

**INFORMATION TO BE PROVIDED, AS APPLICABLE**

## 1. Title of Submission

**COMMIT TO ACTION on PEO 2021 AGM Motion entitled  
“Commit to Fundamental Principles of Good “Self-Regulation” Governance”**

## 2. Please briefly describe the issue, problem, risk or gap that this submission addresses.

*Last year’s 2021 AGM motion "Commit to Fundamental Principles of Good "Self-Regulation" Governance" passed by an overwhelming majority and the largest margin of all 2021 AGM motions, but Council failed to act on it because specific actions were not identified. The inability of Council to identify any action aside, this motion rectifies this claimed shortcoming by providing a list of specific actions to improve peer review, knowledge-based-decision making, transparency, communication, and barriers to member input.*

## 3. Please summarize the action that you are requesting from Council and how it will address the issue, problem, risk or gap stated above.

*See actions explicitly identified in motion.*

## 4. Please cite and briefly summarize any research that supports the proposed action.

*See last year’s 2021 AGM motion "Commit to Fundamental Principles of Good "Self-Regulation" Governance", and Council’s response reported in the 2021 November/December issue of Engineering Dimensions.*

## 5. As applicable please describe how the proposed action will contribute to serving and protecting the public interest as it pertains to the regulation of professional engineering and the engineering profession.

*Self explanatory. If one has to explain (one could write a thesis), for example, how transparency or knowledge-based decision making improve regulation then there is something seriously wrong with the regulating body.*

## 6. Please identify any legal considerations (eg., the need for changes to the statute, regulation, by-laws etc.) that may affect Council’s ability to implement the proposed action.

*To be determined, but vast majority of actions to satisfy the motion do not require legal consideration.*

## 7. Please identify any considerations that are relevant to the timing (or urgency) of the proposed action.

*Actions are long past due, many can be implemented immediately, others in a very short time.*

## 8. Please provide any other information that you feel will assist members of the AGM and Council in understanding your submission, in particular your proposed action.

*Be sure to read entire motion including Preamble and Whereas statements.*

9. Please list any attachments to this document.

PDF entitled "PEO 2022 AGM Motion: COMMIT TO ACTION on PEO 2021 AGM Motion entitled "Commit to Fundamental Principles of Good "Self-Regulation" Governance" contains Preamble, Whereas', Motion, Copy of 2021 AGM motion, and copy of Engineering Dimensions article concerning handling of 2021 AGM motions.

Member #1 (name/signature):

Roydon Fraser



Member #2 (name/signature):

Leila Notash



Date: April 20, 2022

PLEASE FORWARD THE COMPLETED SUBMISSION ELECTRONICALLY,  
WITH ANY ATTACHMENTS  
TO:

CEO/REGISTRAR, c/o [AGMSUBMISSIONS@PEO.ON.CA](mailto:AGMSUBMISSIONS@PEO.ON.CA)

AT LEAST TEN (10) DAYS PRIOR TO THE ANNUAL GENERAL MEETING

**PEO 2022 AGM Motion:  
COMMIT TO ACTION on PEO 2021 AGM Motion entitled  
“Commit to Fundamental Principles of Good “Self-Regulation” Governance”**

**PREAMBLE:**

At the PEO 2021 AGM the motion entitled, “Commit to Fundamental Principles of Good “Self-Regulation Governance” was passed by an overwhelming majority (largest majority of all the 5 motions that passed at the PEO 2021 AGM). See Appendix A for a copy of this motion which focussed on having Council restore good “self-regulation” and “democratic” governance that respects members by adhering to, but is not limited to, the following governance principles:

1. Transparency.
2. Obtaining member input.
3. Respecting dissenting views.
4. Empowering members with knowledge, and a voice.

As reported in the 2021 November/December issue of Engineering Dimensions Council did not consider any of the member passed 2021 AGM motions, only received a report from staff as information in a consent agenda that recommended doing nothing with regards to any of the five motions. See Appendix B for a copy of the Engineering Dimensions article, “Council Reviews Member Submissions from 2021 AGM.”

