

## Here's how you voted

By JENNIFER COOMBES

PEO's 2006 Council elections closed on February 28 and the new Council took office on April 29. This year, 17 per cent of members voted for candidates for President-elect, a position for which all members are eligible to vote. In 2005, 16 per cent of members voted; 18 per cent voted in 2004, 18.5 per cent in 2003.

Walter Bilanski, P.Eng., was elected President-elect. When Bilanski takes office in 2007, it will be his fourth term as PEO President. In a close vote, Ken Lopez, P.Eng., was elected Vice President.

Members also elected the following to Council:

- Councillor-at-Large—Márta Ecsedi, P.Eng.;
- Northern Region Councillor—David Euler, P.Eng. (acclaimed);
- Eastern Region Councillor—Cliff Knox, P.Eng.;
- East Central Region Councillor—Thomas Chong, P.Eng.;
- Western Region Councillor—John Vieth, P.Eng. (acclaimed); and
- West Central Region Councillor—Colin Moore, P.Eng.

The election mailing also included ballots for confirmation by members of three amendments to By-Law No. 1. Under the *Professional Engineers Act*, Council may make or amend PEO by-laws, but new by-laws or amendments do not become effective until confirmed by members in a mail ballot.

### By-law Confirmation #1

Members confirmed the amendments to sections 24, 41, 43, 45 and 54 of By-law No. 1, concerning internal control systems.

The question, "Do you confirm amendments to By-Law No. 1 as follows:

- (a) In Sections 24, 43 and 54, delete the words 'a vice president' and replace them with the words, 'the past president';

- (b) In Section 41, delete the last sentence and replace it with: 'All payments from the funds of the association shall be authorized by the most senior person in the department or the division of the association from whose budget the funds are being paid. Where the most senior person in the department or division of the association is not available, he or she, or failing that, the registrar and CEO, may designate another person to authorize payments. The payments shall be processed by the treasurer or his or her designate'; and

- (c) Repeal Section 45 and replace it with: '45. Deeds, transfers, contracts and other instruments requiring the signature of the association may be signed by one of the president, president-elect or the past president and either the registrar or the treasurer?' received 10,417 votes in favour and 1320 votes against.

### By-law Confirmation #2

Members also confirmed the amendment to section 5 of By-law No. 1, regarding the extent of involvement engineers-in-training may have in PEO chapters.

The question, "Do you confirm amendment of Section 5 of By-law No. 1 to delete the words 'but shall not be entitled to vote or hold office' at the end of the section?" received 9268 votes in favour and 2708 votes against.

### By-law Confirmation #3

Members did not confirm the amendment to section 39(2) of By-law No. 1, regarding a membership fee increase.

The question "Do you confirm amendment of By-law No. 1 to repeal Section 39(2) and replace it with: '(2) The annual membership fee is \$220. Effective March 1, 2007, the annual membership fee shall be \$240.?' received 7098 votes against and 5190 votes in favour.

### Appointments by Council

At the first meeting of Council, on April 29, Diane Freeman, P.Eng., was re-elected

to the position of Vice President elected by and from among the members of Council. James Lee, PhD, P.Eng., and Chris Roney, P.Eng., were elected by Council as additional members of the Executive Committee.

At the meeting, Council also appointed three new members to the Experience Requirements Committee. The appointments of David L. Babbs, P.Eng., Edmund Lee, P.Eng., and Yogarane (Ranee) Mahalingam, P.Eng., were effective immediately and will continue until December 31, 2006. Council re-appointed Diane Freeman to chair the Regional Councilors Committee for 2006-2007, following her election by the members of the RCC.

### By the numbers

#### President-elect 2006-2007

<b>Walter Bilanski</b>	<b>5213</b>
J. David Adams	3674
Monique Frize	1930
R. Anthony Warner	1249

#### Vice President

<b>Ken Lopez</b>	<b>6583</b>
David Robinson	5382

#### Councillor-at-large

<b>Márta Ecsedi</b>	<b>4805</b>
Gregory Wowchuk	4356
W. El Maraghy	1432
P.N. Shankar	1422

#### Northern Region Councillor

<b>David W. Euler</b>	<b>acclaimed</b>
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#### Eastern Region Councillor

<b>Cliff Knox</b>	<b>1036</b>
Paul Ballantyne	964

#### East Central Region Councillor

<b>Thomas Chong</b>	<b>1115</b>
Santosh Gupta	978
Mark Brys	948

#### Western Region Councillor

<b>John Vieth</b>	<b>acclaimed</b>
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#### West Central Region Councillor

<b>Colin Moore</b>	<b>1358</b>
Alberto De-Santis	1344

## Calm precedes legal challenge storm

By MICHAEL MASTROMATTEO

A period of calm has followed PEO's March 20 announcement that it is seeking legal clarification of the application of recent amendments to the *Ontario Building Code* (OBC).

