

COUNCIL PROPOSES ACT CHANGES BASED ON INQUIRY RECOMMENDATIONS

504TH MEETING, FEBRUARY 4, 5, 2016

By Jennifer Coombes

AT ITS FEBRUARY MEETING, PEO council approved the policy intents for a number of changes to the *Professional Engineers Act* based on the inquiry into the 2012 partial collapse of the Algo Centre Mall in Elliot Lake. The proposals, which have been forwarded to the government to be drafted into legislative language, would:

- authorize PEO to mandate continuing professional development (CPD) requirements for all licence holders;
- expand information that may be included in PEO's register, and make such information accessible from PEO's website, in particular, the date of any discipline hearing, the date of a decision of the Discipline Committee, findings of professional misconduct or incompetence, the penalty imposed, and a link to the decision and reasons;
- amend section 8(3) of the act to allow bylaws requiring confirmation by the members to be confirmed by a majority of members voting;
- add limited licence holders to the list of those qualified to design certain building structures, within their limited scope of practice;
- provide the registrar the authority to issue a notice of proposal to suspend a licence where warranted by past conduct, subject to a hearing on the notice of proposal by the Registration Committee;
- update the language in section 28(4)(h) to match that of the *Financial Administration Act*;
- authorize PEO providing members of the public copies of disciplinary hearing evidence, exhibits and transcripts at their own expense, unless the Discipline Committee excludes evidence or exhibits pursuant to section 28(4.1); and
- give the registrar authority to release information pertaining to a holder of a licence, limited licence or temporary licence that comes to an authorized person in the course of their duties, employment, examination, review or investigation to other

regulatory authorities for their investigation within their respective jurisdictions.

CONTINUING PROFESSIONAL DEVELOPMENT

In working toward a CPD program for PEO licence holders, council approved creating a new task force, currently called the Continuing Professional Competence Program (CP)² Task Force, its terms of reference, and an accompanying budget of \$10,000. The new task force is to develop the details needed to implement the PEO CPD program proposed by the Continuing Professional Development, Competence and Quality Assurance (CPDCQA) Task Force.

In November 2015, council received and approved the guiding principles for and basic elements of the task force's model for a proposed CPD program for PEO members. The basis of the proposed program is a self-assessed risk review procedure that will be used to determine the self-directed professional development requirements for each licence holder. Council had, at a prior meeting, decided that members will have to approve by referendum any mandatory elements of a proposed CPD program.

The (CP)² Task Force will now review the proposed CPD program developed by the CPDCQA Task Force and develop the required details to make it operational. It will also provide oversight for all activities conducted by the registrar and staff to produce a working program, including communications.

Specifically, the task force will:

- review and revise, if necessary, the questions to be used in the risk review process;
- establish when and how often a risk review would be done, requirements for non-practising members, and how compliance would be measured;
- determine criteria and weighting for technical activities;
- identify legislative amendments and PEO operational changes needed to implement the program;
- develop a program guide, a Frequently Asked Questions document, and other communications materials to assist licence holders;
- review and approve a continuing professional development risk review and CPD reporting website;
- propose a strategy for the phased implementation of the program; and
- develop the referendum question and a plan for consulting with PEO members concerning mandatory participation in the program.

The task force will be chaired by Annette Bergeron, P.Eng., FEC, and will include as members Rick Hohendorf, P.Eng., and Tyler Ing, P.Eng., as well as sitting councillors David Brown, P.Eng., Roger Jones, P.Eng., FEC, Changiz Sadr, P.Eng., FEC, Marilyn Spink, P.Eng., and Warren Turnbull, P.Eng.

Council also endorsed the plan for informing PEO licence holders and others about the CPD program. The plan is intended to encourage licence holders to test the program once its components are online and prior to the referendum on whether it should be made a mandatory program. Σ