



Minutes

The Eighty-First meeting of the Enforcement Committee held on Monday, November 28, 2016 at 1:30 p.m., PEO Offices

Present: Peter Broad, P.Eng. (Chair)
Roger Barker, P.Eng. (Vice-Chair)
Don Marston, J.D., P.Eng.
William Jackson, P.Eng.
Edward Poon, P.Eng.
Ajai Varma, P.Eng.
Stephen Georgas, LLB., P.Eng.
Joe Adams, P.Eng.

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)

Regrets : Gary Houghton, P. Eng. (Council Liaison)
Solomon Ko, P.Eng.

1. Welcome and Call to Order

Mr. Broad, called the meeting to order at 1:39 p.m. with a quorum of 8 and welcomed everyone.

2. Approval of Agenda

Motion #1: That the Enforcement Committee agenda dated November 28, 2016 be approved.

Moved by Joe Adams, P.Eng., seconded by Roger Barker, P.Eng.

CARRIED

3. Verification of Minutes

Motion #2: That the Enforcement Committee Minutes dated September 22, 2016 be approved.

Moved by Stephen Georgas, P.Eng., seconded by Bill Jackson, P.Eng.

CARRIED

4. Business Arising from Minutes

Mr. Knox advised that all business arising from the previous meeting is addressed in the agenda items for the current meeting. Mr. Broad noted that one action item is outstanding.



Minutes

5. Council Liaison Update

Mr. Knox informed committee that Ewald Kuczera has stepped down as Council Liaison and Gary Houghton was appointed as new Council Liaison.

Mr. Knox discussed Disposition of Motions for the 508th Council Meeting (September). The main item that will affect the committee is a requirement for term limits for committee volunteers to be added to terms of reference.

Mr. Knox discussed Disposition of Motions for the 509th Council Meeting (November). There are a number of professional standards committee subcommittees that may request comments from the committee:

- Revision of guideline for engineers providing reports on mineral properties,
- Joint subcommittee with Architects to prepare a guideline on coordinating the work of licensed professionals.

Mr. Knox also noted that the Enforcement Committee HR Plan and Work Plan were submitted and approved by Council at the 509th meeting.

6. Staff Update

Mr. Knox gave an update on the following:

Settlement with Mr. Jowhari, MP for Richmond Hill, had a lot of press coverage, suggesting there is work to be done to build awareness among the general public on why the engineer title is important.

Mr. de Guzman and Falcon International did not abide by the conditions of the original prosecution to cease and desist holding out as practitioners. He was fined \$5000, the company \$5000, and the on-line information has now been taken down.

There is a pending press release for an individual who was fined \$6000 for failing to confirm the authenticity of a forged engineer's seal on documents submitted to a building department.

PEO issued a press release that it has opened investigations relating to the Nipigon River Bridge failure, based on reports released by the Ministry of Transportation. Ms. Latham commented that some information previously reported to the media was incorrect. Mr. Knox noted that the Ministry reports indicated three failure mechanisms relating to bridge design and construction. Mr. Broad commented on the importance of keeping our guidelines up to date.

Mr. Knox commented that the *Burden Reduction Act* was still being debated at Queens Park. The proposed act affects multiple ministries and repeals the section of the *Open for Business Act* that would repeal the industrial exception. PEO has provided economic information to government, and a final version of the research report, based on discussions with the Ministry of Labor, is expected to be ready for November.



Minutes

Mr. Knox commented on the Engineers Canada webinar on software engineering by the Canadian Engineering Qualifications Board that provided useful information on its recent white paper.

Mr. Knox commented on collaboration with PEO's policy group regarding changes to provincial regulations. The government trying to set up registries to simplify applications for water taking for construction and road work, and for modelling of air and noise emissions and dispersion.

7. Committee Chairs Workshop

Mr. Broad commented on going forward with PEO's Strategic Plan. Mr. Knox commented on the presentation from Gerard that engaged volunteers in the next planning cycle.

The theme of the workshop was volunteer engagement. Mr. Barker commented that there were no specific action items, except to make the volunteer experience worthwhile.

8. Committee Succession

Mr. Knox commented that Terms of Reference are to be updated by March 31st of next year to add term limits for volunteers. The exercise for the January meeting is to define reasonable term limits to meet the operational needs of the committee.

Mr. Jackson commented that new members spend the first year learning what the committee does and should create a personal plan. Mr. Haddock suggested briefing new members prior to actively serving, to get them up to speed more quickly.

Mr. Knox suggested that the new video conferencing technology may allow some meetings to be held without travel to head office. Mr. Adams requested to test the video conferencing.

