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AGENDA

Plenary Session
10:00 a.m. – 1:00 p.m. (EDT)

Join Zoom Meeting:
https://us02web.zoom.us/j/81608502792?pwd=bDQwNTFqMk9OT09NRmEwL2tDZCtVZz09

Meeting ID: 816 0850 2792
Passcode: 190297

1.	**OPENING**	Spokesperson	Type
1.1	Welcome and Opening Remarks	President Bellini	
2.	**PLENARY ITEMS**	**Spokesperson**	**Type**
2.1	ANTI-RACISM AND ANTI-DISCRIMINATION EXPLORATION WORKING GROUP (AREWG) REPORT	Councillor MacCumber	Update
2.2	GOVERNANCE AND NOMINATING (GNC) REPORT o Governance Roadmap – Phase 4 o 2021 and 2022 Elections Issues Reports	Councillor Arenja	Update
3.	**NEXT MEETINGS**		
Board Meetings and Plenaries			
• **April 8, 2022 – C-546 (Transition)**			
Governance Committee Meetings			
o **April Transition Meetings (Dates TBD)**			
PLENARY CONCLUDES AT 1:00 PM			

Reading Materials

o Information BN: Governance Roadmap – Phase 4
o Information BN: 2021 and 2022 Elections Issues Reports

Briefing Note – Information

ANTI-RACISM AND ANTI-DISCRIMINATION EXPLORATORY WORKING GROUP (AREWG)

Purpose: AREWG to deliver update to Council.

Prepared by: Dale Power, Secretariat Administrator

A verbal report will be provided at the meeting.

Briefing Note – Information

Governance Roadmap- Phase 4: Risk Assessment Process

Purpose: To update Council on the Governance and Nominating Committee's (GNC) stewardship of Phase 4 of the governance roadmap.

No motion required

Prepared by: Meg Feres (Supervisor, Council Operations)
Approved by: Liz Maier (Vice-President, Organizational Effectiveness)

1. Background

Continuing its stewardship of Phase 4 of the governance roadmap at its March 7, 2022 meeting, the GNC discussed the next steps in response to Council's February 18, 2022 decision, referenced below in *italics* for context.

> *Whereas Council, responding to a recommendation of the 2019 External Regulatory Review, authorized the use of an Activity Filter to determine which activities and outputs were regulatory, which were governance, and which were neither; and*
>
> *Whereas the application of the Activity Filter suggested that Chapters' activities and associated outputs are neither regulatory nor governance,*
>
> *Therefore,*
>
> 1. *Council nonetheless affirms the continuation of Chapters as currently referenced in the regulations and by-laws of the Association, and endorses the process recommended by the Governance & Nominating Committee (GNC) to deal with activities and outputs of Chapters as well as other activities and outputs that are "neither" regulatory nor governance, as illustrated in the Appendix to this Briefing Note.*
>
> 2. *Council directs that GNC oversee a risk assessment, which includes consultation with the Chapters, with a view to eliminating high-risk outputs and operationalizing others so that volunteer engagement is maintained, and more effective organizational control is ensured.*
>
> 3. *Council further directs GNC to bring a report with necessary recommendations to Council for decision.*

2. Status Update

In light of the Council's decision to amend the original motion presented by GNC to add *"which includes consultation with the Chapters"* to item 2, there was general agreement among members of

the GNC that the assistance of the Regional Councillors Committee (RCC) during this portion of Phase 4 activity will advance the work of addressing the risk-based policy approved by Council. Thus, it was agreed that the next step in the process is to request the assistance of the RCC to begin the consultation process with Chapters.

As a member of the RCC, Councillor Roberge agreed to be the liaison between the GNC and RCC. He advised that as a first step, he will request permission from the RCC Chair to add this item to the agenda for the March 9 RCC meeting.

Following the GNC meeting scheduled for March 24, additional information may be provided to Council verbally at its March 25 plenary.

3. Next Steps

Pending its acceptance of the request to assist with the risk assessment process, it is anticipated that the RCC will provide:

- Components of the risk assessment process to be reviewed by the GNC and recommended to Council for approval, including:

    o The completion plan, associated timelines and work steps
    o The identified risks and their assessment as per the criteria determined by RCC in consultation with chapters
    o The mitigation strategy, including what will be eliminated and what will be operationalized
    o Associated KPIs and costs for each identified chapter output
    o Any associated costs to fulfill the mitigation strategy

- A status update at each GNC meeting.

Following the consultation, recommendations from the RCC related to risk mitigation strategies for each of the outputs in the Activity Filter will follow the similar process of GNC review and recommendation to Council for approval.

Appendices

Appendix A: GNC Presentation to Council Re: Activities in the "Neither" Category of Activity Filter

Governance & Nominating Committee (GNC)

In its responsibility to move the roadmap forward, GNC has developed recommendations for activities in the "neither" category of the activity filter.