PEO Council's unanimous decision to file the application for Judicial Review with Divisional Court (see *Engineering Dimensions*, March/April, 2006, p. 13) seems to have brought an end for the moment to an extended period of negotiation among the regulator, the housing ministry and the attorney general's office, the ministry responsible for overseeing Ontario's self-regulated professions.

The OBC amendments, which came into effect January 1, 2006, purport to prohibit individuals who have not completed OBC qualification and registration

requirements from engaging in building-related design and review of construction activities. PEO's argument will be that the amendments duplicate, contradict and otherwise interfere with PEO's statutory role to license, discipline and regulate its members and that the amendments are not authorized by the *Ontario Building Code Act, 1992*.

Although PEO might be engaged in a tug-of-war with government over the OBC issue, it still hopes not to damage the healthy working relationship it has enjoyed with Ontario Attorney General Michael Bryant. PEO began its proactive efforts to reach out to the Ontario government at the suggestion of the attorney general, who has said he supports the importance of engineering self-regulation.

In a February meeting with then PEO President-elect Pat Quinn, P.Eng., Bryant indicated that he supports the concept of professional self-regulation in the public interest, and was prepared to inform other government ministries of his support. He also asked his parliamentary assistant, MPP David Zimmer, to serve as the contact between PEO and the provincial government. It is expected this role will involve Zimmer speaking to PEO members and Council at such events as the annual general meeting and Council meetings, and being interviewed for publication in *Engineering Dimensions*. So far, however, these expectations have not been realized.

*continued on p. 14*

PEO Councillor Chris Roney, P.Eng., a member of the PEO task force steering the legal challenge, said contact between the engineering regulator and the attorney general's office has been minimal since the announcement of the court challenge. "It's certainly been quiet since the announcement came down," Roney said April 24. "Nevertheless, we see Michael Bryant as someone who appre-

ciates what PEO is all about and who has acknowledged our problems with respect to Bill 124."

PEO has engaged the firm of Steinecke Maciura LeBlanc to argue its case. As of May 8, the firm had filed the "factum" that outlines the general position or argument PEO intends to take in the legal proceeding. PEO has committed up to \$500,000 to the legal case.

## PEO proposes joint energy project to province

BY MICHAEL MASTROMATTEO

PEO has offered to partner with the province to jointly sponsor a value analysis of Ontario's energy conservation challenge. The offer is contained in an advisory paper to the government, entitled *Sorting through the Noise—A Unique Approach to our Energy Future*, which was submitted to Energy Minister Donna Cansfield on May 4.

The paper (available at [www.peo.on.ca](http://www.peo.on.ca)) links the experience, expertise and professionalism of Ontario's 68,000 professional engineers as key resources to help government leaders develop an energy policy that supports economic growth, the environment and the individual consumer. It is the product of a workshop PEO convened April 11 and 12 to test a value analysis approach to the Ontario energy supply mix question. Value analysis is a method that considers all viewpoints to arrive at sound and broadly accepted conclusions. It acknowledges the social needs of health, safety, reliability and affordability and is grounded on the principles of objectivity, transparency, fairness, accountability, consistency and effectiveness.

The workshop involved more than two dozen experts from across the energy spectrum, who used value analysis to assess the rationale behind last December's *Supply Mix Report* by the Ontario Power Authority (OPA) and to identify key considerations for reaching an appropriate conclusion.

Workshop participants began by developing a model goal for assessing value in relation to Ontario's future energy supply: "To grow the province's economy and sustain the environment through a dynamic and timely decision-making and approval process reflecting societal desires and risk tolerance in electricity supply and conservation."



