



# Minutes

The 528<sup>th</sup> MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Thursday, June 20, 2019 and Friday, June 21, 2019 at 9:00 a.m.

- Present: N. Hill, P.Eng., President and Council Chair  
D. Brown, P.Eng., Past President  
M. Sterling, P.Eng., President-elect  
C. Bellini, P.Eng., Vice-President (Elected)  
T. Olukiyesi, P.Eng., Vice-President (Appointed)  
S. Ausma, P.Eng., Councillor at Large  
V. Banday, P.Eng., Lieutenant Governor-In-Council Appointee [via teleconference, minutes 12126 to 12132 only]  
G. Boone, P.Eng., Eastern Regional Councillor  
L. Cutler, P.Eng., Lieutenant Governor-In-Council Appointee  
G. Houghton, P.Eng., Western Regional Councillor  
Q. C. Jackson, Barrister & Solicitor, Lieutenant Governor-In-Council Appointee  
W. Kershaw, P.Eng., Western Regional Councillor [minutes to 12126 to 12143 only]  
L. MacCumber, P.Eng., West Central Regional Councillor  
L. Notash, P.Eng., Councillor at Large  
S. Robert, P.Eng., Northern Regional Councillor [minutes 12133-12155 only]  
A. Sinclair, P.Eng., East Central Regional Councillor  
M. Spink, P.Eng., Lieutenant Governor-In-Council Appointee  
R. Subramanian, P.Eng., Northern Regional Councillor  
S. Sung, Lieutenant Governor-In-Council Appointee  
K. Torabi, P.Eng., East Central Regional Councillor  
W. Turnbull, P.Eng., Western Regional Councillor  
R. Walker, P.Eng., Eastern Regional Councillor  
G. P. Wowchuk, P.Eng., Councillor at Large
- Regrets: A. Arenja, P.Eng., Lieutenant Governor-In-Council Appointee  
N. Rush, C.E.T., Lieutenant Governor-In-Council Appointee
- Staff: J. Zuccon, P.Eng., Registrar  
L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance  
D. Smith, Director, Communications  
M. Wehrle, Director, Information Technology  
M. Braun, Acting Director, People Development [minutes 12126 to 12132 only]  
J. Chau, Manager, Government Liaison Programs  
D. Manico-Daka, Manager, Information Technology [minutes 12126 to 12132 only]  
R. Martin, Manager, Secretariat  
D. Power, Secretariat Administrator  
J. Max, Manager, Policy  
B. St. Jean, Senior Executive Assistant  
E. Chor, Research Analyst

Guests: H. Brown, Brown & Cohen [minutes 12128 to 12155 only]  
D. Chui, P.Eng., PEO Director, Engineers Canada [minutes 12128 to 12155 only]  
G. Comrie, P. Eng., Chair, Central Election and Search Committee [minutes 12128 to 12155 only]  
B. Matthews, P.Eng., CEO, Consulting Engineers of Ontario [minutes 12128 to 12155 only]  
S. Perruzza, P.Eng., CEO, Ontario Society of Professional Engineers (OSPE) [minutes 12128 to 12155 only]  
K. Reid, P.Eng., PEO Director, Engineers Canada [via teleconference, minutes 12128 to 12155 only]  
C. Sadr, P. Eng., PEO Director, Engineers Canada [minutes 12128 to 12155 only]

## CALL TO ORDER

Notice having been given and a quorum being present, the Chair called the meeting to order at 9:00 a.m. on Thursday, June 20, 2019.

President Hill provided a recap of the May 30 to June 1, 2019 Council Workshop. Council explored the concept of public interest and crafted the following definition: "Why PEO – to protect the welfare of the public (individually, collectively, including environment) connected with engineering activity."

Council also discussed regulatory activities vs. association activities at the workshop.

Moved by Councillor Subramanian, seconded by Councillor Kershaw:

**That Council move in-camera.**

**CARRIED**

## 12127 IN-CAMERA SESSION

While in-camera, Council:

- a. approved the public release of the report "A Review of the Regulatory Performance of Professional Engineers Ontario" and moved the discussions and motion into open session.
- b. discussed implementation of the recommendations in the report "A Review of the Regulatory Performance of Professional Engineers Ontario" and moved the discussions and motion into open session.

The following in-camera resolutions from the June 20<sup>th</sup> in-camera Council meeting regarding the report "A Review of the Regulatory Performance of Professional Engineers Ontario" were moved into open session:

## 12128 PUBLIC RELEASE OF THE REPORT "A REVIEW OF THE REGULATORY PERFORMANCE OF PROFESSIONAL ENGINEERS ONTARIO"

Moved by Past President Brown, seconded by Councillor MacCumber:

**That Council receive the April 2019 report *A review of the regulatory performance of Professional Engineers Ontario* from Harry Cayton, Kate Webb and Deanna Williams, and authorize the Registrar to release it no later than June 27th, 2019. Communications will be developed and guided by one or more of the following statements as necessary:**

- Voluntary initiative was undertaken as part of PEO Council’s commitment to ensure PEO is effectively doing the job as set out in the Professional Engineers Act
- External regulatory review conducted to identify any gaps between PEO’s current practices and the process, procedures and policies exhibited by the best regulators
- PEO Council is releasing the report to the public at the earliest opportunity following its first official meeting since receiving the report
- PEO Council is pleased with the thoroughness of Mr. Cayton’s review and the subsequent report
- Final report provides 15 recommendations on how to improve PEO’s regulatory performance
- PEO Council accepts the report in its entirety and is developing an action plan
- The report will now serve as the framework to develop a high-level action plan
- PEO Council accepts that there is room for improvement and is committed to making the significant changes necessary to enhance PEO’s legislative mandate. This is PEO’s highest priority for the foreseeable future
- PEO Council commits to be open and transparent
- Final report helps PEO to refocus the objectives of PEO’s Strategic Plan