Deliverable: **Recommendations to Council**

STEPS

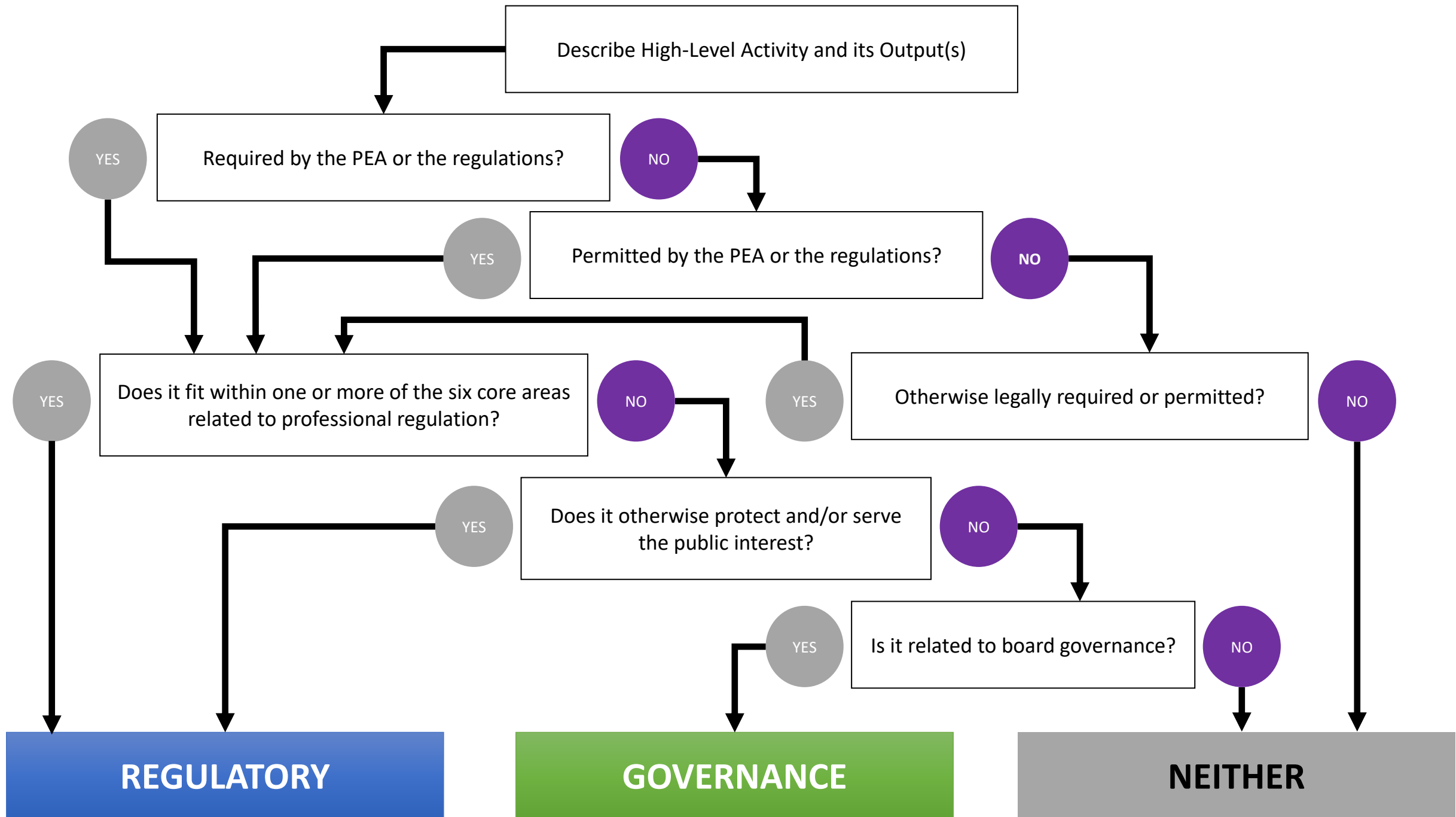| WHAT	WHEN	WHO	HOW
Approach to Phase 4	Oct 29/2021 – Plenary COMPLETE	Council & GSI	Council Direction to GNC to develop framework
Framework & Potential Outcomes	NOV 4/2021- GNC meeting COMPLETE	GNC	Discuss framework; GNC direction to staff to filter group 3 outputs thru the framework and make recommendations
Draft Group 3 Outputs Analysis & Recommendations	Dec 8/2021 (Chapters) COMPLETE Jan 10/2022- (all group 3) COMPLETE Jan 28/2022 – Recommendation to Council	GNC /PEO staff	Review recommendations, discuss, adjust

