

Council endorses Brownfields strategy

MARCH 31, 2003 MEETING

by Sharon Van Ihinger

Council endorsed a nine-point strategy to guide PEO's response to the Ministry of the Environment's draft regulation regarding the filing of a Record of Site Condition (RSC) under the *Environmental Protection Act* as amended by the *Brownfields Statute Law Amendment Act, 2001*. The draft regulation that defines a Qualified Person for the purpose of signing an RSC was posted on the Environmental Bill of Rights (EBR) Registry for a 60-day comment period ending April 29 (see *Engineering Dimensions*, March/April 2003, pp. 13-14). PEO's response strategy had previously been unanimously endorsed by the Environment Committee's Brownfields Subgroup, comprising representatives of PEO, the Association of Professional Geoscientists of Ontario and other stakeholders. The strategy includes a formal technical response to the EBR posting, communication to PEO members via the website and publications to make them aware of the opportunity to comment, meetings with politicians, and ongoing contact with organizations sharing PEO's concerns with the draft regulation.

In a March 14, 2003 letter to Attorney General Norm Sterling, P.Eng., LL.B., PEO then President Richard Braddock, P.Eng., described himself as "mystified as to MOE's rationale for equating licensed professionals [P.Eng.s and P.Geos] with certified practitioners [C.E.T.s and A.Sc.T.s] in legislation so vital to the well being of the Ontario public." The letter also pointed out serious conflicts between the draft regulation and the provisions of the *Professional Engineers, Professional Geoscientists*

and *Ontario Association of Certified Engineering Technicians and Technologists* acts, and asked for an immediate meeting with the AG. As of the Council meeting, the minister had not confirmed a meeting with PEO. For further developments since the March 31, 2003 Council meeting, see p. 17 this issue.

Non-regulatory program transfer continues

Continuing in its focus on regulatory issues, Council voted to proceed with the previously understood transfer of PEO's programs in support of female engineers, and currently implemented through the Women in Engineering Advisory Committee (WEAC), to the Ontario Society of Professional Engineers (the Society).

In discussing and ultimately declining to endorse the Executive Committee recommendation that PEO retain its programs for women, Councillor Nancy Hill, P.Eng., argued that PEO requires a standing committee to tackle regulatory issues relating to women in the profession. "In its role of advising Council on matters relating to women, WEAC has had a regulatory impact," said Hill. She continued that standing down WEAC as a PEO committee and transferring its programs to the Society would send a message that things seem to be okay for women in engineering, which she said "is not the case."

Councillor Monique Frize, P.Eng., agreed that it is important that women have a voice in PEO. Frize cited the Women into Engineering collaboration of PEO and the government's Ontario Women's Directorate as an example of how gender training in engineering schools will improve the climate for female engineers and will make better engineers generally.

Vice President Allen Lucas, P.Eng., said that keeping the status quo is not acceptable, but proffered that PEO could also

have a committee when necessary to look at women's issues pertaining to regulation.

Past President Gordon Sterling, P.Eng., said that WEAC's programs would have a better home and better support as part of the Society.

Society President and Chair Catherine Karakatsanis, P.Eng., said that WEAC has done wonderful work, but much of it is aimed at providing member services. "I believe that even regulatory issues are better addressed without the restrictions of the regulatory role. WEAC can do this better through the Society," she said. The Society advocates for all its members, Karakatsanis pointed out, with four of the Society's nine board members women.

WEAC's Spring Forum will proceed as scheduled on May 31, and it is anticipated that the transfer of its programs to the Society will be completed by the end of 2003.

Policy and business issues

Council approved a set of Governance Principles for PEO developed by a Governance Task Force (GTF) Subcommittee. The principles are intended to assist Council in focusing on strategic and monitoring policy issues, and provide the basis for a clear definition of the roles and responsibilities of PEO Council, committees and staff. The principles, amongst other things, recognize PEO members as "shareholders" according to the definition of shareholder in section 49 of the *Professional Engineers Act*, and outline Council's responsibilities and priority considerations (see www.peo.on.ca/council/Comm_Task/Governance_Taskforce_home.htm).

