

Council Meeting

500th Meeting of Council of Professional Engineers Ontario

to be held on

Saturday, April 25 2015 3:00 p.m. – 5:00 p.m.

Westin Harbour Castle 1 Harbour Square Regatta Room, Main Floor Toronto, Ontario

> Association of Professional Engineers of Ontario

C-500-1

APPROVAL OF AGENDA

Purpose: To approve the agenda for the meeting.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That:

a) the agenda, as presented to the meeting at C-500-1, Appendix A be approved; and

b) the Chair be authorized to suspend the regular order of business.

Prepared by: Dale Power – Secretariat Administrator

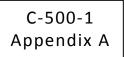
Appendices:

• Appendix A – 500th Council meeting agenda



101-40 Sheppard Ave. W., Toronto, ON M2N 6K9 T: 416 224-1100 800 339-3716 www.peo.on.ca

Agenda





500th Meeting of the Council Professional Engineers Ontario

Date: Saturday, April 25, 2015

Time: 3:00 p.m. – 5:00 p.m.

Place: Westin Harbour Castle, 1 Harbour Square, Toronto Regatta Room, Main Floor

	Description	Туре	
	PRESIDENT'S OPENING REMARKS AND CALL TO ORDER		
Α.	WAIVER OF NOTICE – ITEM 10 – LIMITED LICENSE REGULATION – APPLICATION FORMS	Decision	
1.	APPROVAL OF THE AGENDA	Decision	
2.	SPECIAL RULES OF ORDER	Decision	
3.	PROPOSED CHANGES TO THE SELECTION PROCESS FOR COUNCIL MEETING CHAIR	Decision	
4.	APPOINTMENT OF COUNCIL MEETING CHAIR	Decision	
5.	APPOINTMENT OF CHAIR OF REGIONAL COUNCILLORS COMMITTEE	Decision	
6.	APPOINTMENT OF VICE PRESIDENT	Decision	
7.	APPOINTMENT OF COUNCILLORS TO EXECUTIVE COMMITTEE	Decision	
	a) Setting the Number of Councillors on the Executive Committee	Decision	
	b) Election	Decision	
8.	APPOINTMENT OF COUNCILLORS TO BOARD COMMITTEES FOR 2015-2016	Decision	
9.	COUNCILLOR ITEMS	Information	
10.	LIMITED LICENSE REGULATION – APPLICATION FORMS	Decision	
	CONCLUSION		

Councillors Code of Conduct

Council expects of itself and its members ethical, business-like and lawful conduct. This includes fiduciary responsibility, proper use of authority and appropriate decorum when acting as Council members or as external representatives of the association. Council expects its members to treat one another and staff members with respect, cooperation and a willingness to deal openly on all matters.

PEO is committed that its operations and business will be conducted in an ethical and legal manner. Each participant (volunteer) is expected to be familiar with, and to adhere to, this code as a condition of their involvement in PEO business. Each participant shall conduct PEO business with honesty, integrity and fairness and in accordance with the applicable laws. The Code of Conduct is intended to provide the terms and/or spirit upon which acceptable/unacceptable conduct is determined and addressed.

At its September 2006 meeting, Council determined that PEO volunteers should meet the same obligations and standards regarding conduct when engaged in PEO activities as they are when engaged in business activities as professional engineers.

[s. 2.4 of the Council Manual]

Upcoming Events

Thursday and Friday, June 18–20, 2015 – Council Retreat White Oaks, Niagara-on-the- Lake

Council Meetings ¹

Thursday and Friday, May 28 – 29, 2015 Thursday and Friday, September 24 - 25, 2015 Thursday and Friday, November 19 – 20, 2015²

¹ Plenary Sessions - Thursdays – reception/dinner 5:30 p.m. – session 7:00 p.m. – 9:00 p.m.; Council meetings – Fridays 9:00 a.m. – 4:00 p.m.

² Held in conjunction with the Chapter Leaders Conference and OPEA Gala

Briefing Note – Decision

SPECIAL RULES OF ORDER

Purpose: To consider the *Special Rules of Order* for meeting conduct for 2015-2016.

Motion to consider: (requires a two-thirds majority of votes cast to carry)

That the Special Rules of Order, as presented to the meeting at C-500-2, Appendix A, to be effective immediately and to remain in effect until the close of business at the 2016 Annual General Meeting, be approved.

Prepared by: Ralph Martin, Manager, Secretariat

1. Need for PEO Action

Section 25(1) of By-Law No. 1 requires that all meetings of the association are to be governed by *Wainberg's Rules of Order*. These rules may be amended by passing *Special Rules of Order*, which supersede *Wainberg's*, and which remain in effect only until the close of business at the next Annual General Meeting.

Adopting *Special Rules* provides guidance on how to deal with certain situations that arise in meetings where PEO convention varies from the rules contained in its parliamentary authority, *Wainberg's Rules of Order*, or on which *Wainberg's* is silent.

Adopting *Special Rules* also provides consistency on how such matters may be handled at all meetings of the association.

Section 25(3) of By-Law No. 1 requires that, at the first meeting of Council following the Annual General Meeting, all *Special Rules*, which were in force immediately before the close of business at the Annual General Meeting, are to be presented to Council for adoption and/or amendment, if it so wishes. Consequently, Council may approve the *Special Rules* for the next Council year at this time.

Changes are being proposed to the *Special Rules under* Rule 4 *Procedures for Board Appointments* in order to align with By-Law No. 1, s. 25(4) and to accommodate electronic voting. Vice President Quinn has also submitted proposed changes relating to secret ballots. His proposed changes are highlighted in green. Secretariat proposed changes are highlighted in yellow.

2. Recommendation

That the Special Rules be approved.

3. Next Steps

If approved by Council, all Committee Chairs and staff will be notified of any approved *Special Rules* for the 2015-2016 Council year.

