



Minutes

The Eighty-Eighth meeting of the Enforcement Committee held on Thursday April 26, 2018 at 1:30 p.m., PEO Offices

- Present: Roger Barker, P.Eng. (Chair)
Stephen Georgas, LLB., P.Eng. (Vice-Chair)
Peter Broad, P.Eng.
Don Marston, P.Eng.
Joe Adams, P.Eng.
Juwairia Obaid, P.Eng.
Gordon Ip, P.Eng.
Tyler Ing, P.Eng.
- Staff: Cliff Knox, P.Eng. (Manager, Enforcement)
Steven Haddock (Enforcement and Advisory Officer)
Maria Iannone (Administrative Assistant)
- Regrets: Gary Houghton, P. Eng. (Council Liaison)
Linda Latham, P.Eng. (Deputy Registrar, Regulatory Compliance)
Edward Poon, P.Eng.
Ajai Varma, P.Eng.
Ashley Gismondi (Enforcement and Outreach Officer)

1. Welcome and Call to Order

The Chair, Mr. Barker, called the meeting to order at 1:37 p.m. with a quorum of eight (8) and welcomed everyone including new members.

Mr. Barker asked all members to introduce themselves to the new members.

2. Approval of Agenda

Motion #1: That the Enforcement Committee agenda dated April 16, 2018 be approved.

Moved by Steven Georgas, P.Eng., seconded by Stephen Georgas, P.Eng.

CARRIED

3. Report from Chair

Mr. Barker has had several teleconferences related to Strategy proposals.



Mr. Barker commented that the Volunteer Leaders Conference main topic was Succession Planning, which is useful and helpful an opportunity to get to know other volunteers on different Committee's, Staff and Council.

Mr. Barker discussed the consent agenda that would streamline the process of receiving or approving individual documents.

Mr. Barker explained that corrections and clarifications to documents can be discussed during approval of the consent agenda, but that the content of specific documents would be discussed under the respective agenda items.

Moved by Stephen Georgas, P.Eng., seconded by Joe Adams, P.Eng.

CARRIED

4. Consent Agenda

Mr. Barker asked for a motion that the content of consent agenda be approved/received as submitted. Will allow questions for clarification and correction of errors and substantive questions should be covered in other parts of the Agenda.

Mr. Adams inquired on the Industrial Exceptions status.

Mr. Knox clarified that they have not met since 2014 it was going to be kept alive government passed act and it rendered the job of the Task Force to stand down the Committee and is currently off the Agenda for now. Have on-going relationship and agreed to meet once a year.

Mr. Ip requested a copy of the white paper from the brief for the Engineers Canada software position.

Action #1: Mr. Knox to provide a copy to members.

Motion #2: Items addressed by the Consent Agenda:

This includes information items and items to be approved or received as submitted.

(Attachments for information only:

- 516th Council Disposition of Motions
- 517th Council Disposition of Motions
- Engineers Canada Software Engineering Position)

Motion: *That the contents of the consent agenda be approved/received as submitted.*

(Attachments for approval/receipt:

- Draft Minutes, February 7, 2018
- PSC Memo to ENF Feb. 13, 2018
- Notes from SAE Presentation Feb. 2018
- Strategy Development Subcommittee notes [3]



Volunteer Recognition

Mr. Barker presented Service Award recognition of 10 years Engineers Canada to Don Marston.

6. Work Plan – Policy Issue 2017-A: Guidance for Outreach

Mr. Adams gave an update for Ms. Gismondi stating that Ms. Gismondi has met with EIT and student programs providing the information developed on enforcement and will be updating their presentations they use. Also engaged with Chapters hasn't advanced as quickly trying to work towards consistent messaging which has been used in the presentations.

After the report was published PEO has decided to stop allowing Regional offices of making up their own presentations.

Mr. Barker suggested on a discussion of what should the next target audience be. If we agree we can reconstitute the subcommittee. The target audience so far has been university students and EIT's.

Mr. Ip suggested on targeting different messaging to different audiences.

Ms. Obaid suggested that maybe the best fit would be a licence presentation ceremony, main organizations could be a starting point of amalgamation of engineering employers coming together.

Mr. Broad commented that in the past we tried but no completion to complete the job.

Ms. Obaid commented it would be a regulatory message as opposed to an advocacy message.

Mr. Adams suggested to wait until we finish going through Strategic items and then revisit.