**CARRIED UNANIMOUSLY  
Recorded Vote**

**For**

S. Ausma  
V. Banday  
C. Bellini  
G. Boone  
D. Brown  
L. Cutler  
G. Houghton  
Q. Jackson  
W. Kershaw  
L. MacCumber  
L. Notash  
T. Olukiyesi  
S. Robert  
A. Sinclair  
M. Spink  
M. Sterling  
R. Subramanian  
S. Sung  
K. Torabi  
W. Turnbull  
R. Walker

G. Wowchuk

**12129  
RECOMMENDATIONS IN THE REPORT “A  
REVIEW OF THE REGULATORY  
PERFORMANCE OF PROFESSIONAL  
ENGINEERS ONTARIO”**

Moved by Past President Brown, seconded by Councillor Walker:

**That Council direct the Registrar to develop a high-level action plan related to the 15 recommendations contained in the April 2019 report *A review of the regulatory performance of Professional Engineers Ontario* from Harry Cayton, Kate Webb and Deanna Williams for consideration at the September 2019 Council meeting.**

**CARRIED UNANIMOUSLY**

Recorded Vote

**For**

S. Ausma  
V. Banday  
C. Bellini  
G. Boone  
D. Brown  
L. Cutler  
G. Houghton  
Q. Jackson  
W. Kershaw  
L. MacCumber  
L. Notash  
T. Olukiyesi  
S. Robert  
A. Sinclair  
M. Spink  
M. Sterling  
R. Subramanian  
S. Sung  
K. Torabi  
W. Turnbull  
R. Walker  
G. Wowchuk

**12130  
COUNCIL ACTION LOG**

Past President Brown referred to item 27 on the Action Log regarding Council access to Sharepoint. He noted the need to address a policy statement related to this. For example, not every file will be accessible to everyone on Council. This will be added to the Action Log.

It was suggested that a calendar of all committee meetings be made available on Councillor iPads. This will be addressed by Secretariat and IT. In the meantime, it was noted that this information is readily available on PEO's website.

Councillor Boone advised that it was his understanding that the Advisory

Committee on Volunteers (ACV) was looking at a policy regarding Council members attending committee members as observers. Councillor Cutler noted that there is no budget for travel and/or accommodation for anyone attending a meeting who is not on the committee unless Council directs the Finance Committee to do this.

Councillor Boone also noted that he had received feedback from a member regarding a Professional Standards Committee (PSC) consultation which he would pass on to the Registrar regarding the use of the seal. Councillor MacCumber advised that after the close of the consultation period the subcommittee discusses and addresses all comments which are then sent to the PSC and that there is a log on how each comment is considered before coming to Council.

**12131  
REGULATORY RISK REGISTER**

Responding to a query regarding the purpose of the Regulatory Risk Register, Past President Brown explained that it is a tool to make Council aware of the risks to the organization and that there should be active discussion on this at all Council meetings to determine if the ratings should be revised. Best practices indicate the operations should be segregated from risks to PEO as a regulator or the Board. Items in red are things that Council should always be cognizant of, yellow is cautionary and green is low risk. He added that Council collectively identifies risk and weighs them.

Staff will pull together a guide on how to use the Regulatory Risk Register for presentation at the September Council meeting.

Office of the Fairness Commissioner (Risk #15) and Fiscal Health (Risk #12) should go to “red”. Reduce Likelihood from 3 to 2 for Risk #1.

**12132  
COUNCILLOR ITEMS**

**a. Agenda Items**

It was suggested that in future, Section 5. Information Items be moved ahead of 4. In-Camera on the agenda. The Chair advised that this would be taken under advisement during agenda planning.

**b. Technology Use Policy (Council)**

Councillor Notash referred to the recent Technology Use Policy and asked for clarification regarding a number of items as follows:

**Policy Specific Issues or Considerations**

M. Wehrle confirmed that when a Councillor leaves Council, their iPad will be wiped of all data and returned to factory reset to ensure the privacy and security of PEO information.

**Privacy and Security**

The iPads provided to Councillors are meant to be used while they are on Council and any information or communication while using these devices are considered on behalf of PEO and as such are PEO’s intellectual property. These are basic, standard policies that one would find in most organizations around intellectual property. M. Wehrle advised that IT not arbitrarily conduct checks. This would only be done

through the direction of the Registrar if there was an issue, otherwise confidential information will remain confidential. The policy does not indicate that PEO has ownership of private information.

**Violations**

Since this is an operational policy, the bullet stating “Removal from Council” should be revisited.

Registrar Zuccon stated that while the policy was for the protection of Councillors it is first and foremost to protect the reputation of PEO. It was agreed that the Technology Use Policy would be reworked to address the concerns brought forward by some members of Council. Councillors were invited to send any further comments to the Registrar.

**c. Whistle Blower Protection**

The policy should include protection for anyone from PEO who brings forth issues that should be made public.

**d. Implications of a Volunteer Being Sued**

In response to a query regarding implications and costs related to a volunteer being sued in the course of doing PEO work, Councillor Turnbull advised that the RCC would be bringing forward a new policy for Council approval shortly.

**e. Training Modules**

Registrar Zuccon will include statistics regarding volunteer completion of Workplace Harassment and AODA training in his Registrar’s report.

Council convened at 9:00 a.m. on Friday, June 21, 2019. President Hill provided a recap of the June 20, 2019 in-camera meeting. She noted that most of the day was spent discussing the regulatory review with the external consultant Harry Cayton. She advised that the report was accepted in its entirety and that an action plan was being developed.

President Hill asked if there were any conflicts to declare before proceeding with the agenda. There were none.

**12133  
IMPLEMENTATION OF  
RECOMMENDATION FROM CORONER’S  
INQUEST INTO THE DEATH OF SCOTT  
JOHNSON**

The Coroner’s Office has requested that all parties to whom recommendations were directed report back within 6 months (i.e. by October 10, 2019) regarding the status of their implementation plans. In order to be able to report to the Coroner, it is necessary that Council begin consideration of an implementation plan immediately. This does not mean that decisions need to be made on specific recommendations; however, research and analysis needed to assist Council in making those decisions should be conducted.