4. Peer Review & Process Followed

Process Followed	Per Section 25.(3) of By-Law No. 1
Council Identified Review	Council is the appropriate peer group.
Actual Motion Review	N/A

5. Appendices

• Appendix A – Draft Special Rules for the 2015-2016 Council year



SPECIAL RULES OF ORDER

AT

PEO MEETINGS

2015-2016

[Secretariat's Note: Vice President Quinn's proposed changes are in green. Secretariat's proposed changes are in yellow.]

1. INTRODUCTION

These proposed Special Rules shall be put before Council, by the President, after the call to order, as the first item of the agenda for the first meeting of the new Council.

After the adoption of these Special Rules, the next order of business shall be the endorsement of the Chair of Council.

With the adoption *Wainberg's Society Meetings* as the parliamentary authority to govern how meetings of members, Council and committees are to be conducted, few *Special Rules of Order* are required. *Special Rules* are rules that are adopted to vary *Wainberg's* or to deal with special situations that may arise at meetings but that are not covered in *Wainberg's*. Others are an expansion of the minimum requirements of By-Law No. 1. In any event, the *Special Rules of Order Order* supersede *Wainberg's*, and remain in effect for this Council's term of office.

All members of Council and committees are required to know and abide by both *Wainberg's Society Meetings* and the *Special Rules*.

2. RECONSIDERING AND RESCINDING MOTIONS

A two-thirds majority vote is required to reconsider or rescind a resolution made during the same Council year.

A motion to reconsider or rescind a resolution made outside the same Council year requires the same majority vote to pass as the resolution which it seeks to have reconsidered or rescinded.

3. RECORDING OF ROLL CALL VOTES

All roll call votes of Council, which shall occur on the request of any member of Council, are to be recorded in the minutes of Council meetings in such a way that members can determine how each Councillor voted on a particular motion.

Where a paper ballot is requested, the proposer shall state the reason, and if this is accepted by two thirds of Council, the process shall be precisely in accordance with Wainberg's ballot process, or another process resolved by a two-third majority at a previous Council meeting.

4. PROCEDURES FOR BOARD APPOINTMENTS

The following procedures are to be used when making board appointments:

- At least three weeks prior to the meeting at which such appointments are to be made; the CEO/Registrar will request Councillors to express their interest in serving as Council Meeting Chair, Vice President and on Board Committees.
- At the meeting, the Chair will ask for additional nominations. <u>A nomination does not</u> require a seconder. If none is received, the Chair will declare the nominations closed. Nominations may be closed by the Chair without the need for a motion. A nomination does not require a seconder.
- 3. Each candidate will be asked if he/she consents to the nomination.
- 4. A Councillor who is absent from the Council meeting at which a position is to be filled may be nominated, provided such Councillor has provided at least three days prior written notification to the Chief Administrative Officer that he/she consents to the nomination and agrees to serve in that capacity, if appointed as well as any comments the candidate might otherwise provide at the meeting in support of his/her nomination.
- 5. Each nominee will be afforded an opportunity to make a brief (3 minutes) personal introduction should they so wish. The Chair will read any comments received from absent nominees.
- Councillors will vote for the number of positions available (e.g. Vice President select one name; Finance Committee – select five names) by secret ballot vote, from among the nominees. <u>Voting will be in accordance with By-Law No. 1, s.25(4)</u>.
- Upon completion of the vote, the results will be presented and Senior staff will count the ballots and present the results to the Chair will to declare a the nominee(s) with the most votes elected. The results of the vote will be recorded in the minutes.
- 8. Where there is only one nominee for a position, or the number of nominees equals the number of positions available, the Chair shall declare the nominee(s) elected.
- 9. Where the number of nominees received exceeds the number of positions available, the nominees receiving the greatest number of votes cast for the number of positions available shall be declared elected by the Chair.
- In the event there is a tie in the last position available, a run-off ballot vote will be conducted in accordance with paragraphs 6 and 7 and the nominee receiving the greatest number of votes cast shall be declared elected by the Chair.
- 11. <u>If applicable, paper b</u>Ballots cast will remain with the Secretariat until a motion to destroy the ballots has been passed by Council.

PROPOSED CHANGES TO THE SELECTION PROCESS FOR COUNCIL MEETING CHAIR

Purpose: To amend the process for selecting the Council Meeting Chair

Motion(s) to consider: (requires a simple majority of votes cast to carry)

MOTION 1

That the selection process for Council Meeting Chair as set out in C-468-5.7, Appendix A be replaced by the following:

Selection Process

- 1. Annually, Council will first select its Meeting Chair at its meeting following the Annual General Meeting.
- 2. The Meeting Chair, who must be an elected-member of Council, will serve at the pleasure of Council for a one year term; however the Council Meeting Chair may be removed by two-thirds vote of Council. The President may be appointed by Council to serve as Meeting Chair.
- 3. The President will first ask if there are any other Councillors who wish to be considered for Meeting Chair. If there are none, the President will be considered acclaimed and serve as Meeting Chair.
- 4. If any eligible Councillors have identified themselves as being interested and willing to serve as Chair, a vote will be conducted on whether to hold an election for Meeting Chair. The Past President will conduct the vote.
- 5. If two-thirds of Council vote to hold an election, the Past President will conduct a vote for Meeting Chair.
- 6. If the vote concludes with two candidates, neither of whom has a two-thirds majority, the President shall be considered acclaimed and serve as Meeting Chair.

MOTION 2

That Council amend the Council-approved Governance Principle #5, as set out in the Council Manual to read: 5. Council will annually select a meeting Chair from among the elected members of Council

MOTION 3

That the Council Manual be updated to reflect Motions 1 and 2

Prepared by: Ralph Martin – Manager, Secretariat for Vice President Quinn, P.Eng.

1. Need for PEO Action

Vice President Quinn, P.Eng., has proposed changes to the process for selecting the Council Meeting Chair.

2. Proposed Action / Recommendation

That the process for selection of the Council Meeting Chair be revised in accordance with the process outlined in motion 1 and 2.

3. Next Steps (if motion approved)

The selection of the Council Meeting Chair will be carried out in accordance with Motion 1 above. The Council Manual will be updated to reflect Motions 1 and 2.

