



Council supports spirit of PEO-OSPE Agreement

NOVEMBER 14, 15, 2002 MEETING

by Sharon Van Ihinger

After a long, heated debate, PEO Council voted to support the spirit of the non-competition clause in the PEO-Ontario Society of Professional Engineers (OSPE) Agreement of November 2000, by turning down a request that PEO provide its membership list to the Canadian Council of Professional Engineers (CCPE) for the use of CCPE's member service providers.

In fact, PEO had not provided its list to the CCPE affinity program providers for some time; however, CCPE was now requesting access to the up-to-date list for the use of its home and auto insurance provider, so that it might meet the terms of its agreement with the provider. OSPE, for its part, contended that PEO would be in violation of the PEO-OSPE Agreement if it provided the list to CCPE, since OSPE has now entered into an agreement with a different home and auto insurance provider to offer these products to Ontario engineers.

In the debate, Councillors were torn by wanting to do the right thing in relation to PEO's commitments to both CCPE, of which PEO is a constituent member, and OSPE, which was launched by PEO to be the voice of the profession and member service provider in Ontario. Noting that ambiguity in the language of the PEO-OSPE Agreement might leave room for PEO to provide the list to both parties, some Councillors said such a situation could result in the most competitive insurance rates for Ontario engineers. In the end, however, the existence of a legal agreement with OSPE and a perceived moral obligation by PEO to help the new organization to succeed held sway.

In another motion, however, Council confirmed that PEO would continue to accept paid advertising in *Engineering Dimensions* from the CCPE service providers, since the space is sold at the same rate it would be sold to any other advertiser, and advertisements from OSPE, or any other, service providers would also be welcomed. A legal opinion obtained in advance of the Council meeting indicated that the non-competition clause of the PEO-OSPE Agreement cannot be interpreted as extending to the sale of advertising space, which is simply a commercial transaction and cannot be construed as PEO participating in the offering of competing services.

2003 budgets approved

Council approved a 2003 Operating Budget with expenditures of about \$13.6 million, plus an additional \$120,000 for implementation of the approved recommendations of the Chapter Structure and Revitalization Team's implementation report. Council approved the recommendations at its September meeting. Although revenue in 2003 is budgeted at about \$14.2 million, the approved budget anticipates a deficiency of revenue over expenditure of about \$1.4 million, due to PEO expenses of about \$1.9 million for OSPE. PEO funding of OSPE operations is scheduled to cease in 2004, after which PEO will begin to recoup the deficits it ran during the three-year transition period. PEO has an operating reserve of just over \$7 million. PEO financial policies specify a lower limit for the operating reserve of 50 per cent of PEO's annual operating costs.

Council also approved a 2003 capital budget of \$471,040.

Policy governance

The Governance Task Force presented its second Interim Report to Council (available on PEO's website at www.peo.on.ca/council/Comm_Task/Governance_Taskfor

[ce_home.htm](#)). The task force's directive is to clearly define roles of Council, committees and staff. The report highlights the need for a change in the way committees and staff function and inter-relate, to enable Council to better fulfill its policy governance role and to provide enhanced coordination of PEO's regulatory policy formation and priority setting. Based on the report, Council approved in principle a regrouping of committees into three reporting categories: committees reporting to Council, those reporting to the Executive Committee, which will undertake a policy development and priority setting role, and those reporting to the CEO/registrar.

A subgroup of the Governance Task Force is developing recommendations to enhance the working relationships among PEO staff, volunteers, committee members and Councillors and will bring forward a report to Council at a later meeting.

Accreditation control

In a stepped-up effort to reemphasize PEO's authority over the academic qualifications for licensing in Ontario, Council approved several motions relating to the process for accrediting Canadian engineering programs, which is undertaken by the Canadian Engineering Accreditation Board (CEAB) a CCPE standing committee, on behalf of all of CCPE's constituent members. The motions are:

- ◆ "That PEO give prior consent in writing to each visit of an engineering program in Ontario by the CEAB and appoint a suitable General Visitor to the CEAB visiting team. This authority should be delegated to the Registrar who shall report on such consents and appointments at the subsequent meeting of Council, and shall report to Council the accreditation decision when it is finalized."
- ◆ "That on the CEAB's refusal to accredit an Ontario engineering program, the

Registrar determine how the graduates of that program will be assessed against PEO's academic requirements, and that this determination be communicated to the other provincial/territorial associations, and to the engineering school in question."

