



Minutes

The Eighty-Second meeting of the Enforcement Committee held on Thursday January 26, 2017 at 1:30 p.m., PEO Offices

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

1. Welcome and Call to Order

The Chair, Mr. Barker, called the meeting to order at 1:40 p.m. with a quorum of 6 and welcomed everyone.

2. Approval of Agenda

Motion #1: That the Enforcement Committee agenda dated January 26, 2017 be approved.

Moved by Bill Jackson, P.Eng. seconded by Peter Broad, P.Eng.

CARRIED

3. Verification of Minutes

Motion #2: That the Enforcement Committee Minutes dated November 28, 2016 be approved.

Moved by Stephen Georgas, P.Eng., seconded by Peter Broad, P.Eng.

CARRIED



4. Business Arising from Minutes

None at the present time

5. Council Liaison Update

Mr. Barker commented there has not been a Council meeting since the committee's last meeting.

6. Staff Update

Mr. Knox commented no new prosecution but some significant work has been done on the final version of the repeal research report, which was submitted to Executive Committee on January 17th. An alternate release strategy for the report is to be presented to Council at its next meeting. Public release of the report is expected to coincide with PEO's appearance on February 22, 2017 before the government standing committee that is reviewing the *Burden Reduction Act*. The final report should be available for next meeting.

Mr. Adams commented on a Globe and Mail article about a pending agreement to eliminate inter-provincial trade barriers. The requirement to be licensed in Ontario is a provincial trade barrier. Mr. Haddock commented that there is existing legislation requiring PEO to be accountable to facilitate inter-provincial mobility.

Mr. Knox discussed an issue referred from the Professional Standards Group on whether anyone was looking into the issue of autonomous vehicles. Staff was asked whether this is an enforcement issue. Primarily this involves safety critical software engineering. PEO will regulate practitioners, but does not regulate the technology.

7. Committee Annual Evaluation

Mr. Barker would like to have clarification and requested the form to be sent to Mr. Knox by end of February.

Action #1: Mr. Knox to correct the form and send out by the end of January with instructions for committee members to return completed evaluations by the end of February.

8. Committee Succession

8.1 Report on November 2016 action items

Mr. Adams reported that the trial run of the video conferencing went well. Mr. Knox explained how the video conferencing system would work for a larger group.

Action #2: Mr. Knox to forward poll for members to declare their intention to continue on the committee.

Action #3: Mr. Knox to contact Mr. Houghton regarding his role on the committee.

Mr. Barker suggested that Mr. Houghton should continue as a voting member and as Council Liaison.

Motion #3: That Mr. Houghton will serve a dual role as voting member and Council Liaison.

Moved by Solomon Ko, Peng., seconded by Stephen Georgas, P.Eng.

CARRIED



8.2 Update to Terms of Reference

Mr. Knox informed members that the HR Plan and Work Plan have been approved by Council. The committee is required to look at the section of Terms of Reference regarding term limits and to set a maximum term limit for Chair, Vice Chair and committee members.

Mr. Ko commented the lack of a process for moving to other committees for members who reach the established term limit. Mr. Broad commented on no feedback or acknowledgement of his application for a PSC subcommittee. Mr. Broad later commented that there is no formal system for interaction between committees.

Action #4: Mr. Knox to forward the committee's feedback to volunteer management.

Mr. Jackson inquired if there was a document that gives the linkages between the Professional Engineers Act and other legislation. Mr. Haddock commented that the Legislation Committee is working on this document.

Action #5: Staff to obtain a copy of the linkages document for circulation to the committee.

Mr. Georgas suggested a maximum 5-year term with an option for Council to renew the term. There was consensus that regardless of the maximum term, there would be an issue with achieving compliance, as there needs to be a process for bringing on new members as members at their limit are exited from the committee. Mr. Knox commented that as a best case, it might take 3 years to achieve compliance.

Motion #4: Members be limited a 10-year term, subject to renewal for 10 years or less, subject to approval by the Committee and final approval by Council.

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

CARRIED

Motion #5: There be a maximum term of 3 consecutive years for Chair or Vice-Chair.

Moved by Stephen Georgas, P.Eng. seconded by Peter Broad, P.Eng.

CARRIED

Mr. Broad inquired about changing the section about timing for election of Chair and Vice-Chair. Mr. Knox proposed that he revise the Terms of Reference to reflect the proposal for term limits, and to correct the timing of elections, for the committee to review and approve at its March meeting.