4. Peer Review & Process Followed

Process Followed	• N/A
Council Identified Review	• N/A
Actual Motion Review	• N/A

5. Appendices

• Appendix A – C- 468 – 5.7, Appendix A

C-468-5.7, Appendix A

Role, Responsibilities and Selection Process for a Council Meeting Chair

7.4.1 Council Meeting Chair Role and Responsibilities

In general accordance with Wainberg's Rules of Order (Chapter 10), the chair will:

- 1. Preside over meetings of Council "to keep the meeting going in a legal and democratic manner".
- 2. Ensure Council discussions are focused on the agenda.
- 3. Encourage full Councillor participation
- 4. Be the role model in good governance for the rest of the Council.
- 5. Consult with the President, CEO/Registrar and governance staff regarding the agendas and associated background.
- 6. Have a strong working knowledge of the Council Manual, *Wainberg's Rules of Order*, and *PEO's Special Rules*, as they apply to Council meeting.

7.4.2 Selection Process

- 1. Annually, Council will first select its Meeting Chair at its meeting following the Annual General Meeting.
- 2. The Meeting Chair, who must be a member of Council, will serve at the pleasure of Council for a one-year term; however, the Council Meeting Chair may be removed by two-thirds vote of Council.
- 3. The Past President will conduct the vote in accordance with PEO procedure.
- 4. The President may be appointed by Council to also serve as Meeting Chair.

Briefing Note – Decision

APPOINTMENT OF COUNCIL MEETING CHAIR

Purpose: To appoint a Council Meeting Chair for the 2015-2016 Council year.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That [name to be inserted at the meeting] be appointed the Council Meeting Chair for the 2015-2016 Council year or until his or her successor is appointed.

Prepared by: Ralph Martin, Manager, Secretariat

1. Need for PEO Action

At its February 2011 meeting, Council approved a process for annually selecting a Council Meeting Chair (Appendix A).

The process requires that Council annually appoint its Meeting Chair at the first Council meeting following the Annual General Meeting.

Those wishing to put their name forward for the position of Council Meeting Chair had until April 16, 2015 to submit their names. A list will be circulated at the meeting. In addition, at the meeting, the Chair will ask for additional nominations.

Voting for the Council Meeting Chair will be done in accordance with the Special Rules.

2. Peer Review & Process Followed

Process As per the February 2011 Council meeting wherein a motion was passed	
Followed Council will annually elect a meeting chair from among the	
	Council.
Council	Council is the appropriate peer group.
Identified	
Review	
Actual	N/A
Motion	
Review	

3. Appendices

Appendix A – Role, Responsibilities and Selection Process for a Council Meeting Chair

Appendix A – Role, Responsibilities and Selection Process for a Council Meeting Chair

Council Meeting Chair Role and Responsibilities

In general accordance with *Wainberg's Rules of Order*¹, the chair will:

- 1. Preside over meetings of Council "to keep the meeting going in a legal and democratic manner."²
- 2. Ensure Council discussions are focused on the agenda.
- 3. Encourage full Councillors' participation.
- 4. Be the role model in good governance for the rest of Council.
- 5. Consult with the President, CEO/Registrar and governance staff regarding the agendas and associated background.
- 6. Have a strong working knowledge of the Council Manual, *Wainberg's Rules* of Order and PEO's Special Rules, as they apply to Council meetings.

Section Process

- 1. Annually, Council will first select its Meeting Chair at its meeting following the Annual General meeting.
- 2. The Meeting Chair, who must be a member of Council, will serve at the pleasure of Council for a one-year term; however, the Council Meeting Chair may be removed by two-thirds vote of Council.
- 3. The Past President will conduct the vote in accordance with PEO procedure.
- 4. The President may also be appointed by Council to also serve as Meeting Chair.

¹ Wainberg's Rules of Order, Chapter 10, "The Chair"

² Wainberg's Rules of Order – page 55

APPOINTMENT OF CHAIR OF REGIONAL COUNCILLORS COMMITTEE

Purpose: To approve the Chair of the Regional Councillors Committee for the 2015-2016 Council year.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That [*name to be inserted at the meeting*] be appointed as Chair of the Regional Councillors Committee, effective immediately and to hold office until the close of business at the 2016 Annual General meeting.

Prepared by: Ralph Martin – Manager, Secretariat

1. Need for PEO Action

Regional Councillors Committee (RCC) has been designated as a board committee.

The Terms of Reference for the RCC prescribe that the Committee be composed of the ten elected members from each of the five regions. Because of the composition, its membership and operations are aligned to the Council year. Non-board committees are aligned with the calendar year.

The Terms of Reference also require that the chair is to be elected by and from among members of the RCC for a one-year term. The Committees and Task Forces Policy requires that chairs of committees be ratified by Council.

The RCC historically has met immediately following the Annual General Meeting for the purpose of appointing a Chair for the ensuing Council year. The appointment is ratified by Council at the first meeting following the Annual General Meeting prior to the appointment of the appointed Vice President and election of Councillors to the Executive Committee.

Council is being asked to approve the appointment of the Chair of the Regional Councillors Committee at this time.

2. Recommendation

That Council approve the appointment of the Chair of the RCC

Process Followed	Per the RCC Terms of Reference.
Council Identified	Council is the appropriate peer group.
Review	
Actual Motion Review	N/A

3. Peer Review & Process Followed

APPOINTMENT OF VICE PRESIDENT

Purpose: To appoint a Vice President for the 2015-2016 Council year.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That [name to be inserted at the meeting] be appointed as Vice President for the 2015-2016 Council year.

Prepared by: Ralph Martin – Manager, Secretariat

1. Need for PEO Action

Section 3(1)2 of Regulation 941 under the *Professional Engineers Act* (Appendix C) requires that Council elect a Vice President from among its Councillors who are members of the Association at a meeting to be held after the close of business and on the day of the Annual Meeting of members or within thirty days thereafter. Non-member Lieutenant Governor-in-Council appointees are excluded from the office of Vice President under this Regulation.

