



Minutes

REVISED

The 513th MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Friday, June 23, 2017 at 9:00 a.m.

- Present:
- B. Dony, P.Eng., President and Council Chair
 - G. Comrie, P.Eng., Past President
 - D. Brown, P.Eng., President-Elect
 - N. Hill, P.Eng., Vice President (Elected)
 - M. Spink, P.Eng., Vice President (Appointed)
 - C. Bellini, P.Eng., Councillor at Large [minutes 11807 – 11809, 11816 – 11836 only]
 - I. Bhatia, P.Eng., Eastern Regional Councillor
 - G. Boone, P.Eng., Eastern Regional Councillor
 - T. Chong, P.Eng., East Central Regional Councillor
 - D. Chui, P.Eng., West Central Regional Councillor
 - R.A. Fraser, P.Eng., Councillor at Large [via teleconference]
 - L. Hidalgo, P.Eng., Western Regional Councillor [minutes 11809 – 11836 only]
 - G. Houghton, P.Eng., Western Regional Councillor
 - Q. C. Jackson, Barrister & Solicitor, Lieutenant Governor-In-Council Appointee
 - T. Kirkby, P.Eng., Lieutenant Governor-In-Council Appointee
 - L. Lederman, Q.C., Lieutenant Governor-In-Council Appointee
 - T. Olukiyesi, P.Eng., Lieutenant Governor-In-Council Appointee
 - D. Preley, P.Eng., Northern Regional Councillor
 - N. Rush, C.E.T., Lieutenant Governor-In-Council Appointee
 - N. Takessian, P.Eng., East Central Regional Councillor
 - W. Turnbull, P.Eng., Western Regional Councillor
 - M. Wesa, P.Eng., Northern Regional Councillor [via teleconference]
- Regrets:
- M. Chan, P.Eng., Lieutenant Governor-In-Council Appointee
 - R. Hilton, P.Eng., Lieutenant Governor-In-Council Appointee
 - K. Reid, P.Eng., Councillor at Large
- Staff:
- G. McDonald, P.Eng., Registrar
 - S.W. Clark, LL.B.
 - L. Latham, P.Eng.
 - C. Mehta
 - M. Price, P.Eng.
 - D. Smith
 - M. Wehrle
 - J. Zuccon, P.Eng.
 - R. Martin
 - F. Goncalves
 - D. Power
 - N. Axworthy [minutes 11807 to 11835 only]
 - J. Chau [minutes 11807 to 11835 only]
 - B. St. Jean [minutes 11807 to 11835 only]

Guests: A. Bergeron, PEO Director, Engineers Canada [minutes 11807 to 11835 only]
H. Brown, Brown & Cohen [minutes 11807 to 11835 only]
D. Campbell, Chair, Government Liaison Committee [minutes 11807 to 11835 only]
R. Gupta, Chair, Discipline Committee [minutes 11807 – 11811 only]
L. Casselman, Brown & Cohen [minutes 11807 to 11835 only]
B. Keidan, Brown & Cohen [minutes 11807 to 11835 only]
C. Roney, President, Engineers Canada [minutes 11764 to 11835 only]
R. Shreewastav, PEO Director, Engineers Canada [minutes 11807 to 11835]

On Thursday evening, Council held a plenary session to receive and discuss the Government Liaison Program (GLP) Audit Report Recommendations Implementation Plan.

Council convened at 9:00 a.m. Friday, June 23, 2017.

CALL TO ORDER

Notice having been given and a quorum being present, the Chair called the meeting to order.

11807 APPROVAL OF AGENDA

Moved by Councillor Takessian, seconded by Councillor Kirkby:

That:

- a. the agenda, as presented to the meeting at C-513-1.1, Appendix A be approved as amended; and**
- b. the Chair be authorized to suspend the regular order of business.**

CARRIED

11808 PRESIDENT/REGISTRAR'S REPORT

President Dony provided highlights of his recent activities which included attendance at the following events:

- APEGA AGM in Calgary
- APEGS AGM in Regina
- NAPEG AGM in Nunavut
- Engineers Canada AGM in St. John's
- PEGNL in St. John's
- PEO CODE Workshop

President Dony will be attending the Canadian Academy of Engineering (CAE) on June 26, 2017 for the induction of former President Thomas Chong as a fellow of the academy.