This Coroner’s Inquest was closely followed by the press. It is likely that there will be requests regarding PEO’s plans by the end of the year.

Moved by Vice-President Bellini, seconded by Past President Brown:

**That Council direct the Registrar to carry out the work outlined in the**

**Implementation Plan as presented to the meeting at C-528-2.1, Appendix A and provide these policy analyses to Council at its November 2019 meeting for consideration and decision.**

**CARRIED**

Registrar Zuccon advised that the plan to outline what would be involved in implementing the recommendations would be within the current budget of the policy development group.

**12134  
PEAK PROGRAM – UPDATE AND  
OPERATIONALIZATION**

The PEAK program concluded its second year of operation on March 31st, 2019. The third year of the PEAK program began on April 1, 2019 and is currently underway.

At its November 2016 meeting Council passed a motion directing the Registrar to implement the non-mandatory PEAK program.

At its June 2018 meeting Council passed the following motions:

1. That Council receive the Report on Year 1 of the PEAK Program.
2. That Council direct the Interim Registrar to begin planning for the third year of operation of the PEAK program and to include for this continuation of the program in the 2019 budget.

Council was provided with a report that provides an overview of the program, information on participation rates and examples of the kind of data that can be collected through this program.

Both the “Coroner’s Inquest into the death of Scott Johnson” and the “Review of the regulatory performance of Professional Engineers Ontario” recommend the need for PEO to implement mandatory continuing professional development for all licence holders. A briefing note dealing with the Coroner’s inquest recommendations presented to Council at the meeting included a motion directing the Registrar to prepare the policy analysis needed to assess the viability of a mandatory CPD program. The PEAK program is the CPD program proposed by the Continuing Professional Development, Competency, and Quality Assurance Task Force and developed by the Continuing Professional Competence Program (CP)2 Task Force.

The PEAK program, if mandatory, would also be an excellent tool for updating the register information and fulfilling Recommendation 7 of the Regulatory Performance Review.

Moved by Councillor Spink, seconded by Past President Brown:

**That Council direct the Registrar to operationalize the PEAK program as a continuing operational program.**

**CARRIED**

It was noted that the five-year budget forecast includes a 2% inflation factor which could fluctuate and that this should be taken into consideration.

**12135  
2020 BUDGET ASSUMPTIONS**

It has been the practice for Council to approve the budget assumptions for the next financial year in June. A combination of inputs from concerned domain experts, Council directives, and a trend analysis of historical data are used to generate the budget assumptions.

It was moved by Councillor Cutler, seconded by Councillor Turnbull:

- 1. That the 2020 Budget Assumptions presented to Council at C-528-2.3, Appendix A and as recommended by the Finance Committee, be approved.**
- 2. That the Registrar be directed to initiate the budgeting process per PEO'S budgeting cycle to present the 2020 draft operating budget and capital budgets at the September 2019 Council meeting based on the approved assumptions**

It was the position of Council that approving the budget assumptions was unnecessary and that the assumptions could be included as information for future years. The Finance Committee will, therefore, be asked to revisit the PEO annual budgeting cycle with this in mind.

Councillor Cutler advised that the Finance Committee will be looking at multi-year budgets in the future.

Moved by Councillor Spink, seconded by Councillor Walker:

**That the 2020 Budget Assumptions presented to Council at C-528-2.3, Appendix A and as recommended by the Finance Committee, be referred.**

**CARRIED**

Council then voted on motion 2 directing the Registrar to initiate the budgeting process.

**That the Registrar be directed to initiate the budgeting process per PEO's Budgeting Cycle to present the 2020 draft operating budget and capital budgets at the September 2019 Council meeting based on the approved assumptions.**

**CARRIED**

**12136  
ELECTION MATTERS – ISSUES REPORT  
AND PROCEDURES**

Members of Council are to be elected annually in accordance with sections 2 through 26 of Regulation 941 under the *Professional Engineers Act*.

In accordance with the Protocol for Annual Review of Election Procedures, the Central Election and Search Committee (CESC)



undertook a review of the procedures for the conduct of the 2019 Council Elections. PEO convention requires that Council approve voting procedures and election publicity procedures, which form part of the voting procedures, for its annual elections. All recommendations approved by the CESC have been incorporated into the Voting and Election Procedures and the 2020 Council Elections Guide, as the case may be, and will be amended, if required, as per Council's decisions at the meeting.

S. 13(1) and 13(2) of Regulation 941 requires Council to appoint a Regional Election and Search Committee (RESC) for each Region composed of the Chair of each Chapter in the Region and appoint the Junior Regional Councillor in each Region as the Chair of the RESC for that Region.

The CESC Issues report deals with a number of issues including:

- Removal of candidate material from the PEO website;
- Posting the caption "withdrawn" on the PEO website if a candidate withdraws from the election;
- The amount of voting results made available for the election.

G. Comrie, Chair of the Central Election and Search Committee, provided a high-level overview of the Issues Report.

Moved by Past President Brown, seconded by Councillor Turnbull:

**That Council, with respect to the 2020 Council election:**

- a) **approve the recommendations contained in the 2019 Central Election and Search Committee Issues Report as presented to the meeting at C-528-2.4, Appendix A;**
- b) **approve the 2020 Voting Procedures, as presented to the meeting at C-528-2.4, Appendix B;**
- c) **approve the 2020 Election Publicity Procedures, as presented to the meeting at C-528-2.4, Appendix C;**
- d) **approve the 2020 Nomination Form as presented to the meeting at C-528-2.4, Appendix D;**
- e) **approve the 2020 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-528-2.4, Appendix E,**
- f) **appoint the Regional Election and Search Committees (RESC) for each Region,**
- g) **appoint the Junior Regional Councillor in each Region (Ramesh Subramanian, P.Eng., Randy Walker, P.Eng., Arthur Sinclair, P.Eng., Wayne Kershaw, P.Eng., Warren Turnbull, P.Eng.) as Chair of the RESC for their Region.**

Moved by Councillor MacCumber, seconded by Councillor Wowchuk:

**That the PEO election webcast debates be discontinued for 2020 and that alternatives be sought.**

**DEFEATED  
Recorded Vote**

<u>For</u>	<u>Against</u>
D. Brown	S. Ausma
G. Houghton	C. Bellini
L. MacCumber	G. Boone
K. Torabi	L. Cutler
W. Turnbull	W. Kershaw
R. Walker	Q. Jackson
G. Wowchuk	L. Notash
	T. Olukiyesi
	S. Robert
	A. Sinclair
	M. Spink
	M. Sterling
	R. Subramanian
	S. Sung

Moved by Councillor Wowchuk, seconded by Councillor Notash:

**That the Nomination Form, as presented at C-528-2.4, appendix d), be revised by removing the statement “I have known the candidate for at least two years.”**

**CARRIED  
Recorded Vote**

<u>For</u>	<u>Against</u>	<u>Abstain</u>
S. Ausma	C. Bellini	M. Spink
G. Boone	D. Brown	
L. Cutler	W. Kershaw	
G. Houghton	R. Subramanian	
Q. Jackson	S. Sung	
L. MacCumber	W. Turnbull	
L. Notash	R. Walker	
T. Olukiyesi		
S. Robert		
A. Sinclair		
M. Sterling		
K. Torabi		
G. Wowchuk		

Moved by Councillor Kershaw, seconded by Councillor MacCumber:

**That the Central Election and Search Committee (CESC) be directed to**

**create leadership competencies to identify better candidates.**

**CARRIED**

Past President Brown declared a conflict as a member of the Central Election and Search Committee and did not cast a vote.

Moved by President-Elect Sterling, seconded by Councillor Boone:

**That the 2019 Issues Report be tabled.**

**DEFEATED**

Council then voted on the main motion as amended with revised Appendix d) 2020 Nomination Form.

**That Council, with respect to the 2020 Council election:**

- a) **approve the recommendations contained in the 2019 Central Election and Search Committee Issues Report as presented to the meeting at C-528-2.4, Appendix A;**
- b) **approve the 2020 Voting Procedures, as presented to the meeting at C-528-2.4, Appendix B;**
- c) **approve the 2020 Election Publicity Procedures, as presented to the meeting at C-528-2.4, Appendix C;**
- d) **approve the 2020 Nomination Form as presented to the meeting at C-528-2.4, Appendix D and amended by removing the two-year known requirement;**
- e) **approve the 2020 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-528-2.4, Appendix E;**
- f) **appoint the Regional Election and Search Committees (RESC) for each Region;**
- g) **appoint the Junior Regional Councillor in each Region (Ramesh Subramanian, P.Eng., Randy Walker, P.Eng., Arthur Sinclair, P.Eng., Wayne Kershaw, P.Eng., Warren Turnbull, P.Eng.) as Chair of the RESC for their Region.**

**CARRIED**

**12137  
REVIEW OF ALLEGATIONS OF VOTING  
IRREGULARITIES IN 2019 COUNCIL  
ELECTIONS**

After the close of the voting period for the 2019 Council elections, an unsuccessful candidate for the office of Councillor-at-Large requested data from PEO staff and the Chief Elections Officer on the number of voters who had voted for him each day during the voting period. His request was denied, on the grounds that releasing data on votes by candidate could jeopardize the secrecy of the balloting.

The candidate was, however, provided with a graph of the daily totals of votes (for all candidates and offices) for each day of the voting period, data for which had been published weekly on PEO's website throughout the voting period. To the candidate - and to others with whom he

shared the graph – the pattern of votes by day appeared irregular, and gave grounds for speculation that there may have been voter fraud. After extensive e-mail correspondence – some of which raised other questions related to the security of the electronic election system and its associated procedures – the matter was referred to the Central Election and Search Committee by the Chief Elections Officer.

Councillors Torabi and Wowchuk raised the matter at the 526th Council meeting on March 23, 2019, and were subsequently asked to attend the CESC's meeting at which it would be considered, which took place on April 30, 2019.

It is proposed that, by adopting the CESC report of its review of the matter raised, Council accepts the findings and recommendations of the Committee contained therein that:

- (i) The committee found no evidence of alleged voting irregularities that might have compromised the results of the Council elections.
- (ii) The Committee did not find compelling reasons to conduct further investigation into the data recorded by PEO's electronic election agent, and in particular data segregated by candidate.
- (iii) The Committee recommends that the electronic election agent's call centre not be used to re-issue voting credentials in future PEO elections.
- (iv) The Committee recommends that PEO's contract with its electronic elections agent be amended to specify ownership and retention of PEO's election data.
- (v) The Committee recommends that the Central Election and Search Committee for 2019-2020 review the authentication procedures and requirements for voters in the 2020 Council elections with a view to minimizing the possibility of voter impersonation.
- (vi) The Committee recommends that the Central Election and Search Committee for 2019-2020 review the role and responsibilities of the Returning Officers with a view to making them a more meaningful assurance mechanism in an electronic election.

Further to item (iii) regarding CESC's recommendation that the electronic election agent's call centre not be used to re-issue voting credentials in future PEO elections it was recommended that alternatives to the call centre for providing credentials for the 2020 election be sought. The Chair advised that this recommendation would be taken under advisement. This item will be added to the action list.

Responding to a comment regarding the recommendation that PEO's contract with its electronic elections agent be amended to specify ownership and retention of PEO's election data G. Comrie advised that

the electronic elections agent has confirmed that they will keep the data indefinitely.

It was suggested that the CESC investigate alternatives to a third-party verification of credentials such as independent entry of credentials and automatic retrieval with ID if the credentials are lost.

Moved by Past President Brown, seconded by Councillor Turnbull:

**That Council adopt the report of the findings and recommendations of the Central Elections and Search Committee (CESC) as presented to the meeting at C-528-2.5, Appendix A.**

**CARRIED**

Past President Brown declared a conflict and did not cast a vote.

