
- One of the original recommendations required PEO to hire a psychometrician to conduct a review of all PEO examinations. This was clarified and the OFC will change the recommendation to, "engage a psychometrician to conduct a review of the PPE to confirm its validity." This recommendation has been requested by the OFC of all regulators.

- Following the outcome of the Canadian Environment Experience project, review acceptable alternatives for meeting the competencies associated with the four-year Canadian experience requirement for Limited Licensure. Develop an action plan to implement any identified alternatives.

The committee reviewed the two-page document Response from PEO's Experience Requirements Committee (ERC) to the Ontario Fairness Commissioner's March 17, 2017 Registration Practices Draft Assessment Report. This is a first draft and further polishing may be needed. The OFC is expecting a combined response from the ARC and ERC by July 19th, 2017. This is specifically directed at the ERC and ARC on how files are assessed for licensure purposes. There is currently no policy that states what an ERC member does when they find themselves in a conflict of interest or a situation of bias. The OFC reviewed the manual and found it inadequate in this area.

Members of the Committee had considerable discussion on the document, Response from PEO's Experience Requirements Committee (ERC) to the Ontario Fairness Commissioner's March 17th, 2017 Registration Practices Draft Assessment Report.

Jim McConnach **moved** and it was **seconded** by Duncan Blatchford to accept document in principle.

CARRIED

7. Complaints from applicants against ERC Members

Venkat Raman received a complaint based on an ERC interview that was conducted on March 6th, 2017. On April 26th, 2017, he received a letter from PEO's Regulatory Compliance department to respond to a complaint. He stated that the process is intimidating and humiliating furthermore, this could happen to any of the ERC panel members. There should be a different policy in place for these types of complaints. What help do we get from the ERC when we have these types of complaints and how do we respond to Regulatory Compliance?

Michael Price stated that unfortunately every engineer under the act is subject to the complaint process regardless if the complaint is frivolous or not. A complaint can be filed for any activity that an Engineer performs. It should also be noted that staff and senior management team have also had frivolous or vexatious complaints brought against them through the Regulatory Compliance complaint process.

The committee discussed the item and made the following comments:

- As volunteers we don't expect to be subjected to these types of complaints
- It should be dealt with internally instead of a panel member receiving a letter from the regulatory compliance group.
- We should have something on the PEO website to separate complaints about an ERC interview and complaints about an individual.
- We are not acting as individuals; we should not be under the complaints process. If we let this happen we will lose volunteers.
- We are providing a service to PEO, there should be a process and it should be respected
- This should be dismissed if not referring to a professional engineering activity
- There should be direction to the investigative unit that if they receive this type of complaint that this is not the right path for an applicant.
- 10 years ago, the regulatory compliance changed the process due to Council direction. Council decided to change the process and follow the act verbatim.
- It was suggested that the ERC subcommittee delve into this further and create a working group so this can be rectified.
- Let's differentiate a complaint against a process and a complaint against an individual. It is how PEO processes the complaint.
- Committee agreed to make a motion to Council to deal with this matter.

It was **moved** by Duncan Blatchford and **seconded** by Andrew Poray that the ERC subcommittee review this matter and prepare a recommendation for the Registrar/Council that treats such complaints internally within PEO.

UNANIMOUSLY CARRIED

The ERC subcommittee will bring a recommendation to the ERC business meeting in August.

8. Council Liaison Report

No items to report

9. ARC Activities Report

The Chair Santosh Gupta reported on the following items on behalf of Leila Notash, Chair of the ARC:

- Seven ARC members attended the PEO-CODE (Council of Ontario Deans of Engineering) meeting at McMaster University on Monday May 29, 2017. The motivation for holding the workshop was to facilitate a discussion between the Dean's (what they see as problems) and the PEO (what PEO does as a regulator for licensing and why).
- At the June 16th meeting, the ARC approved its Policy on Conflict of Interest and Bias. The policy was developed, in response to a recommendation by the Ontario Fairness Commission, by an ARC subcommittee and includes definitions and response to conflict of interest/bias.
- An ARC subcommittee is updating the PEO documents pertaining to the Engineering Report. For candidates seeking registration with PEO through the examination route, the presentation of a report involving an engineering problem is normally the final academic requirement. The three revised documents (the Engineering Report Guidelines, Engineering Report Preparation and Engineering Report Appraisal Form) will be discussed/approved at the ARC meeting in July.

The ARC report on conflict of interest and bias will be shared with members of the ERC.

10. ERC Chat Topics

The ERC membership is not accessing the chat site in significant numbers. Although Bill Jackson has been posting subcommittee minutes. There is not enough interest. Santosh Gupta encouraged members to use the website. At the next business meeting, it will be decided if the Chat site should continue.

11. Other Business

Ravi Gupta stated that other committees are working on upcoming Act and Regulation Changes. He suggested that the ERC be proactive and start the process. The committee should create a list of items that we see forthcoming and go back to any motions in the business and subcommittee meetings. This should be a subcommittee topic so the ERC can be prepared for any incoming changes.

12. Adjournment

Meeting adjourned at 4:26 pm.

The next meeting is on Friday, August 18th, 2017.