Those wishing to put their name forward for the position of Vice President appointed had until April 16, 2015 to submit their names. A list will be circulated at the meeting. In addition, at the meeting, the Chair will ask for additional nominations.

A list of eligible Councillors is attached at Appendix A.

The procedures for appointing Councillors to board positions and committees will be in accordance with the Special Rules.

2. Proposed Action / Recommendation

It is recommended that Council conduct the election of a Vice President in accordance with the Special Rules.

3. Next Steps (if motion approved)

The Voting procedures to appoint a Vice President will be in accordance with the Special Rules.

Process Followed	Per Section 3.(1) 2 of Regulation 941 under the	
	Professional Engineers Act.	
Council Identified	Council is the appropriate peer group.	
Review		
Actual Motion Review	N/A	

4. Peer Review & Process Followed

5. Appendices

- Appendix A List of eligible Councillors for Vice President
- Appendix B Referenced sections of the *Professional Engineers Act* and Regulation 941

Appendix A – Councillors Eligible to serve as Vice President

Eligible to serve as Vice President
Ishwar Bhatia, P.Eng.
David Brown, P.Eng.
Danny Chui, P.Eng.
Nick Colucci, P.Eng.
Bob Dony, P.Eng.
Roydon Fraser, P.Eng.
Santosh Gupta, P.Eng.
Rick Hilton, P.Eng.
Roger Jones, P.Eng.
Charles Kidd, P.Eng.
Len King, P.Eng.
Ewald Kuzcera, P.Eng.
Dan Preley, P.Eng.
Serge Robert, P.Eng.
Changiz Sadr, P.Eng.
Rakesh Shreewastav, P.Eng.
Marilyn Spink, P.Eng.
Warren Turnbull, P.Eng.

Appendix B - Referenced Sections of the *Professional Engineers Act* **and Regulation 941**

Section 3(1)2 of Regulation 941 under the Professional Engineers Act

- **3.** (1) There shall be the following additional officers of the Association:
- 2. A vice-president, who shall be appointed annually by Council from among its members elected or appointed under clause 3 (2) (a) or 3 (2) (b) of the Act at a meeting of Council to be held after the close of business and on the day of the annual meeting of Members or within thirty days thereafter.

S.3.(2) of the Professional Engineers Act

- **3.** (2) The Council shall be composed of,
 - (a) not fewer than fifteen and not more than twenty persons who are members of the Association and who are elected by the members of the Association as provided by the regulations;
 - (b) not fewer than five and not more than seven persons who are members of the Association and who are appointed by the Lieutenant Governor in Council;

APPOINTMENT OF COUNCILLORS TO EXECUTIVE COMMITTEE

- a) Setting the number of Councillors to serve on the Executive Committee
- b) Election

Purpose: To set the number of additional Councillors to serve on the Committee, and to elect additional Councillors to serve on the Executive Committee.

Motion(s) to consider: (each requires a simple majority of votes cast to carry)

- **1.** That the number of additional Councillors to serve on the Executive Committee be set at three.
- 2. That [names to be inserted at the meeting] be elected as additional members to the Executive Committee for the 2015-2016 Council year.

Prepared by: Ralph Martin – Manager, Secretariat

1. Need for PEO Action

Section 28.(1)(e) of Regulation 941 under the *Professional Engineers Act* (Appendix B) requires that Council appoint one or more other members of Council, in addition to the president, president-elect, immediate past president and the two vice presidents, to serve on the Executive Committee. Council must, therefore, first decide on the number of additional Councillors to serve on the Committee.

Section 28.(1.1) of Regulation 941 requires that at least one member appointed by the Lieutenant Governor be appointed to the Executive Committee.

It is proposed that Council first elect a Lieutenant Governor Appointee (LGA) to the Committee before proceeding to elect any other members of Council to the Committee. Separate elections will be held for each of the successive positions remaining once the LGA election to the Executive Committee has taken place.

The procedures for electing members to serve on the Executive Committee will be in accordance with the Special Rules.

A list of eligible LGA's and other members of Council is attached at Appendix A.

Those wishing to put their name forward to serve on the Executive Committee had until April 16, 2015 to submit their names. A list will be circulated at the meeting. In addition, at the meeting, the Chair will ask for additional nominations.

2. Peer Review & Process Followed

Process Followed	Per Section 28.(1)(e) and 28.(1.1) of Regulation 941 under the PEA.	
Council Identified Review	Council is the appropriate peer review group.	
Actual Motion Review	N/A	

3. Appendices

Appendix A - List of Eligible Councillors as Additional Members to Executive Committee Appendix B – Sections 28.(1) and 28.(1.1) of Regulation 941 under the *Professional Engineers Act* List of Councillors Eligible to serve on the Executive Committee, one of whom must be a Lieutenant Governor in Council Appointee.

Eligible to serve on Executive Committee ¹
Ishawa Bhatia, P.Eng ²
David Brown, P.Eng.
Danny Chui, P.Eng.
Nick Colucci, P.Eng.
Bob Dony, P.Eng.
Roydon Fraser, P.Eng.
Santosh Gupta, P.Eng. ²
Rick Hilton, P.Eng ²
Rebecca Huang. ²
Roger Jones, P.Eng.
Charles Kidd, P.Eng.
Len King, P.Eng.
Bill Kossta ²
Ewald Kuzcera, P.Eng.
Mary Long-Irwin ²
Dan Preley, P.Eng.
Sharon Reid ²
Serge Robert, P.Eng.
Changiz Sadr, P.Eng.
Rakesh Shreewastav, P.Eng. ²
Marilyn Spink, P.Eng. ²
Warren Turnbull, P.Eng.

- ¹ at least one LGA member must be appointed to the Executive Committee
- ² Lieutenant Governor Appointee

Appendix B – Regulation 28 under the Professional Engineers Act

Executive Committee

- 28. (1) The Executive Committee shall consist of,
 - (a) the president;
 - (b) the president-elect;
 - (c) the immediate past-president;
 - (d) the two vice-presidents; and
 - (e) one or more other members of the Council from time to time appointed by the Council. R.R.O. 1990, Reg. 941, s. 28 (1).