**12138  
BY-LAW NO. 1 CHANGES – ADDITIONAL  
2019 FEE INCREASES (POLICY  
DEVELOPMENT)**

At the March 2019 Council Meeting, Council approved increasing all fees listed in Section 39 of By-Law No 1 by approximately 20% to the nearest \$5, effective May 1, 2019. Additionally, at that time, two fees that were collected by Professional Engineers Ontario but not listed in By-Law No. 1 at the time were added to the by-law with a 20% increase – the fee for requesting a remarking of an exam and the fee for requesting an examination outside of Canada.

In preparing to implement the May 1, 2019 Fee increases, staff reviewed and updated all of its existing fees by approximately 20 percent. In the updating, staff identified another eight fees that PEO currently collects but which were not previously listed in either the Regulation (prior to 2018) or By-Law No. 1. In the interest of transparency, it was recommended that By-Law No. 1 be amended to include those fees at the May 1, 2019 rates.

To comply with section 7(d) of the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006*, it is recommended that Council include the following eight current fees that are not listed in By-Law No. 1 with an approximately 20% increase (new rate in brackets):

- (a) EIT Fee Remission (\$25)
- (b) Self-inking Seal, replacement (\$70)
- (c) Licence Certificate Replacement (\$60)
- (d) Temporary Licence Fee – new Ontario P. Eng. Collaborator (\$120)
- (e) Academic Course taken in lieu of first technical examination (\$500)
- (f) Engineering Dimensions print subscription-In-Canada (\$30)
- (g) Engineering Dimensions print subscription-outside of Canada (\$40)
- (h) Engineering Dimensions print subscription-student rate (\$15)

As Council also expressed at its February 8, 2019 meeting, once these by-law changes are passed by Council, they are effective immediately, without member confirmation required.

Moved by Councillor MacCumber, seconded by Councillor Olukiyesi:

**That Council approves the policy intent to include in By-Law No. 1 the fees currently collected for:**

- (a) EIT Fee Remission;**
  - (b) Self-inking Seal, replacement;**
  - (c) Licence Certificate Replacement;**
  - (d) Temporary Licence Fee – new Ontario P. Eng. Collaborator;**
  - (e) Academic Course taken in lieu of first technical examination;**
  - (f) Engineering Dimensions print subscription-In-Canada;**
  - (g) Engineering Dimensions print subscription-outside of Canada;**
  - (h) Engineering Dimensions print subscription-student rate;**
- at the May 1, 2019 rates, as listed in Appendix A, using section 8(2) of the Act and effective immediately.**

**CARRIED**

**12139  
WHITE PAPER FOLLOW UP – INDIGENOUS  
LAND ACKNOWLEDGEMENT AT PEO  
ACTIVITIES**

At the 525<sup>th</sup> Council Meeting plenary held on March 21, 2019, all Councillors present agreed by a show of hands to pursue the White Paper on the need for a PEO policy on Indigenous land acknowledgement, submitted by President-Elect Hill, Elected Vice President Sterling and Northern Regional Councillor Subramanian. The next steps in the process for Council submitted White Papers is to seek Council's approval to complete the policy development and draft a policy for decision by Council if it is to be adopted.

There are indigenous people who are PEO volunteers and licence holders, who are external stakeholders to the practice of professional engineering and may be staff and applicants to PEO. A policy on land acknowledgement could be consistent with PEO's core values of accountability and respect that are intended to inform behaviours by licence holders, volunteer leaders, applicants and staff of fairness and accepting responsibility.

It may be in the public interest to acknowledge Indigenous land as PEO regulates many disciplines of the practice of professional engineering that interact with the land, the environment and indigenous communities.

Land acknowledgements were one of the recommendations of the Truth and Reconciliation Commission of Canada's 2015 Report as a step towards reconciliation with indigenous people. They are made as a way for non-Indigenous settlers to honour and recognize the history of the land, and the pre-existence of Indigenous people in North America prior to the arrival of Europeans.

Engineers Canada signed a Statement of Partnership with the Assembly of First Nations in July 2010 to raise awareness about engineering

programs and education among Indigenous youth. Making a land acknowledgement at PEO meetings and events may be a compendium to such initiatives.

Moved by President-Elect Sterling, seconded by Councillor Subramanian:

**That Council directs the Registrar to complete policy development and draft a policy for Council’s decision, by November 2019, on how to acknowledge Indigenous territorial land at PEO Council, chapter, committee and staff meetings and events.**

**CARRIED  
Recorded Vote**

<u>For</u>	<u>Against</u>
S. Ausma	W. Kershaw
C. Bellini	K. Torabi
G. Boone	R. Walker
D. Brown	G. Wowchuk
L. Cutler	
G. Houghton	
Q. Jackson	
L. MacCumber	
L. Notash	
T. Olukiyesi	
S. Robert	
A. Sinclair	
M. Spink	
M. Sterling	
R. Subramanian	
S. Sung	
W. Turnbull	

Indigenous voices should be included in the policy development on how to acknowledge indigenous territorial land.

**12140  
PEO VOLUNTEER CODE OF CONDUCT**

Based on the following Council motion from the 517th Council Meeting, Open Session of March 23rd, 2018:

That Council directs the RCC to develop a process to ensure the safety and security of volunteers and participants who engage with PEO’s various outreach activities. CARRIED.

RCC discussed several potential approaches to respond to the motion and decided to reach out to the experts at the PEO’s People Development department for assistance in the matter. To keep in line with the Council’s directive, People Development addressed the necessity of developing and implementing a PEO Volunteer Code of Conduct to all PEO’s volunteers as a starting point.

The Regional Councillors Committee (RCC) agreed with the recommendation and tasked the Chapter Office to develop the document that was included in the agenda package.

Most organizations have a code of conduct, the purpose of which is to establish ground-rules of good professional behavior, promote a uniform understanding of acceptable and unacceptable conduct and ensure orderly operation of business.

A written statement of values, beliefs and guidelines creates a level playing field, making everyone aware of the information. The code stresses that PEO volunteers have a responsibility to be ambassadors of PEO. The code can be used to emphasize the importance of volunteer policies and the commitment a volunteer makes to the organization. It can also be a tool in the evaluation of a breach of policy, reminding the volunteer of his or her commitment.