11809 APPEALING A DIC PANEL DECISION

At its September 23, 2011 meeting, Council approved by motion twenty-four of the recommendations contained in the Complaints and Discipline Process Task Force, Final Report to Council ("Report"), dated September 23, 2011.

Recommendation 19 of the Report reads as follows: "That the registrar develop criteria for when it is appropriate for PEO to appeal a decision of the Discipline Committee. Rationale – From time to time, it may be in PEO's or the public interest to appeal a decision."

Appeals, by either party to the proceedings, are authorized by section 31 of the Professional Engineers Act. Other regulators have exercised similar powers from time to time. It appears that prior to February, 2017, no appeal had ever commenced by PEO from any decision of the Discipline Committee. While it is expected that appeals from Discipline Committee decisions by PEO would be quite rare, given the fact that Notice of Appeal by PEO in respect of a Discipline Committee Decision was filed with the Divisional Court in February, 2017, and the fact that this Report recommendation has remained unaddressed, the Registrar presented a policy identifying the criteria for when the Registrar may appeal a decision of the Discipline Committee.

Councillor Lederman objected to the order of items 2.1 Appealing a DIC Panel Decision and 2.2 The PEO Discipline Framework on the agenda indicating that the two items should be joined and asked that his objection be noted in the minutes.

The Chair ruled that the two Discipline motions being presented under 2.1 Appealing a DIC Panel Decision and 2.2 The PEO Discipline Framework, even though they overlapped and called for different direction from Council dealing with the same situation, not be considered together.

Moved by President-elect Brown, seconded by Vice President Hill:

That Council approve the Policy: PEO Appeals of Discipline Committee Decisions, as presented to the meeting at C-513-2.1, Appendix A.

Moved by Councillor Chui, seconded by Councillor Takessian:

That the main motion be tabled to the November Council meeting.

DEFEATED

The Chair noted that the above motion was non-debateable and required a two-thirds majority to pass since it stopped discussion.

Council then voted on the main motion.

CARRIED

Recorded Vote

For

C. Bellini
D. Brown
T. Chong
G. Comrie
N. Hill
G. Houghton
Q. Jackson

Against

I. Bhatia
D. Chui
R. Fraser
L. Lederman

Abstain

G. Boone
L. Hidalgo
T. Kirkby
N. Takessian

T. Olukiyesi
D. Preley
N. Rush
M. Spink
W. Turnbull
M. Wesa

11810
THE PEO DISCIPLINE FRAMEWORK

Councillor Lederman advised that the motion was being brought forward in the spirit of fairness and conscience, referencing the McRuer Report.

Moved by Councillor Lederman, seconded by Councillor Fraser:

Whereas PEO's Discipline Function, according to the McRuer Royal Commission Inquiry into Civil Rights in the Province of Ontario - 1968 Report ("McRuer"), is one of the most important functions of a Regulated Profession;

And Whereas, again, according to McRuer, and, indeed, according to Right-Thinking generally: Fairness & Due Process under Law in Discipline is required in and by the Public Interest;

And Whereas such Fairness should be thus fundamental to PEO's attitudes and actions;

**And Whereas the words of Associate Justice Jackson of the Supreme Court of the United States, in a speech in 1940 to US Federal prosecutors are very relevant and accordingly, set out here:
...Nothing better can come out of this meeting of law enforcement officers than a rededication to the spirit of fair play and decency that should animate the federal prosecutor. Your positions are of such independence and importance that while you are being diligent, strict, and vigorous in law enforcement you can also afford to be just. Although the government technically loses its case, it has really won if justice has been done ...**

The qualities of a good prosecutor are as elusive and as impossible to define as those which mark a gentleman. And those who need to be told would not understand it anyway. A sensitiveness to fair play and sportsmanship is perhaps the best protection against the abuse of power, and the citizen's safety lies in the prosecutor who tempers zeal with human kindness, who seeks truth and not victims, who serves the law and not factional purposes and who approaches his task with humility.

Therefore, to Reiterate & Make Publicly Manifest & Effective, PEO's Commitment to Fairness:

That Council adopt the PEO Discipline Framework, including the Title & Preamble – called "The PEO Discipline Framework" and all necessary or

useful changes in PEO Policies and Procedures that are relevant are hereby made (such amendments to be reflected forthwith in writing) to accord with it, in Spirit as well as in Substance.

