

CURRENT EVENTS—PEO-STYLE



Denis Dixon, P.Eng., FEC
President

IT SEEMS AS if there are issues raised in Ontario that might involve engineering almost every week. Yesterday, as I write this, a roof collapse in Elliot Lake would seem to merit some engineering investigation. PEO has a process in place to stay abreast of such happenings and offers to assist the relevant authorities as required. It may be a bit late in the game to do anything about design deficiencies in this instance (maintenance being just as likely a factor as any other in this fairly old building); however, PEO will look at including anything it can learn from the incident into the structural guideline the Professional Standards Committee (PSC) is currently revising.

Last week, the Ministry of Municipal Affairs and Housing released interim changes to the Ontario Building Code (OBC) to make balcony glass safer. The new requirements specify the type of glass that can be used based on the location of the railing relative to the balcony edge. Heat-strengthened laminated glass must be used in railings at or beyond the slab. Either heat-strengthened laminated glass or heat-soaked tempered glass can be used in railings located 50mm to 150mm from the edge. Ordinary tempered glass can still be used in railings more than 150mm from the edge.

These changes were based on recommendations from an expert advisory panel. Engineers typically involved in the design of the railings disagreed with some of the recommendations, arguing that the new requirements are less than the design engineers considered the minimum needed to protect the public. PEO's position is that OBC requirements should meet or exceed the reasonable standard of care acceptable to professional engineers.

Rather than live with the solution we will, at a minimum, be advising practitioners that their paramount duty to the public welfare will often require that they go beyond minimum requirements as presented in the OBC. While awaiting the finalization of a Canadian Standards Association standard for balcony glass, the PSC will look at what more, if anything, PEO might do.

Meanwhile, our newly functioning Government Liaison Committee did great work on our "Yes to OSPE, No to Bill 15" campaign, and although PEO obtained substantial oral support for our position on the proposed *Act Respecting the Ontario Society of Professional Engineers*, the private member's bill passed almost unanimously through second reading as a mark of respect for the member bringing it. It is less likely the bill will make it through the next stage, thanks to the efforts of the Government Liaison Program representatives from our 36 chapters, who took our case to the members of the legislature.

Each PEO presidential term seems to have a different thrust, and there is often a reluctance to suggest that a previous council might have got it wrong or circumstances might have changed. However, there are currently some long-standing pending regulation changes as a result of previous initiatives such as the Licensing Process Task Force that might need to be looked at again in light of the removal of the industrial exception and the likelihood that many folks in industry may now need to obtain a P.Eng. licence. Consequently, I am now asking our Legislation Committee to look more closely at the implications of pending regulation changes to all our profession at this time, and make sure things still work for all.

In my next message, I should be able to include details of the cost award arising from the June 12 hearing of an application for judicial review brought against PEO that, among other things, sought an order declaring that Michael Hogan, PhD, P.Eng., is a member of PEO council or, alternatively, an injunction restraining PEO council from "meeting or conducting any business until" all of the issues raised as part of the application could be determined by the court. The three judges hearing arguments on June 12 released their decision on June 28. The court dismissed Adams' application and accepted PEO's arguments that Hogan's resignation was effective when submitted. The court's decision on award of costs is expected by the end of July. You can read all the documents in connection with this matter at www.peo.on.ca/Legal/CourtHearing/DivisionalCourtHearingApril2012.html.

Likely before you read this, you will already have been informed of the cost award by direct email. It is important that our members be kept in the loop. We now even have an initiative to use social media for our younger members. I am open for email correspondence on any governance topic and still have a regular presence on the PEO website Members' Forum (<https://forum.peo.on.ca/cgi-bin/yabb/YaBB.pl>). Σ