Moved by Councillor Robert, seconded by Councillor Turnbull:

**That Council directs the Regional Councillors Committee (RCC) to introduce the PEO Volunteer Code of Conduct to all PEO volunteers as presented to the meeting at C-528-2.8, Appendix A.**

Moved by Councillor Kershaw, seconded by Councillor Boone:

**That the PEO Volunteer Code of Conduct be referred to Human Resources for further work and brought back to Council for consideration at its September 2019 Council meeting.**

**CARRIED**

In order to assist with the reworking of the PEO Volunteer Code of Conduct the following feedback was received:

- Include a mandatory training component such as Accessibility for Ontarians with Disabilities Act (AODA) and Workplace Discrimination and Harassment (WDHP) that all volunteers are to complete as per legislation and the consequences if this training is not completed
- Vulnerable screening (check for local requirements – police, schoolboards, etc.)
- The Code of Conduct needs to be tailored more to volunteers, for example, on page 4 of the document under Conflict of Interest it states, “consulting with your manager/supervisor before undertaking other roles in organizations whose goals, purposes or activities conflict with PEO”. This relates to staff, not volunteers
- The role of staff is different than that of volunteers – look at the types of people volunteers work with
- There appears to be a need for some further documentation



related to consequences if the code is violated and that PEO is responsible for investigating complaints related to violations of the code

- The proposed Code of Conduct may be too prescriptive – it may be helpful to consult with a subject matter expert

**12141  
PRE-START HEALTH AND SAFETY REVIEW  
SUBCOMMITTEE**

The current practice guideline for “*Professional Engineers Providing Reports for Pre-Start Health and Safety Reviews*” was published in 2001 and has not been revised since then. There have been numerous changes to relevant Canadian Standards Association (CSA) standards and Ministry of Labour (MOL) guidelines for the “*Pre-Start Health and Safety Reviews: How to Apply Section 7 of the Industrial Establishments Regulation*”.

The above indicates that the guideline should be reviewed and revised as necessary.

Moved by Councillor MacCumber, seconded by Councillor Spink:

**That the Professional Standards Committee (PSC) is instructed to form a Pre-Start Health and Safety Review subcommittee to complete the work described in the Terms of Reference as presented to the meeting at C-528-2.8, Appendix A.**

**CARRIED**

Councillor MacCumber responded to a question regarding the process that PSC follows by advising that the PSC is comprised of ten to twelve members with various disciplines but there is currently no one who has the expertise to draft the recommended changes related to the Pre-Start Health and Safety Review Guideline.

The Professional Standards Committee will be asked to revise their Terms of Reference to make the process less cumbersome.

**12142  
2018 AGM SUBMISSION – LEADERSHIP  
DEVELOPMENT PROGRAM**

A Member Submission was passed (82% Yes - 18% No) at the 2018 PEO Annual General Meeting with the following motion;

*THEREFORE BE IT SUBMITTED THAT: PEO Council form a task force to develop a comprehensive Leadership Development Program (LDP) to support the Succession Planning and Term Limits provisions adopted by Council, and make this program available for all practitioners with a focus on PEO’s current and future volunteers. The LDP should be designed to effectively build high performance leadership capacity as volunteers advance in their volunteer careers with PEO.*

Briefing Note C-528-2.10 included a motion to establish a Leadership Development Program Task Force (LDPTF).

There was no mover or seconder for this motion.

**12143**  
**CEO/REGISTRAR TITLE**

The Chair turned the gavel over to President-Elect Sterling.

PEO records indicate that, historically, there were two senior staff member positions, one of the Executive Director, and another one of the Registrar. The Registrar is to carry out the duties as set out in the Professional Engineers Act, Regulations 941, Bylaw No. 1 and PEO policies.

In 1998, the two positions were combined and PEO's Registrar became the association's Chief Executive Officer (a single staff member responsible and accountable to Council). Based on the information in the President's Report which was provided to Council, the purpose was to realign PEO's staff structure to focus resources on the core functions of registration, licensing, discipline and enforcement. The position of Executive Director was eliminated at that time.

At C-427-5, a recommendation as made by the Human Resources and Compensation Committee (HRCC) to approve the revised Roles, Responsibilities and Limitations of the CEO/Registrar.

In 2013, the Human Resources Committee (HRC) provided a report to Council to approve the job description for a Registrar position to initiate the process of selecting an executive search. The report was discussed in-camera.

In 2019, at the request of the HRC, staff conducted an environmental scan of other engineering associations and provincial regulators to find out the current industry standards and current practices. The results of the environmental scan were provided to Council.

Moved by President Hill, seconded by Councillor Notash:

**That Council:**

- 1. Rescind the motion that a single combined chief staff position to be titled Registrar.**
- 2. Approve the title of the chief staff officer position to be 'CEO/Registrar' to align with the industry standards and current practices as presented to the meeting at C-528-2.10, Appendix A.**

**CARRIED**

President-Elect Sterling returned the gavel to President Hill.

**12144**  
**COMMITTEE/TASK FORCE TERMS OF REFERENCE, WORKPLANS AND HUMAN RESOURCES PLANS**

One of the roles of Council, as identified in the *Committees and Task Forces Policy* (Role of Council, Item 3), is to approve committee/task force mandates, Terms of Reference, annual work plans, and annual human resources plans.

In accordance with the *Committees and Task Forces Policy – Reference Guide* (Sections 2.5 and 3.2), the Licensing Committee (LIC) submitted its Terms of Reference to the Advisory Committee on Volunteers (ACV) for review and comment. At June 6 ACV meeting, a motion was passed to accept the revised Licensing Committee (LIC) Terms of Reference as amended.

The Human Resources Plan and Work Plan for the Licensing Committee (LIC) were submitted to Council in February 2019. Council directed the committee “to review Work Plans to include Equity & Diversity”. The revised plans were presented with changes highlighted.