(1.1) The Council shall ensure that at least one member appointed to the Council by the Lieutenant Governor in Council is appointed under clause (1) (e) at any given time. O. Reg. 205/09, s. 1.

(2) Three members of the Executive Committee, at least one of whom shall be a person named in clause (1) (a), (b) or (c), constitute a quorum. R.R.O. 1990, Reg. 941, s. 28 (2).

APPOINTMENT OF COUNCILLORS TO BOARD COMMITTEES FOR 2015-2016

Purpose: To elect Councillors to Board committees.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

- 1. That the Audit Committee appoint [5-7, insert number] Council members to its roster.
- 2a. That [five-seven names to be inserted at the meeting] be elected as members to the Audit Committee for the 2015-2016 Council year.
- 2b. That [four names to be inserted at the meeting] be elected as members to the Finance Committee for the 2015-2016 Council year.
- 2c. That [two names to be inserted at the meeting] be elected as members to the Human Resources Committee for the 2015-2016 Council year.
- 2d. That [five names to be inserted at the meeting] be elected as members to the Legislation Committee for the 2015-2016 Council year.
- 2e. That [three names to be inserted at the meeting] be elected as members to the OSPE-PEO Joint Relations Committee for the 2015-2016 Council year.
- 2f. That [one name to be inserted at the meeting] be elected as a member to the OSPE Advocacy Committee for the 2015-2016 Council year.

Prepared by: Ralph Martin – Manager, Secretariat

1. Need for PEO Action

Annually, Council elects the requisite number of Councillors to five Board Committees and a representative to the OSPE Advocacy Committee.

Those wishing to put their name forward for positions on the Board Committees and the OSPE Advocacy Committee had until April 16, 2015 to submit their names. A list will be circulated at the meeting. In addition, the Chair will ask for additional nominations at the meeting.

- Five to Seven (5-7) Councillors are to be appointed to the Audit Committee.
- Four (4) Councillors are to be appointed to the Finance Committee.
- Two (2) additional Councillors to be appointed to the Human Resources Committee.
- Five (5) Councillors are to be appointed to the Legislation Committee.
- Three (3) Councillors are to be appointed to the OSPE-PEO Joint Relations Committee
- **One (1)** Councillor is to be appointed to the **OSPE Advocacy Committee**

Voting will be conducted in accordance with the Special Rules.

2. Peer Review & Process Followed

Process	Section 3.1 of the Committees and Task Forces Reference Guide states that	
Followed	"Most committees and task forces operate on the calendar year [non-board	
	committees]. Certain committees, however, (Executive, Audit, Finance,	
	Human Resources, Legislation, OSPE-PEO Joint Relations, Regional Councillo	
	[board committees]) follow the Council year because membership on these	
	committees is determined by Council elections. The year for these	
	committees begins with the first Council meeting following the PEO Annual	
	General Meeting"	
Council	Council is the appropriate peer group.	
Identified		
Review		
Actual	N/A	
Motion		
Review		

COUNCILLORS ITEMS

- a) Notice of Future Council Agenda Items
- b) Councillors' Questions

Purpose: To provide Councillors with an opportunity to provide notice of items for inclusion on the next Council meeting agenda, and to ask questions.

No motion required

Prepared by: Dale Power –Secretariat Administrator

Briefing Note–Decision-Act/Regulation/By-Law Change

Act/Regulation/By-Law Change: Limited Licence Regulation - Application forms

Purpose: To approve application forms referred to in O. Reg. 71/15

Motion(s) to consider: (requires a 2/3 majority of votes cast to carry)

That the "Limited Licence Application" (dated November 2013) and the "Application for Certificate of Authorization" (dated November 2013) as presented to the meeting at C-500-10, Appendix A and Appendix B, be approved, to become effective in Regulation 941 on July 1, 2015.

[Paragraph 10 of section 7(1) of the Act provides the authority for Council to make regulations prescribing forms of application for licences, certificates of authorization, and limited licences and requiring their use.]

Prepared by: J. Max, Manager, Policy Moved by: Bob Dony, P.Eng., Chair, Legislation Committee 2014-15

1. Need for PEO Action

At the 498th meeting held on February 6, 2015, Council approved a series of amendments to Regulation 941 to implement changes primarily to the Limited Licence (and by extension, to the Certificate of Authorization). These Regulation changes were subsequently approved by the provincial Cabinet and filed on April 2, 2015 as O. Reg. 71/15. The sections pertaining to the Limited Licence and Certificate of Authorization are scheduled for implementation on July 1, 2015 but require that Council approve the attached two forms as they are now referenced in the new regulation at sections 46 and 47. (see Table 1 below to see the references)

Council's approval of these two application forms in their November 2013 version does not require any further Regulation change to allow the use of the revised application forms on July 1. 2015, nor is a new Preliminary Regulatory Impact Assessment required.

Regulation 941 Reference	Document	Council
	title & date	approval(s)
46. (1) The following are prescribed as requirements and qualifications for	"Guide to the	C-492 March
the issuance of a limited licence:	Required	21, 2014
2. The applicant shall demonstrate at least eight years of experience in	Experience for a	
the practice of professional engineering that meets the criteria set out	Limited Licence	
in the document titled "Guide to the Required Experience for a	in Ontario"	

Table 1: Referenced documents in Regulation 941, to be effective July 1, 2015

In the document titled Guide to the Required Experience for a	in oncario	
Limited Licence in Ontario" and dated March 2014, published by and	(March 2014)	
available from the Association, with at least six years of the		
experience corresponding to the scope of services within the practice		
of professional engineering to be provided under the limited licence		
and at least four of those six years' experience being acquired in a		
Canadian jurisdiction under the supervision of one or more persons		
who are legally authorized to engage in the practice of professional		

engineering in a Canadian jurisdiction. (effective July 1, 2015)		
 46. (1) The following are prescribed as requirements and qualifications for the issuance of a limited licence: 5. The applicant shall submit to the Registrar a completed application in the form titled "Limited Licence Application", dated November 2013 and available from the Association. (effective July 1, 2015) 	"Limited Licence Application" (November 2013)	Pending
 47. The following are prescribed as requirements and qualifications for the issuance of a certificate of authorization: 2. The applicant shall submit to the Registrar a completed application in the form titled "Application for Certificate of Authorization", dated November 2013 and available from the Association. (effective July 1, 2015) 	"Application for Certificate of Authorization" (November 2013)	Pending

2. Proposed Action / Recommendation

For the Regulation changes to be implemented on July 1, 2015, Council is required to approve these two application forms as drafted on November 2013.