In convening the session, PEO CEO/Registrar Kim Allen, P.Eng., said PEO is committed to helping the province meet five key objectives: a conservation culture, reliability of supply, cost certainty, a stronger investment climate, and an improved environment. These objectives coincide in part with the OPA's conclusions, which include that the province maximize conservation efforts, pursue renewable sources of energy, step up the use of natural gas-fired energy generation, and maintain a place for "nuclear, large-scale wind generation, hydro imports and gasification" in Ontario's future energy mix.

Although workshop participants supported the general aims of the OPA report, they suggested it failed to make clear the rationale for its recommendations, a necessity in winning public support to enable the government to move forward expeditiously.

*continued on p. 16*

## A new President takes the reins



Outgoing President Bob Goodings, P.Eng. (left), passes the gavel to incoming President Pat Quinn, P.Eng., at PEO's AGM on April 29 in Toronto. Full coverage of the meeting will appear in the July/August issue of *Engineering Dimensions*.

## Six invested to Order of Honour



Six dedicated volunteers to the engineering profession were recognized at PEO's annual Order of Honour gala ceremony April 28 in Toronto.

Front row: Sean P. McCann, P.Eng., and Jerry Dudzic, P.Eng. (left, second from left), were invested as Members of the Order; Ken McMartin, P.Eng. (centre left), was invested as a Companion of the Order; Captain Corneliu Chisu, P.Eng. (centre right), was invested as a Member of the Order; Dick Braddock, P.Eng. (second from right), was invested as a Companion of the Order; and David Sims, QC, was invested as an Honorary Member of the Order.

Back row, left to right: President Bob Goodings, P.Eng., participated as presentation narrator; Awards Committee Chair Jeanette Southwood, P.Eng., as presentation emcee; Awards Committee member Michael Ball, P.Eng., as presenter; and Awards Committee member Catherine Karakatsanis, P.Eng., as presentation stage assistant. James Malcolm represented The Personal, the gala sponsor.

*“Many opportunities were identified at the PEO energy workshop, everything from improving the efficient use of the electrical grid to achieve better conservation to shifting energy use away from fossil fuels to alternative supplies,” says PEO CEO/Registrar Kim Allen, P.Eng.*

“Many opportunities were identified at the PEO energy workshop, everything from improving the efficient use of the electrical grid to achieve better conservation to shifting energy use away from fossil fuels to alternative supplies,” says Allen.

PEO's proposal to Cansfield involves facilitating a mini-summit of energy stakeholders to assess potential directions on energy conservation. It is envisioned the exercise would take no longer than 10 weeks, and involve the province's chief energy conservation officer as part of the project team. At its meeting on April 29, 2006, PEO Council approved earmarking up to \$75,000 for the initiative.

In his letter to the minister accompanying the proposal and advisory paper, PEO President Pat Quinn, P.Eng., said a value analysis of the energy conservation challenge could be “a springboard for technical innovation and investment in energy conservation,” and represent “a way for PEO and the province to work together to make a tangible contribution to the building of an energy conservation culture in Ontario.”

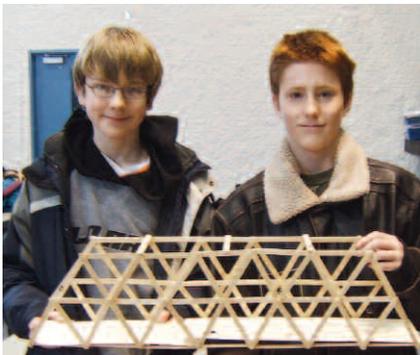
# Ontario's Engineering Week a success thanks to volunteers

By JULIE COHEN

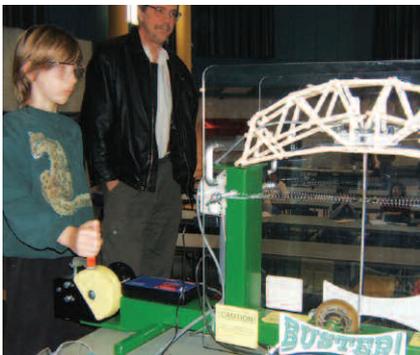
Across the province in 30 centres, engineering volunteers donated time, energy and expertise at more than 130 activities and events celebrating National Engineering Week (February 25 to March 5). At five science centres and museums in Kitchener, London, Ottawa, Sudbury and Toronto, hundreds of engineering volunteers assisted at the K'NEX Family Construction Workshops.

PEO chapters around the province held their own activities and events, all organized and run by volunteers. Here are some examples.

