

PEO to get in on ground floor of building code changes

NOVEMBER 15, 16, 2001 MEETING

ing involved as the regulation is developed and implemented was emphasized. John Gamble, P.Eng., then PEO government relations manager, warned: "Third party credentialing would erode the relevance of the P.Eng."

The following day, Council approved the recommendations of the PEO BRRAG Task Force, which had been meeting with MMAH on the proposals for some time. The approved recommendations include that:

- ◆ PEO cooperate with MMAH in the implementing of any changes to the Ontario Building Code Act;
- ◆ PEO participate fully in the development and administration of the proposed registry of all professional engineers that will be required to demonstrate knowledge of the Ontario Building Code;
- ◆ any required legislative changes specifying the authority and responsibilities of PEO with respect to the proposed registration system should be made under the *Professional Engineers Act*;
- ◆ the proposed amendments must not preclude professional engineers who are not registered as being code compliant from sealing other documents and drawings if appropriate under the *Professional Engineers Act*; and
- ◆ MMAH prescribe the necessary insurance requirements under the *Ontario Building Code Act* and that it require that proof of insurance accompany building permit applications.

Once the legislation is passed, full implementation is expected to take two years following Royal Assent.

Registrar's report

Government affairs: Another issue of certification was raised in the Registrar's report. Roger Barker, P.Eng., reported that the Ontario Ministry of Transportation (MTO) is seeking certification of road construction contract administrators. Professional engineers will be excluded from the certifica-

tion requirement, needing only to provide a resume showing relevant experience.

With regard to the Walkerton Inquiry, PEO elaborated on the recommendations in its written submission to the inquiry by participating in Public Meeting No. 7 before Justice O'Connor. President Gordon Sterling, P.Eng., Councillor Allen Lucas, P.Eng., and John Gamble made PEO's presentation.

Barker's report also mentioned that the Government Affairs Committee has been asked to review and comment on proposed changes to regulations under the *Electrical Safety Act*. The most significant potential changes under consideration, he reported, include ending the exemption of utilities from some parts of the Electrical Safety Code and allowing professional engineers to verify equivalency to the Code under seal.

Reciprocity: Council discussed ongoing efforts at reciprocity of practice with Michigan and across North America. Currently, there are a significant number of PEO-licensed professional engineers working in Michigan, according to Councillor Bruce Clarida, P.Eng. PEO needs to ensure that the qualifications for practice are equitable between the jurisdictions with the long-term goal of equivalency of licences, he said. President Sterling reported that the Canadian Council of Professional Engineers (CCPE) would prefer that a national-level reciprocity be negotiated with Michigan, rather than having one negotiated province by province. Currently, professional engineers licensed in Michigan can practise in Ontario under a temporary licence so long as they collaborate with a licensed member of the association to ensure that the engineering work complies with applicable Canadian and Ontario codes, standards and laws. To work in private practice in Michigan, however, Ontario engineers are required to write the same sets of exams as U.S. engineering graduates. In practice, however, the exam requirement is often waived for those with significant experience. Engineers practising engineering in industry in the U.S. are not required to be

licensed, which differs from the Ontario situation, where licensing is required except for those designing production machinery for use in their employer's facility. Council suggested that a joint PEO/OSPE task force be convened to look at reciprocity.

During the meeting, *The Report of the International Mobility Task Force* was received by Council for debate at its next meeting. Norbert Becker, P.Eng., co-chair of the task force, said that the report will also be forwarded to CCPE for its information.

Information Technology: Urgent issues previously identified as IT priorities are being addressed, manager Ron Bailey, P.Eng., reported. Projects are underway to address member lapsing for non-payment of the annual licensing fee, invoice reminders, information transfer to the Ontario Society of Professional Engineers, registered members in other provinces and increased defence against virus attacks. He also reported that the IT department will be closely involved in preparing for the 2001 audit, he said, which will result in a significant cost saving.

