



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, December 13, 2016

PEO Offices

Members:

Nicholas Pfeiffer, P. Eng. (Chair)

Jamie Catania, P. Eng.

Denis Dixon, P. Eng.

Roger Jones, P. Eng.

Neil Kennedy, P. Eng.

Dale Kerr, P. Eng.

Colin Moore, P. Eng.

Brian Ross, P. Eng.

Staff:

Sherin Khalil, P. Eng.

José Vera, P. Eng.

Johnny Zuccon, P. Eng.

Guest:

Jordan Max, Manager, Policy

Regrets :

Heather Swan, P. Eng.

Fanny Wong, P. Eng. (Vice-Chair)

1. OPENING OF MEETING

The Chair called the meeting to order at 5:00 p.m., with 8 members of the Committee in attendance. Consequently, quorum was attained.

1.1 Approval of Agenda

A motion was made to approve the agenda as written.

Moved by: C. Moore Seconded by: N. Kennedy CARRIED

Follow-Up: Staff added the “*Engineering Dimensions*” article titled “Inspiring Confidence” to this meeting’s agenda for discussion.

Follow-Up: PSC members read the “*Engineering Dimensions*” article titled “Inspiring Confidence” and provided comments.

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Minutes of November 8, 2016 Meeting

A motion was made to approve the Minutes of the November 8, 2016 meeting as modified.

Moved by: D. Kerr Seconded by: C. Moore CARRIED

2.2 Action Items of November 8, 2016 Meeting

Staff reported on the status of the Action Items.

Action: PSC Chair and staff to send a memo to respond to Councillor M. Spink with regard to the comments that were submitted on the Structural Engineering Design Guideline.

3. Practice Advisory Pilot Project - Practitioner-Centred Research

J. Max, Manager, Policy provided a presentation on the Practitioner-Centred Research Project, as follows:

- Functions of Professional Affairs
- Why Look at Professional Affairs
- Project Purpose

- Ethnography Methodology
- Research Population Segments - Selection Criteria
- Practitioner-Centred Research (PCR) Project Overview
- PCR Outputs
- Summary of Methodology I
- Summary of Methodology II
- Key Research Findings - Practice Challenges
- Key Findings - Professional Affairs
- Key Research Findings - Suggestions
- Professional Affairs Transformation
- Phase 3 (Q4 2016 and beyond)
- Quick Change Initiatives (Fall 2016)
- 2017 Initiatives

J. Max provided the following questions to the PSC members for their consideration:

Guidelines and Standards

- Do we know who uses and does not use our guidelines?
- Is it the PSC's business to know IF and HOW guidelines are used by practitioners? Why or why not?
- Are there alternative formats to a printed guideline that would enhance practitioner learning?
- Could the process for developing guidelines and standards be sped up? How?
- How might we better communicate new and existing guidelines to promote awareness and access?

A PSC member requested a copy of the Professional Standards Authority (UK) Rethinking Regulation that was mentioned during the presentation.

It was reported at the meeting that some PSC members were not aware of the different practice advisory services at PEO.

A PSC member stated that practitioners should be aware of any proposed practice guidelines and performance standards as most practitioners get the e-blast for the consultation, and that some of the practitioners participate in the consultation.

Action: Staff to collaborate with J. Max, Manager, Policy, to verify which of the proposed questions falls within the mandate of the PSC's Terms of Reference.

4. GUIDELINES

4.1 Guideline for Preparing As-Built and Record Documents

Staff reported the following:

- The public consultation ended on October 31, 2016.
- Staff incorporated all comments into the guideline and sent the compiled version of the draft guideline to the Chair of the subcommittee.
- Staff will send a doodle poll to the subcommittee members to schedule a meeting to address the public consultation comments.

4.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

Staff reported the following:

- The public consultation ended on September 30, 2016.
- A meeting will be scheduled for January 2017.

There was a discussion regarding recruiting a new member for the subcommittee.

Staff advised that any new member should be approved by the PSC and Council; however, it was recommended to interview the new member prior to approval.

4.3 Guideline for Solid Waste Management

There was nothing new to report as the Solid Waste Management Guideline was approved at the November 2016 PSC meeting.

A Briefing Note will be sent to Council for their final approval.

Action: Staff to send a Briefing Note to Council for approval of the Solid Waste Management Guideline at their February 2017 meeting.