Quinte Chapter hosted its annual Popsicle Stick Bridge Competition on February 25 in Belleville. Participants were invited to enter a structure constructed from only popsicle sticks and white glue for the chance to earn various prizes and titles, including Strongest Bridge, Best Looking Bridge, Most Innovative Design, and Most Promising Bridge



William Smith and Nicholas Simmons show off their bridge before it is tested at the Quinte Chapter's Annual Popsicle Stick Bridge Competition.



Grant Simms tests his bridge on the "Bridge Buster" at the Quinte Chapter competition.



John McKay, MP, and Mary Anne Chambers, MPP, (back row, left and second from left) were on hand to help present certificates to the winners of the Scarborough Chapter's Popsicle Stick Bridge Competition.

Builder. Trophies and cash prizes were awarded to winners in each category.

Chatham-Kent hosted its annual Impromptu Design Competitions for junior (grades 7 and 8) and senior (high school) students. Fourteen junior teams built vehicles to transport a penny the farthest distance possible, while five senior teams built bridges out of popsicle sticks.

Ottawa Chapter teamed up with the National Research Council and teachers of grades 4 to 6 students to conduct the Engineering Challenge 2006. About 2000 students participated in a problem-solving activity in which student "engineering" teams designed and constructed a Disaster Relief Operation Prototype (DROP) from readily available craft supplies and recycled materials. Volunteer

engineers visited classrooms in early February to help the students with their design and building work, and the finale was held at the Canada Science and Technology Museum during Engineering Week.

Students from the civil engineering students' society of Confederation College supervised 13 teams of grades 5 and 6 students in the 3rd Annual Pasta Bridge-Building Competition at the Aviation Centre of Excel-

lence in Thunder Bay. Bridges were tested for structural efficiency, which was evaluated as a ratio of the mass at failure divided by the mass of the structure. Results ranged from a low of 0.6 to a high of 8.2. The winning bridge had a mass of 724.7 grams and supported a mass of 5991.6 grams before it failed. This bridge design resembled a box girder, and the "engineered" structure impressed other students who had simpler designs.

The National Engineering Week Ontario Steering Committee (NEWOSC) would like to thank *all* volunteers. "The contributions of the many dedicated volunteers are the key to the huge success of Engineering Week in Ontario," said David Tsang, C.E.T., NEWOSC chair.

## Plan's real value to be emphasized during implementation

By MICHAEL MASTROMATTEO

PEO is making progress in implementing its five-year strategic plan.

To date, 14 of the original 34 projects listed in the strategic plan had concluded the planning

phase, and project teams had been assembled and started work on 12 of them. Of these, at least two—agenda management and meeting management guidelines—are well into the implementation phase.

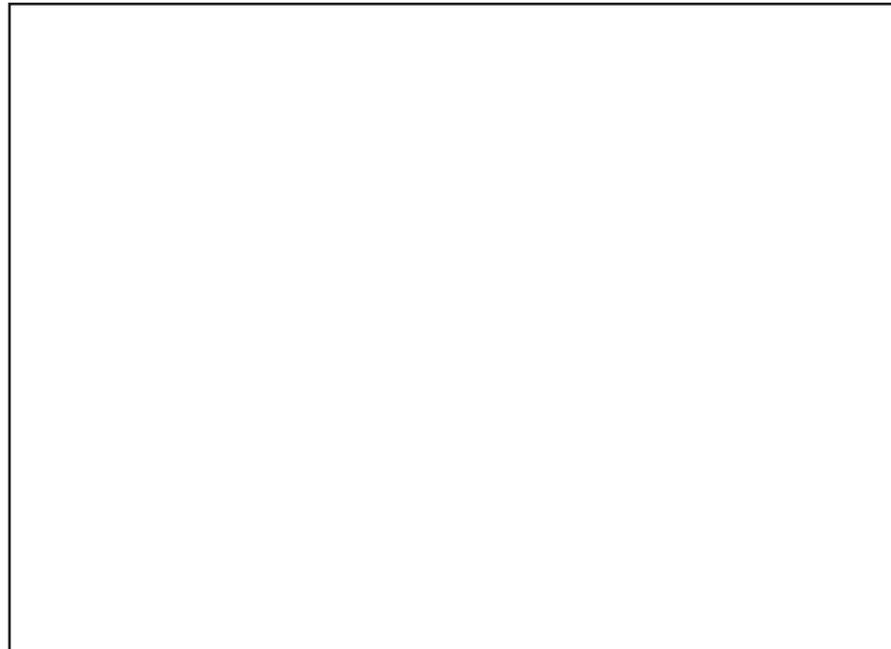
Wendy Zhou, PEO manager of business planning and financial services, heads up the plan implementation. She says a key step in the implementation process was the development of a strategic plan map that provides an administrative guideline to help PEO realize its major strategic priorities:

- maximizing PEO's regulatory powers under the *Professional Engineers Act*;
- achieving a better understanding and acceptance of the Act and the role and jurisdiction of PEO by all stakeholders;
- ensuring the regulator's processes and programs are properly resourced and aligned with its regulatory obligations; and
- strengthening Council as an effective policy-making body.

To further support the plan implementation, PEO has produced a draft project handbook, which provides advice for the efficient execution of all PEO projects. It is part of senior management's intention to foster a "project management culture" at PEO by keeping team members and volunteers focused on such elements as PEO governance structure, appropriate timeframes, funding and resource considerations, and existing business standards and protocols.

PEO Councillors and senior management have stressed that the overall value of the strategic plan is in making PEO a more effective regulator and in helping increase public recognition of the importance of the P.Eng. title.

"A great deal of effort has been put into the [strategic] plan to date, and it becomes even more important that we continually remind staff, volunteers and other stakeholders of the importance of this initiative," said PEO Past President Bob Goodings, P.Eng.



## PEO rolled out changes to many fees on April 10

BY MICHAEL MASTROMATTEO

PEO recently implemented amendments to the fees specified in Regulation 941/90 of the *Professional Engineers Act*. Most fees were last changed in 1992. The fees have now been increased an average of 30 per cent.

Often called “miscellaneous fees” to distinguish them from the P.Eng. licence fee, they include various application, registration, authorization, designation, licensing and examination fees. The \$200 P.Eng. annual licence fee, set out in section 39(2) of By-Law No. 1, is unchanged.

The amendments to sections 80 through 86 of the Regulation were approved by PEO Council in December 2005 and by the Ontario Cabinet in February 2006. The amendments were effective when filed with the Registrar of Regulations as O.Reg. 81/06 on March 23, 2006. To ensure a smooth transition to the new fees, PEO staggered their implementation, beginning April 10, 2006.

“These changes are necessary to offset increases in operating costs due to inflation, as well as costs associated with an increased complexity in the regulatory

environment,” said PEO CEO/Registrar Kim Allen, P.Eng.

PEO will honour the previous fees for any applications or administrative transactions that had arrived at PEO before the new fee implementation date.

PEO reported on Council’s approval of the fee increase amendments in the January/February 2006 issue of *Engineering Dimensions* (p. 23). As well, the fee changes and implementation schedule were posted on PEO’s website on March 27. For a full listing of the amended sections of the Regulation, including several non-fee-related “housekeeping” changes, see Gazette, pp. 43-44.

A Question and Answer document on the new fees, and the full schedule of fees and their implementation dates, are available on the PEO website, [www.peo.on.ca](http://www.peo.on.ca).

***“These changes are necessary to offset increases in operating costs due to inflation, as well as costs associated with an increased complexity in the regulatory environment,” said PEO CEO/Registrar Kim Allen, P.Eng.***

## Engineers make it onto survey of trust in professions

By MICHAEL MASTROMATTEO

The engineering community is celebrating a decision by a leading opinion poll organization to include engineers in a poll gauging the trust of Canadians in various professions.

Leger Marketing, a Montreal-based public opinion and market research company, for the first time has included engineers in its poll of professions. The poll has been produced annually by Leger Marketing since 1997.

Leger Marketing's most recent Professional Barometer, issued in March 2006, lists engineers in a fifth-place tie with teachers in a comparison of professions on the issue of public trust. Engineers and teachers scored an 88 per cent trust rating, behind fire fighters (96 per cent), nurses (95 per cent), farmers (92 per cent), and doctors (89 per cent).

Car salespeople and politicians scored lowest, 19 and 14 per cent respectively.

According to the Leger survey, engineers enjoy the greatest support in the Atlantic provinces, followed by the Prairies, Quebec, Alberta, Ontario and British Columbia.

The approval ratings were obtained through telephone interviews of up to 1500 Canadians in selected cities across the country.

