

BY JENNIFER COOMBES

In March 2005, Council approved a three-phase plan to move forward recommendations by PEO's Technologist Licensure Task Group (TLTG) to streamline the process by which engineering technologists apply for a limited licence, which allows holders to practise professional engineering within a defined area of practice, enables use of the title Licensed Engineering Technologist (LET), and permits LETs to offer engineering services to the public within their defined area of practice. The third phase of the plan—offering services—was thought at that time to require changes to the *Professional Engineers Act* (PEA), which is a time consuming and sometimes difficult process.

At its March 2006 meeting, Council requested the CEO/Registrar to conduct the legal and regulatory analysis necessary to determine if PEO's temporary licence could be used instead of the limited licence to provide qualified engineering technologists a mechanism to meet the licensing and Certificate of Authorization (C of A) requirements under the PEA. A C of A is required for any entity in the business of offering or providing engineering services to the public.

Advice, via an opinion letter from legal counsel Steinecke, Maciura and LeBlanc, indicated this goal could be accomplished by amending Regulation 941/90 to include a class of temporary licence for LETs, as opposed to making changes to the PEA itself. Although the PEA defines a holder of a temporary licence as a "professional engineer," counsel's opinion indicated misrepresentation of LET temporary licence holders as professional engineers could be prevented by PEO amending the regulation such that the LET class of temporary licence is explicitly prevented from using the title of "professional engineer." Section 7 of the PEA provides PEO regulation-making authority regarding temporary, limited, and other class of licences, and section 18 provides the Registrar the authority

## PEO and OACETT move LET forward with joint policy statement

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to issue temporary or limited licences to an applicant who meets the requirements and qualifications in the regulation.

Council learned that in early June, legal counsel had presented draft amendments to Regulation 941/90 to PEO for review, but had indicated that before the amendments can be finalized, they require a description of the scope of practice to be attached to the class of temporary licence and a description of the categories, or areas of practice, for which the new temporary licences would be issued. Council tasked the CEO/Registrar, with Council's help, with preparing a policy analysis regarding the scope of practice to be attributed to this temporary licence, as well as a description of the categories (areas of practice) for which the new class of temporary licence would be issued, for Council's consideration at its September meeting.

Council also approved a recommendation of the PEO/OACETT Joint Oversight Committee, which is spearheading the process of moving the TLTG recommendations forward, that as a show of good faith PEO sign a joint policy statement on implementation of the LET recommendations. The policy statement states PEO will continue in its efforts to achieve the objective of providing qualified engineering technologists a mechanism to meet the requirements of the PEA. OACETT Council has already approved the document, dated February 21, 2006.

### New general secretary, CPO

At the June Council meeting, Mark Baruzzi, LLB, who joined PEO as director, governance/general counsel on May 1, was appointed by Council to the positions of general secretary of the association and PEO's chief privacy officer, replacing Kim Allen, P.Eng., CEO/registrar, who was appointed as chief privacy officer at the January 2004 meeting.

In his role as chief privacy officer, Baruzzi will be accountable for the organization's compliance with the principles outlined in PEO's Privacy Policy (see "Privacy protection is good business," *Engineering Dimensions*, January/February 2005, pp. 54-57, also *In Council*, March/April 2006, pp. 30-31), and will oversee the implementation of the expanded public information model (see *News*, p. 24, and advertisement, p. 32).

### Single-stage election procedure

Several motions concerning aspects of PEO's election process were passed at the June meeting, as a result of the work of the Election Procedures Task Force (EPTF), which was struck in March 2001 to review recommendations of previous election task forces and PEO's election procedures. Based on its initial review, the task force rewrote the procedures for the 2002 Council elections, which Council approved in June 2001. The taskforce, inactive in 2003 and 2004, met again in 2005 and presented an interim report to Council that June. Following a review by chapter leaders over the summer and fall, the task force finalized its findings on April 26, 2006 and presented its report to Council at the June meeting.