As a result of a Member resolution presented at PEO's 2002 Annual General Meeting, Council approved PEO publishing on its website the full text of all motions on matters other than routine that are passed by its standing committees (including Council), the text of the resolution that was voted on (if different) and

the record of votes, except for those held during an in-camera session.

In accordance with its Strategic Plan, PEO is moving to reassert its authority over the academic requirements for licensing in Ontario by requesting increased access to the information on engineering programs generated through the Canadian Engineering Accreditation Board (CEAB) accreditation process. In a March 3, 2003 letter to CCPE President Hollis Cole, P.Eng., PEO President Richard Braddock, P.Eng., said that PEO has a "legislated responsibility of ensuring the academic qualifications of graduates of accredited engineering programs." Cole responded that the CCPE Board of Directors has directed CCPE's CEO to review the request and follow up with PEO.

Northern region

Council accepted the resignation of Northern Regional Councillor, Bryan J. Parkinson, P.Eng., effective April 26, 2003, and approved the appointment of Bruce E. Clarida, P.Eng., the retiring Northern Regional Councillor, to fill the remaining year of Parkinson's term, until April 24, 2004. Parkinson's resignation stemmed from a conflict between the demands of a new and complex job assignment and his Council responsibilities.

In a move to enable more PEO members to become involved in northern chapter activities, Council approved a total of \$45,000 to fund a two-year pilot of a PEO Northern Region storefront office at Lakehead University. Due to the vastness of the Northern Region, chapter meetings are often sparsely attended and engineers have little contact with PEO, according to Councillor Clarida.

The Storefront/Geographic Regional Office will be set up initially to offer assistance to the North Superior and the Lake of the Woods chapters, as well as to the Lakehead Chapter. An expansion plan for 2004 will enable the office to serve the remainder of the Northern Region, which includes five more chapters. The approval included direction that staff develop criteria to enable measurement and evaluation of the trial program before its scheduled conclusion.

CCPE Directors Report

PEO CCPE Director and Past President

Gordon Sterling, P.Eng., debriefed Council on the CCPE Board of Directors meeting held February 26-27, 2003. Highlights included:

- ◆ *HKIE negotiations.* The CCPE Board of Directors passed a motion to instruct the International Committee to continue to negotiate with the Hong Kong Institution of Engineers (HKIE) in consultation with the provincial associations/ ordre, and to work on getting consensus on criteria to recognize experience that is equivalent to Canadian experience. CCPE is attempting to negotiate a mutual recognition agreement with HKIE at the full professional level, at the request of the British Columbia association.
- ◆ *Foreign-trained engineers.* CCPE received a letter from federal Citizenship Minister Denis Coderre rejecting CCPE's appeal to have its assessment of engineering education recognized formally as part of the immigration process. The letter acknowledged that since CCPE's assessment has no bearing on the provincial licensure process, it is of little value to prospective immigrants. Ideally, the government would like to see prospective immigrants receive a binding decision on licensure before finalizing their immigration plans. For more than two years, PEO has enabled prospective immigrants to apply for licensing in Ontario before making the decision to immigrate and to continue the process once in Ontario.
- ◆ *CEAB.* The CCPE Board of Directors directed the CEAB to study and report back in September 2004 on the impact of the U.S. Accreditation Board for Engineering and Technology's implementation of outcomes-based assessment.
- ◆ *CEQB.* The Canadian Engineering Qualifications Board (CEQB) work plan for 2004-2006 was circulated to the constituent members for comment. The work plan will be a living document, allowing the CEQB to consider the needs of constituent members and make adjustments as new developments occur. CEQB's primary role is to develop national guidelines on professional engineering

qualifications, standards of practice, ethics and professional conduct, to promote consistency in the licensing and regulatory practices across Canada.

- ◆ *Climate Change Workshop.* Sterling reported that climate change experts provided information to CCPE during a workshop held February 28 to March 1, 2003, aimed at developing an engineering adaptation action plan to help meet the commitments of the Kyoto Protocol. The action plan has been sent to CCPE's constituent associations for consultation, and will be subsequently forwarded to government as guidance on the role engineers can play in climate change policy development.
- ◆ *International Committee.* Future high priority activities include the finalization of a plan for a potential Mutual Recognition Agreement with HKIE, preparation for an Asia Pacific Economic Cooperation Coordinating Committee meeting in June 2003 in Hong Kong, and development of an Operational Procedures Document to implement the NAFTA agreement on recognition of engineering licences between Canada, the United States and Mexico.
- ◆ *Task Force on Member Services.* CCPE and the Ontario Society of Professional Engineers (the Society) met on February 13, 2003. The need for the Society to become involved with CCPE committees was recognized. The Task Force will change its name to the "Tripartite Working Group" to include the Society, CCPE and PEO.