More significant than engineering's strong showing, however, is that prior to 2006, engineers were not included in the Professional Barometer. The 2006 survey puts engineers in "a new category" that is part of "a select group equal to that of teachers."

The inclusion of engineers in the latest survey is good news for the Canadian Council of Professional Engineers (CCPE). Marc Bourgeois, CCPE's director of communications, told *Engineering Dimensions* he has been working with Leger Marketing for the last three years to have engineers included in the survey.

Bourgeois reports CCPE executive director Marie Lemay, P.Eng. is "elated" with engineering's breakthrough with the survey. "She is particularly proud of the fact engineers scored high in their initial year," he said. "Canadian professional engineers should take pride in the fact their expertise is both respected and appreciated by Canadians."

Craig Gordon, associate vice president of public affairs for Leger Marketing, suggested it was a matter of oversight that professional engineers were not included in past polls. "The decision to include engineers in the 2006 poll was based on a request from the Canadian Council of Professional Engineers, and on the fact that we received a great deal of interest from other groups in having engineers as part of the survey," Gordon said. He added that the professions survey has high visibility across Canada, and is one of the top five most popular polls produced by Leger Marketing.

# PEO awaits province's response to Thomson Report

By MICHAEL MASTROMATTEO

The Ontario government's response to the Thomson Report will be of more than passing interest to PEO and other major Ontario regulators.

The report, released last fall, was prepared by Judge George Thomson, the senior director of the National Judicial Institute and a former provincial court judge. The report was commissioned by the Ontario Ministry of Training, Colleges and Universities to review the appeal processes of Ontario's 36 regulators of professions and to develop common practices for fair registration. It was also aimed at speeding up the licensing and registration process for internationally trained professionals looking to practise in Ontario.

One of the key recommendations in the report is the establishment of an independent adjudicative agency that would give applicants for licensure an extra opportunity to appeal a negative decision by the registrar.

"A single appeal tribunal should be established...reporting to the Ministry of the Attorney General, to conduct independent registration appeals for Ontario's self-regulated professions," Thomson says in the report.

While PEO intends to fully review the report before deciding on any future action, the regulator is concerned that an independent appeal body would create an additional bureaucratic layer over what is now available to applicants appealing registration decisions. Engineering applicants denied a licence by the registrar can now appeal to PEO's Registration Committee and follow that up with an appeal to Ontario Divisional Court.

However, in a recent position statement ([www.peo.on.ca/POSITION/IEA.pdf](http://www.peo.on.ca/POSITION/IEA.pdf)), PEO expresses the view it is, in fact, better to concentrate on improving as much as possible the initial licensing process, since appeals, even to Divisional Court, are not in an applicant's best interest. PEO cites a Supreme Court of Canada ruling that an administrative appeal should not interfere with a "first instance" decision of a delegated authority rendered on a licensing matter that is within that authority's jurisdiction.

As well, PEO is concerned that the Thomson Report does not make a distinction between regulatory bodies with tribunals to weigh licensing and practice matters, and associations that confer only titles, rather than licences.

The Law Society of Upper Canada (LSUC) has also raised the issue of an external review agency encroaching on self-regulating licensing bodies' independence.

Malcolm Heins, LSUC chief executive officer, told *Engineering Dimensions* that while LSUC supports efforts to ease the transition of internationally trained professions into the Ontario workplace, the creation of an external appeals body poses particular concerns.

*PEO is concerned that the Thomson Report does not make a distinction between regulatory bodies with tribunals to weigh licensing and practice matters, and associations that confer only titles.*

"Whether intentionally or not, such an external process may result in a body other than the law society making decisions about standards for admission," Heins said. "Even an appeal body that is empowered to adjudicate only on whether a governing body has properly applied its rules and procedures, will inevitably be adjudicating to some degree on the very standards those processes are intended to implement. Such an appeal process may have a spill-over effect into other aspects of self-regulation."

Heins also questioned how an external appeals agency would actually enhance results for applicants, and he wondered if such a body might create unrealistic expectations on the part of applicants initially denied licensing and registration.

Like LSUC, PEO supports transparency and accountability in its registration processes and has been at the forefront among regulators in helping internationally trained professionals overcome barriers to licensing.

Danna O'Brien, a spokesperson for the Ontario Ministry of Citizenship and Immigration, said the Thomson Report is now being reviewed by the ministry, and that it will be used as a basis for discussions with stakeholders.