- ◆ "That PEO Council reconfirm annually the authority of the CEAB to act as PEO's accreditation agent for undergraduate engineering programs, based on the recommendations of the Registrar."
- ◆ "That PEO require the CEAB to report all of its accreditation decisions to all of the provincial/territorial associations across Canada by simultaneous copies of the letters advising the engineering schools of those decisions."

Service awards program

Council approved the Professional Engineers Awards Committee's recommendations for individuals to be inducted into PEO's Order of Honour in 2003. Entering the order at the ceremony on April 26, 2003 will be:

- ◆ In the Companion category, Peter DeVita, P.Eng., York Chapter;
- ◆ In the Member category, Patrick Quinn, P.Eng., Brampton Chapter; Peter Schmidt, P.Eng., Kingston Chapter; David Robinson, P.Eng., North Bay Chapter; John Chambers, P.Eng., Oakville Chapter; Paul Ballantyne, P.Eng., Algonquin Chapter; and Stephen Tsui, P.Eng., Windsor-Essex Chapter.

The Order of Honour recognizes service to the profession through PEO. (See the February/March issue of *The Link* for more on the recipients' contributions.)

OSPE builds strong foundation

OSPE Chair Catherine Karakatsanis, P.Eng., reported to Council on the Society's history and achievements for 2002. A mandate of advocacy for professional engineers, along with member services and professional development are what the Society is focusing on, Karakatsanis said. As of Nov. 14, Society membership stood at 9867, double what it was a year ago.

Reported accomplishments for 2002 include a new membership database and online capabilities for fee payments and profile maintenance; the new Pathways program; the EngineersFirst member-benefits

program; and the hiring of a professional development manager, one of whose first tasks will be to develop technical training courses for engineers writing the new Ontario Building Code exams. The Society now has 15 staff. These achievements have been possible due to many factors, Karakatsanis said, including the good working relationship between PEO and the Society.

The floor was opened up to questions. One councillor asked about the Society's strategic challenges, and Karakatsanis responded that the goal for OSPE is to be comparable to an organization such as the Ontario Medical Association (OMA). The need to build value for members, in addition to advocacy and professional development, are important strategically, she said.

However, Councillor Peter Frise, P.Eng., remarked that there are fundamental differences between the OMA and the Society in that doctors have one employer the *Ministry of Health*. Noting the diversity of engineers' employment situations, he asked: "How can you advocate on behalf of this diverse group?" Karakatsanis agreed that this is and will continue to be a challenge, but that the Society welcomes input. By working in conjunction with many different government bodies and industry, the Society will set priorities for advocacy, as was the focus of the recent General Assembly held in Kingston on Nov. 1 and 2, she said.

She said Bob Goodings, P.Eng., the Society's past chair, will be visiting large industry to advocate the Society's programs and member interests, and is representing the Society in discussions with the Ontario environment ministry relating to the *Safe Drinking Water Act* (SDWA).

Admissions review received

Council received the report of the Evolution of Engineering Admissions Task Force. The task force was established as a result of the 1999 report of the Admissions, Complaints, Discipline and Enforcement Task Force to examine the admissions process broadly and make recommendations for a process that is fair and is perceived to be fair. Council will debate the report at an upcoming meeting. It is available on the PEO website at www.peo.on.ca/council/Comm_Task/evol_in_eng_2001.htm.

Registrar's Report

Roger Barker, P.Eng., highlighted progress of work being done in several of PEO's core functions:

- ◆ *Regulatory*: Several legislative changes surrounding the new Admissions Appeal process and the proposed *Privacy Act* are in the works. PEO staff are working with policy developers at the Attorney General's office on these changes. Discussions have also begun on the implementation of Council decisions on the recommendations of the Technologist Licensure Task Force, and the removal of the citizenship/residency clause from the Act (see *Engineering Dimensions*, November/December 2002, pp. 42-43)
- ◆ *Admissions*: One of the main issues that PEO has been focusing on is access for immigrants. The Ministry of Training, Colleges and Universities has approved funding to the tune of \$222,000 over a two-year period for a project that will look at mobility challenges and solutions. Part of the project will also focus on pulling together a web-based directory of information aimed at improving access to regulated professions and occupations for internationally educated recent immigrants, as well as a guide to help regulators in developing relevant processes and policies.
NAFTA MRD: CCPE, the State of Texas Licensing Board and Mexico signed an Agreement of Intent on September 27, 2002, based on a NAFTA MRD Operational Procedures Document (OPD) that says that all three signatories will use their best efforts to secure the agreement of their respective local jurisdictions to implement the 1995 NAFTA Mutual Recognition Document (MRD). PEO admissions staff have reviewed the OPD and are seeking clarification in several areas before presenting recommendations to Council concerning it.
- ◆ *Professional Affairs*: Barker updated Council on development of the
continued on page 44

Connecting with the future



Congratulations to Kenzie MacIsaac from Carleton University's Faculty of Engineering and Design. MacIsaac is the 2001 recipient of the Foundation for Education Gold Medal for Academic Achievement at Carleton University. The award includes a Gold Medal and Certificate for Academic Achievement. From left: Professor Donald Russell, Associate Dean of Engineering and Design, award winner Kenzie MacIsaac, and Nick Monsour, P.Eng., Board Member, Ontario Professional Engineers Foundation for Education.

Engineers believe in building a better world for the future. That's why the Ontario Professional Engineers Foundation for Education provides scholarships to connect with engineering students. The Foundation exposes students to the values of the profession so that they can accept the responsibilities of becoming professional engineers. These future leaders of the profession include Kenzie MacIsaac, M.A.Sc., Carleton's 2001 University Medallist in Engineering and Electrical Engineering graduate.

The Foundation is a non-profit, charitable organization governed by an elected Board of Directors, which awards scholarships to students in the 13 engineering faculties in Ontario offering accredited engineering programs. A Gold Medal is awarded to the student in each faculty who achieves the highest standing in the final examinations of his or her final year.

The scholarships are financed through the generosity of Ontario professional engineers, who donated approximately \$76,000 to the Foundation in 2002. Please support the work of the Foundation by including it in your arrangements for planned giving this year.

The Ontario Professional Engineers Foundation For Education salutes Kenzie MacIsaac and all the Foundation's 2000-2001 scholarship recipients.

25 Sheppard Ave. West, Suite 1000, Toronto, Ontario M2N 6S9
Tel: 416.224.1100 or 1.800.339.3716 Fax: 416.224.9527 or 1.800.268.0496
Website: www.penged.on.ca

continued from page 43

regulations to Bill 56 (*Brownfields Statute Law Amendment Act*) and said that the joint Brownfields subgroup of PEO's Environment Committee is continuing to work with MOE toward an acceptable definition of a Qualified Person in the regulations.

Amendments to the *Ontario Business Corporations Act*, effective as of 2000, permit any member of a profession governed by an Act to incorporate their practice as a "professional corporation," providing they meet the requirements for professional corporations under the OBCA. These requirements are different from those under which professional engineering firms have been allowed to incorporate for some time, and may require that some PEO Certificate of Authorization holders make changes to their firm structure or name. PEO is reviewing the amendments to determine whether they conflict with the *Professional Engineers Act* and will inform C of A holders of any requirements when the situation is clear.

PEO has been meeting with the Ministry of Municipal Affairs and Housing to discuss key issues surrounding PEO administration of the exams for professional engineers seeking certification as designers under Bill 124 (*The Building Code Statute Law Amendment Act*). Once the regulations to the act are in place, there will be an 18-month period in which to qualify and be registered (see News, p. 11).

- ◆ **Innovation Strategy:** Concerning one of the federal government's key initiatives, Barker reported that a CCPE meeting of presidents and executive directors in Halifax on Oct. 3, 2002, discussed the Innovation Strategy (see *Engineering Dimensions*, March/April 2002, pp. 12-13) and Human Resources Development Canada's role in improving Canada's intellectual capital. Following the presentation, discussion took place on whether the associations and CCPE should propose working with HRDC to develop a model to facilitate the integration of foreign-trained engineers into the profession without lowering standards (see News, p. 15).

* Complete Council minutes are available at www.peo.on.ca