The PEO Discipline Framework presented to Council on June 23, 2017 contains the following:

1. Only matters of Substance are to be treated as Misconduct (or other matters subject to PEO Discipline process, by whatever name(s)) and prosecuted as such.
2. PEO Prosecutors are to conduct themselves in accordance with the spirit of the Preamble and especially Justice Jackson's comments recited in it.
3. PEO Prosecutors have the express Duty and Discretion, of their own motion, and free from suggestion, or direction, or compulsion, or detriment, to refuse prosecutions they believe to be against the Substance or Spirit of the Preamble or otherwise wrong.
4. If the matter in question is already being (or expected soon to be) dealt with by the regular Court System, PEO will defer to that Court process and not attempt to duplicate or parallel, or second-guess it.
5. PEO will not level multiple or excessive charges, but rather only those charges that are reasonably necessary to uphold meaningful professional standards (including standards of professional competence & professional ethics).
6. Subject always to maintaining reasonable professional standards, PEO will not act as a de facto Party or Party-Surrogate in what reasonably seems to be, or in fact is, essentially a private – or even malice-based – dispute between a Client and a PEO Member.
7. Although a PEO proceeding is not a "Criminal" proceeding per se, it is an extremely serious one, one that, as stated by McRuer, could result in a Member's "economic death", and accordingly:
 - (a) The Defendant-Member is to be accorded the Presumption of Innocence.
 - (b) PEO will have the onus of proving its case.
 - (c) The proof will be "on a balance of probabilities, on cogent and convincing evidence".
8. If a PEO Prosecution is successful: PEO will not seek an award of Costs from the Defendant-Member, except in extraordinary or unusual circumstances, in which case Costs (and their amount) are not, in any event, to be accorded as a matter of Right, but in the Absolute Discretion of the Panel, and would be on a modest scale.

9. Prior to, or during, or after Trial, PEO will not use the matter of potential Costs as a lever (nor will PEO use other like inducement) to persuade the Defendant-Member to plead Guilty, or to forgo an Appeal.

10. If a PEO Prosecution is unsuccessful (in whole or in part): PEO will not appeal to the Divisional Court (or such other authority as may be available) except in extraordinary or unusual circumstances, and with the express advance Consent of PEO Council, the giving of which Consent shall be in accordance with such considerations as:

- (i) The normal deference given to the decision of a Panel by the Courts.
- (ii) Whether the decision of this Panel was unanimous.
- (iii) Whether the decision of this Panel met the normal tests of not being
 - (a) Manifestly against the Weight of the Facts, or
 - (b) Clearly inconsistent with the Law.

11. If PEO appeals an unsuccessful prosecution (in whole or in part), as opposed to simply responding to a Defendant-Member originated appeal: PEO shall pay the reasonable costs of Defendant-Member's legal counsel.

12. If PEO appeals and it seems that the Defendant-Member will not appear to contest that appeal: PEO Council – independent of PEO Management – shall retain (at PEO's expense) legal counsel to appear as an intervenor "Friend-of-the-Court" to attend the Court Hearing – and independent of instruction by PEO – to ensure Balance and Fairness, and to give the Court Proper Perspective on the Panel's Process and Role.

DEFEATED
Recorded Vote

<u>For</u>	<u>Against</u>	<u>Abstain</u>
I. Bhatia	D. Brown	G. Boone
D. Chui	G. Comrie	T. Chong
R. Fraser	N. Hill	T. Olukiyesi
L. Hidalgo	G. Houghton	N. Rush
T. Kirkby	Q. Jackson	
L. Lederman	M. Spink	
N. Takessian	W. Turnbull	
	M. Wesa	

A Councillor pointed out that the Discipline Committee Chair was indicating he wanted to be recognized by the Chair to address Council prior to voting. The Chair declined this offer.

**11811
COUNCIL TERM LIMITS TASK FORCE
RECOMMENDATIONS**

The Council Term Limits Task Force (CTLTF) was created by PEO Council at its February 2016 meeting, pursuant to its November 2015 approval in principle of establishing term limits and succession planning for Council positions.

The Task Force presented its report at the March 2017 Council meeting. Council received the CTLTF Report and directed the report be referred back to the Task Force for further deliberation and that the Task Force report back at the June 2017 Council meeting.

