



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, November 12, 2019

PEO Offices

Members:

Fanny Wong, P. Eng. (Chair)
Neil Kennedy, P. Eng. (Vice-Chair)
Roger Jones, P. Eng.
Dale Kerr, P. Eng. *[via teleconference]*
Nicholas Pfeiffer, P. Eng.
Brian Ross, P. Eng.
Peter Rüsçh, P. Eng.
Donna Serrati, P. Eng.

Council Liaison:

Lisa MacCumber, P. Eng.

Staff:

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

Regrets:

Jamie Catania, P. Eng.
James Lowe, P. Eng.

1. OPENING OF MEETING

The Chair called the meeting to order at 6:00 p.m., with 9 members of the Committee in attendance. Consequently, quorum was attained.

1.1 Approval of Agenda

The following two items were added to the agenda:

- Item 4.3 - Mandatory Volunteer Training
- Item 4.4 - Transforming and Modernizing the Delivery of Ontario's Building Code Services

A motion was made to approve the agenda as modified.

Moved by: N. Pfeiffer

Seconded by: R. Jones

CARRIED

2. MINUTES OF PREVIOUS MEETING AND ISSUES ARISING FROM MEETING

2.1 Approval of Minutes of October 8, 2019 Meeting

A motion was made to approve the Minutes of the October 8, 2019 meeting as written.

Moved by: N. Kennedy

Seconded by: B. Ross

CARRIED

2.2 Action Items of October 8, 2019 Meeting

Staff reported on the status of the action items.

There was a discussion regarding Council's new process for approval of guidelines. The PSC members were advised that PEO's Governance Advisor has changed the process regarding approval of guidelines, which has now been moved to the "Consent Agenda".

3. GUIDELINES

3.1 Guideline for Environmental Site Assessment, Remediation and Management

This guideline is currently out for public consultation, which closes on November 16, 2019.

It was previously reported that the public consultation was sent to the following stakeholders:

- Ministry of the Environment, Conservation and Parks
- Ministry of Transportation
- Engineers Canada
- Consulting Engineers of Ontario
- Ontario Society of Professional Engineers
- Municipalities, such as City of Vaughan

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

It was previously advised that a Request for Proposal was sent to several legal firms and, to date, PEO has received quotes from two firms.

Staff advised that PEO now has a legal counsel and all external legal quotes received should be reviewed by PEO's legal counsel, who will assist in drafting the scope of the legal service and negotiate the cost.

Once PEO has made a decision on the legal firm to be retained, a subcommittee meeting will be scheduled with the lawyer to discuss the scope of the legal review.

A question arose whether Reserve Fund Studies include the cost of furniture in the lobbies, light fixtures, carpets, etc., and the response was that they did.

3.3 Guideline for Design Evaluation of Demountable Event Structures

A Briefing Note was sent to Council for final approval of the guideline at their November 2019 meeting.

It was questioned how long after Council approval would the guideline be published. Staff advised that, in the past, the publication process was approximately two months after Council approval. Taking into consideration the new policy for the subcommittee Chair to review the images and graphics in the guideline, it may take longer.

The PSC members questioned if the PSC should approve the final format of the guideline and were advised by staff that only the subcommittee Chair is to review and approve.

3.4 Use of Seal Performance Standard

It was previously reported that the public consultation for proposed amendments to the Use of Seal performance standard is standing at over 100 participants.

Staff reviewed all comments received from the public consultation and prepared an Executive Summary of the comments that should be reviewed by the subcommittee. Staff advised that a meeting will be scheduled with the subcommittee members to discuss and determine which comments should be directed to the lawyers.

Staff advised that most of the significant comments received were from Ministries. The Ministry of the Environment, Conservation and Parks, the Ministry of Transportation, and the Electrical Safety Authority had valid concerns regarding the proposed amendments to the Use of Seal performance standard.

It was suggested that some of the concerns received from the public consultation could be addressed in the performance standard, while other concerns could be addressed in the practice guideline.

Action: Staff to circulate the comments received from the public consultation to the subcommittee members for review prior to the next meeting.

3.5 Guideline for Professional Engineers Providing Reports on Mineral Projects

Staff advised that all comments received from the public consultation have been addressed in the draft guideline.

Furthermore, a new section "Risk Management" was added to the guideline.

3.6 Guideline for Preparing As-Built and Record Documents

A Briefing Note was sent to Council for final approval of the guideline at their November 2019 meeting.