3. Next Steps (if motion approved)

Staff will continue with implementation of the Limited Licence and Certificate of Authorization changes on July 1, 2015. No further Council action is required.

4. Peer Review & Process Followed

 In September 2011, the Legislation Committee (LEC) was assigned by then-
 President Adams to review the latest (TK-17) version of an accumulated list of amendments to Regulation 941, which predated the formation of the Legislation Committee. The committee was assigned to review the alignment of drafted wording with Council motions to determine which amendments were ready for Council approval. These amendments were intended to give legislative authority to previous Council directives; Licensure requirements developed by the Licensing Process Task Force (LPTF); Limited Licence changes developed by the Technology Licence Task Group (TLTG)(e.g. ability to hold Certificate of Authorization, change to experience requirements Certificate of Authorization changes (discipline-specific practice and seals, changed fee structure, addition of limited licence holders, reporting requirements); Governance changes (e.g. employees seeking Council election, provision for Council to remove an elected councilor, increasing the size of the Central Election and Search Committee, Removal of qualification barriers for already-licensed licence holders from other Canadian provinces/territories to comply with the Ontario Labour Mobility Act
 Election and Search Committee, Removal of qualification barriers for already-licensed licence holders from other Canadian provinces/territories to comply with the Ontario Labour
 Mobility Act Other minor administrative and housekeeping matters (e.g. gender-neutral language, electronic form/document submission, consents to police record check for applicants, supporting document translation into English, surcharge for paper submissions).

	• The Legislation Committee sought and received comments on the TK-17 version of the Regulation (as it then stood) from the Academic Requirements Committee, Experience Requirements Committee, and Licensing Process Task Force.
	• At its August 3, 2012 meeting, the LEC completed the review and determined that at this juncture, a subset of the original proposed regulation changes was ready and asked the Attorney General's Office to prepare the regulation package for Council approval. The new package excluded all changes related to admissions, certificate of authorization and limited licence proposals. The Legislation Committee continued to review subsequent drafts from the Attorney General.
	• In November 2012, Council directed the Legislation Committee to include changes to the Limited Licence and Certificate of Authorization (including the addition of the Licensed Engineering Technologist), and the committee asked the Attorney General to combine the two regulations. Throughout 2013 and 2014, the committee continued to review and refine the combined regulation together with the Attorney General's policy staff. The Legislation Committee indicated to the Attorney General that it was satisfied with the current version (13-TK) of the Regulation.
	• The draft Regulation was also shared with the Office of the Fairness Commissioner (OFC). The OFC subsequently replied with its comments on July 18, 2014. A copy of the OFC's comments is attached as Appendix C. They have raised general concerns about the continued use of 12 months' supervised Canadian experience and its increase to four years in the proposed Limited Licence changes (and the Registrar's response in Appendix D, which was approved by the Executive Committee on January 20, 2015) To comply with the requirements of section 13(b) of the Ontario Labour Mobility Act, comments on the draft Regulation were sought from other provincial engineering regulators. No adverse comments were received.
	• This information was subsequently conveyed to the Attorney General staff, who provided an updated draft Regulation, which was reviewed and approved by the Legislation Committee at its January 9, 2015 meeting. Due to the timing coincidence of the Regulations being ready, at PEO's request, the Attorney General included the President's Waiting Period changes within the Combined LL/CofA Regulation changes.
	 Concurrent with the finalization of the draft Regulation changes to the Limited Licence and Certificate of Authorization, PEO staff worked to create a new Experience Guide for the limited licence and to revise the Limited Licence and Certificate of Authorization application forms referenced in the draft Regulation. The revised application forms were completed in November 2013. Staff were advised by the Attorney General's policy staff to have Council approve the referenced application forms at the same time as the Regulation was being considered.
Council Identified Review	• Council has been regularly updated by Legislation Committee since 2011 on the progress of the draft Regulation. The Legislation Committee is a Board Committee comprised entirely of Councillors, hence no further peer review is required.

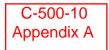
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	• Council considered and approved the "Guide to the Required Experience for a Limited Licence in Ontario" first on June 10, 2013. "That PEO's <i>Guide to the Required Experience for Limited Licence in Ontario</i> be approved as provided to the meeting at C-486-5.4, Appendix A".
	• The Experience Requirements Committee requested further changes to the document, and with the ERC's approval, the revised version was presented to Council on March 21, 2014 and approved as the March 2014 version. "That the <i>Guide to the Required Experience for a Limited License in Ontario</i> , dated March 2014 as presented to the meeting at C-492-3.3, Appendix A, be approved".
	• The draft Regulation was approved without changes by Council on February 6, 2015, and was subsequently approved by Cabinet without changes and was filed on April 1, 2015, with the sections pertaining to the Limited Licence and Certificate of Authorization to be effective as of July 1, 2015.
Actual Motion Review	• The motion was reviewed and approved by the Legislation Committee members.

5. Appendices

- Appendix A "Limited Licence Application" (dated November 2013)
- Appendix B "Application for Certificate of Authorization" (dated November 2013)





Limited Licence Application (including the Licensed Engineering Technologist (LET) Class of Limited Licence)

Professional Engineers Act, R.S.O. 1990, Chapter P. 28 and Regulation 941/90

Please review the information that accompanies this application. Failure to provide relevant information may result in delay.