Our thinking process

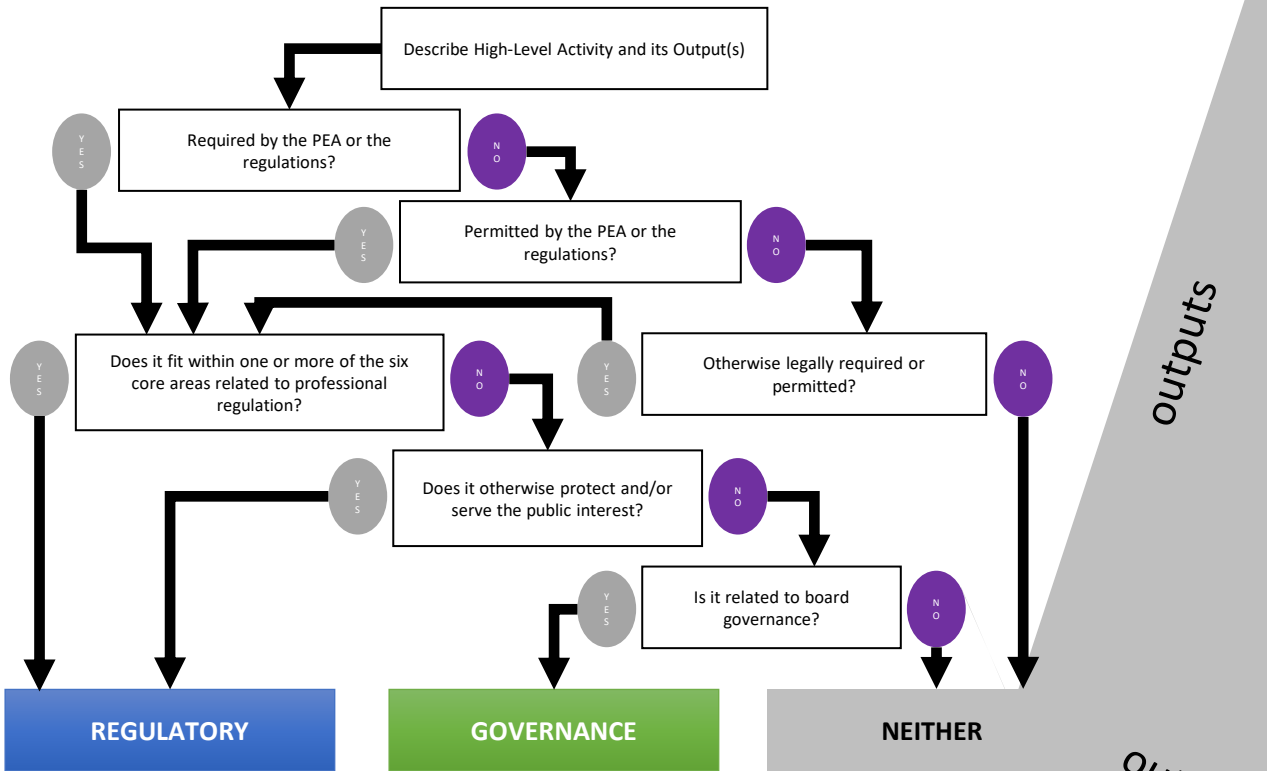| THE FACTS | THE QUESTIONS | OPTIONS |

THE FACTS

- PEO is legally responsible for 36 Chapters in 5 Regions, members are assigned to Chapters: active members constitute a small percentage of the whole membership

- Each Chapter chooses its own executive and the Chapter-specific board

- Chapters have no legal role in regulating the practice of professional engineering

Describe High-Level Activity and its Output(s)

Required by the PEA or the regulations? — YES / NO

Permitted by the PEA or the regulations? — YES / NO

Does it fit within one or more of the six core areas related to professional regulation? — YES

Otherwise legally required or permitted? — NO

Does it otherwise protect and/or serve the public interest? — NO / YES

Is it related to board governance? — YES / NO

REGULATORY

GOVERNANCE

NEITHER

CHAPTERS
ACTIVITY FILTER ANALYSIS
PRELIMINARY RESULTS

Describe High-Level Activity and its Output(s)

Required by the PEA or the regulations? — YES / NO

Permitted by the PEA or the regulations? — YES / NO

Does it fit within one or more of the six core areas related to professional regulation? — YES / NO

Otherwise legally required or permitted? — YES / NO

Does it otherwise protect and/or serve the public interest? — YES / NO

Is it related to board governance? — YES / NO

REGULATORY **GOVERNANCE** **NEITHER**

outputs

Licence certificates presentation
Chapters Infrastructure: Chapter AGM, RCC, RESC, websites
Communication to local members
Educational Activities (seminars, conferences, tours)
Licence Assistance Program (LAP)
GLP activities
Networking & Social events
School outreach (JK/l2)
Other

outputs

Why should PEO avoid the "neither" activities/outputs?

- What is the risk "neither" activities pose to PEO?

- What risk is Council is willing to accept?

- How do we eliminate or mitigate the risk?

*Risk is defined as **risk to the organization** (e.g. legal, reputational, financial)*
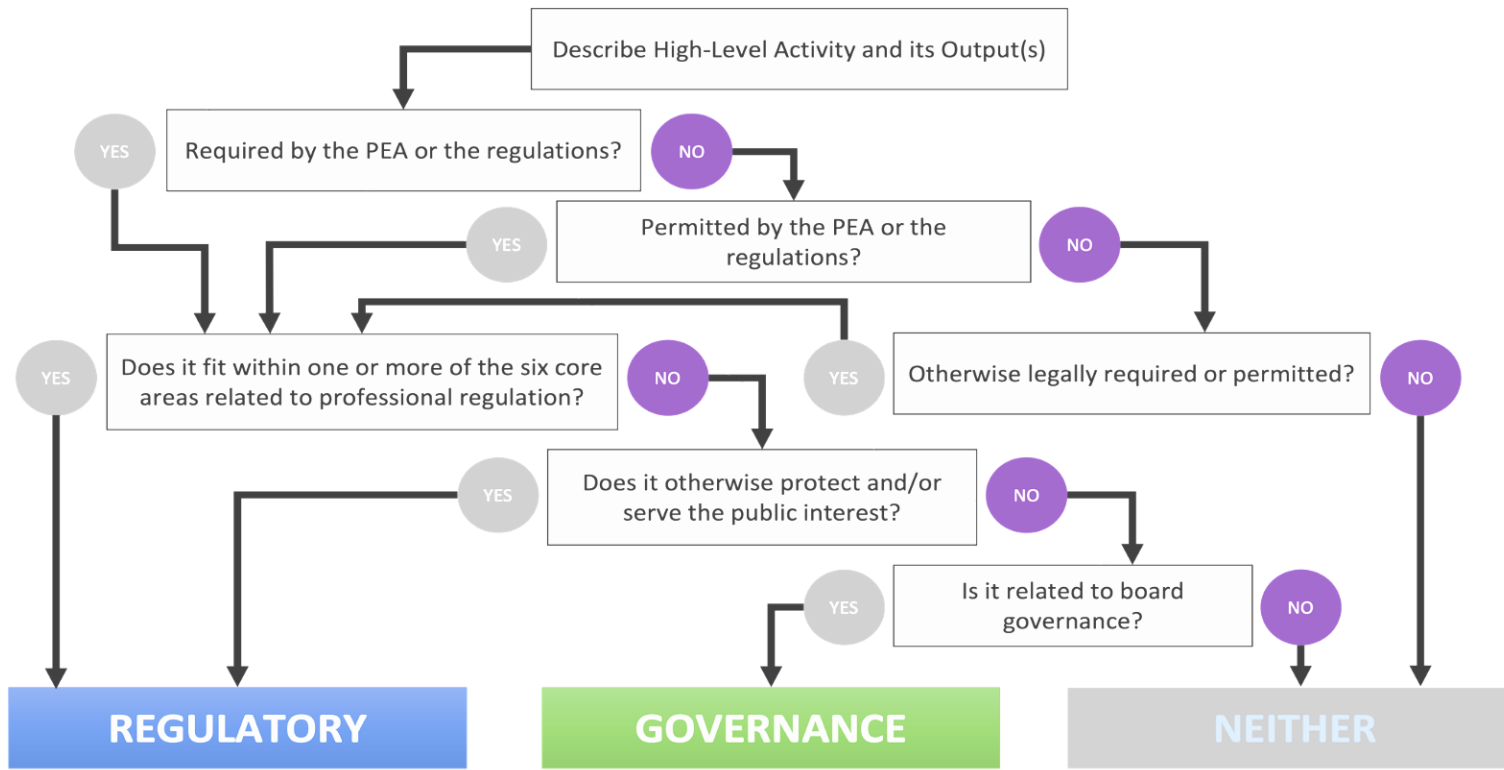
OPTIONS CONSIDERED