Council approved the EPTF's recommendation that the current two-stage nomination procedure for candidates for election to Council be replaced with a single-stage procedure for the PEO elections, in which there is a common nomination process for all candidates for election and a common date for the close of nominations. As well, all nominations for election to Council will need to be supported by the signatures of 15 members of the association. For the position of Regional Councillor, all 15 member signatures will need to be from members residing in the applicable region, and for the positions of Councillor-at-Large, Vice President and President-elect,

there will need to be at least one member signature from each region among the signatures. These changes in the election procedures will require amendment of Regulation 941/90 so could not be effective before the 2008 elections.

Council also approved renaming the Nominating Committee as the Central Election and Search Committee and changing its role to encouraging rather than nominating candidates to run for each office, assisting PEO's chief elections officer, and resolving disputes on interpretation of the election procedure guidelines. Council also approved renaming the Regional Nominating Committee for each region as the Regional Election and Search Committee and changing its role to encouraging rather than nominating candidates to run for the position of Regional Councillor. These changes will also require revision of Regulation 941/90.

Paving the way for electronic voting and confirmation procedures in future PEO Council elections, Council approved a motion to amend Regulation 941 as necessary to enable electronic voting options, and to seek an amendment to section 8(3) of the PEA to enable electronic confirmations of by-law amendments by members.

For the 2007 elections, Allen Lucas, P.Eng., and Bruce Clarida, P.Eng., were appointed by Council as the required two additional members of the Nominating Committee; George C. Comrie, P.Eng., the Penultimate Past President, was appointed to chair the committee as required by the regulation. The other members of the committee are Past President Bob Goodings, P.Eng., and President Pat Quinn, P.Eng. Council appointed Mark Baruzzi, LLB, as the chief elections officer to oversee the conduct of the nomination and election process.

Council also stood down the Election Procedures Task Force.

### PEO budget in the works

PEO's five-year financial plan is reviewed each year at the June Council meeting, as a prelude to preparing the next year's budget. Accordingly, Council reviewed and approved PEO's Five-year Financial Plan (2007-2011), including its assumptions. The assump-

tions outline factors that impact PEO's operating reserve and include a five-year revenue forecast based on such factors as retiring members, investment and advertising income, the impact of inflation, salaries, implementation of the strategic plan, and PEO's plan to purchase a building in the near future.

Council also approved an amended version of the 2007 Budget Assumptions recommended by the Finance Committee. The amendment was that the 2007 expenditures for strategic plan projects are to be included as part of the operating budget.

Council then directed the Finance Committee to initiate the budgeting process for the 2007 operating and capital budgets, including provision for an operating reserve of \$6.1 million.

In light of the membership's failure to confirm the amendment to section 39(2) of By-Law No. 1 that would have increased the annual P.Eng. licence fee by

\$20 in 2006 and \$20 in 2007, the Finance Committee was directed to review all of PEO's program costs and cost-recovery mechanisms and to identify cost-avoidance opportunities. This information and a first draft of the 2007 budget will be presented to Council in September. A final draft budget will be presented for approval at Council's November meeting.

### EIT eligibility

Council approved a motion that makes graduates of programs other than those accredited by the Canadian Engineering Accreditation Board eligible for PEO's Engineering Internship Training (EIT) program once they are assigned a confirmatory examination program or have completed their specific examination program. Previously, applicants were eligible to participate only after their academic qualifications for licensure had been confirmed. ◆



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## Study schedule revised

The schedule for a study to determine the level of confidence in PEO as a regulator, and in the licences it grants, has been revised. **The study will now take place in the fall of 2006.**

As part of this initiative, an independent market research firm will be conducting a random survey of PEO licence holders and other stakeholders, including government, employers and clients. If selected to participate, your confidential response will be critical to providing the necessary information to formulate an effective, useful process to measure confidence in the licence and in PEO in the coming years.

A notice in the March/April issue of *Engineering Dimensions* had indicated the study would be conducted between May 23 and August 23.