							PEO US	E ONLY
a	Family Name		First Name					
ЙО							Number	Licence
Personal	Second Name		Third Name				Data Entry	Imaged
Å,	E M						Data Entr	y Checked /
	Date of Birth Sex		Email Address				Data Enti	y checked
UC(Street Number/Street Name/Unit, Suite or A	pt.				City	Pro	vince
Residence			Cond Mail T		□Office			
esi	Postal Code	Country	Send Mail	Home		Home	Telephone Numbe	er
Ř	Email Address)
	Email Address							
	1. BASIC DEGREE OR DIPLOMA	7						
		College/University/Institute Name	2			Discipline/Branch		
U								
ш.		Degree/Diploma			:	Year of Graduation		
de	2. POST GRAD							
Academic		College/University/Institute Name	2			Discipline/Branch		
A								
		Degree/Diploma				Year of Graduation		
		(For other post-secondar	y information or addi	itional post	graduate	degrees, please	e attach a no	ote.)
							PEO US	E ONLY
ب	Present Employer's Name		First Name				. 20 00	
en	resent Employer's Name		Thist Name					
۲ א	Street Number/Street Name/Unit or Suite			City		Province		
Employment	Succe number succe numeronic of suite			city		Trovince		
b	Postal Code Country	Title of Position				Bus	iness Phone Num	ber / Extension
ш	· · · · · · · · · · · · · · · · · · ·							
	Email Address							
Ew	An experience	e record must accompany	this application (see	Limited Lice	ence App	lication Guide a	nd <i>Guide to</i>	the
EX		erience for a Limited Licen			111)

Experience Referees—Three Required (see Guide—"Referees"). By providing this information, you consent to PEO contacting the referees and assert that these referees have consented to this information being provided to PEO. It is strongly recommended that at least two referees be P.Engs.

Name	Connection	Licence No
Address		Postal Code
Name	Connection	Licence No
Address		Postal Code
Name	Connection	Licence No
Address		Postal Code

The following statement describes my proposed limitation of scope of services to be provided and is endorsed by the person who has assumed responsibility for my engineering work. (see *How to Determine Your Limitation Respecting the Scope of Professional Engineering Practice*)

d Signature, Supervising Professional Engineer Title	Signatare, Supervising Professional Engineer

Temporary Licence
Month/Year

I am a member/registered/licensed with an engineering organization(s), Association/Institution, or other, as follows:

Name of Organization No.	Year Accepted	Present Status	Exams Required?	Registration

I am a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists (OACETT) and I hold a Certified Engineering Technologist title with the Association. I hereby consent to PEO contacting OACETT to confirm this information. In addition to meeting the requirements for a limited licence set out in section 46 of Regulation 941 under the *Professional Engineers Act*, as a member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and holding a Certified Engineering Technologist title with the Association, I wish to be issued an engineering technologist class of limited licence by PEO.

Have you ever been refused membership by any engineering association? D No D Yes (Please attach Details)

Is there recorded on the register of any professional engineering regulatory or licensing body or equivalent organization any finding of guilt against you for professional misconduct, negligence, or incompetence? \Box No \Box Yes (Please attach Details)

I hereby certify the foregoing statements are true and correct._

Application fee in Canadian dollars, cheque or money order, made payable to the Association of Professional Engineers of Ontario must be attached. The application fee is 300.00 + HST = 339.00. I understand the fee is not refundable.

									APPROVED
	Classification by	Туре	Category	Route	Data Entr	у	Date (Year/Me	onth/Day)	
	Degrees 1 2 3	Location		Reco	ognized	References	🗆 Yes	□ No	
۲Y	First Year to AdmitProfessional Practice Exam First Year to Write Limited Licence Issue Date								
ONL	Verification		Ехр	erience		Li	mitation _		
) USE	Exams Completed		Rec	corded	P	Professional Pra	ctice Exam		
PEO	Closed, Lost Contact_	Closed	, See Note	Resigned		Deleted, N	lon Paymei	nt	Reinstated
	Note								
	□ Add □ Change	Admission Cla	ssification (See	Codes) □Cate	eg. l	□ Status	First Yea	r to Writ	e 🗆 Last Digit
	First Year to Admit	🗆 Last Digit	Admissior	n Exam □A □	∃B	Exam Centr	e 🗆 🗆 🗆		

The information collected on this form is used for the purpose of regulating the practice of professional engineering. The immediate purpose for collecting this information is primarily to assist PEO in pursuing its regulatory activities and providing basic professional information to members of the public. For more information, see PEO's Privacy Policy at www.peo.on.ca, or contact PEO's Privacy Office at 416-224-1100. NOTE: As the applicable fee may have changed by the time you submit your application, please pay the latest fee plus any applicable taxes as posted on PEO's website at this hyperlink: **PEO Fee Schedule**.

How to Determine Your Limitation Respecting the Scope of Professional Engineering Practice

The professional services that the holder of a limited licence may perform are defined and described in terms of *function, product*, and *application*. Restrictions to the scope of professional practice are imposed in terms of these three elements. Specifically, the professional services performed by the holder of the limited licence must be restricted, confined or limited with respect to at least one of the elements of *function, product*, or *application*. For the Experience Requirements Committee to determine whether your requested limitation is acceptable, please complete the following form as concisely as possible. This completed form must accompany your application.

Function

Indicate which activity(ies) described in the definition of the practice of professional engineering best describes the work you perform. How does this function concern the safeguarding of life, health, property, economic interests, the public welfare or the environment?

Product

What do you produce or what service do you provide for your employer? A product? Component? Equipment? Drawings? Etc.

Application

What is the end use of the product or service you provide? In-house? Specialized end use?

The Proposed Wording of Your Limitation

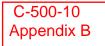
Must describe a specialized function, or an activity confined to a specific product or application. Your limitation must not be so broad as to cover all aspects of practice within an entire engineering discipline.

Who currently assumes responsibility for the engineering work described in your limitation?

Date

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101-40 Sheppard Ave. W., Toronto, ON M2N 6K9 T: 416 224-1100 800 339-3716 www.peo.on.ca Enforcement Hotline: 416 224-9528, ext. 1444

Application for Certificate of Authorization

Professional Engineers Act R.S.O. 1990 Chapter P. 28

The general information that accompanies this application should be carefully reviewed. Failure to provide relevant information may result in delay.

