

Council proposes new direction for strategic plan

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The 2005-2009 strategic plan, which was unanimously approved by Council in March 2005, will undergo a change of direction as it moves forward, as a result of Council's September meeting. In March 2005, four key strategic goals, and seven supporting strategic objectives were identified, and a Strategic Investment Fund (part of the operating reserve) was established to carry out the strategic objectives. Staff project managers, a project team and a steering committee made up of senior PEO staff and Councillors, were assigned to each of the seven strategic objectives.

Wanting greater control over the projects and concerned about using a special fund to implement the strategic plan elements, the current Council favours initiating a new process to identify and prioritize both strategic projects and ongoing operational improvement projects. A portion of the annual operating budget will therefore be allocated to fund the projects Council selects annually for implementation.

To accomplish this new direction, Council tasked the CEO/Registrar with developing a transition plan for the current strategic plan projects, to present at Council's November meeting, and with planning a Council workshop in May to decide which projects to focus on.

More effective C of A

One of the objectives of the strategic plan is to make the Certificate of Authorization (C of A), the instrument that authorizes qualified individuals to offer or provide engineering services to the public, more effective for regulating the provision of engineering services. Eight short- and long-term policy issues have been identified with respect to the C of A during the ongoing implementation of the plan. Each issue, along with PEO's current practice and the proposed policy change, was forwarded from the Execu-

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tive Committee to Council for consideration at the September meeting.

Council approved the following motions with respect to issues surrounding the C of A:

- (a) that the C of A application and renewal fee structure be changed to provide a better balance between large firms and sole practitioners within a revenue-neutral framework for PEO;
- (b) that the same membership fee be charged for every P.Eng. licence holder offering services to the public;
- (c) that the online membership directory identify all licence holders who carry, or do not carry, professional liability insurance;
- (d) that all licence holders be identified on the online directory by the discipline (CEAB degree or PEO syllabus) in which they are licensed;
- (e) that discipline-specific seals be issued, and additional seals be issued, to licence holders who can demonstrate competency in additional discipline(s) (i.e. similar to an application for a licence);
- (f) that PEO validate that the services offered on the C of A is the sum of the licence holders listed as providing services to the public;
- (g) that the services offered by the holder of a C of A be listed on the online directory;
- (h) that all engineers offering engineering services to the public be required to be listed on the initial Certificate of Authorization application and annual renewal form;
- (i) that the signing officer of the firm be required to sign a declaration acknowledging awareness of the requirement of section 50 of the Regulation that PEO be advised of changes within 30 days;
- (j) that, for a nominal fee, a check box on the application for licence for a sole practitioner be provided to indicate that he/she will be providing services to the public and to denote if he/she carries professional liability insurance;
- (k) that practitioners be required to file a declaration of competency, on an annual basis; and
- (l) that administrative costs for processing C of A applications be fairly assigned while maintaining current revenue levels.

The CEO/Registrar will prepare an implementation plan for the above policy intents for Council's future consideration.

Trends in discipline

A briefing note covering certain trends in PEO's discipline processes, prepared at the request of the Executive Committee by the CEO/Registrar, was presented at the September meeting. These trends include using settlement discussions (plea bargaining) to achieve early resolution of disciplinary matters; using reduced discipline panel sizes, including single-member panels, in such cases as agreement between the parties on the facts of a case, an admission of guilt, or a joint submission as to penalty; and seeking cost awards in penalty decisions where there is a finding of guilt.

The intent of the briefing note was to help Council provide a policy direction to the CEO/Registrar to ensure that the public interest is served with respect to these trends. However, Council felt more information and discussion is necessary before it can provide an informed policy direction on these topics. As a result, the CEO/Registrar was asked to return at Council's November meeting with clearer information on settlement discussions.

Final report of the EGTF

External Groups Task Force–Software Chair Peter DeVita, P.Eng., presented to Council the task force's final report, which covered issues with the regulation of software engineering and PEO's current software policies, and offered recommendations. The EGTF identified areas of software engineering that should be regulated by PEO, in particular software controlling mission-critical products, equipment and systems that have public safety implications. The task force also recommended software engineers be given a new designation, such as P.Eng., Software Specialist, or a similar title. Council agreed with the concept in principle and approved a motion to study a unique designation for software engineers as part of a broader study of PEO licence holders' disciplines and specialties.

