

COUNCIL APPROVES REVISED ELLIOT LAKE RECOMMENDATIONS IMPLEMENTATION PLAN

498TH MEETING, FEBRUARY 5, 6, 2015

By Jennifer Coombes

A PLAN FOR implementing the Elliot Lake Commission of Inquiry recommendations requiring PEO action, which was received at the November 2014 council meeting, has now been reviewed by several PEO committees and task forces, including the Legislation and Professional Standards (PSC) committees, the PSC's Structural Assessment Guideline Subcommittee, and the Continuing Professional Development, Competence and Quality Assurance Task Force.

Feedback from these groups has been used to prepare a new implementation plan that was presented to council at the February meeting. Council has given the go-ahead for the appropriate committees and staff to begin work on the following of the plan's recommendations:

- PSC and its Structural Assessment Guideline Subcommittee will develop a structural inspection performance standard, prepare an appropriate amendment to Regulation 260/08, and assist the government in determining which buildings the standard applies to;
- PSC and its subcommittee will develop a performance standard for engineers preparing structural adequacy reports following a structural inspection to determine whether a building meets the Minimum Structural Maintenance Standard, once this standard has been created by the ministry;
- PSC will determine the best way to inform members that they should not alter the contents of their engineering reports at the request of clients, and that changes should be made based only on engineering principles or changed facts;
- The registrar will implement a searchable website database of information that includes the names of every licensee and Certificate of Authorization (C of A) holder; the terms, conditions and limitations attached to each licence or C of A; a note of every revocation, suspension, cancellation or termination of a licence or C of A; information about upcoming Discipline Committee hearings; and findings of professional misconduct or incompetence; and
- The registrar and PSC will work with the Ontario Association of Architects and the Ministry of Municipal Affairs and Housing to prepare a definition of "prime consultant," which would be either a P.Eng. or an architect designated by the owner of a building that requires the services of more

than one professional consultant. In addition, PSC will develop a guideline for engineers acting as prime consultants and the registrar will work with the ministry to amend the Ontario Building Code to require owners to engage P.Engs or architects as prime consultants for buildings that, according to the engineers' and architects' acts, must be designed by a professional engineer, an architect, or both.

Council agreed that certain of the recommendations require more in-depth policy analysis before they can be implemented. These are:

- developing a structural engineering specialist designation. Council has directed the registrar to investigate whether creating exclusive areas of practice would have a negative impact on the practice of engineering by members or on the public perception of the profession, and to study whether introducing a structural engineering specialist designation would set a precedent in which other ministries or the public would demand the creation of similar specialists in other areas of engineering practice. The registrar is to report to council at its June meeting;
- requiring P.Engs to make available all records in their possession related to the structural integrity of a building. The registrar will seek a legal opinion on PEO's authority to implement this requirement and its implications on the practices of the engineers in possession of these records and on those performing structural inspections who would be required to obtain the records. The registrar will deliver a legal opinion to PSC, which will provide a report to council on the recommendation's viability and possible alternatives by October 15; and
- requiring P.Engs to disclose to clients any licence suspensions or revocations and the reasons for them. The registrar will obtain a legal opinion on whether PEO has authority under the *Professional Engineers Act* to require this of engineers and the implications of doing so, and provide the opinion and a recommendation to council in June.

40 SHEPPARD 8TH FLOOR

An in-camera discussion at the February meeting concerned what to do with the space on the eighth floor of PEO headquarters once the current tenant's lease ends this year. PEO's council chamber and associated dining rooms currently occupy part of the floor, with the remainder of the floor, about 7500 square feet, leased to the federal government since before PEO's purchase of the building.

Council brought the discussion into open session for councillors to consider three options: re-lease the suite, occupy the suite, or leave it vacant until PEO decides on a use for the space.

After much discussion, council defeated a motion that would have seen the registrar create concept layouts and associated budgets for PEO occupying the space for council's review. Instead, councillors approved leasing the suite to a new tenant when it becomes vacant. Σ