Communications: Council was informed that PEO is developing a Professional Ethics Learning Tool targeted at engineering students and professional engineers. The Alberta association is the partner in the project, which, for PEO, is designed to meet its Strategic Plan goal of ensuring that the code of ethics is contemporary, relevant and well-understood. The learning tool will identify the code of ethics as a decision-making tool for professional engineers and increase the awareness of the code of ethics and the obligations it imposes. Connie Muckestone, director of communications, and Gaston Doiron, P.Eng., Student Membership Program coordinator, represent PEO on the project.

Reports to Council

One of the recommendations of the 1999 Admissions, Complaints, Discipline and Enforcement Task Force was that PEO develop a plan to increase understanding of the issue of enforcement of the *Professional Engineers Act*. PEO retained Canterbury Communications to develop this communications plan. Margaret McCaffery of Canterbury, a former director of PEO's communications department, presented the plan and sought Council approval to implement its first phase. She said that although it is little known PEO

is leading the way at prosecuting illegal practice among all self-regulating professions and among the engineering associations in Canada.

Council approved beginning to implement the first phase of the three-phase campaign. The goal in the first phase is to show that enforcement is central to PEO's core business, and to change the prevailing belief that PEO does not do a

very good job at it. Some of the actions will be to create an information kit about PEO and its enforcement function for use when visiting chapters, industry, students, and government, and to enhance orientation to Council members. Phase 1 is expected to take a year to fully implement.

Marie Lemay, P.Eng., CCPE chief executive officer, presented to Council some *continued on page 54*

by Joan Bailey

Council has approved recommendations of a PEO task group looking into proposed changes to the Ontario Building Code. The *Act to Improve Public Safety and to Increase Efficiency in Building Code Enforcement, or Building Code Statute Law Amendment Act*, was introduced for first reading in the legislature on November 1, 2001. It contains proposals from a Building Regulatory Review Advisory Group (BRRAG) that would require practitioners of services pertaining to the Ontario Building Code to sit exams to demonstrate their building code knowledge; limit permit fees to the reasonable cost of enforcement; allow municipalities to outsource plan review and construction inspection functions to Registered Code Agencies; and require building practitioners to carry liability insurance.

To brief Council on the proposals prior to its vote on the PEO task group recommendations for PEO's position, Bryan Kozman, Ali Arlani, P.Eng. and David Brezer, P.Eng., of the Ministry of Municipal Affairs and Housing (MMAH), attended a special evening session of Council on November 15. They said that the government will design the exams to demonstrate code knowledge but would welcome input from the profession. Many of the details of the proposals in the new legislation will be defined in the regulation, which has yet to be written, they said. The government is willing, they continued, to allow the licensing bodies for the self-governing professions whose members will be required to write the exams and be insured (engineers and architects) to administer the exams and maintain the registry of their qualified practitioners, on the government's behalf.

In discussion of the government proposals, the importance of PEO remain-

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results of an informal strategic planning stakeholder survey. CCPE is currently working to redefine its strategic plan and the survey asked the presidents and executive directors of its constituent members key questions pertaining to its mission and objectives. At PEO, the survey was circulated to all Councillors. General comments from the Councillors reflected some concern over the relationship of PEO, OSPE and CCPE. Lemay said that CCPE has “not closed the door on OSPE” and is continuing to try to forge a working relationship with OSPE.

Council received the comments from Councillors on the CCPE strategic plan survey and carried a motion that PEO request that the CCPE seek a formal relationship with OSPE as is provided for under Section 1 of CCPE’s Letters Patent.

2002 budget: Council approved the 2002 operating budget, which included revenues of \$11,807,800, expenses of \$12,382,800, for an excess of expenditure of \$575,000. In September, Council had approved the principle of a deficit of approximately this magnitude, on the recommendation of the Finance Committee. It was noted that at the end of the tran-

sition financing to OSPE, PEO will start to recoup this deficit.

Awards: Council approved the Awards Committee recommendations for nominees to the Order of Honour (see page 15), and empowered the Executive Committee to make the decision on whether to accept the committee’s recommendations for recipients of the Ontario Professional Engineers Awards, which will be awarded in November 2002. Deadline for nominations for the awards is March 31, 2002.

The next council meeting will be held February 28 and March 1, 2002.