



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, January 15, 2019

PEO Offices

Members:

Fanny Wong, P. Eng. (Chair)

Neil Kennedy, P. Eng. (Vice-Chair)

Roger Jones, P. Eng.

Dale Kerr, P. Eng. *[via teleconference]*

James Lowe, P. Eng.

Nicholas Pfeiffer, P. Eng.

Brian Ross, P. Eng.

Council Liaison:

Lisa MacCumber, P. Eng.

Staff:

Sherin Khalil, P. Eng.

José Vera, P. Eng.

Regrets:

Jamie Catania, P. Eng.

1. OPENING OF MEETING

The Chair called the meeting to order at 6:00 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: J. Lowe Seconded by: N. Pfeiffer CARRIED

2. MINUTES OF PREVIOUS MEETING

2.1 Approval of Minutes of December 11, 2018 Meeting

A subcommittee member commented that the Minutes should include wording to clarify the issue under the ESDM and AAR Reports subcommittee item.

Furthermore, there was a minor typo in the Minutes.

A motion was made to approve the Minutes of the December 11, 2018 meeting as modified.

Moved by: B. Ross Seconded by: R. Jones CARRIED

2.2 Action Items of December 11, 2018 Meeting

There were no action items resulting from the December 11, 2018 meeting.

There was a question regarding when the proposed practice article regarding Section 54 of *Ontario Occupational Health and Safety Act* would be available. Staff advised that the practice article would be available within a couple of months.

3. GUIDELINES

3.1 Guideline for Environmental Site Assessment, Remediation and Management

The subcommittee members will meet on February 14, 2019 to address the PSC's comments on the draft guideline.

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

The subcommittee Chair previously reported that the Ministry of Government and Consumer Services may take a long time to update their Regulation on Performance Audits and Reserve Fund Studies. Consequently, the subcommittee

will continue working on the guideline, rather than waiting for the Ministry, since there is no indication when the Regulation will be updated.

Staff reported that PEO Council previously received an Information Briefing Note to inform them that this guideline was on hold. An Information Briefing Note will be provided to PEO Council at their February 2019 meeting to inform them of the current PSC projects and to inform them that the Performance Audits and Reserve Fund Studies for Condominiums subcommittee will continue working on the draft guideline.

Action: Staff to schedule a meeting of the Performance Audits and Reserve Fund Studies for Condominiums subcommittee to continue work on the guideline.

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

There was nothing new to report.

It was previously reported that the Ministry of Municipal Affairs developed a white paper on “Potential Changes to Ontario’s Building Code Parking Structures”. The subcommittee members will start working on the performance standard as soon as the Ministry of Municipal Affairs updates their Regulation.

Staff has contacted the Ministry of Municipal Affairs to follow up regarding the update of their Regulation; however, no response has been received as yet.

3.4 Guideline for Design Evaluation of Demountable Event Structures

The subcommittee members will meet to continue addressing the public consultation comments.

There were some proposed edits to the draft guideline, which require feedback from the subcommittee members.

Action: Staff to send a reminder to the subcommittee members to provide their feedback on the proposed edits to the draft guideline.

3.5 Use of Seal Guideline

The subcommittee members met on January 10, 2019 to discuss the legal review report. The lawyers attended the meeting to answer questions from the subcommittee members, who provided their comments to the lawyers.

The subcommittee will revise the guideline based on the legal opinion. The draft performance standard should be ready for PSC review sometime in March 2019.

Staff reported that the lawyers advised to keep Section 53 under the *Professional Engineers Act* and not to move it to the Regulation.

There was a discussion regarding engineers who work for factories do not need to seal any documents used internally. However, if documents are issued to another entity outside of their organization, such as Ministry of Labour, then engineers should seal the documents.

3.6 Guideline for Professional Engineers Providing Reports on Mineral Projects

The subcommittee will meet sometime in February 2019 to continue working on the draft guideline and to complete addressing the PSC's comments.

3.7 Guideline for Preparing As-Built and Record Documents

The draft guideline is currently under legal review.

3.8 MECP - Professional Engineers Providing Engineering Reports under O. Reg. 1/17 (ESDM and AAR Reports)

The subcommittee members will be meeting on January 16, 2019 to address the comments received from the Ministry of the Environment, Conservation and Parks (MECP).

3.9 Coordinating Licensed Professional Joint Subcommittee

The PSC members provided contact information for subject matter experts interested in participating on the Review Network. The next step will be for staff to contact the subject matter experts to review the draft guideline.

Question: Should the PSC review the draft guideline at this stage?

Answer: The subcommittee Chair reported that the guideline should be reviewed by the subcommittee prior to PSC review.

Action: Staff to send the draft guideline to the subcommittee Chair for review and determine next steps.

Action: Subcommittee Chair to review the draft guideline and determine next steps.

3.10 Guideline for Pre-Start Health and Safety Reviews

Staff is currently evaluating the existing guideline in consultation with subject matter experts to determine whether an update is required and will propose the areas in the guideline that require updating.

Staff provided the Ontario Regulatory Policy which clarifies the procedures that should be used in case there is a requirement for a performance standard.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

An Information Briefing Note will be provided to inform Council of PSC projects.

4.2 Request from Chair of Experience Requirements Committee (ERC)

A response was received from the Chair of the ERC. The original memo from the PSC requested the purpose of this mentoring policy; however, the response does not include the purpose. Furthermore, no legal opinion was provided; therefore, the subcommittee members recommended that a legal opinion should be obtained.

A PSC member commented that the ERC may not have any budget for a legal review and, consequently, could request a legal budget from the Registrar.

A PSC member reported on a situation where an an engineer was not a licence holder and was not in compliance with the requirement of being under the supervision of a professional engineer.

Another PSC member reported that the *Assuming Responsibility and Supervising Engineering Work* guideline states that a personal supervision plan is required for non-licence holders.

A PSC member commented that the letter from the ERC mentioned that the PSC members modified the mentoring policy document in 2011. Staff advised that this information was not accurate as the PSC had never modified or reviewed the mentoring policy document.

A PSC member suggested that the ERC should review the latest letter from the Fairness Commissioner to ensure compliance with the letter.

A PSC member commented that there are no Regulation requirements for mentoring.

The response from the PSC should request a legal review and compliance with the Fairness Commissioner's letter since the PSC does not necessarily agree.

N. Pfeiffer will chair the next PSC meeting.

Action: Chair, in collaboration with staff, to write a response to the ERC Chair requesting a legal review of the proposed mentoring policy document, as well as compliance with the Fairness Commissioner's letter.

5. ADJOURNMENT AND NEXT MEETING

The next meeting is scheduled for February 5, 2019.

The PSC Chair and Vice-Chair will not be available to attend the next meeting.

Staff reported that the external review group will be attending the next meeting.

The meeting adjourned at 7:30 p.m.