



Minutes – DRAFT

The Eighty-Fourth meeting of the Enforcement Committee held on Tuesday May 23, 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.
Edward Poon, P.Eng.
Don Marston, P.Eng. (via Teleconference)

Staff: Linda Latham, P.Eng. (Deputy Registrar, Regulatory Compliance)
Cliff Knox, P.Eng. (Manager, Enforcement)
Steven Haddock (Enforcement and Advisory Officer)
Ashley Gismondi (Enforcement and Outreach Officer)
Maria Iannone (Administrative Assistant)

Guest:

Regrets : Gary Houghton, P. Eng. (Council Liaison)
Ajai Varma, P.Eng.

1. Welcome and Call to Order

The Chair, Mr. Barker, called the meeting to order at 1:40 p.m. with a quorum of seven (7) and welcomed everyone.

2. Approval of Agenda

Motion #1: That the Enforcement Committee agenda dated March 20, 2017 be approved.

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

CARRIED



3. Verification of Minutes

Mr. Barker asked the Committee for any changes to the draft minutes. No changes were identified.

Motion #2: That the Enforcement Committee Minutes dated March 20, 2017 be approved.

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

CARRIED

4. Business Arising from Minutes

Committee had no new business arising from the minutes.

5. Report from Chair

Mr. Barker commented that he forwarded notes from the enforcement committee to Council from the last meeting thanking Linda and Cliff for their assistance. Presentation went well. In summary, Mr. Barker commented the need to involve Chapters in Enforcement process. Enforcement Policy needs to be updated. Ongoing need for communication for the enforcement message still confusing for council and chapter what the difference is between enforcement and complaints discipline process.

Mr. Broad commented if Legislature Committee had sort of realized of an overlap.

Mr. Haddock commented that the practice of Professional Engineer is the Act.

Mr. Knox commented that with Regulatory there is no significant conflict or overlap with Enforcement and the committee.

Mr. Adams inquired on Mr. Barkers comment of using the Chapters as the eyes and ears.

Mr. Barker commented educating the council on the processes for the enforcement on how to report possible infraction of the act and letting them know what they should do about any potential infraction.

Mr. Knox commented to make a series of presentation to individual chapters if is not a good use of time and resources unless we can have a concentrated mass a grouping of 20 – 30 people need an audience of 75 to 150 people for this type of messaging.

Mr. Adams suggested an electronic messaging that could be distributed.

Mrs. Latham reinforced that the presentation went well. The presentation submits the enforcement committee with a mandate should take the opportunity to go to council and give an update.

Mr. Barker stated that by updating the policy gives an opportunity to present to council to reinforce messages, explain what has changed and why.

Mr. Knox discussed the process of the enforcement policy showing potential area for changes. The 2010 open for business act changed some of the wording and added subsections which would need to be captured in the update.



Procedures within the Enforcement staff group discontinued the yellow pages advertising we have no further support for this.

Mr. Haddock discussed the review of websites. Has not found any non- certificate of authorization holders and is continuing to view new corporate names.

Mr. Knox suggested to take initiative to have outreach to recruiting agencies and provide a guide for hiring engineering talent, which could bring 80% or more on board.

Mr. Knox commented the enforcement reporting guide will be a useful tool.

Mr. Knox suggested that staff review and highlight any changes for any review of the Enforcement committee policy.

Mr. Barker commented that the PEO Leadership Volunteer Conference the planning session had some relevance to committee succession planning and leadership that is required by committees.

Mr. Georgas discussed with member's different approaches to bring in younger professionals into the committee.

Mr. Adams suggested to bring new members on as associates and when an opening comes up they can move into the position.

Mr. Jackson suggested we set up a frame work before bringing on new young members.

Mr. Barker commented that Mr. DeVito would be happy to discuss to the committee cyber engineering which is something that may need to be policed.

Mr. Jackson commented on cyber engineering that they have tried to look at individual pockets and they are not looking at the whole picture. It would be impossible to license and screen effectively. Information side of engineering should be under PEO's watch.

Mr. Barker commented that we are not sure if anything can be done at the present time.

Action #1: Staff to review and forward changes on policy prior to the July meeting.

Action #2: Mr. Knox to follow up with volunteer management team on what latitude we have for taking on new members and report back to Chair and Vice Chair.

6. Council Liaison Update

Mr. Barker questioned what is the regulatory conflict protocol and is it something we should be aware of for enforcement.