- Retain status quo

- Remove Chapters from PEO

- Others

- Identify risky outputs and remove, to minimize PEO exposure

GNC's POLICY RECOMMENDATION

- Evaluate outputs for risk: adapt or eliminate as required

- Operationalize remaining activities while maintaining volunteer engagement but ensuring more effective organizational control

- Roll out with care

RECOMMENDED NEXT STEPS

Staff will be tasked to identify how best to deliver activities and report to GNC.

Describe High-Level Activity and its Output(s)

Required by the PEA or the regulations?
YES · NO

Permitted by the PEA or the regulations?
YES · NO

Does it fit within one or more of the six core areas related to professional regulation?
YES · NO

Otherwise legally required or permitted?
YES · NO

Does it otherwise protect and/or serve the public interest?
YES · NO

Is it related to board governance?
YES · NO

REGULATORY

GOVERNANCE

NEITHER

"Neither" outputs Across PEO

Identify outputs which will need to be considered

"Neither" Outputs

Outputs	Category	Considerations	Governance Direction	Comments
Licence certificate presentation; chapters infrastructure; communication; educational activities; LAP; GLP Activities; Networking & social; School outreach; 30 x 30 activities/events	Chapters	**Evaluate based on risk; eliminate high risk outputs and operationalize remaining outputs**	Council's approved governance directions (2021) have reinforced Council's role as the governing board of an organization that is primarily a regulator, and this recommendation reflects that approach.	30x30 task force has been stood down as of Nov 2021; regulatory activities have been operationalized.
Regional Congress Chapters Funding	RCC Activities	**Evaluate based on risk; eliminate high risk outputs and operationalize remaining outputs (e.g. transition chapters funding to staff)**	Council's approved governance directions reinforce Council's fiduciary responsibility and its obligation to provide direction and control to the organization. Council has also focused on four key governance committees to help facilitate its work as the governing board. RCC does not fit easily within either direction and may amount to an unwarranted delegation of the board's authority.	RCC's continued role should be (re)defined by the extent to which it supports both Council's oversight (control) function and a revised approach to Chapters resulting from the Phase 4 review.

"Neither" Outputs

Outputs	Category	Considerations	Governance Direction	Comments
See all Educational Activities as per chapters grouping	Educational Activities	**Stand down education committee & subcommittee; operationalize as appropriate, noting risks**	This is consistent with Council's approved governance approach which compels it to provide clear direction and control and rely on operations to deliver those activities and outputs that are consistent with PEO's statutory mandate.	All Educational Activities have been grouped under chapters - Risk and impact will be assessed on each output and will be part of the "menu card" for chapters.
Queens Park reception; Government relations communications tools; Recommendations/ad hoc assistance to Chapters	GLP Activities	**Stand down GLC, evaluate remaining activities and operationalize under External relations**	Council has committed to providing direction and control as a governing board. Diffuse chapter-level engagements with politicians and other key stakeholders are difficult to reconcile with Council's own role, which allows it to delegate government relations to operations, with appropriate accountability to Council.	Necessary GLP activities will be operationalized under External Relations; *Note: does not preclude chapter engagement with local MPPs and other elected officials, albeit not as agents of PEO*

"Neither" Outputs

Outputs	Category	Considerations	Governance Direction	Comments
President Award; Sterling; Wolfe & Smith; PEO/OSPE/OPEA; OOH; EDI Award (chapter) - Nominations for awards given by other organizations (e.g., Engineers Canada Awards; Top 40 under 40; Order of Ontario; The Sovereign's Medal for Volunteers; Ontario Medal for Good Citizenship; Fellow of Engineers Canada; Ontario Volunteer Service) - Volunteer and volunteer employer recognition	Awards & Recognitions	**Stand down ACV & operationalize volunteer recruitment & management.** **Review all awards and operationalize; task AREWG to review EDI operational support.**	This is consistent with Council's approved governance direction confirming that PEO is primarily a regulator. Note: Council has directed the AREWG initiative and recognized it as a strategic priority. AREWG focuses on equity issues over which PEO can exercise control as a regulator, an organization and an employer.	OPEA has been transferred to OSPE as of Nov 2021; other awards will be operationalized with volunteer involvement in the selection process (OOH); awards deemed not necessary or fit for a regulator will be transitioned; nominations awards given by other organizations (e.g. EC), individuals can nominate as they see fit/transition plan to be discussed.
Volunteer Leadership Conference	Conferences	**Stand down VLC; combine VLC with CLC.**	This is consistent with Council's approved governance direction confirming that PEO is primarily a regulator.	Evaluate CLC along with other Educational Activities; refocus on regulatory issues requiring stakeholder engagement
Dispute resolution (informal)/OSPE	Other	**Stand down JRC; operationalize via staff.**		
Building officials bulletins; Replies to CBO's questions/comments		**Stand down JLC & operationalize after consultations with CBOs.**		Note: JLC currently does not meet
Interview/training programs for ERC members		**TBC in context of ERC's renewed focus on statutory role in licensure**		

Discussion

What considerations, if any, are you **most** concerned about?

If you ARE concerned, explain why.