The Task Force believed that the Report and Recommendations received by Council at its March 2017 meeting provided best practices and therefore, the Task Force stood by its original recommendations. However, revised recommendations for succession planning and term limits were being presented to Council in the alternative to the recommendations contained in the Task Force’s Report and as requested by Council.

Following discussion regarding recommendation 8, it was agreed that the word “companies” be replaced with “employers”. Recommendation 8 was amended to read “PEO must work with engineering employers to encourage ways to facilitate their employees to consider service to the profession.”

Moved by Vice President Hill, seconded by Vice President Spink:

That Council approve recommendations 1 – 13 as presented to the meeting at C-513-2.3, Appendix A as amended.

CARRIED
Recorded Vote

<u>For</u>	<u>Against</u>
G. Boone	I. Bhatia
D. Brown	T. Chong
G. Comrie	D. Chui
L. Hidalgo	R. Fraser
N. Hill	G. Houghton
Q. Jackson	L. Lederman
T. Kirkby	N. Takessian
T. Olukiyesi	
D. Preley	
N. Rush	
M. Spink	
W. Turnbull	
M. Wesa	

Moved by Vice President Hill, seconded by Councillor Turnbull:

That Council approve recommendations 14 – 21 as presented to the meeting at C-513-2.3 Appendix A as amended.

CARRIED
Recorded Vote

<u>For</u>	<u>Against</u>
G. Boone	I. Bhatia
D. Brown	T. Chong
L. Hidalgo	D. Chui
N. Hill	G. Comrie
Q. Jackson	R. Fraser
D. Preley	G. Houghton
N. Rush	T. Kirkby
M. Spink	L. Lederman
N. Takessian	T. Olukiyesi
W. Turnbull	
M. Wesa	

Moved by Vice President Hill, seconded by Councillor Turnbull:

That Council approve recommendations 22 – 27 as presented to the meeting at C-513-2.3, Appendix A.

Required a 2/3 majority of votes cast to carry

Moved by Councillor Chui, seconded by Councillor Hidalgo:

That the hiatus period be amended to be six years, amending recommendations 22, 24 and 25 and that Appendix A be amended to reflect that and that recommendation 24 be further amended by correcting the last line to read “However, the member is still eligible to serve as Vice President or President in accordance with recommendations 22 and 23”, rather than recommendations 23 and 24.

AMENDMENT CARRIED
Recorded Vote

<u>For</u>	<u>Against</u>	<u>Abstain</u>
I. Bhatia	L. Lederman	N. Hill
G. Boone	M. Spink	
D. Brown		
T. Chong		
D. Chui		
G. Comrie		
R. Fraser		
L. Hidalgo		
G. Houghton		
Q. Jackson		
T. Kirkby		
T. Olukiyesi		
D. Preley		
N. Rush		

N. Takessian
W. Turnbull
M. Wesa

Moved by Past President Comrie, seconded by Councillor Chui:

That recommendation 22 be amended by striking the first sentence “A Member in good standing is eligible to serve one term only in the positions of President-Elect, President and Past President.”

AMENDMENT DEFEATED

Council then voted on the main motion as amended.

Required a 2/3 majority of votes cast to carry.

That Council approve recommendations 22 – 27 as presented to the meeting at C-513-2.3, Appendix A, as amended.

MAIN MOTION AS AMENDED CARRIED

Recorded vote

<u>For</u>	<u>Against</u>
I. Bhatia	D. Chui
G. Boone	G. Comrie
D. Brown	R. Fraser
T. Chong	G. Houghton
L. Hidalgo	L. Lederman
N. Hill	
Q. Jackson	
T. Kirkby	
T. Olukiyesi	
D. Preley	
N. Rush	
M. Spink	
N. Takessian	
W. Turnbull	
M. Wesa	

Moved by Councillor Takessian, seconded by Councillor Bhatia:

That the Council Term Limits Task Force be stood down with thanks.

CARRIED

Required a 2/3 majority of votes cast to carry.

Moved by Councillor Chui, seconded by Councillor Boone:

That term limits be implemented at the start of the 2019 election cycle

to give reasonable time for adjustments to all existing sitting Councillors and time for regulation change to that effect.