Moved by Vice-President Bellini, seconded by Councillor Kershaw:

**That Council approve the committee/task force work plan, human resources plans and terms of reference as presented to the meeting at C-528-2.11, Appendices A(i) and B(i, ii, iii).**

It was noted that there are inconsistencies in the HR Plans for the committees and task forces. For example, some have a number of core competencies, others have few or none at all. LIC has no development plan. HR staff were directed to advise how these plans can be more consistent and robust in terms of core competencies, volunteer development plans and diversity.

Council directed that the Licensing Committee work plan, terms of reference and human resources plan be referred to the committee for integration with the high-level action plan regarding the recent external review.

Moved by Vice-President Bellini, seconded by Councillor Olukiyesi:

**That the Licensing Committee (LIC) work plan, terms of reference and human resources plan as presented at C-528-2.12, Appendices B(i, ii, iii) be referred back to the Licensing Committee for further work and brought back to the November 2019 Council meeting for consideration.**

**CARRIED**

The main motion was then voted on as amended.

**That Council approve the Complaints Committee (COC) human resources plan as presented to the meeting at C-528-2.12, Appendix A(i).**

**CARRIED**

It was suggested that “internationally educated” was more appropriate language than “foreign trained”.

## PROPOSED SPECIAL RULES OF ORDER

are to be governed by *Wainberg's Rules of Order*. These rules may be amended by passing *Special Rules of Order*, which supersede *Wainberg's*, and which remain in effect only until the close of business at the next Annual General Meeting.

Adopting *Special Rules* provides guidance on how to deal with certain situations that arise in meetings where PEO convention varies from the rules contained in its parliamentary authority, *Wainberg's Rules of Order*, or on which *Wainberg's* is silent or contradictory.

Adopting *Special Rules* also provides consistency on how such matters may be handled at all meetings of the association.

Section 25(3) of By-Law No. 1 requires that, at the first meeting of Council following the Annual General Meeting, all *Special Rules*, which were in force immediately before the close of business at the Annual General Meeting, are to be presented to Council for adoption and/or amendment, if it so wishes. Consequently, Council may approve the *Special Rules* for the next Council year at this time.

Moved by Councillor Wowchuk, seconded by Councillor Torabi:

**Required a 2/3 majority of votes cast to carry.**

**That the Special Rules of Order, as presented to the meeting at C-528-2.13, Appendix a, be approved effective immediately and remain in effect until the close of business at the 2020 Annual General Meeting.**

**CARRIED**

## 12146 FINAL REPORT OF THE PUBLIC INFORMATION CAMPAIGN TASK FORCE

At the Council Retreat in June 2016, Council discussed the possibility of initiating a public information campaign based on the value proposition of professional engineering. Such an initiative would support the fourth additional object under the *Professional Engineers Act*, "To promote public awareness of the role of the Association."

In September 2016, Council approved a motion to establish a task force "to examine a potential public information campaign based on a value proposition of professional engineering that promotes public awareness of the role of PEO."

The Public Information Campaign Task Force was subsequently formed in February 2017 with a budget of \$100,000 to engage an agency to assist with messaging and plan development. The output of this work formed the basis of the recommendations of the task force and its subsequent report to Council.

Moved by Councillor Spink, seconded by Councillor Subramanian:

**That Council receive the final report of the Public Information Campaign Task Force as presented to the meeting at C-528-2.14,**

**Appendix B, and stand down the Public Information Campaign Task Force with thanks.**

**CARRIED**

The Chair, on behalf of Council, thanked the members of the Public Information Campaign Task Force for their important work which will lay the groundwork for the future.

Moved by President-Elect Sterling, seconded by Councillor Turnbull:

**Required a 2/3 majority of votes cast to carry.**

**That Council waive the section 4(1) in the Special Rules of Order at PEO Meetings 2019-2020 requiring a three week notice to Councillors to allow them to express their interest in serving in these two positions.**

**CARRIED**

Moved by President-Elect Sterling, seconded by Councillor Ausma:

**Required a simple majority of votes cast to carry.**

**That Council appoint Councillor Olukiyesi as Vice President (Appointed) and Councillor Cutler as the LGA member of the PEO Executive Committee for the 2019-2020 Council year.**

**CARRIED**

Moved by Councillor Robert, seconded by Councillor Jackson Kouakou:

**That pursuant to Section 11 of the Professional Engineers Act (PEA) that Council delegates to the Executive Committee the authority to exercise any power or perform any time sensitive duty of the Council other than to make, amend or revoke a regulation or by-law, for the 2019-2020 Council term.**

**CARRIED  
Recorded Vote**

**For**

S. Ausma  
C. Bellini  
G. Boone  
D. Brown  
L. Cutler  
G. Houghton  
Q. Jackson  
L. MacCumber  
L. Notash  
T. Olukiyesi  
S. Robert

**Against**

S. Sung  
K. Torabi  
G. Wowchuk

**12147**

**APPOINTMENT OF VICE PRESIDENT  
(APPOINTED) AND LIEUTENANT  
GOVERNOR APPOINTMENT (LGA) TO  
THE EXECUTIVE COMMITTEE**

A. Sinclair  
M. Spink  
M. Sterling  
R. Subramanian  
W. Turnbull  
R. Walker

**12148  
COUNCIL GOVERNANCE ADVISOR – SCOPE  
OF WORK**

The Chair turned the gavel over to Past President Brown.

As part of its discussion of the External Regulatory Performance Review at its recent annual workshop, Council agreed in principle to engage a governance advisor, starting in September 2019, as an independent expert to assist Council and the president/chair with leading the development and maintenance of sound governance and leadership practices during the 2019-2020 term to ensure that PEO continues to act in the public interest.

To comply with Council's Procurement Policy, a Request for Proposal (RFP) is required to tender this work. Council's agreement on the Scope of Work is required before proceeding with issuing the Request for Proposal. The Scope of Work includes the following:

- Clarifying governance objectives and outcomes;
- Council meeting agenda development and priority-setting;
- Agenda content support (templates, process improvement);
- Helping to ensure appropriate public interest focus at Council meetings;
- Attending all Council meetings as an observer, as a parliamentarian (interpreting Rules of Order), and offering post-meeting feedback and coaching (collectively for councillors and for the president/chair); and
- Providing ongoing training and development for councillors and the president/chair (e.g. plenary sessions) as required.