2021 and 2022 Elections Issues Reports

Purpose: To update Council on the Governance and Nominating Committee's (GNC) review of the 2021 and 2022 Elections Issues Reports prepared by the Central Elections and Search Committee (CESC).

No motion required

Prepared by: Meg Feres (Supervisor, Council Operations)
Approved by: Liz Maier (Vice-President, Organizational Effectiveness)

1. Background

One of the GNC's responsibilities as outlined in its 2021-22 work plan is to *"on a transitional basis, coordinate and steward the work of the CESC and the RESC".*

At its meeting of June 25, 2021, Council referred the 2021 CESC issues report and recommendations to the Governance and Nominating Committee (GNC) for consideration; and on March 2, 2022, the CESC prepared its 2022 Elections Issues Report for discussion at the GNC's March 7 meeting.

2. Status Update

At its meeting on March 7, 2022, the GNC discussed some of the specific issues on the 2021 Report and referenced, more generally, aspects of the 2022 Report. The primary themes/discussion points included:

- o identifying and addressing potential consequences associated with addressing specific issues individually;
- o ensuring that the elections system has the flexibility to function in challenging or adverse technological circumstances; and
- o considering the impact of a potential comprehensive system review on the timing or effectiveness of issue-specific changes.

In light of the discussion, the Committee agreed by general consensus to direct staff to:

- Conduct a holistic, phased best practice review aimed at reforming and modernizing the elections system, taking into consideration:

  - o the issues and associated recommendations in 2021 and 2022 Elections Issues Reports; and
  - o the broader context of existing policies and procedures that comprise PEO's current elections system.

- Report results of the analysis to the GNC in phases, for example:

- o Short-term Results - operational matters that could be included in updated procedures documents for the 2023 elections; and
- o Longer-term Results - matters that would require continued and deeper analysis as part of the review of the elections system, including those that would require regulation or Act changes.

3. Next Steps

After receiving the results of the first phase of the analysis, the GNC will identify areas requiring recommendations to Council for approval.

Appendices

Appendix A: 2021 Elections Issues Report
Appendix B: 2022 Elections Issues Report

2021 Council Elections Issues Report

Issue 1:
Complaints from members were received about a candidate including fundraising requests to their PEO election publicity material.
Background:
One candidate had added a request to support them in a fundraising effort for a specific charity. There is nothing in the Election Publicity Procedures to prohibit such a request, although there have been several voters who have questioned the practice as being unrelated to the PEO Council elections and PEO's regulatory mandate.
CESC Recommendation and Rationale: **Recommendations:**   1. To disallow requests for fundraising in election material.   2. To disallow links to any non-PEO websites or social media accounts in election material.   **Rationale for recommendation #1**: To uphold the consent PEO has with members to communicate with them on PEO regulatory matters. An individual's fundraising efforts are outside of PEO's mandate.   **Rationale for recommendation #2**: To eliminate PEO's exposure to potential risks associated with content published on sites not authorized by PEO, such as a candidate's personal website and/or social media accounts.
Issue 2:
Some candidates were confused that the peovote.ca site automatically redirected to peo.on.ca site.
Background:
None
CESC Recommendation and Rationale: **Recommendation**: To determine if there is a way, technologically, to eliminate the redirect and, if that is not possible, to add an explanatory note on the *peovote.ca* website as to why the voter is being redirected to the *peo.on.ca* website.   **Rationale:** To reduce confusion for voters.
Issue 3:
Does PEO still need a 5-week election period? Can this timeline be shortened?
Background:
The five-week voting period was established when voting was by paper ballot to allow sufficient time for election material to be sent and returned through the post office.

Engineering regulators and other associations across the country have introduced a requirement that all eligible voters have an email address.
 Communicating with voters via email only has reduced their voting period to between two to three weeks.

CESC Recommendation and Rationale:
Recommendation:
1. To move towards an all-electronic (e-voting) election as soon as possible while maintaining accessibility of access until e-voting is finalized; and

2. To reduce the voting period to three weeks when an all-electronic election is in place.

Rationale for recommendation #1: E-voting reduces PEO's costs, e.g. paper, labour, postage.
Rationale for recommendation #2: Five weeks will no longer be needed for all e-voting, and a shorter time period will hopefully bring more momentum to the election thus encouraging voting.

Issue 4:
What is the role of Returning Officers in electronic elections?

Background:
The Returning Officers position was created (see Regulation below) to oversee the counting of paper ballots.

The Returning Officers now simply confirm with the Official Elections Agent there are zero votes cast just before voting for the Council election begins and review the data provided by the Agent a week after voting closes.

Currently, the results are provided by the Agent approximately 30 minutes following the close of voting and are deemed 'Unofficial'. The results are only 'Official' one week later when the Returning Officers meet with the Agent to review the data.

Removing the Returning Officers from the process would make the results made available minutes after voting closes 'Official'.

Regulation 20 of the PEA
On or before the date set by the Council for the receipt of ballots, the President shall appoint three returning officers who may, but need not be, Members.

Regulation 21 of the PEA
The returning officers shall,
a) Observe the processing of ballots to ensure that only duly marked ballots returned before the date and time set by the Council under subsection 19(1) are counted;
b) Review rejected ballots;
c) Re-process rejected ballots found to be valid;

d) Approve the final count of ballots;

e) Make such other investigation and inquiry as they consider necessary or desirable for the purpose of supervising the counting of the vote; and

f)   Report the results of the vote to the Registrar not later than three weeks following the date set by the Council for the receipt of ballots.

CESC Recommendation and Rationale:
Recommendation: To amend the Regulations to eliminate the requirement for returning officers.
Rationale: Without paper ballots to review, Returning Officers are left to confirm only data provided by PEO's third-party supplier, the Official Election Agent.

Issue 5:
Candidates have six days after the deadline to remedy any inconsistencies with material-prescribed requirements. This places undue pressure on PEO's Communications department to prepare the submissions to meet the *Engineering Dimensions* publication deadline.

