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# Minutes

## PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, May 9, 2017

PEO Offices

### **Members:**

Fanny Wong, P. Eng. (Acting Chair)

Jamie Catania, P. Eng.

Denis Dixon, P. Eng.

Roger Jones, P. Eng.

Dale Kerr, P. Eng.

Colin Moore, P. Eng.

Brian Ross, P. Eng.

Heather Swan, P. Eng.

### **Staff:**

Bernie Ennis, P. Eng.

Sherin Khalil, P. Eng.

José Vera, P. Eng.

### **Regrets:**

Neil Kennedy, P. Eng.

Nicholas Pfeiffer, P. Eng. (Chair)

### **Guest:**

Donna Serrati, P. Eng.

**1. OPENING OF MEETING**

The Chair called the meeting to order at 5:45 p.m., with 7 members of the Committee in attendance. Consequently, quorum was attained.

**1.1 Approval of Agenda**

A motion was made to approve the agenda, as modified.

**Moved by: D. Dixon                      Seconded by: R. Jones                      CARRIED**

**1.2 Introduction and Questions**

D. Serrati from the Solid Waste Management Guideline Subcommittee attended the meeting as a guest, and the PSC members introduced themselves.

**2. MINUTES OF PREVIOUS MEETING**

**2.1 Approval of Minutes of April 11, 2017 Meeting**

A motion was made to approve the Minutes of the April 11, 2017, meeting as written.

**Moved by: D. Kerr                      Seconded by: J. Catania                      CARRIED**

**2.2 Action Items of April 11, 2017 Meeting**

Staff reported on the status of the Action Items.

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

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

Staff advised that the above two action items are still in progress.

### 3. GUIDELINES

#### 3.1 Guideline for Preparing As-Built and Record Documents

The Chair of the Preparing As-Built and Record Documents Subcommittee advised that the subcommittee members met on May 3, 2017, and the members started addressing some of the public consultation comments. A meeting is scheduled on June 8, 2017 to complete addressing the public consultation comments.

Question: Were public consultation comments received from individuals only?

Answer: No, comments were received from individuals, engineering firms, insurance companies, i.e. Electrical Safety Authority, Enbridge and Municipal Engineers Association.

#### 3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

There was nothing new to report as the subcommittee members have not met.

Staff reported that:

- PEO staff discussed the subcommittee's concerns regarding non-engineers performing Reserve Fund Studies in higher-risk buildings, e.g. with balconies and underground parking structures, with the Ministry of Government and Consumer Services.
- The Ministry of Government and Consumer Services advised that the regulations on Performance Audits and Reserve Fund Studies will be updated, and perhaps the proposed changes will be available in 2018 for public consultation.
- Perhaps the subcommittee should hold off continuing work on the guideline until the Ministry finalizes the Regulations.

#### 3.3 Guideline for Solid Waste Management

Staff reported that the Communications Department is still working on the final editorial changes prior to publication.

### **3.4 Guideline for Structural Condition Assessments of Existing Buildings and Designated Structures**

Staff reported that the Communications Department is still working on the final editorial changes prior to publication.

Question: Is the Communications Department changing the content of approved guidelines?

Answer: No, the Communications Department does not change the content; they review the format and design of guidelines.

### **3.5 Guideline for Design Evaluation of Demountable Event Structures**

There was nothing new to report. A meeting will be scheduled for late June 2017.

Action: Staff to schedule the next meeting of the subcommittee for late June 2017.

### **3.6 Use of Seal Guideline**

The subcommittee will meet on May 10, 2017. A welcome presentation will be made at the meeting to inform members that PEO develops guidelines which outline professional obligations, as PEO is not a technical association and, therefore, does not develop technical guidelines.

### **3.7 Guideline for Professional Engineers Providing Reports on Mineral Properties**

A meeting is scheduled on May 15, 2017. A welcome presentation will be made at the meeting to inform members that PEO develops guidelines which outline professional obligations, as PEO is not a technical association and, therefore, does not develop technical guidelines.

### **3.8 Guideline for Environmental Site Assessment, Remediation and Management**

The subcommittee is comprised of three members, and one observer from the Ministry of the Environment and Climate Change (MOECC). A meeting will be scheduled for the end of June 2017.

### **3.9 MOECC - Performance Standard for the Environmental Site Dispersion Model (ESDM)**

The first meeting has been scheduled for May 31, 2017. A welcome presentation will be made at the meeting to inform members that PEO develops guidelines

which outline professional obligations, as PEO is not a technical association and, therefore, does not develop technical guidelines.