Registrar's Report

Kim Allen, P.Eng., updated Council on the following:

Regulatory

- ◆ During discussions with the Ministry of Municipal Affairs and Housing (MMAH), insurance requirements continue to be a central issue surrounding the Major Structural Defects component of Bill 124, which incorporates changes to the *Ontario Building Code* process resulting from the recommendations of the Building Regulatory Reform Advisory Group. MMAH is now

continued on page 36

continued from page 19

considering modifications to cover "warranty coverage to the building owner" and "professional indemnity" for Registered Code Agencies. Consulting Engineers of Ontario and the Ontario Society of Professional Engineers are cooperating in advocating for a more flexible and less bureaucratic approach to the insurance issue.

- ◆ The Association of Registered Interior Designers of Ontario is working toward practice legislation through its proposed *Act to Enhance the Practice of Safe Interior Design*. PEO was initially concerned because of the potential overlap in several of the proposed act's definitions with the practice of professional engineering as defined by the *Professional Engineers Act* although many of the areas of overlap have been eliminated in a revised draft of the proposed legislation. However, in discussion of the issue, Councillors questioned whether a practice act in the area of interior design would serve the public interest or is necessary to ensure public safety.

Admissions

- ◆ *Access for immigrants*. PEO is continuing to work in collaboration with the Ministry of Training, Colleges and Universities on projects looking at the challenges immigrant professionals face in obtaining licensure in Ontario, and seeking solutions that increase access without diluting standards. A fact sheet was one of the deliverables that was recently completed.
- ◆ *NAFTA*. PEO admissions staff presented recommendations to Council concerning an Agreement of Intent signed on September 27, 2002 by CCPE, the State of Texas Licensing Board and Mexico, based on a NAFTA Mutual Recognition Document (MRD) and Operational Procedures Document (OPD). PEO recommended that Council give its agreement in principle, with the understanding that staff will encourage CCPE to re-examine the effect of the Most-Favored-Nation Treatment clause (Article 12030). CCPE says agreement on the OPD from the three signatories will facilitate reciprocal licensing, via a NAFTA "temporary licence" mecha-

nism, for Canadian P.Engs, P.E.s from Texas, and cédulas from Mexico, to practise in the other signatories' jurisdictions.

- ◆ *HKIE visit*. A CCPE-funded delegation visited Hong Kong last fall to review the institution's engineering experience assessment process. A copy of the *Report on CCPE Delegation Assessment--Observation Visit to the HKIE in Fall 2002*, written by PEO's Deputy Registrar, Admissions, and APEGM's Director of Admissions, was circulated to Councillors.
- ◆ *Limited licences*. PEO will be meeting with the Association of Ontario Land Surveyors to discuss PEO's provisional, temporary and limited licences, and how PEO assesses applicants in the geomatics discipline. An AOLS task force has been reviewing its educational requirements for registration.
- ◆ *Licensing statistics*. The Registrar noted that PEO is receiving about double the usual number of new applications for licensing. He said PEO has the capability to handle about 800 applications a year from people who have not graduated from an accredited engineering program, with each such application taking on average between six and 12 months to process. A preliminary plan to deal with the increased number of applications, including addressing wait times and streamlining the process, will be presented to Council at the next meeting.

Information technology

- ◆ The Registrar highlighted key areas of a quarterly plan for numerous IT projects. The IT department's annual plan has target dates for more than 20 projects.

IEEE summer conference

- ◆ PEO is taking advantage of an opportunity to boost its profile in the electric utility industry by working with the IEEE Power Engineering Society and its affiliates to present a short course on "Power System Basics for Business Professionals." The course is part of the international IEEE PES conference, held once every 10 years in Canada. (See p. 37 for more details.)