Background:
Election Publicity Procedures
"20. The chief elections officer is responsible for ensuring that all candidate material (whether for *Engineering Dimensions,* PEO's website or eblasts) complies with these procedures. Where it is deemed the material does not satisfy these procedures, the chief elections officer will, within three full business days from receipt of the material by the association, notify the candidate or an appointed alternate, who is expected to be available during this period by telephone or email. The candidate or appointed alternate will have a further three full business days to advise the chief elections officer of the amendment. Candidates are responsible for meeting this deadline. Should a candidate fail to re-submit material with the three-business day period, the candidate's material will be published with a notion explaining any necessary amendments made by staff."
This procedure has been in place since before candidates had complete control over the content of their material when misstatements were requested to be corrected. This no longer applies.

Issues that arise today are usually over the size/quality of photos provided (less than 300 KB or greater than 2 MB) and/or the material is too large to fit within the border specification.

CESC Recommendation and Rationale:
Recommendation: To reduce the number of days a candidate has to remedy any inconsistencies to their election material from six days to two business days (excluding the date of the notice).

Should a candidate fail to re-submit material within two business days, the candidate's material will be published with a notation explaining any necessary amendments made by staff (e.g. – photo not included because it was either too small or too large; only material that will fit within the border would be included and the remainder excluded)

Rationale:

1. Inconsistencies in material submissions from requirements have recently been remedied within a day or two of being advised that a change is necessary to comply with the procedures (e.g. submission of a properly-sized photo, font size to be changed so that material fits within prescribed border); and

2. Allows PEO's Communications department more time to prepare the material in order to meet the tight *Engineering Dimensions* publication deadline.

Issue 6:
As apparent from some candidates statements, they do not understand the roles and responsibilities of Council nor its primary mandate as that of a regulator.

Background:
Currently, there is no pre-election education provided to candidates on the role of PEO and of PEO Council

CESC Recommendation and Rationale:
Recommendation: To include a requirement that potential candidates for Council must first complete an education component on the roles and responsibilities of Council in order to be eligible to run in the election when considering a restructuring of the election process.

Rationale: To help ensure that all potential candidates are fully aware of the roles and responsibilities of, and time commitment for, serving on Council prior to submitting nomination papers.

Issue 7:
There is confusion regarding who may, or may not, run for Vice President and when - i.e.

1. Can an *appointed* Vice President run for the *elected* Vice President position within 10 years?

2. Can a former *elected* Vice President, once elected to Council, be eligible for *appointment* to the Vice President position?

Background:
The Regulations are silent on these items.

Applicable sections of the Regulations, under the heading "Council Elections". [The italics and underlining are for emphasis.]

"2. Fifteen members shall be *elected* to the Council as follows:
    1. Thirteen members shall be
        elected to the Council for a   two-year term of whom,
        i.   three members shall be elected   as councillors-at-large by and   from among the Members,
        ii.   two members shall be elected as regional councillors by and from among the Members in each of the five Regions.

2. Two members shall be elected annually by and from among the Members as a president-elect and a vice-president. R.R.O. 1990, Reg. 941, s. 2; O. Reg. 143/08, s. 2; O. Reg. 35/18, s. 1.

3. (1) There shall be the following additional officers of the Association:
    1. The president, who is a Member and who was president-elect in the immediately preceding year.
    2. A vice-president, who shall be <u>appointed</u> annually by Council <u>from among its members elected</u> or appointed under clause 3 (2) (a) or 3 (2) (b) of the Act [LGA appointments] at a meeting of Council to be held after the close of business and on the day of the annual meeting of Members or within thirty days thereafter.

(7) After a Member has served as vice-president for one term, the Member is not eligible to serve as vice-president again until the day of the tenth annual meeting of Members held following the Member's last day of service as vice-president. O. Reg. 35/18, s. 2."

CESC Recommendation and Rationale:
Recommendation: To confirm that an appointed Vice President is permitted to be a candidate for elected Vice President while serving as a Councillor.

Rationale: In the absence of anything to the contrary, and given that the position of Vice President, both elected and appointed, are found in the "elections" section of the Regulations, and as a matter of policy until the elections process has been reviewed, the above recommendation will provide clarity to potential candidates and the members at large.

Issue 8:
None of the Councillor-at-Large candidates attended the PEO official head office All Candidates Meeting

Background:
Attendance by any candidate to their respective All Candidates video meeting at PEO head office is voluntary. There is no mandatory requirement for them to do so.

CESC Recommendation and Rationale:
Recommendation: To mandate that all election candidates be required to attend their respective All Candidates Meetings at PEO's head office, either in person or virtually.
Rationale: So that all voters may get to know the candidates better as they are likely unknown to members outside their own regions.

Issues 9 to 12: Addendum
In October 2021, CESC member Marisa Sterling, through Chair Nancy Hill, wrote to GNC Chair Arjan Arenja regarding election policy and operations. Responses were provided in November 2021. At its meeting of March 2, 2022 the CESC requested that these be considered along with the main 2021 Election Issues Report. Presented below are the issues raised by Ms. Sterling and the associated responses from the GNC Chair which are relevant to and may further contribute to GNC's recommendations to Council.

