

HUMAN RESOURCES PLAN - 2020

DISCIPLINE COMMITTEE (DIC)

C-530-3.5
Appendix F(i)

| Committee: Discipline Committee | | Date Developed: September 2019 | |
|--|---|---|-----------------------------|
| Committee Review Date: October 2019 | | Date Council Approved: November 15, 2019 | |
| Categories | Currently in Place | Required in 12 Months (Identified "Gap" for each Core Competency) | Required in 2 to 5 Years |
| Core Competencies | See Appendix A | See Appendix A | |
| Committee Membership | 36 members | Require to recruit more LGA members | |
| Broad Engagement | <p>Elected Councillor: 1</p> <p>LGA (P.Eng.) Councillor: 0</p> <p>AG (P.Eng.) Members: 3</p> <p>LGA (Lay) Councillor: 1</p> <p>Attorney General (AG) appointee (LL.B.): 6</p> <p>General Member: 25</p> | <p>Improve diversity by recruiting female P.Eng. members to serve on the committee.</p> | Same as column to the left. |
| Volunteer Development Plans | <p>All Members</p> <p>Participate in panel hearing as determined by the Chair.</p> <p>Participate in training and professional development opportunities on a case-by-case basis as approved by the Chair.</p> <p>New Members:</p> <p>a. Attend a DIC meeting and a basic training session</p> <p>b. Participate as a panel member at a contested hearing</p> <p>New Decision Writers:</p> <p>c. Act as a panel decision writer (prerequisite: a and b)</p> <p>Experienced Members:</p> <p>d. Participate as a panel member at contested hearings</p> | <p>All Members</p> <p>a. Attend the two-day training session developed by the Training Task Group (TTG).</p> <p>b. Attend DIC meetings for administrative law training.</p> <p>c. Obtain SOAR Certificate in Adjudication (dependant on funding availability).</p> <p>d. Complete additional and ongoing training in adjudication on a case by case basis as suggested/approved by the Chair.</p> <p>Additional requirements for New Members and New Decision Writers:</p> <p>e. Observe one or more full hearings.</p> | Same as column to the left. |

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| | <p>(Prerequisite: a and b)</p> <p>e. Participate on subcommittee (Prerequisite: a, b, c, d)</p> <p>f. Attend bi-annual refresher training</p> <p>g. Present training material at a DIC meeting</p> <p><u>New Panel Chairs:</u></p> <p>h. Attend panel chair training (Prerequisites: d)</p> <p>i. Serve as Panel Chair within 12 months after receiving the training (Prerequisite: h)</p> <p><u>New Pre-Hearing Conference Chairs:</u></p> <p>j. Observe a pre-hearing conference before presiding over one. (Prerequisite: d)</p> | <p>d. Participate as a panel member in a contested hearing.</p> <p><u>Additional requirements for New Panel Chairs and existing Panel Chairs:</u></p> <p>f. Serve as Panel Chair within 12 months of SOAR Certification.</p> <p><u>Additional requirements for New Pre-Hearing Conference Chairs:</u></p> <p>g. Observe a pre-hearing conference.</p> | |
| Continuous learning | Committee members are required to participate in training sessions every year. A lessons learned session is conducted during every meeting of the Committee. | | |
| Term of Office | <p>Chair = 2 years Vice Chair = 2 years Members = no limit</p> <p>Given the DIC's legislated mandate, and its reliance on the experience and expertise of its members in carrying out its mandate, Council imposes no term limit on DIC membership.</p> <p>The Chair and Vice-Chair are elected annually for a one-year term at the November DIC meeting. The Chair and Vice-Chair may be re-elected to their positions to serve a maximum of two (2) years.</p> <p>To ensure continuity, it is desirable that the Vice-Chair move to the Chair's position once the Chair's term of service ends. Once the Chair and/or Vice-Chair have served for the maximum time for their respective positions, they are not eligible for re-election to those positions. The Chair, once having served as Chair, may only serve as a DIC member.</p> | | |