### **3.10 Coordinating Licensed Professional Joint Subcommittee**

**Follow-Up:** Staff provided a list of the Ontario Association of Architects members who are contributing to the Coordinating Licensed Professional Joint Subcommittee.

A PSC member previously advised that the Ontario Association of Architects has an existing document on Coordination of Consultants, which may be of interest when developing the joint guideline.

Staff advised that the inaugural meeting is scheduled for June 7, 2017.

A PSC member previously requested the names of the architects who are contributing in developing the guideline.

A PSC member has a concern regarding two members (engineers) of this subcommittee who are working at the same company, which may result in similar points of view.

Staff advised that the PSC Chair and PEO staff interviewed the subcommittee members, and that the volunteer selection process was followed to approve the members.

**Action:** Staff to advise the PSC Chair that there is some concern with members working for the same company being selected for this subcommittee.

### **3.11 Assuming Responsibility and Supervising Guideline**

**Follow-Up:** Staff added a section on mentoring work in the guideline.

**Follow-Up:** Staff added a reference to the *Professional Engineers Act* next to term "Engineer".

**Follow-Up:** Staff sent the updated version of the guideline to the PSC members for their comments and feedback.

**Follow-Up:** PSC members sent their comments and thoughts on the guideline.

Staff advised that the PSC members reviewed the guideline and several good comments were received.

One interesting comment received was regarding who would assume responsibility in a scenario where a senior engineer was managing a supervising engineer. It was suggested to add a section in the guideline to address this scenario and recommend that engineers have a clear agreement before commencing the work; otherwise, the senior engineer may be responsible for the work of the junior engineer.

Another comment raised at the meeting was that junior engineers always follow their supervisors because of the organization power dynamics.

Staff advised that practitioners have obligations to clearly present to the practitioner's employer the consequences to be expected from a deviation proposed in work, if the professional engineering judgment of the practitioner is overruled by non-technical authority in cases where the practitioner is responsible for the technical adequacy of professional engineering work.

There was a discussion regarding mentoring work. It was advised that mentoring work is different than supervising and assuming responsibility. It was agreed that a section on mentoring work should be added to the guideline.

It was suggested that the guideline should clearly indicate that mentoring is not considered as an assumption of engineering responsibility.

A PSC member advised that PEO guidelines should be self-contained and should not reference other guidelines.

**Action:** Staff to send the updated version of the guideline to the PSC members for their approval.

#### **4. OTHER BUSINESS**

##### **4.1 Status of PSC Projects**

Staff provided the status of PSC projects.

##### **4.2 Council Update**

There was nothing new to report.

**Action:** Staff to determine the Council liaison for the PSC and discuss at the next meeting.

### **4.3 Improve Guideline Development and Maintenance Processes**

H. Swan attended the Annual General Meeting and provided some information on the PEO vision, mission, and core value. This information is important for new volunteers.

**Action:** PSC members to send their feedback on the Learning Module - Chairing Effective Meetings to staff.

### **4.4 New PSC Members**

D. Serrati attended the PSC meeting as a guest.

### **4.5 Quality Verification Engineer (QVE) issues mentioned in the Auditor's Report**

PEO staff held a teleconference with the Ministry of Transportation (MTO) staff. Below are the key points of the discussion:

- MTO is aware of the perception of an inherent conflict of interest when QVE engineers are hired by contractors to review the work of contractors.
- MTO has made several recent changes to the QVE process to address these and other concerns.
- MTO will be making more changes to ensure the independence of QVE engineers. PEO staff has requested to be apprised of these changes.

### **4.6 New Format and Design of the Practice Guidelines**

**Follow-Up:** PSC members sent comments and feedback on the new design format for guidelines.

- Some PSC members disagree with the new design.
- A PSC member advised that the back-washed color in a document may be expensive to print.

**Question:** Is PEO planning to change the design of the existing guidelines?

**Answer:** No, only the upcoming guidelines.

**Action:** Staff to invite D. Smith, Director, Communications to attend the next PSC meeting for discussion on the new design and format of guidelines.

## 5. ADJOURNMENT AND NEXT MEETING

**Follow-Up:** Staff added a new item to the next PSC agenda regarding the new format and design of the practice guidelines.

The meeting adjourned at 7:30 p.m.

Below are the meeting dates for 2017:

- June 13, 2017
- September 12, 2017
- October 17, 2017
- November 14, 2017
- December 12 2017