Issue 9:
How is PEO ensuring equitable treatment of voters who receive ballots by mail and email?
Background:
Currently PEO requests Clear Picture to send email reminders to those who receive ballots by email, but not to send reminders to those who receive mailed ballots.
GNC Chair's Response:
In the *2022 Voting Procedures* approved by Council on June 25, 2021, PEO directs the official election agent to send an email reminder to all licence holders who have not voted on the Monday of each week during election period.   As part of the *2023 Voting Procedures* to be approved by Council in June 2022, PEO could direct the official agent to send a reminder by mail to those licence holders who have not provided PEO with an email address and receive their voting information by traditional mail.
Issue 10:
What are the barriers to councillor competencies and member inclusion in the elections process? Can PEO survey and collect reliable data of any barriers from which to develop strategies to overcome them?
Background:
There is some anecdotal evidence that barriers may include lack of councillor compensation, questions whether PEO can accommodate councillor needs such as remote attendance or timing of meetings for working professionals, stereotype of Council being an unwelcoming environment without councillors who "look like me", unclear Council vision and workplan, lack of policies to support members who are caregivers, expectations that councillor roles require a high number of volunteer hours, lack of training and skills development for interested members to acquire the necessary skills, experiences of imposter syndrome by highly competent but marginalized members, long-standing marginalization in engineering of members who identify as women, LGBTQ, Black and Indigenous, and disengagement of members from PEO due to all of the above experiences and others
GNC Chair's Response:
The GNC will consider the issue of barriers in the broader context of its nomination and election process risk oversight responsibility; and make appropriate recommendation to develop strategies to overcome them. A survey could be carried out based on the issues raised.
Issue 11:
How can PEO maximize communications to build reach, awareness and knowledge of the election among members? In Dec 2020, Engineering Dimensions wrote a very helpful article on why run for Council. Could a similar article be written each year, and at an earlier time to draw interest before the nomination deadline?
Background:
None
GNC Chair's Response:
With respect to *Engineering Dimensions*, moving forward, Communications will prepare an article on *"Why Run for Council"* and place it in the May/June issue.

Issue 12:
All candidate meetings have the opportunity to reach more PEO members across Ontario if the video recordings are publicly published shortly thereafter to be watched "on demand", and searchable by questions asked.
Background:
None
GNC Chair's Response:
The process raised in this issue is already in place. The recordings of the meetings are posted on the PEO website hours after the live webcasts and are available for viewing throughout the election period.

2022 Council Elections Issues Report

Issue 1:
Does "liking" a candidate's social media post by a sitting Councillor constitute an endorsement of that candidate?
Background:
Election Publicity Procedure #24
"Councillors may use their positions to encourage candidates to stand for PEO office and members to participate in the election process but may not endorse candidates for PEO election."
CESC Recommendation and Rationale:
Recommendation:
Review the best practices on whether sitting Councillors are allowed to endorse candidates.
Rationale:
To clarify the intent of the election publicity procedures with respect to Councillor endorsements of candidates. Given the prominence of social media platforms in the election process, consider what is practicable.
Issue 2:
Should Councillors and CESC members be permitted to sign nomination papers for potential candidates? It was commented that doing so could be interpreted as an endorsement which, as per the procedures for the 2022 election, constitutes a violation of the procedures.
Background:
2022 Voting Procedure # 8
Signatures on nomination petition forms do not serve as confirmation that a member is formally endorsing a candidate.
2022 Election Publicity Procedure #24
Councillors may use their positions to encourage candidates to stand for PEO office to stand for PEO office and members to participate in the election process but may not endorse candidates for PEO election.
The procedures are silent on whether CESC members be prohibited, or not, from signing nomination forms.
CESC Recommendation and Rationale:
Recommendation:
Maintain status quo.
Rationale:

CESC is charged with encouraging members to candidates to run so to fulfil that role they need to be able to sign the nomination forms.

Anecdotally we have been advised that getting signatures is a barrier to running therefore we do not want people being precluded from signing a person's form. It should be a personal decision.

The Election procedures make it clear that signing a form is not endorsing a candidate – this is somewhat similar to moving a motion to getting it on the table – it does not mean that in moving a motion the person is endorsing the motion.

Issue 3:
Should PEO intervene when a complaint is raised by one candidate that another candidate is misrepresenting him/herself?

Background:
Election Publicity Procedure # 4
Candidates will have complete control over the content of all their campaign material, including material for publication in Engineering Dimensions*, on their additional material on PEO's website, and on their own websites.*

CESC Recommendation and Rationale:
Recommendation:
Fake news is becoming an increasing issue in public communications and PEO to look at best practices to prevent circulating incorrect information by candidates.
Rationale:
These issues fall under Election Publicity Procedure 4 which states candidates have complete control over the content of their election materials.

Issue 4:
Should PEO refrain from sending any communication to members during the voting period, other than election-related material – i.e. eblasts, reminders to vote, etc. – so as not to potentially influence voters.

Videos providing an update on PEO's enterprise-wide transformation initiatives were sent via eblast to all members during the voting period. Some candidates were of the opinion that they were *biased against the platforms of several candidates and hence, have significant potential to influence the election.*

An issue of *GLP Weekly* showed pictures of all candidates but added a statement - *A number of the candidates have long histories with the PEO Government Liasion Program (GLP).* This statement was viewed as giving those candidates additional publicity contrary to Election Publicity Procedure #22

A candidate was invited to address a chapter on a non-election topic during the voting period and to which the other candidates were not invited.

The issue was raised that doing so provided additional exposure to the candidate in question.

Background:

Legal counsel has opined that "As a regulator, PEO must fully continue its regulatory activities…" Counsel stated that it is a misconception "that PEO pause[s] its regulatory activities during an election in case the outcome of the election dictates a change in direction for the organization."

Election Publicity Procedure # 22

Caution is to be exercised in determining the content of issues of membership publications published during the voting period, including chapter newsletters. Editors are to ensure that no candidate is given additional publicity or opportunities to express viewpoints in issues of membership publications distributed during the voting period from January 14, 2022 until the close of voting on February 18, 2022, beyond his/her candidate material published in the January/February issue of *Engineering Dimensions*, and on the PEO website. This includes photos (with or without captions), references to, or quotes or commentary by, candidates in articles, letters to the editor and opinion pieces. PEO's communications vehicles should be, and should be seen to be, non-partisan. The above does not prevent a PEO publication from including photos of candidates taken during normal PEO activities (e.g. licensing ceremonies, school activities, GLP events, etc.) provided there is no expression of viewpoints. For greater clarity, no election-specific or election-related articles, including Letters to the Editor and President's Message, are to be included in *Engineering Dimensions* during the voting period. *Engineering Dimensions* or other PEO publications may contain articles on why voting is important.