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APPENDIX A

1. Key Objectives and Core Competencies (as per the Work Plan)

| List Top 3-5 Committee Work Plan Outcomes: | List Core Competencies for Each Work Plan Outcome: |
|--|--|
| <p>Hear and Decide Matters (Panel Members)</p> | <ul style="list-style-type: none"> a. Knowledge of the applicable sections of the <i>Professional Engineers Act</i> and its Regulations, the <i>Statutory Powers and Procedures Act</i>, the DIC Rules of Procedure and the DIC Handbook: <ul style="list-style-type: none"> i. Panel Chair – Expert Knowledge ii. Experienced Members – Comprehensive Knowledge iii. New Members – Comprehensive Knowledge b. Ability to contribute to the panel's deliberations by understanding the legal arguments presented, finding facts, weighing evidence, and making fair, reasonable decisions that apply the law to the facts and evidence. (all panel members). c. Be impartial, committed and professional. Judicial Temperament. (all panel members). d. Ability to write Decisions and Reasons (Decision Writers). e. Ability to conduct a hearing, including involving the ILC where appropriate (Panel Chair). f. Have the time required to sit on panels (all panel members). g. Familiarity with Decisions and Reasons in previous matters, judicial reviews of administrative decisions, and PEO reviews of the Complaints and Discipline process (Panel Chair and experienced members). |
| <p>Set hearings (Chair, DIC)</p> | <ul style="list-style-type: none"> a. Ability to obtain mutually available dates from the parties, appoint a panel and issue the Notice of Hearing within the prescribed statutory time. b. Experience conducting a pre-hearing conference. |
| <p>Develop Volunteers (Chair, Vice-Chair, DIC)</p> | <ul style="list-style-type: none"> a. Identify training requirements and resources. b. Organize training sessions. c. Conduct training sessions. |

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| List Top 3-5 Committee Work Plan Outcomes: | List Core Competencies for Each Work Plan Outcome: |
|--|--|
| Develop Policy and Plans (Chair, Vice-Chair) | <ul style="list-style-type: none"> a. Develop and analyze policy alternatives. b. Draft proposals to amend the DIC Handbook, Work Plan, and HR Plan. |
| Perform Administrative Functions (Chair, DIC) | <ul style="list-style-type: none"> a. Respond to information requests from PEO and Council. b. Draft and provide administrative reports. c. Communicate with Council. |

2. Competency Gaps and Action Plan

| List top 2 - 3 core competencies missing from the current Committee (knowledge, skills, abilities) | List <u>specific gaps</u> for each core competency | Briefly state <u>how you will close each gap</u> [i.e.: development plan for current member(s); request for additional volunteer resources] | Resources Needed | Target Date for Completion |
|--|---|---|---|---|
| Improved Adjudication Skills for running an efficient hearing | The Panel Chairs need legal and adjudication training so they can run hearings more effectively and efficiently, including hearings with self-represented members which are generally more challenging to manage. | Specialized training in adjudication (SOAR Certification in Adjudication). Also, debrief sessions with ILC after each hearing has concluded, so that ILC can discuss with the Panel Chair and the panel members aspects of the hearing process and how to improve the conduct of the hearing going forward. | Funding for SOAR Certification and additional access to ILC | Immediately and ongoing. |
| Ability to contribute to the panel's deliberations | Understanding allegations and the legal arguments presented, contributing to panels' deliberations and finding facts. | Training and experience (including observing hearings). | ILC firm providing TTG customized training. | Immediately and ongoing on an annual basis. |

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|--|--|--|---|---|
| Comprehensive Knowledge | Of the applicable sections of the PEA and its Regulations, and the DIC's Rules, and detailed knowledge of the DIC Handbook. | Training and experience. | ILC firm providing TTG customized training. | Immediately and ongoing on an annual basis. |
| Ability to write Decisions and Reasons | Willingness to write the Decisions and Reasons; ability to communicate effectively in writing; have the time to draft Decisions and Reasons. | Training and experience, including review of issued D&Rs and court decisions addressing them. | ILC firm providing TTG customized training. | Immediately and ongoing on an annual basis. |

3. Comments