Clearly the intent of last year’s motion Commit to Fundamental Principles of Good Self-Regulation Governance was lost on both staff and Council for the cornerstone intent of the motion was for Council to respect members, yet Council did not even extend the courtesy to actually discuss the motions. And furthermore, clearly, the past courtesy of inviting AGM motion movers and seconders to be present when the motions are considered is ancient history.

So when all five 2021 AGM motions full of policy implications are sidelined by a staff report that involved no member/peer input a big question naturally now arises:

Q: *Who really sets policy and direction for PEO, staff or Council?*

Key Quotes from Engineering Dimensions article,  
“Council Reviews Member Submissions from 2021 AGM.”  
(See Appendix B) [Bolding added for emphasis.]

- (i) Para 1: “The submissions ... most of them **passed** with a **significant margin.**”  
Comment: Would lead one to believe members expected some action, or at least some deep consideration that respected members.
- (ii) Para 1: “... first reviewed by **staff** before ... **staff report** to Council ..... for **information only** and **not for decision.**”  
Comment: Begs the question asked above, who really sets PEO policy and direction?
- (iii) Para 3: “The **staff report** for the **five submissions** ... suggests **no specific action** is required ...”  
Comment: Again, begs the question asked above, who really sets PEO policy and direction?
- (iv) Para 4: “... submissions ... did not **appear to** require any specific action.”  
Comment: Hard to believe PEO could be this blind and not see improvements to its peer review, knowledge-based decision making, transparency, effective communication, and systemic biases and barriers to hearing and respecting dissent. For this reason, this motion will not give some specific examples to get things started since PEO is clearly having difficulty seeing.

**PEO 2022 AGM Motion:  
COMMIT TO ACTION on PEO 2021 AGM Motion entitled  
“Commit to Fundamental Principles of Good “Self-Regulation” Governance”**

Whereas:

PEO Council failed to take action, or even discuss, the “passed with a significant margin,” 2021 AGM motion “Commit to Fundamental Principles of Good “Self-Regulation” Governance”, thus completely ignoring the primary intent of this motion which was to respect members.

Whereas:

Staff could not identify any specific action to be taken in regards to the 2021 AGM motion “Commit to Fundamental Principles of Good “Self-Regulation”. Does seem strange given the ease at which the list of many suggested actions to consider were generated for the motion given below.

And Whereas:

Deficiencies remain in PEO

- (a) peer review,
- (b) knowledge-based decision making,
- (c) transparency,
- (d) communication, and
- (e) removal of systemic biases and barriers to hearing and respecting diverse views.

Be It Resolved and Moved That:

**Council commit to considering, discussing, and deciding upon the following specific actions:**

- (a) **For peer review:** (i) have separately identify staff review as distinct from peer review in briefing notes (i.e, recently staff reviews have replaced peer reviews); (ii) enforce the previously passed Council motion that all significant motions must have peer review (e.g., recent Regulation changes failed at this); (iii) Councillors vote separately on, or do not vote on, AGM Motions.
- (b) **For knowledge-based decision making:** (i) ensure unfiltered peer review information is able to reach Council, and in particular ensure dissenting views and reasons are not filtered out; (ii) support having the problem clearly identified and agreed to before jumping to a solution; (iii) do not prevent Councillors from sitting on committees.
- (c) **For transparency:** (i) make publicly available all non-in-camera Council agenda material two weeks prior to all Council meetings; (ii) clearly state specific reasons for going in-camera when Council goes in-camera; (iii) no secret or super-confidential meetings of Council - use to be called strategic meetings; (iv) have all Councillors publically state and have recorded their vision for PEO; (v) use technology so all Council votes are recorded votes; (vi) provide reports from member populated committees at AGM.
- (d) **For communication:** (i) actually obtain metrics on the degree to which Engineering Dimensions is read when in electronic form versus paper form; (ii) adopt the Caretaker Convention for elections (see 2022 AGM motion that explains this further); (iii) establish a regulatory communications purpose for Chapters which are currently not part of any of the 6 regulatory functions currently recognized by Council.
- (e) **For removal of barriers to hearing and respecting diverse views:** (i) record if requested dissenting views and reasons in minutes if requested by a Councillor; (ii) enable alternative views in Engineering Dimensions, perhaps via an editorial page;
- (f) **Engage processes of continual improvement in all five areas identified in items (a) to (e).**

Moved by: Roydon Fraser, P.Eng., FEC

New President-Elect, 9 times elected Councillor, 25+ years PEO volunteer

Seconded by: Leila Notash, P.Eng.