CESC Recommendation and Rationale:
Recommendation:

Review PEO policies with respect to timing and content of recruitment communications, and other communications that occur during the voting period that may be considered to be supporting a particular candidate.

Rationale:

As a regulator, PEO needs to communicate with licence holders

Use the opinion provided by Richard Steineke to recommend PEO continue to communicate with licence holders during the election period while referring to Election Publicity Procedures #22 regarding the content of communications.

Issue 5:

Should material submitted after the deadline set out in the Election Publicity Procedures be accepted if there are extenuating circumstances at the last minute?

Background:
Election Publicity Procedure # 7

Candidate material for publication in Engineering Dimensions *and any additional material they wish to publish on the website must be forwarded to the chief elections officer via email at* elections@peo.on.ca *no later than 4:00 p.m. on (Friday) December 10, 2021, and* ***must be in accordance with these procedures and Schedule A attached.***

The procedures have historically been published on the website at the end of August or beginning of September.

A reminder of the deadline is sent to all candidates on several days before the deadline.

CESC Recommendation and Rationale:
Recommendation:
Maintain status quo.

Rationale:
Maintains fairness of the process.

Issue 6:
Should the voting period be shortened?

Background:
The current voting process lasts five weeks.

A recommendation to shorten voting period to three weeks was included in the 2021 Issues Report that was directed to the Governance and Nominating Committee.

CESC Recommendation and Rationale:

Recommendation:
Review the length of the voting period and consider changing it based on best practices.

Rationale:
The five-week period for voting is a remnant of the years when paper ballots were cast and it took time for them to be received by PEO.

Issue 7:
Should Candidates be allowed to list slates in their campaign material?

Background:
In the 2022 election, a number of candidates listed a slate in their campaign material.

There is a question about whether slates give certain candidates an advantage over those who are not part of a slate of candidates.

CESC Recommendation and Rationale:

Recommendation:
Review best practices so that PEO does not appear to be supporting slates or preferences of candidates.

Rationale:
Prohibiting candidates from listing slates would return staff to editing candidate material which is currently prohibited in section 4 of the Election Publicity Procedures.

4. Candidates will have complete control over the content of all their campaign material, including material for publication in *Engineering Dimensions,* on their additional material on PEO's website, and on their own websites.

Issue 8:
Should the All-Candidate Meeting webcasts continue?

Background:
The total number of views for the 2022 All Candidate Meeting webcasts were

Jan 4 Western	262
Jan 4 Northern	153
Jan 5 Vice President	312
Jan 5 CAL	278
Jan 6 President-Elect	538

The cost for the broadcasts was $38,920

The contract with the vendor for the 2020-2022 webcasts has now expired.

CESC Recommendation and Rationale:

Recommendation 1:
Continue with the All-Candidate Webcasts

Recommendation 2:
Review the duration of the webcast and the distribution to maximize viewership.

Rationale: Although viewership of the webcasts remains low, it does provide Candidates with the opportunity to communicate with votes.

Issue 9:
Should someone who has been disciplined and/or taken legal action against PEO be eligible to run for Council?

Background:
If the answer is no, is there a time after which they would be eligible to run?

Recommendation 1:
Consider best practices regarding good character principles (including transparency) and how these are assessed.

Recommendation 2:
Consider best practices regarding candidates who have previous or current legal proceedings against PEO.

Rationale:
To ensure that PEO and Council are not put in disrepute.

Issue 10:
What processes should be in place when PEO responds to an election procedure complaint that either impacts or potentially impacts the campaigns of other candidates?

Background:
When PEO took down the videos the candidates who had linked to the videos were no longer linking to the information that they had intended to link to.

CESC Recommendation and Rationale:

Recommendation 1:
Review processes for alerting candidates to the outcome of an election complaint that my affect them.

Recommendation 2:
Review best practices regarding communications to all candidates regarding election procedure complaints.

Rationale:
To ensure that processes are transparent and fair to all candidates.

Issue 11:
What processes are in place to ensure that the links to Candidate's material are active?

Background:
Communications checks links in Candidate materials and if some of them are not active, staff can activate them. If the links cannot be activated by Communications staff, the Chief Elections Officer notifies the candidate.

CESC Recommendation and Rationale:

Recommendation:

Review the process to ensure that this does not happen.

Rationale:

There is a process in place to deal with links in Candidate materials.

Issue 12:

What sanctions/consequences should be available if a Candidate/Councillor/Chapter/Committee do not follow the election procedures.

Background:

There are situations where Candidates/Councillors/Chapters and Committees have violated the election procedures.

CESC Recommendation and Rationale:

Recommendation:

Consider best practices regarding sanctions/consequences of violating election procedures.

Rationale:

The strength of election procedures is in question without sanctions.

Issue 13:

What steps need to be taken in advance of the election period to ensure there is compliance?

Background:

None

CESC Recommendation and Rationale:

Recommendation:

Review election procedures to ensure that all PEO volunteers and staff are aware of their roles and responsibilities with respect to the Election Voting Procedures and Election Publicity Procedures.

Rationale:

Education and compliance with the election process.

Issue 14:

What steps are taken by PEO and/or the elections agent to ensure that elections communications arrive at their intended recipients?

Background:

Voter turnout is very low and PEO does not know how many voting credential emails bounce or are bad emails.

CESC Recommendation:

Ensure that PEO and the election agents have a process that provides this information, and that they provide a report [data validation].

Issue 15:
Conflict of interest when advising on election matters.

Background:
None

CESC Recommendation:
To review the composition of the CESC in light of the dual role of the CESC in recruiting candidates and advising in regard to election matters