4.4 Guideline for Structural Condition Assessments of Existing Buildings and Designated Structures

The guideline was approved by Council at their November 2016 meeting, and was forwarded to the Communications Department for final edits, such as formatting and grammar check.

Furthermore, Council approved the following motion:

Disclosure Requirement to Clients in Lieu of a Structural Specialist Designation

That Council direct the Professional Standards Committee to include disclosure requirements to clients in the Performance Standard for Structural Condition Assessments of Existing Buildings, in lieu of a Structural Specialist Designation.

The subcommittee will meet sometime in January 2017 to start working on the performance standard.

Staff reported that there is a Discipline case in which *“the Association alleged that the respondents were guilty of professional misconduct as defined in Section 28(2)(b) of the Act and Regulation 941, in that: 1) They failed to comply with two guidelines issued by the Association ... ”*. Therefore, it is clear that guidelines are to be used in the Discipline process.

4.5 Guideline for Design Evaluation of Demountable Event Structures

The Chair of the subcommittee advised the following:

- A meeting will be scheduled for January 2017.
- The subcommittee members provided their thoughts on the draft guideline.
- Some subcommittee members were concerned about addressing other issues in the guideline which may be outside the mandate of the subcommittee’s Terms of Reference.

The PSC members advised that it is recommended to comply with the Terms of Reference.

4.6 Use of Seal Guideline

It was previously reported that Council approved forming a subcommittee to update the existing guideline.

The Volunteer Management Department received approximately 11 applications from persons who are interested in volunteering on the subcommittee.

Staff e-mailed a shortlist of the qualified applicants to the Chair of the subcommittee. Interviews with the applicants will be scheduled sometime in January 2017. The Chair of the subcommittee and staff will attend the interviews.

4.7 Guideline for Professional Engineers Providing Reports on Mineral Properties

At their November 2016 meeting, Council approved the following motion:

That Council direct the Professional Standards Committee to form a Professional Engineers Providing Reports on Mineral Projects Subcommittee to complete the work described in the Terms of Reference as presented to the meeting at C-509-2.11, Appendix A.

The volunteer position is posted on the PEO website, and the deadline for submission of applications is December 29, 2016.

4.8 Guideline for Environmental Site Assessment, Remediation and Management

At their November 2016 meeting, Council approved the following motion:

That Council direct the Professional Standards Committee to form an Environmental Site Assessment, Remediation and Management Subcommittee to complete the work described in the Terms of Reference as presented to the meeting at C-509-2.10, Appendix A.

The volunteer position is posted on the PEO website, and the deadline for submission of applications is December 29, 2016.

4.9 MOECC - Performance Standard for the Environmental Site Dispersion Model (ESDM)

The deadline for the volunteer position submission ended on November 18, 2016.

The Volunteer Management Department received approximately 21 applications from persons who are interested in volunteering on the subcommittee.

Staff e-mailed a shortlist of the qualified applicants to the Chair of the subcommittee. An interview with the applicants will be scheduled sometime in January 2017. The Chair of the subcommittee and staff will attend the interviews.

4.10 Coordinating Licensed Professional Joint Subcommittee

At their November 2016 meeting, PEO Council approved the following motion:

That Council direct the Professional Standards Committee to form a Coordinating Licensed Professional Joint Subcommittee to develop a Practice Guideline and Performance Standard as presented to the meeting at C-509-2.12, Appendix A.

The volunteer position is posted on the PEO website, and the deadline for submission of applications is December 29, 2016.

4.11 Assuming Responsibility and Supervising Guideline

The following in-camera resolutions from the November 2016 Council meeting were moved into open session:

That Council rescind the following motions previously passed on February 8, 2013:

- 1. That Council accept in principle the following practice standard: Delegating and Supervising Professional Engineering Work (Appendix A).***

CARRIED

- 2. That Council direct the Professional Standards Committee (PSC) to develop a practice guideline, Assuming Responsibility and Supervising Engineering Services in consideration of Sections 12(3)(b) and 17(2) in the Professional Engineers Act as presented to the meeting in the Terms of Reference at C-509-4.3, Appendix A.***

CARRIED

5. OTHER BUSINESS

5.1 Status of PSC Projects

Staff provided the status of PSC projects.