Mr. Knox will be forwarding a poll to members on their intention to continue on the committee. Mr. Knox will ask Gary to clarify his role as liaison and committee member.

Action #1: Maria to set up a time to test LifeSize video conferencing with Joe Adams.

Action #2: Mr. Knox to forward a poll for members to complete.

Action #3: Mr. Knox to ask Gary to clarify the role as liaison and committee member.

9. Election of Chair

Election was completed on a new Chair. Mr. Barker accepted the position.

Motion #3: That Roger Barker, P.Eng. is elected as Enforcement Committee Chair for a one-year term, effective January 1, 2017.

Moved by Stephen Georgas, P.Eng., seconded by Bill Jackson, P.Eng.

CARRIED



Minutes

10. Election of Vice Chair

Election was completed on a new Vice-Chair. Mr. Stephen Georgas accepted the position.

Motion #4: That Stephen Georgas, P.Eng. is elected as Enforcement Committee Vice Chair for a one-year term, effective January 1, 2017.

Moved by Ajai Varma, P.Eng., seconded by Edward Poon, P.Eng., **CARRIED**

11. Committee Evaluation

Mr. Knox suggested to move the survey forward into the January Meeting.

Action #4: Mr. Knox to contact People Development for a template and forward to members so it can be presented at the January meeting.

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

No update at this time

13. Work Plan – Policy Issue E: Impact of Counterfeit Seals (W.Jackson, S.Georgas)

Mr. Jackson commented that the information has been forwarded to PSC for feedback. Mr. Knox commented that the new subcommittee on use of the seal may look at moving items from the guideline to Regulation 260, making those items a practice standard.

Mr. Georgas suggested to leave anything with electronic seals as an issue of general application regardless of discipline and expressed the opinion that it should remain in Regulation 941.

Ms. Latham commented that PSC is a good place to start to move this process. She also advised the committee that the National Discipline and Enforcement Committee is interested in supporting the ENF sub-committee position paper.

Mr. Broad inquired on the return of rubber stamps on how often they are returned. Mr. Knox commented that it's a licensing and registration issue to collect them.

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

Mr. Haddock commented on 7 new registrations and only one had PEO consent for the name. Staff will be discussing the current situation with the Ministry of Government and Consumer Services – it is presently not going well.

Mr. Haddock discussed corporate names and the process involved in obtaining consent.



Minutes

Ms. Latham commented its on the “to do” list to speak with the Ministry about their process for giving consent to applicants when they register a business.

15. Work Plan – Policy Issue 2017-A: Guidance for Outreach (Subcommittee Members TBD)

Ms. Gismondi discussed her presentations to 4 engineering schools and gave an update on Outreach and feedback from students. Ms. Gismondi asked the committee for suggestions on how to engage students.

Mr. Haddock discussed the pros and cons of how we educate stakeholders and the implications.

Mr. Broad suggested that we need to find ways to also get this out to foreign-trained members.

Mr. Jackson suggested to have Engineers Canada to assist and have everyone on the same path.

Mr. Varma challenged the purpose and who we should target for outreach.

Mr. Knox suggested to create a subcommittee to identify the key stakeholders and what message for the outreach; could potentially provide messages to other committees and the general public.

Mr. Adams, Ed Poon, Don Marston, Bill Jackson and Mr. Broad volunteered for the sub-committee.

Action #5: Sub-committee to meet prior to January meeting. Send out a Doodle poll.

16. Work Plan – Policy Issue 2017-B: Enhanced Enforcement for Industry (Subcommittee Members TBD)

Mr. Barker commented that we need to look at new ways on how to communicate more effectively with targeted groups.

Mr. Knox commented that there is a need to identify sub-committee.

Joe Adams, Don Marston, Roger Barker, Peter Broad, Ajai Varma and Stephen Georgas volunteered for the sub-committee.

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

Mr. Knox gave an overview of the current guideline and commented that the task is to provide a rationale to the Professional Standards Committee as why it should be a standard as opposed to a guideline.

Ms. Latham commented that Ministry of Labor supports this being a standard because it enhances public protection.

This Item will be moved forward in 2017.



Minutes

18. Other Business

No other business

19. Attendance

Regrets: Gary Houghton, P.Eng., Solomon Ko, P.Eng.

20. Next Meeting

Date for the January meeting is TBD. A Doodle poll will be conducted to allow members to indicate availability.

Action #6: Maria to send out poll January 2017.

21. Adjournment

Motion #5: To adjourn at 4:08 pm

CARRIED

P. Broad, P.Eng. - Chair

M. Iannone - Secretary

26th Jan 2017

Date