Among the other recommendations approved, Council passed motions to create a task force to deal with border disciplines to engineering, and directed the task force to define a scope of practice of software engineers that could be used to revise the *Professional Engineers Act* (PEA) in future.

Council requested the Enforcement Committee to initiate action based on the newly defined scopes of practice, and all future legislation, to support and strengthen the revised legislation. Council also approved developing a mechanism to ensure best practices for software design are implemented at the corporate or management level.

Finally, the CEO/Registrar was tasked with developing an implementation plan that describes the financial and regulatory implications of the above and presenting it at Council's January 2007 meeting for consideration.

Unfilled Council posts

At the June meeting, Council approved a recommendation of the Election Procedures Task Force that the Nominating Committee and Regional Nominating Committee be renamed Central and Regional Election and Search committees and be assigned new mandates involving encouraging rather than nominating candidates to run for each office of Council. Under this new mandate, a procedure will be required to deal with the unlikely situ-

ation where no member comes forward to stand for election, a nomination is withdrawn between the close of nominations and the election, or an elected member is unable to be installed on Council at the annual general meeting. At present, provisions in Regulation 941/90 deal only with the procedures Council can use to replace a sitting member of Council, if necessary. Accordingly, Council approved an amendment to the Regulation so that in the event the offices of President-elect, Vice President, Councillor-at-Large, or Regional Councillor go unfilled, a majority of the members of Council may appoint a PEO member or members to fill the vacant position or positions.

Council directed the CEO/Registrar to prepare the necessary draft amendments to the Regulation and submit them to the attorney general's office.

LET update

When the *Joint PEO-OACETT Report on Licensed Engineering Technologist (LET)* was approved by Council in March 2005, it contained recommendations for a three-phase implementation plan to allow qualified engineering technologists holding limited licences to use the LET title and qualified limited licence holders to practise professional engineering independently. The report's recommended plan consists of Phase 1, a "gold card" streamlined process for Ontario Association of Certified Engineering Technicians and Technologists (OACETT) members applying for limited licences; Phase 2, Regulation changes for LET implementation; and Phase 3, Act changes for LET implementation, including independent practice.

At its March meeting, Council approved an approach to fast-track independent practice for qualified limited licence holders. In particular, the approach eliminates the need for an Act change, by developing regulations under the PEA to create a class of temporary licence for qualified limited licence holders. Although the PEA allows only professional engineers and temporary licence holders to hold a C of A, which is necessary for independent practice, PEO staff analysis and research concluded that a class of temporary licence would satisfy the objectives of the proj-

ect, provided scopes of practice, and certain rules and procedures, such as prohibiting technologists from using the P.Eng. title, were prescribed in regulations.

At the September meeting, an update on the project was provided and Council directed the CEO/Registrar to draft new classes of temporary licences, including an LET licence, for Council's future consideration.

2007 budgets received

At the September meeting, Council received draft 2007 operating and capital budgets, which were prepared based on assumptions presented to, and approved by, Council at its June meeting.

The operating budget reflects a positive net income of \$793,495, which will be used to fund strategic plan activities, ongoing improvement projects, and contributions to the operating reserve. The particular projects to be funded from the positive net income will be added to the budget once Council identifies its priority projects at its spring workshop.

The operating budget shows a stronger reserve position than in past years, with the reserve projected to be \$8.5 million by the end of 2006, and \$9 million by the end of 2007.

The final 2007 operating and capital budgets will be presented for approval at the November meeting of Council.

Chapters merger

PEO's North Superior Chapter's membership has declined by half in six years to 28 members in 2006, and the chapter has been inactive due to the difficulty of finding volunteers to run its program.

With the approval of both chapters' existing members, Council approved amalgamating the North Superior and Lakehead chapters, to continue to enable the members of the North Superior Chapter to be involved with PEO and to receive timely communication of issues of concern to them. The amalgamated chapters, now known as the Lakehead Chapter, encompass the combined areas of the two chapters and will be governed by the Lakehead by-law. The resources of the North Superior Chapter have been forwarded to the Lakehead Chapter. 