Councillor-at-Large, 19 years PEO volunteer

# Appendix A

## **PEO 2021 AGM Motion: Commit to Fundamental Principles of Good “Self-Regulation” Governance**

### PREAMBLE:

Good “self-regulation” and “democratic” governance involves and respects members, and should adhere to, but is not limited to, the following governance principles:

1. Transparency.
2. Obtaining member input.
3. Respecting dissenting views.
4. Empowering members with knowledge, and a voice.

Our federal and provincial parliamentary systems empower the public through elections AND by opposition parties being given a formal voice and committee representation. PEO is not based on a party system, hence the formal voice must come from other means, e.g., peer review, referendum, etc. Elections are not enough. Autocracies can and do hold elections, however, they

- (i) control elections, and restrict who can run in an election
  - Council runs electronic elections that cannot be scrutinized, resists calls to investigate anomalies in election voting data, and imposed term limits taking away choice from members.
- (ii) control the messaging and media
  - PEO recently adopted the practice of removing dissenting views from minutes, yet dissenting views are the foundation of a fair and knowledge-based process as revealed, for example, by dissenting views being a formal part of legal decisions should they exist,
- (iii) control the information reaching decision making bodies
  - peer review is not sought for anything deemed to be governance related, and this includes any decision by Council concerning continuing professional development (CPD) despite a promise by previous Councils to seek member input first should there be a move to make CPD mandatory
- (iii) misrepresent the truth,
  - Council being told that the multiple-choice National Professional Practice Examination (NPPE) measures the same things as the written PEO Professional Practice Examination (PPE) - Ethics is the heart of the engineering profession, and whereas the NPPE does reveal what one knows, it is not designed to reveal how one thinks - for an analogy, just imagine if all your engineering courses only had multiple choice exams.
- (iv) intimidate,
  - Council currently emphasizing confidentiality of strategic meetings concerning governance despite governance not being a By-Law explicit reason for PEO to hold an in-camera session
- (v) Etc.

## Appendix A

### **PEO 2021 AGM Motion:**

#### **Commit to Fundamental Principles of Good “Self-Regulation” Governance**

Whereas:

PEO Council has taken to the practice that ALL GOVERNANCE decisions do not require peer review, no matter how significant - this is in direct conflict with previous Council policy that all significant motions to Council require peer review.

Whereas:

PEO Council rescinded a prior Council promise to hold a NON-BINDING referendum on mandatory continuing professional development (CPD) “program” - note the emphasis on program and non-binding..

Whereas:

PEO Council has adopted confidential meetings to discuss matters such as governance, matters that are not explicitly identified as permitted confidential items given in PEO’s By-Laws, and hence against the spirit of the By-Laws. To claim that the profession is really “self” regulating means that the members are fully capable of being involved in how it is governed.

Whereas:

Election platforms are insufficient to provide Councillors with mandates to proceed with significant policy changes if not part of their platform, for example, you will not find mention of support for mandatory CPD among the election platforms of some of the strongest supporters of a mandatory CPD program. You should ask yourself, “Why?”

Whereas:

PEO Council has taken to removing dissenting views from minutes.

Whereas:

PEO Council has taken to providing information on significant governance changes with only two weeks notice AT BEST prior to a Council meeting to vote on the matter, giving no time for members to effectively learn about and provide feedback on such matters even when so motivated. Often the actual briefing note is not available to members until just days before a Council meeting.

Whereas:

Etc - there is a lot more.

## Appendix A

Be It Resolved That:

**Council commit fully to**

- (a) peer review,**
- (b) knowledge-based decision making,**
- (c) highest levels of transparency,**
- (d) effective communication, and**
- (e) removal of systemic biases and barriers to hearing and respecting diverse views,**

**and that it halt all current procedures and practices that do not abide by these self-regulating governance principles.**

Moved by:

Roydon Fraser, P.Eng., FEC

9 times elected Councillor, 25+ years PEO volunteer

Seconded by:

Leila Notash, P.Eng.