Mr. Knox suggested to develop messaging at the Chapter level or membership level potentially a web based module for people to educate themselves.

Mr. Adams commented that if we want to take the concept of obligations to the Chapters take the messaging from fourth year EIT's and refine it to take to Chapters.

Mr. Knox commented that the related strategic objective to involve Chapters more in Regulatory matters. Develop a training program for Chapters.

Ms. Obaid commented that Chapters have to become branch offices for Regulatory matters. Empower the Chapters and give them the messaging as part of there introduction to the Licence Ceremony which would empower the audience.

Mr. Adams asked if interested in the Task Force will start looking at how to engage the Chapters.

Mr. Broad inquired on the status of the PEO website update.

Mr. Knox commented no update at this time.

Mr. Marston requested a report on status of the Communication's Committee Guideline on reporting.

Mr. Knox commented that final draft is ready for Communications and then ready to launch.

Action #2: Mr. Adams will ask Ashley to set up a Teleconference to discuss the next steps of Enforcement Outreach to Chapters.



Mr. Barker inquired on the status of the memo on the two final presentation.

Mr. Knox commented that it is still a work in progress.

7. Work Plan – Policy Issue 2017-B: Enhanced Enforcement for Industry

Mr. Adams commented that there is a potential list which has been developed

Mr. Knox commented it points down to one source an umbrella of publishers called Annex Business Media. The former PEM has been morphed into the magazine. PEMAC may have a members list.

Mr. Knox commented that this would be a follow up by Staff.

Mr. Barker provided a brief explanation to new members what we are trying to find new sources where people are calling themselves Engineers by cross checking our data base to see if they are Engineers. It was suggested one way would be to check the subscribers of various trade magazines.

Mr. Ip inquired how we keep our scope with research within Canada specifically Ontario.

Mr. Haddock commented that one way is LinkedIn.

Mr. Ip commented that Global Organizations not strictly based in Canada.

Action #3: Staff to follow up before next meeting.

8. Work Plan – Policy Issue 2017-C: PSHR Performance Standard Proposal

Mr. Barker commented there is a guideline on prestart health and safety reviews. If transformed from a guideline to a performance standard it will carry more weight. We have made the proposal to PSC. The PSC is requesting more information in support of the proposal.

Mr. Knox gave a breakdown of the different activities that occurred.

Mr. Ing inquired how this ties to Enforcement it seems more like a discipline.

Mr. Broad commented that the initial motion was the Industrial Exception.

Mr. Knox commented that if make it a performance standard an unlicensed person would be breach of the regulation we then have a solid enforcement case.

Mr. Haddock commented that we should draw a distinction between what's legal and what should be done by a professional engineer and if an unlicensed person does it we would have to take action.



Motion #3: Mr. Knox to send draft memo to Professional Standards.

Moved by Peter Broad, P.Eng., seconded by Joe Adams, P.Eng.

CARRIED

9. Chair's Subcommittee: Future of Enforcement Committee

Mr. Knox commented that the developing protocol is ongoing.

10. Strategy Development Subcommittee

Strategy I.

Mr. Knox commented on partnering with key stake holder's certain committees received a letter from the President asking to develop certain strategies in relation to enhance the delivery and awareness of enforcement.

Mr. Broad commented It's a continuation of the journals whose out there providing engineering training and what messages are being put out there.

Mr. Ing asked if key stake holders have been identified

Mr. Barker commented we are looking at associations of manufacturing companies, Ministry of Labor unions they all have common interest with us on work place history. Looking for people to partner with to address our issues and their common issues.

Mr. Adam asked for clarification on the 5 strategies.

Mr. Barker commented that before going to Council that senior staff will evaluate all the proposals, refining and endorse to go to senior staff.

Mr. Barker commented that there are some editorial changes to be made.

Ms. Obaid asked for clarification on the increase of the scope to include other stakeholders

Mr. Broad commented it's a strategy plan going to PEO groups tactical application.

Mr. Ing commented on other industries being problematic to the construction industry as the Association of Manufacturing is tied specifically to manufacturing It's also an issue with the construction industry. The scope of a Professional Engineer is not as clear as it should be.

Mr. Broad commented that it's a gray area.

Mr. Knox gave example of retaining an engineer to do general review of construction specific roles on a project there essentially performing a review function not strictly certifying the works reviewing the works to match design and specification.



