

Council still building bridge to OSPE

JUNE 22, 2001 MEETING

whole of the engineering profession in Ontario." To date, several hundred P.Eng.s have opted out of sustaining membership in OSPE.

Past President Peter DeVita, P.Eng., a member of the PEO negotiating team, said that to the team it makes sense that OSPE administer the profession's awards program, since the purpose of OSPE is to provide member services and the program is clearly non-regulatory. However, he added, there had been some discussion on having the Professional Engineers Awards awarded jointly, and presented yearly. He moved that the awards be removed from the list of programs to be transferred to OSPE. Laurier Proulx seconded the amendment, which was carried.

Following passage of the now amended list of programs to be transferred, Council approved establishing a working relationship with OSPE to coordinate the Professional Engineers Awards.

Duty to whom?

Council also discussed a motion establishing a policy that a director, officer, or employee of OSPE cannot represent PEO on the Canadian Council of Professional Engineers (CCPE) Board of Directors due to a perceived conflict of interest. CCPE is the federation of the provincial/territorial engineering licensing bodies, of which PEO is a member.

Max Perera, P.Eng., said there is not an implicit conflict in a director of OSPE serving on the board of CCPE, since CCPE is a mixed bag of regulatory, advocacy and member services. Colin Cantlie, P.Eng., disagreed, saying that a conflict could lie in the individual's duty as a director to each organization, if the organizations were in conflict or could be perceived to have conflicting goals. He added that a separation of roles is important to OSPE.

George Comrie, P.Eng., agreed, asking: "If there were no potential for conflict, then why would we need a separate body?" Comrie speculated that 95 per cent of the time PEO and OSPE will not be in conflict, but there will always remain that potential.

Roydon Fraser, P.Eng., called the motion a "piecemeal fix." The real problem, he said, is that PEO has split off its two functions, while the other provinces, which are also CCPE members, have not: "Are we going to further isolate PEO?" Fraser said that he was having difficulty seeing that PEO needed to take action in relation to a perceived conflict of interest.

Eventually, the motion passed, as did a subsequent motion appointing President Gordon Sterling, P.Eng., to replace newly elected OSPE director Pat Quinn, P.Eng., as PEO's representative on the CCPE board of directors.

Budget assumptions

To help the Finance Committee bring a draft 2002 budget to Council's September meeting, Council was asked to confirm the assumptions to be used to prepare it. In particular, Council was asked to confirm whether the budget should be balanced and, if so, whether this is to be achieved by program cuts, a fee increase, or a combination of the two. A five-year forecast indicated that at 2001 program activity levels, PEO would have a deficit budget in 2002 of approximately \$300,000 prior to payments to OSPE. The forecast assumed inflation of 3 per cent, an increase in the number of retired professional engineers who do not pay full fees, an increase in the number of licences that lapse or are resigned, and a salary increase of 4 per cent.

David Sims said that a deficit budget should not be acceptable for PEO. Council agreed.

However, also recognizing that most of PEO's spending is non-discretionary (i.e. required for PEO to fulfil its regulatory mandate), Council recommended that the balanced budget assume an annual fee increase of \$10 over and above the \$10 fee increase already approved for 2002 to enable start-up funding of OSPE, effective February 1, 2002. Under section 39 of By-law No. 1, Council can increase the annual fee to a maximum of \$200 "provided that the annual membership fee shall not be increased by more than \$20 in any calendar year."

Mindful of the five-year forecast, which

Registrar's report

Roger Barker, P.Eng., highlighted progress in several areas of PEO's core functions.

Admissions: A process has now been initiated whereby prospective immigrants to Ontario can begin their application for licence prior to immigrating, consistent with the approved recommendation of the Admissions, Complaints, Discipline and Enforcement Task Force.

Enforcement: The successful resolution of a dispute with Microsoft over its MCSE (formerly Microsoft Certified System Engineer) designation was highlighted. Microsoft has advised Canadian holders of the designation not to use its full title or to refer to themselves as engineers. The registrar said he is optimistic that this success will pave the way toward further successes in regard to the unlawful use of "engineer" by software course providers and practitioners.