Councillor-at-Large, 18 years PEO volunteer

### COUNCIL REVIEWS MEMBER SUBMISSIONS FROM 2021 AGM

By Nicole Axworthy

543<sup>RD</sup> MEETING, SEPTEMBER 24, 2021

At its September meeting, Council reviewed the five member submissions that were presented and passed at PEO's 2021 Annual General Meeting in May (see AGM Minutes, p. 47). The submissions focused on issues related to the business and activities of PEO, and most of them passed with a significant margin. They were first reviewed by staff before being forwarded to Council; and the staff report to Council at this meeting was for information only and not for decision.

Though licence holders' input is important to the work of a self-regulating body, motions made at the AGM, while informative, bind neither Council nor PEO's CEO/registrar. A policy approved by Council in March 2020 requires staff to provide a report to Council following the AGM with respect to the motions that pass, to assess lawfulness and feasibility while considering Council's current work and other declared priorities.

The staff report for the five submissions from the 2021 AGM suggests that no specific action is required by Council at the present time, but in all instances Council committees—specifically the newly formed Governance and Nominating and Regulatory Policy and Legislation committees—might wish to consider the points raised in the submissions at the appropriate committee's discretion.

The first submission asked Council to commit to good governance principles, such as peer review, transparency and the removal of biases and barriers to hearing and respecting diverse views. Though the submission provided helpful advice, it did not appear to require any specific action. Therefore, staff noted that informed member and stakeholder consultation and expert input are components of effective, right-touch regulation, and this approach will be maintained and strengthened under the guidance of Council and its new governance committees. Additionally, regarding the need for transparency, PEO adheres to its bylaw obligations by conducting its meetings in public sessions, and its "Strategic Conversations" on governance matters are now being replaced by plenary sessions that are open to members and the public at large.

The second submission asked Council to immediately postpone its governance and organization changes and instead focus its agenda on the development and implementation of regulatory

policies to enable effective regulation in Ontario and in the public interest. Staff noted that, based on various decisions made in 2019, 2020 and 2021, Council has recognized that effective regulation depends not just on changes to the regulatory framework but also, more importantly, a regulatory governance structure that directs and controls those changes. These governance changes, including the new governance committees, are intended to support and improve Council's work as a regulatory board exercising vital direction and control functions.

The third motion pointed out the need for peer review and transparency in Council decision-making and hearing and respecting diverse views, similar to Motion 1. In addition to their response to the first motion, staff noted that a commitment to diversity is reflected in Council's ongoing work on anti-racism and anti-discrimination initiatives, currently stewarded by the Anti-Racism and Anti-Discrimination Exploratory Working Group.

The fourth submission positioned PEO as incapable of licensing new areas of engineering and their exclusive right to practice and requested that PEO work with the "Engineers for the Profession Incorporated" to lobby government for legislation that will create new discipline-specific regulatory bodies for modern engineering. Staff noted that PEO is charged with regulating engineering in the public interest and does not lobby or partner with advocacy organizations such as the one suggested. Council also has the power under section 7 of the *Professional Engineers Act* to create regulations in consultation with government. Currently, PEO has no plans to license on a discipline-specific basis, and any such plan would fall under the mandate of the Regulatory Policy and Legislation Committee, which is also responsible for any action to come from the report of the former Emerging Disciplines Task Force.

The fifth and last submission was also similar to Motions 1 and 3 with respect to transparency and open sessions of Council. It asked that, in the very specific circumstances that warrant a closed session, Council cite a description of the topic and the applicable section 15(4) category during the open session, and that when there is a minority debate concerning a resolution, that minutes note it along with the objection of any Council members who request that the objection be recorded. Staff noted that Council's approach to in-camera meetings, how they are recorded, as well as the content of minutes generally will continue to be informed by best practices and by the advice of PEO's governance consultants and parliamentarian. [e](#)