

2017 AGM Member Submission

WHEREAS: Professional Engineers Ontario strives to be a leader in self-regulation that is accountable, transparent, independent, trustworthy, competent and proactive in order to strengthen public trust and to protect the public;

WHEREAS: Since our last AGM, other regulators have lost their ability to self-regulate due to ineffective governance practices (e.g. Ordre des ingénieurs du Québec, Tarion in Ontario and the BC real estate industry);

WHEREAS: Council has powers to seek new governance perspectives and approaches to enhance excellence in governance with a commitment to innovation and evidence-based approaches;

WHEREAS: Council needs expert advice to ensure that it makes the best decision in modernizing its government with a commitment to being proactive, effective and innovative using an evidence based approach; and

WHEREAS: Self-regulation is a privilege, not a right or entitlement. The profession must protect the public interest or risk losing that privilege, along with the confidence of government and the public.

THEREFORE IT BE SUBMITTED THAT: PEO engage an external governance expert to advise Council independently on how to modernize the governance of the organization in order to ensure self-regulatory status and that the principles of the new governance model be presented to Council for approval before the next AGM.

Moved by:



Lisa MacCumber, P.Eng.

Seconded by:



Darla Campbell, P. Eng.

Date:

April 6, 2017

Background Information:

1. Ordre des ingénieurs du Québec

(Reference: CBC news <http://www.cbc.ca/news/canada/montreal/quebec-engineers-regulate-themselves-1.3667466>)

July 6, 2016

Quebec doesn't trust engineers to regulate themselves

Provincial government places Quebec's order of engineers under trusteeship

The Quebec government has decided the province's engineers are unable to regulate themselves.

Justice Minister Stéphanie Vallée announced Wednesday that Quebec's order of engineers is being placed under the trusteeship of the provincial government.

The move was approved by cabinet and follows a recommendation by the province's Office des Professions, the body which oversees the Quebec's professional bodies.

"The Office determines that the effective execution of its activities of control of the profession and the financial stability of the OIQ are seriously affected, to the point of putting in doubt the capacity of the OIQ of carrying out its primary mission of protecting the public," the Office said Wednesday in a news release.

2. Tarion in Ontario

(Reference: <https://www.thestar.com/news/investigations/2017/03/28/province-stripping-tarion-of-builder-regulator-role.html>)

March 28, 2017

Province stripping Tarion of builder-regulator role

The Ontario government is stripping Tarion new home warranty corporation of its responsibility to regulate the province's homebuilders.

"Tarion's multiple roles and responsibilities can give rise to a perception of conflict of interest, and could result in an actual conflict or conflicts of interest," Government and Consumer Services Minister Tracy MacCharles said Tuesday. "The new home building sector is an important driver of Ontario's economy and, quite frankly, I believe it deserves a stand-alone regulator."

....

“Tarion is too far removed from government,” MacCharles said Tuesday in a speech to the Empire Club of Canada. “We believe that consumers can be better protected by giving government the lead in making rules and setting standards.”

3. BC real estate industry

(Reference: <https://www.apeg.bc.ca/News/Articles/Real-Estate-Industry-Loses-Power-to-Self-Regulate>)

July 6, 2016

Real Estate Industry Loses Power to Self-Regulate

The BC government announced last week it is ending self-regulation by the province’s real estate industry, and is overhauling the industry’s governance, oversight and accountability.

“The point of regulation is to protect people,” said Premier Christy Clark at the June 29th announcement. “It is not a right. Self-regulation is very much a privilege. It’s granted on behalf of the public by government to professions that say they can do the job and prove they can do the job.”

4. Current PEO Council Issues

Numerous issues that have been (and continue to be) addressed in Council cannot be effectively addressed in isolation. These issues are directly related to the governance model of the organization, including:

- Term limits;
- Succession planning;
- Proactive Enforcement;
- Repeal of the Industrial Exception;
- Council Size and Composition;
- Continuing Professional Development;
- Reliance on referenda and delegation of Council responsibilities;
- Advocacy;
- Member Engagement; and
- Voter turnout.

The most effective way to make decisions on these and other issues is connected to a review of the current governance model and a commitment to modernize the governance of the organization.