Professional Affairs: The Education Committee's Engineer-in-Residence program has received \$70,000 to support 2001 plans to establish an interactive program website and to ensure expansion of participating schools and volunteer engineers. It is the first instalment of \$225,000 in funding over four years from the Ministry of Energy, Science and Technology, Barker said.

The PEO Environment Committee and the Association of Professional Geoscientists of Ontario (APGO) are developing a recommended regime to identify and qualify individuals licensed as professional engineers and/or professional geoscientists as "qualified persons," for purposes of the recently introduced Brownfields Statute Law Amendment Act. The regime is also intended to ensure the appropriate level of performance and accountability from the qualified P.Eng.s and P.Geos with a clear, transparent mechanism for complaints. PEO's submission to Part II of the Walkerton Inquiry, also prepared by the Environment Committee, was presented to the Walkerton Inquiry Commission on May 17, 2001, and can now be viewed on the PEO and Walkerton Inquiry websites.

CCPE: At the first meeting of the new Board of the Canadian Council of Professional Engineers, held May 26, the Board approved a recommendation to proceed with a Secondary Professional Liability Insurance Program for those provincial associations/ordre who have indicated support for a mandatory program for their members. At its meeting on September 15, 2000, PEO Council voted not to participate in this program.

foresees PEO's operating reserve dipping below policy levels in 2003, and the anticipated need for PEO to increase spending on its regulatory functions in the future, Council approved a motion to allow the Executive Committee to prepare recommendations to amend the By-law to remove the annual fee ceiling of \$200. To become effective, members must ratify by-law amendments in a referendum.

Strategic Plan endorsed

Council endorsed the Strategic Goals and Strategic Initiatives in PEO's draft Strategic Plan, the last major elements of the plan to require approval. Council approved the plan's Strategic Vision and five Strategic Imperatives on January 12, 2001. The plan calls for strengthening PEO's role as regulator for engineering in Ontario to ensure the public interest is protected in all matters involving engineering work (for more information, see "Re-igniting Relevance," pp. 32-33, or check out the plan on PEO's website at www.peo.on.ca).

The plan was developed by the

Strategic Plan Steering Group, informed by PEO's strategic plan of 1997/98, several studies undertaken by CCPE and the Canadian Academy of Engineering, two brainstorming sessions of PEO Council (June 2 and August 11, 2000), and Council feedback to drafts circulated in October 2000, January 2001 and March 2001. The draft plan was also posted to the PEO website in November 2000 for comment, and the posting updated several times as work on the plan progressed.

Because responsibility for developing action plans to implement the approved initiatives has not yet been assigned, Council also approved continuing the Strategic Plan Steering Group until Council's next meeting. Members of the Strategic Plan Steering Group appointed by Council on June 30, 2000 are Peter DeVita, P.Eng. (chair), Gordon Sterling, P.Eng., Pat Quinn, P.Eng., Chris Roney, P.Eng., Max Perera, P.Eng., Ken Lopez, P.Eng., Roger Barker, P.Eng. and Connie Mucklestone.

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by Joan Bailey

At the 402nd meeting of Council on June 22, 2001, a motion that Council approve an agreement for the first phase of program transfers from PEO to the Ontario Society of Professional Engineers (OSPE) sparked debate.

Following the signing of the November 7, 2000 PEO-OSPE Legal Agreement, which provides the framework for the transfer of non-regulatory programs to OSPE, the PEO-OSPE negotiating teams had identified what they thought were straight-forward programs that could be transferred immediately. The programs proposed to Council for Phase 1 transfer were:

- ◆ Employment Advisory Service;
- ◆ Membership Salary Survey;
- ◆ National Engineering Week;
- ◆ Engineers are Everyday Heroes;
- ◆ The Professional Engineers Awards; and
- ◆ Ontario Engineering Competition.

However, several Councillors objected to including the Professional Engineers Awards on the list. Nick Monsour, P.Eng., said he believes that if the Professional Engineers Awards are no longer presented as part of PEO's annual general meeting, PEO will lose attendance at the AGM. Daniela Iliescu, P.Eng., said she is not in favour of transferring the awards until it is determined whether all P.Eng.s will remain eligible for an award even if they are not OSPE members, because "the awards should recognize excellence in the