Mr. Barker asked members if we should broaden beyond manufacturing specifically include construction or keep it open to other areas of engineering.

Ms. Obaid suggested that it may be good to partner with Consulting Engineers Ontario.

Mr. Ip suggested to focus on the top three, manufacturing being one.

Mr. Knox commented that it could be editorial but also deal with the consulting side but also look at Government agencies and how they would review involvement in that specific engineer content.

Mr. Knox commented that federally controlled areas is another area to look at. They have to use engineers that are still governed by our provincial statute.

Mr. Ing commented that finding leads is the main objective.

Mr. Knox commented that we are used to developing solutions. Partnering with stakeholders there is a lot of talk about PEO as a coregulator government developing working partnerships with key Ministries.

Ms. Obaid commented that it doesn't limit us to manufacturing if we add other industries or groups it might just be an editorial change.

Mr. Barker commented that we need to make the editorial more focused.

Ms. Obaid suggested to make it generic enough that other sectors be made part of it as we identify further stakeholders.

Action #4: Mr. Broad to set up teleconference with Mr. Varma and Mr. Ip. To be done by the end of June

Strategy II.

Mr. Adams commented the strategic goal is to have a better definition of Engineering that is easily understood by people to apply in a real-world example.

Mr. Knox commented that it can begin with examples of what the common elements are that would define as engineering.

Mr. Marston commented that the best protection for the profession is to have professional engineers guide in accord in trying to come to a decision which is the protective aspect of the legal definition.

Mr. Ip commented on new software and that there are many variations coming.

Mr. Adams explained that the intent is to have the information for people to understand in an easy manner.

Mr. Barker commented that a discussion of changes to be made to Draft Strategy.



Action #5: Mr. Ip to review and make changes to emerging technology and forward to Mr. Marston and Mr. Adam.

Strategy III.

Mr. Georgas commented that if the emerging technology and not practicing professional engineering we can say that they cannot use that specific term and can avail ourselves of the protection under the trade marks act.

Mr. Haddock commented that when Engineers Canada files an objection, when they don't like the decision of the trades mark registrar's. Both Trade Mark's Registrar or the court has to be convinced that the use engineer or engineering in a mark will infringe on the profession. Generally, ignore provincial law.

Mr. Barker commented that we can leave as is for the present time.

Ms. Obaid commented that this could be submitted to Council

Strategy IV.

Mr. Broad commented that on what we send out is a limited approach and need to get the message out. Focus the message on who we give it to rather than the content would be better.

Mr. Knox commented giving information on what PEO's legal position is and what where cooperating under to have a better understanding of limitations.

Mr. Barker suggested to leave as is and highlight the distinction.

Ms. Obaid Volunteered to be part of this group.

Strategy V.

Mr. Georgas commented with the review of various Industrial magazines will know who is holding themselves out as an engineer which gives us an idea of potential transgressions cross reference those individuals who are holding them out back to the professional engineer's registrar authorized license.

Mr. Knox commented that the main difference that this is added the phrase in the Industrial sector if you took it out it would make it official broader and capture a wider range which is the original intent.

Action #6: Mr. Varma to remove the Industrial Sector.

Strategy VI.

Mr. Knox commented that he wants to make sure the reporting is accurate and conveys the correct message consistent across PEO.

Ms. Obaid suggested to have the information on the web page.



Mr. Barker asked if any changes are required members agreed to leave as is.

Mr. Barker suggested for the subcommittee to meet mid by May 10th for the actions agreed upon to come together.

Mr. Ing requested to participate on the general subcommittee and would like to add another strategy.

Action #7: Mr. Ing to send info on how to report and work with Mr. Georges and Ms. Obaid.

11. Other Business

No other Business

12. Attendance

Regrets:

Gary Houghton, P.Eng. (Council Liaison)

Linda Latham, P.Eng. (Deputy Registrar, Regulatory Compliance)

Edward Poon, P.Eng.

Ajai Varma, P.Eng.

Ashley Gismondi (Enforcement and Outreach Officer)

13. Next Meeting

TBD send a list of when Mr. Houghton is available to decide on the next meeting date.

14. Adjournment

Motion #: To adjourn at 4:05 pm.

Moved by Stephen Georgas, P.Eng.

R. Barker, P.Eng. - Chair



Date June 12, 2018

M. Iannone – Secretary



Date June 12, 2018