Mr. Knox explained the work of the legislation committee part of there work is to work with regulatory conflict protocol to identify those pieces of legislation to identify conflict, no consequences. They have come up with a process to classify various interactions.



Mr. Broad suggested to ask G. Houghton (Council Liaison) if he would be continuing with the Committee as he has not been able to attend the meetings.

Mr. Knox will be speaking to Mr. Houghton and will advise members when he has spoken to him.

7. Committee Self- Evaluation

Mr. Knox gave an update on the summary outcome of the form provided not one single summary works for all people. We need to look at what reasonable for the work of this committee is to report. Work plan items, some questions not appropriate more of bringing on new members. It's a self-explanatory document, consensus on the majority of the items.

8. Staff Update

Mr. Knox updated Sidiqi has been closed.

Mr. Haddock commented he has several charges in effect for the following month, 1 file open going to prosecution, Cosmo Polidoro has been opened again.

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

Mr. Knox commented it is currently in revision and should be ready within 2 weeks.

10. Work Plan – Policy Issue F: Enforcement of Business Names (W. Jackson, S. Georgas, P. Broad)

Mr. Haddock commented he is trying to coordinate with the other professions that have restrictions on business names. Most restrictions are not incorporated in legislation or regulations.

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

Ms. Gismondi updated Committee she attended a webinar on lessons from other regulators felt EIT was outside of our jurisdiction more for the task force. Not everyone engages with engineers. Identified some internal departments we could work with like Communications, IT, licensing registrations and Standards and Practice to work together to have an integrated presentation. Next steps would be to present to the committee.



Mr. Adams commented that at this point and time we have a direction of where we want to go.

Action#3: Mr. Adams to have a report for the next meeting.

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

Mr. Broad commented we have a time line to create a framework a lot depends on Ministry of Labor's interaction and we have a new opportunity with the Ministry of Labor and speaking with us and see how much feedback we are receiving.

Mr. Knox commented that an initial meeting was held and a follow up meeting will be held the following Monday there is consensus they would like to work with us and find a way to provide information in a timelier matter. We are encouraged by the fact that the Ministry was open working with us on this initiative in sharing information especially on accident investigations and work place inspections even items outside of the Industrial Exception.

Ms. Latham commented that they seem interested and have to see what they come back with. We are interested from them to provide all incidents in Ontario where engineering was a factor in the incidence. There systems aren't automated to collect the information which is a challenge for them so unsure if will have success.

Mr. Knox commented that they are looking at scanned documents which may not be searchable. Using key searchable words will determine the result of success.

13. Work Plan – Policy Issue 2017-C: PSHR Performance Standard Proposal (Subcommittee Members TBD)

Mr. Broad commented that there is no real requirement. Having done the report if we are going to make a proposal for a document we need to know who the stakeholders will be such as the Ministry and Industry.

Mr. Knox suggested that we need to have a performance standard internally. If we provide a standard regulation the ministry, then has a tool that they can hold industry accountable. Have someone articulate it to put forward to the Professional Standards Committee.

Mr. Barker commented that PEO could influence getting the reports in the right hands. Subcommittee is looking at making the case for us to have an internal performance standard.

Mr. Knox suggested to have a formal meeting of the sub-committee.

Mr. Barker suggested for the sub-committee to review and come back to the committee with a more defined focus.

Mr. Adams agrees that we need to define exactly what we are trying to accomplish.

Action#4: Have a meeting of the sub-committee to work out details of specific activities



14. Other Business

Mr. Jackson asked how the committee felt in forwarding to Tim Kirby a copy of the digital seal whether we should send a copy by the sub-committee that PEO really has a moral obligation to orchestrate National Standards in this area. Include that PSC has had this report for almost 18 months.

Mr. Knox commented that we can send him a copy.

Federal Department of License in having a license to do a certain job is there responsibility and duty. If the Federal government doesn't demand you have a license the people who don't should be sought out by enforcement.

Mr. Knox commented that this has particularly to do with the areas within the practice of engineering.

Attendance

Regrets: Gary Houghton, P.Eng., Ajai Varma, P.Eng.,

16. Next Meeting

Confirmed for July 17, 2017

17. Adjournment

Motion #4: To adjourn at 3:50 pm.

Moved by Bill Jackson, P.Eng.

CARRIED

R. Barker, P.Eng. - Chair

M. Iannone - Secretary

Date