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

A request for quotation was sent to environmental legal firms, and staff has received one quote to date. PEO's legal counsel is currently reviewing the quote received. Once, PEO has made a decision on the legal firm that will be retained,

a meeting will be scheduled with the subcommittee and lawyer to discuss the scope of the legal review.

3.8 Coordinating Licensed Professional Joint Subcommittee

The subcommittee Chair held a discussion with the subcommittee Vice-Chair and it was advised that OAA Council is recommending using the term “Prime Consultant” in the draft guideline vs. “Coordinating Licensed Professional”.

A meeting between PEO and the OAA, including Nedra Brown (Registrar, OAA) and Kathleen Kurtin (President, OAA) will be held sometime in the next two weeks. The intent of this meeting would be to discuss using the term “Coordinating Licensed Professional” vs. “Prime Consultant” in the draft guideline.

The PSC members questioned if this was the only outstanding issue in order to wrap up the guideline and were advised that this is a major concern. Once PEO and the OAA agree on term that will be used in the guideline, the subcommittee will proceed with development of the guideline.

The PSC members also questioned if the guideline would be reviewed by the PSC and were advised that it would be reviewed by the PSC once agreement was reached by PEO and the OAA on defining the role of the Coordinating Licensed Professional.

The PSC members questioned who would approve the guideline and were advised that both PEO and the OAA would approve the guideline.

The subcommittee Chair advised that a new member from the PSC may need to be added to this joint subcommittee to assist in the development of the guideline.

Action: Staff to check if PEO can add a new member to the Coordinating Licensed Professional joint subcommittee.

3.9 Guideline for Pre-Start Health and Safety Reviews

The volunteer positions for this subcommittee have been posted on the PEO website, and the deadline for candidates to apply is December 2, 2019.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

PEO recently held a Committee Chairs Workshop and the takeaway from this workshop was KUBA, which stands for:

- K for “Know”: what the facts are;
- U for “Understand”: why, or the rationale;
- B for “Believe”: advantages or the benefits; and
- A for “Act”: actions, next steps.

Action: Staff to send more information regarding KUBA to the PSC members.

4.2 Outdated Practice Guidelines

Staff provided all guidelines that were published/revised before the year 2000 to the PSC members, and were ranked based on total views. In addition, staff contacted the Ministry of the Environment, Conservation and Parks, the Ministry of Labour, the Ministry of Transportation, and PEO’s Complaints and Investigations Department to verify which guideline(s) should be updated based on concerns/issues or experience.

The Ministry of Labour has recommended updating the Temporary Works guideline as they are concerned regarding the issue of delegation of inspection responsibilities (i.e. who the responsibility should be delegated to and how that delegation is to be formalized).

Staff advised that the *Temporary Works* guideline was ranked as #2 on the list of outdated guidelines, while the Professional Engineers Providing Mechanical and Electrical Engineering Services in Buildings guideline was ranked as #1.

Action: PSC to review the *Temporary Works* guideline.

It was advised that Ministry of the Environment, Conservation and Parks uses the Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning guideline. As well, this guideline was referenced in the ESDM and AAR Reports guideline. Consequently, it was advised that the ESDM and AAR Reports subcommittee should be consulted on whether the Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning guideline should be updated.

Action: Staff to consult ESDM and AAR Reports subcommittee to verify whether the Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning guideline should be updated.

4.3 Mandatory Volunteer Training

It was advised that the PSC members received an e-mail from PEO to complete a mandatory training and, if not completed by volunteers, PEO can temporarily terminate them from a committee or subcommittee.

The PSC members experienced difficulty in registering and completing this mandatory training.

Action: Staff to check with the Volunteer Management Group on how the mandatory training can be completed and resend a proper link before the deadline for completion of the mandatory training.

The PSC members questioned if this was a PEO policy or regulatory policy and were advised that it was both, as it is mandatory under various Acts for volunteers, including the *Occupational Health and Safety Act*.

4.4 Transforming and Modernizing the Delivery of Ontario's Building Code Services

The Ontario government is revising the Ontario Building Code and proposing changes.

Action: D. Kerr to send the link to the proposed changes in the Ontario Building Code to staff.

5. ADJOURNMENT AND NEXT MEETING

The next meeting is scheduled for December 3, 2019.

The meeting adjourned at 8:00 p.m.