Action #6: Mr. Knox to prepare a revised draft of the Terms of Reference for approval at the March meeting.

9. Work Plan – Policy Issue A: Enforcement Reporting (S.Ko, D.Marston)

Mr. Knox reported on Enforcement reporting guide is currently with staff to incorporate all committee comments and have a user friendly guide to forward to Communications. Intention is to complete this within the next month.

Action #7: Mr. Knox to forward staff's final draft to the committee for final comments.



10. Policy Issue E: Impact of Counterfeit Seals (W.Jackson, S.Georgas)

Mr. Jackson commented that the subcommittee's work is complete. Mr. Knox confirmed that the issue is with staff to follow up with the professional standards group.

Motion #6: The subcommittee be stood down with thanks.

Moved by Mr. Broad, P.Eng. and seconded by Mr. Adams, P.Eng.

CARRIED

Mr. Adams commented that the Canadian Standards Association is actively looking for new projects, and suggested that it may have funds and resources available to conduct research. Mr. Ko commented that in the past, policy items were handed off to Jordan Max to develop the case for PEO action.

Action #8: Mr. Knox to speak with Jordan Max on how to move this issue through as a policy item.

11. Policy Issue F: Enforcement of Business Names (W.Jackson, S.Georgas, P.Broad)

Mr. Haddock commented that he was unable to set up a conference call for the subcommittee, and canvassed members on their availability in the coming weeks.

Action #9: Mr. Haddock to set up a subcommittee conference call for the week of February 6, 2016.

Mr. Barker inquired whether the mandate of the subcommittee should be changed. Consensus was to keep the mandate as is, but not to pursue fixed fines, similar to parking or speeding tickets, at this time.

12. Policy Issue 2017-A: Guidance for Outreach (J.Adams, E.Poon, D.Marston, W.Jackson, P.Broad)

Ms. Gismondi gave a report on the first meeting of the subcommittee. Much of the discussion was on messaging to EITs and university level students. The subcommittee was updated on current presentation content, and suggested that the message should concentrate less on penalties/discipline and more on positive aspects of licensure.

The subcommittee discussed messaging for college level programs included a suggestion to draw on information from the industrial exception compliance toolkit, outline the roles of an engineer vs. a designer, and information on the LET designation. The subcommittee also discussed other messaging and outreach related to identifying other target audiences, and to look into social media preferences for recent graduates.

Mr. Adams volunteered to serve as chair of the subcommittee and will provide further information to Ms. Gismondi for next meeting.

Action #10: Mr. Adams to work with Ms. Gismondi to prepare a written report for the March meeting.

13. Policy Issue 2017-B: Enhanced Enforcement for Industry (J.Adams, D.Marston, R.Barker, P.Broad, A.Varma, S.Georgas)

Roger commented that there has been no activity for the subcommittee at this time. Mr. Broad volunteered to chair the subcommittee and Mr. Knox offered to provide the staff support.

Action #11: Mr. Broad to contact Mr. Knox to arrange a kick-off teleconference meeting.



14. Policy Issue 2017-C: PSHR Performance Standard Proposal (Subcommittee Members TBD)

Mr. Knox commented that the intent of this activity was to determine whether it is reasonable to make the existing practice guideline into a performance standard. Mr. Barker noted that the current guideline is available on the PEO website and suggested that members interested in serving on the subcommittee review the guideline.

Action #12: Interested members are to review the guideline for discussion at the next meeting.

15. Other Business

Mr. Knox commented that Jack MacLaren, MPP for Carleton-Mississippi Mills raised a concern about reports from professional engineers being disregarded by regional or municipal authorities. Mr. Knox will contact the MPP for more information to determine whether this is an enforcement matter. No action by the committee is required.

16. Attendance

Regrets: Gary Houghton, P.Eng., Don Marston, P.Eng., Ed Poon, P.Eng., Ajai Varma, P.Eng.

17. Next Meeting

Tentative dates of March 21st and May 16th for next meetings are to be confirmed.

Action #13: Maria to send out a Doodle Pool to committee members on availability around those dates.

Mr. Jackson inquired whether video conferencing would be available for the March meeting.

Action #14: Staff to arrange for video conferencing to be available for the March meeting. Members are requested to bring a laptop or other device to the meeting to access the conferencing system.

18. Adjournment

Motion #7: To adjourn at 4:00 pm.

Moved by Solomon Ko, P.Eng., seconded by Bill Jackson, P.Eng.

CARRIED

R. Barker, P.Eng. - Chair

M. Iannone – Secretary

Date