Moved by President Hill, seconded by Councillor Turnbull:

**That Council approve the Scope of Work for a Council Governance Advisor as presented to the meeting at C-528-2.16, Appendix A, for issuance of a Request for Proposal for the remainder of the 2019-2020 Council year.**

**CARRIED**

Past President Brown returned the gavel to President Hill.

**12149  
PRESIDENT HILL'S PARTICIPATION IN  
ENGINEERING CHANGE LAB WORKSHOP**

President Hill has been invited to participate in the Engineering Change Lab Canada – Workshop 14, to be held jointly with its US counterpart, in Berkeley, California between July 15-17, 2019. This summit will be the

first joint session between the Canadian and US Engineering Change Labs, offering opportunities to share perspectives about the future of engineering, compare thoughts about a stewardship mission for engineers, and strengthen the collaborative relationship and synergy between our two groups.

The workshop themes are listed as follows:

- 1) The many current public discussions about the relationship between technology and society that are highlighting ethical issues related to engineering, and how the engineering community is responding.
- 2) The evolving, fuzzy edge and collaboration between science and engineering that is manifest today in many technologies, but that is particularly present in the computing/digital hi-tech, bio, nano, neuro, and biomedical engineering realms.
- 3) The relationship between engineering and entrepreneurship in the emerging future, as expressed broadly in the Bay Area's engineering and tech community.

Moved by President-Elect Sterling, seconded by Councillor Boone:

- 1. That Council approve the participation of President Nancy Hill, P.Eng., LLB, at the US-Canada Engineering Change Lab Workshop in Berkeley, California from July 15-17, 2019.**
- 2. That Council approve a budget of \$3,100 for this purpose.**

**CARRIED**

**12150  
CONSENT AGENDA**

Moved by Past President Brown, seconded by Councillor Subramanian:

**That the Consent Agenda be approved as presented.**

**CARRIED**

Included on the consent agenda:

- 3.1 Minutes – 525<sup>TH</sup> Council meeting – March 21, 2019
- 3.2 Minutes – 526<sup>TH</sup> Council meeting – April 23, 2019
- 3.3 Minutes – 527<sup>TH</sup> Council meeting – May 4, 2019
- 3.4 Approval of CEDC Applications
- 3.5 Changes to the 2019 PEO Committees and Task Forces Membership Roster

[Note: minutes 12151 to 12155 reflect the motions provided in the briefing notes presented to the meeting.]

**12151  
MINUTES – 525<sup>th</sup> COUNCIL MEETING –**

**That the minutes of the 525<sup>TH</sup> meeting of Council, held March 21, 2019, as presented to the meeting at C-528-3.1, Appendix A, accurately**

**MARCH 21, 2019**

reflect the business transacted at that meeting.

**CARRIED**

**12152  
MINUTES – 526<sup>th</sup> COUNCIL MEETING –  
APRIL 23, 2019**

That the minutes of the 526<sup>TH</sup> meeting of Council, held April 23, 2019, as presented to the meeting at C-528-3.2, Appendix A, accurately reflect the business transacted at that meeting.

**CARRIED**

**12153  
MINUTES – 527<sup>th</sup> COUNCIL MEETING –  
MAY 4, 2019**

That the minutes of the 527<sup>TH</sup> meeting of Council, held May 4, 2019, as presented to the meeting at C-528-3.3, Appendix A, accurately reflect the business transacted at that meeting.

**CARRIED**

**12154  
APPROVAL OF CEDC APPLICATIONS**

1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-528-3.4, Appendix A, Section 1.

2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-528-3.4, Appendix A, Section 2.

3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-528-3.4, Appendix A, Section 3.

**CARRIED**

**12155  
CHANGES TO THE 2019 PEO COMMITTEES  
AND TASK FORCES MEMBERSHIP ROSTER**

That Council approve changes to the 2019 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-528-3.5, Appendix A.

**CARRIED**

An additional column was suggested to indicate how long each volunteer has been on the committee. Some Council liaison positions are vacant. Lola Hidalgo should be replaced by Guy Boone as the RCC representative on the Licensing Committee.

Tim Kirkby was appointed to OACETT for a two-year term while he was still on Council. It was suggested that Tim Kirkby continue as the OACETT appointee for the coming year and that this be revisited at the end of the first year. During this time Tim will be asked to provide regular written reports to Council.

Moved by Councillor Ausma, seconded by Councillor Jackson Kouakou:

**That Council move in-camera**

**CARRIED**



**12156**  
**IN-CAMERA SESSION**

While in-camera, Council:

- a. verified the in-camera minutes from the 525<sup>th</sup> meeting of Council held March 21, 2019;
- b. verified the in-camera minutes from the 526<sup>th</sup> meeting of Council held April 23, 2019;
- c. approved the appointment of additional members to the 2019-2020 Central Election and Search Committee (CESC) and moved the motion to open session
- d. received an update from the Complaints Review Councillor (CRC)
- e. received an HRC Update;
- f. received decisions and reasons of the Discipline Committee
- g. received a legal update on legal actions in which PEO is involved
- h. noted there were no issues reported regarding PEO's Anti-Workplace and Violence Policy

The following in-camera resolution from the June 21, 2019 Council meeting was moved into open session:

Moved by Past President Brown, seconded by Councillor Notash:

**That:**

- a) **Daryoush Mortazavi, P.Eng. and Sangeeta Nagrare, P.Eng be appointed as the additional members to the 2019-2020 Central Election and Search Committee;**
- b) **that the 2018-2019 Central Election and Search Committee be stood down with thanks at the close of this Council meeting;**
- c) **that the 2019-2020 Central Election and Search Committee be constituted at the close of this Council meeting.**

**CARRIED**

These minutes consist of twenty-five pages and minutes 12127 to 12156 inclusive.

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N. Hill, P.Eng., Chair

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R. Martin, Corporate Secretary