5.2 Council Update

Council approved the following at their November 2016 meeting:

- Forming a subcommittee to revise the Environmental Site Assessment, Remediation and Management Guideline.
- Forming a subcommittee to revise the Providing Reports on Mineral Properties Guideline.
- Forming a joint subcommittee with the Ontario Association of Architects to prepare new Coordinating Licensed Professional Guideline.
- The following new guideline: Structural Condition Assessments of Existing Buildings and Designated Structures.
- Adding disclosure requirements to clients in lieu of a structural specialist designation.
- Rescinding the motion for a proposed performance standard and develop a practice guideline.

Action: Staff to send the final version of the Structural Condition Assessments of Existing Buildings and Designated Structures Guideline to the PSC members.

5.3 Improve Guideline Development and Maintenance Processes

Staff provided the “*Engineering Dimensions*” article titled “Inspiring Confidence” for further discussion and consideration, as requested by the PSC members at their November 2016 meeting.

A PSC member advised that the Canadian Standards Association (CSA) takes longer to develop standards.

Staff advised that an interview process will be conducted for any new subcommittee members in order to select the appropriate and qualified volunteers prior to approving them as subcommittee members. Furthermore,

the new Demountable Event Structures subcommittee is trying to hold less meetings and accomplish more work between meetings. These new processes are in place to speed up guideline development.

5.4 PSC Term Limits

Staff previously reported that Council provided a memo to the Committee Chairs and Staff Advisors as follows:

- *That Council direct all committees to revise their Terms of Reference in accordance with the Terms of Reference template as presented at the meeting at C-508-2.8, Appendix A, requiring committees to indicate the length of service and maximum term limits for chair, vice chair and members by March 31, 2017.*
- *That Council direct the Advisory Committee on Volunteers to provide all Committee Chairs and Staff Advisors with information regarding the requirement to incorporate 'term limits' into the Terms of Reference document by March 2017 to facilitate committee succession planning and encourage each committee to consider appropriate term limits for its members to provide for turnover and ensure continuity.*

A suggestion was previously made by staff to recruit new PSC members. It was also suggested recruiting new members with different engineering backgrounds.

The next steps required are as follows:

- The PSC to revise their Terms of Reference as needed.
- The PSC to consider the proposed term limits wording in Appendix B, and incorporate maximum term limits for the Chair, Vice-Chair and members into the Terms of Reference.
- The revised Terms of Reference are to be submitted by March 31, 2017.

There was a discussion regarding the attendance of Committee members at meetings, and that the number of absences should be stated in the Terms of Reference.

Action: PSC members to send their suggestions and thoughts on the term limits for the Chair, Vice-Chair and members to staff by the February 2017 meeting.

5.5 New PSC Members

Staff recommended three new members to the PSC, who are members of existing PSC subcommittees. Staff provided their resumes for consideration by the PSC members.

Action: PSC members to send their thoughts on the proposed new PSC members to staff.

5.6 Quality Verification Engineers (QVE's) - Auditor's Report

Staff provided a presentation on the Auditor's Report - Quality Verification Engineers, as follows:

- The Contractor shall provide the services of a Quality Verification Engineer (QVE) to confirm that specified working drawings and components of the work, as indicated elsewhere in the contract, are in general conformance with the requirements of the contract documents.
- The consensus of almost all Ministry Regional Offices was that they had concerns with the lack of independence of QVE's and certification work the QVE's performed.
- To ensure it obtains a high level of assurance that infrastructure is safely built according to specifications, the Ministry of Transportation should hire or contract its own engineers who are independent from the contractors to perform verification activities.
- The Ministry will review its contract administration process as it relates to QVE's, including how they can perform their duties independently from the contractors.

Staff advised that PEO's Professional Affairs team will request to meet with Ministry of Transportation staff to understand any practice issues with the QVE process.

Staff reported that, in the past, PEO suggested that the QVE should report to the Ministry of Transportation, and not to the contractor.

A PSC member pointed out that the QVE's scope of work might be limited by the contractor.

Action: Staff to apply the assessment process to verify if a practice guideline is needed for best practices for Quality Verification Engineers.

5.7 Proposed Schedule of PSC Meetings - 2017

PSC approved the proposed meeting dates for 2017.

6. ADJOURNMENT AND NEXT MEETING

The meeting adjourned at 6:30 p.m.

Below are the meeting dates for 2017:

- January 10, 2017
- February 7, 2017
- March 7, 2017
- April 11, 2017
- May 9, 2017
- June 13, 2017
- September 12, 2017
- October 17, 2017
- November 14, 2017
- December 12 2017