Instructions

- 1. Please complete all sections of this form relevant to your business.
- 2. Any subsequent change in particulars must be submitted to the Registrar within 30 days.
- 3. Please type or print in ink.
- 4. Please return original along with evidence of the business registration/incorporation (see instruction sheet), insurance attachment if necessary (section H of the form), resumes for all individuals listed in section F of the form, and the application and annual fees totalling \$745.80.

NOTE: As the applicable fee may have changed by the time you submit your application, please pay the latest fee plus any applicable taxes as posted on PEO's website at this hyperlink: **PEO Fee Schedule**.

PEO USE ONLY

Number

Data Entry

Microfilm

Data Entry Checked

 A
 Name of Organization (include operating name if applicable)

 Name of Organization (include operating name if applicable)

 Mailing Address

 Postal Code
 Telephone Number

 Email Address

Mailing address		
Postal Code	Telephone Number	Fax Number
Type of Organization		

Note: A Standard Certificate of Authorization will be granted to a Partnership of Corporations if one of the corporations holds a Certificate of Authorization. If applicable, name corporate partners holding a Certificate of Authorization:

A)	Total number of professional engineers on staff	B) Total number of employees on staff
C)	Total number of limited engineering licensees (LELs), including licensed engi	neering technologists (LETs), on staff

C-2

Description of Professional Engineering Services (including professional services provided and major areas of engineering activity) Please also provide Description of Professional Engineering Services in an email in an editable format, such as Word, and send electronically to CofA.new@peo.on.ca Note: For limited engineering licensees (LELs) and licensed engineering technologists (LETs) you employ, you must include a description of the professional engineering services they are to provide (in total).

Name(s) in full and address(es) of the sole practitioner (an individual), all partners, or all officers and directors, as the case may be. You MUST ensure that the people listed below consent to your providing this information to PEO. (Attach separate sheet if space is insufficient.)

Name	Residence Address	POSITION IN ORGANIZATION

Names in full of the sole practitioner (an individual), partners or employees, as the case may be, who hold:

- licences,temporary licences, and/or
- limited licences applied for on or after July 1, 2015 and subsequently issued by PEO, and/or
- are licensed engineering technologists (LETs), or
- have applied for a temporary licence

and will assume responsibility for the services provided within the practice of professional engineering. (Add separate sheet if space is insufficient.) **Note:** Employee engineers with less experience must seal their own work.

Please indicate if the licence holders are PEO consulting engineers. Only a member who has been designated as a consulting engineer by PEO can use the restricted title "consulting engineer." Holding only a certificate of authorization (C of A) from PEO does not entitle a professional engineer to call himself or herself a "consulting engineer" or advertise his or her services as a consulting engineer. **Note:**

- A limited licence holder, i.e. a limited engineering licensee (LEL), may only assume responsibility for the services provided and devote sufficient time and provide personal supervision and direction to the work of the applicant that is within the practice of professional engineering if the LEL's application for the limited licence was made on or after July 1, 2015.
- LELs whose application for the limited licence was made before July 1, 2015 are not eligible to assume responsibility unless they reapply
 for a new LEL and are subsequently authorized to be listed to assume responsibility under a C of A.

Name	PEO LICENCE NUMBER (IF APPLICABLE) / SEE F ON INSTRUCTION SHEET	Residence Address	PEO DESIGNATED CONSULTING ENGINEER		PEO USE ONLY
			YES	NO	(INITIAL)
	· ·	·	,		

G

A Standard Certificate of Authorization will be issued unless a General Certificate of Authorization is specifically requested. I hereby request the issuance of a General Certificate because the primary function of the applicant is, or will be, to provide to the public services that are within the practice of professional engineering:

Is it the intention of the applicant to apply to the Ontario Association of Architects for a Certificate of Practice? 🔲 YES 🛄 NO

Н	Professional Liability Insurance (Reference section 74, R.R.O. 1990, Regulation 941)			
	Check off appropriate box. Note: If applicant (the person or organization named at Section A) is insured, a copy of the Certifi- cate of Insurance must accompany this application (for a, b, or c, only).			
	a) Insured –the applicant is insured against professional liability in accordance with subsection 74(1),			
	b) Joint Practice-the applicant is participating in the Indemnity Plan of the Ontario Association of Architects in accordance with clause 74(2)(a) and the applicant's practice is limited to professional activities covered by that plan,			
	c) Class Exemption-the applicant has other insurance in accordance with clause 74(2)(b),			
	d) Class Exemption-the applicant is not required to have professional liability insurance in accordance with clause 74(2)(c) as the applicant's practice would be in respect of pollution hazards, nuclear hazards, aviation hazards or shipping hazards, or			
	e) Compulsory Disclosure-the applicant will comply with clause 74(2)(d) in the manner provided by that clause by notifying each person to whom the applicant intends to provide professional engineering services that the applicant is not insured in accordance with the minimum requirements of that clause.			

I	I, a person listed at Section F, above, having read and understood Section F, am:				
	i) 🔲 a sole practitioner (an individual) not incorporated	iii) 🔲 a partner in the partnership			
	ii) 🔲 an employee of the corporation	iv) \square an employee in the partnership of corporations			
	and hereby certify the foregoing information to be true and correct.				
	Name	Signature			
	Date	Title			
J	 Any subsequent change in particulars must be submitted in writing by a person listed at Section F, to the Registrar within 30 days. A false statement on this form may be considered to be Professional Misconduct under the Regulation. Fees: APPLICATION FEE-\$330.00 + \$42.90 (HST) = \$372.90 (not refundable) Annual fee-\$330.00 + \$42.90 (HST) = \$372.90 				
	Total fees payable (Cdn funds) = \$745.80 Payable to	Professional Engineers Ontario HST# R106733066			
PEO USE ONLY	Routing (see code)				
	Approved by:	Date:			

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