CARRIED

**11812
GLP AUDIT REPORT RECOMMENDATIONS
IMPLEMENTATION PLAN**

At the November 18, 2016 meeting, Council directed that the following action be taken:

1. That Council receive the Government Liaison Program Audit report as presented to the meeting at C-509-2.1, Appendix A.
2. That Council direct the Registrar, in consultation with the Government Liaison Committee, to undertake the development of a plan to implement the recommendations contained in the Government Liaison Program Audit report as presented to the meeting at C-509-2.1, Appendix A.
3. That the implementation plan as specified in motion 2 be brought back to Council for approval at the June 2017 Council meeting.

Councillor Turnbull advised that the additional budget allocations identified to proceed with the GLP implementation plan would be submitted to the Finance Committee for inclusion in the 2018 budget.

Moved by Councillor Turnbull, seconded by Councillor Bhatia:

That Council:

- a) **Approve the GLP Audit Implementation Plan as presented to the meeting at C-513-2.4, Appendix A – Enhancing PEO’s Government Liaison Program (GLP) Report and Appendix B – GLP Implementation Plan**
- b) **Direct the Government Liaison Committee to implement the Plan.**

CARRIED

**11813
2018 BUDGET ASSUMPTIONS**

Vice President Hill noted that there were a lot of opportunities to improve PEO’s IT systems from a committee point of view such as call in options and fillable online forms and that IT related initiatives should be properly funded. Registrar McDonald welcomed any specific suggestions for consideration. He advised that one of his goals for the coming year included the development of an IT Strategic Plan. One of the major projects currently underway is online licensing.

Moved by Councillor Turnbull, seconded by Councillor Takessian:

1. **That the 2018 Budget Assumptions, as presented to the meeting at**

C-513-2.5, Appendix A and as recommended by the Finance Committee, be approved.

- 2. That the Registrar be directed to initiate the budgeting process, per PEO's Budgeting Cycle, and provide the 2018 operating budget and capital budget at the September 2017 Council meeting based on the approved assumptions.**

CARRIED

**11814
ELECTION MATTERS – ISSUES REPORT
AND PROCEDURES**

Members of Council are to be elected annually in accordance with sections 2 through 26 of Regulation 941 under the *Professional Engineers Act*.

In accordance with the Protocol for Annual Review of Election Procedures, the Central Election and Search Committee (CESC) undertook a review of the procedures for the conduct of the 2017 Council Elections. PEO convention requires that Council approve voting procedures and election publicity procedures, which form part of the voting procedures, for its annual elections. All recommendations approved by the CESC were incorporated into the Voting and Election Procedures and the 2018 Council Elections Guide, as the case may be, and will be amended, if required, as per Council's decisions at the meeting.

The CESC Issues report deals with a number of issues including:

- That PEO should provide candidates with a more structured template for their biography and platform material;
- That staff be directed to research options for electronic signatures on nomination forms;
- That Communications staff work with the Official Elections Agent to combine the candidate eblasts with the weekly election reminder;
- That PEO provide financial and organizational support to Chapters so they can hold one All Candidate meeting per region;
- Candidates are required to provide an email address to be used and made public for election purposes only;
- That links to a candidate's own email address and to the candidate's Facebook, Twitter and LinkedIn accounts be included in their publicity material;
- That staff develop a RFP for a three-year contract for a service provider for a voicemail delivery of a message notifying members that their election package has been sent.

S. 13(1) and 13(2) of Regulation 941 requires Council to appoint a Regional Election and Search Committee (RESC) for each Region composed of the Chair of each Chapter in the Region and appoint the Junior Regional Councillor in each Region as the Chair of the RESC for that Region.

Item 11 in the Issues Report recommended that PEO provide financial support to Chapters to hold one regional All Candidate meeting per region. There was strong support from Council regarding this recommendation but that it was crucial for all candidates to receive adequate notice of when these meetings will occur so that they can plan their schedules. Mr. Clark advised that he would pass this on to the Chapter office.

Moved by Past President Comrie, seconded by Councillor Chong:

That Council, with respect to the 2018 Council election:

- a) **approve the recommendations contained in the 2017 Central Election and Search Committee Issues Report as presented to the meeting at C-513-2.6, Appendix A;**
- b) **approve the 2018 Voting Procedures, as presented to the meeting at C-513-2.6, Appendix B;**
- c) **approve the 2018 Election Publicity Procedures, as presented to the meeting at C-513-2.6, Appendix C;**
- d) **approve the 2018 Nomination Petition Form as presented to the meeting at C-513- 2.6, Appendix D;**
- e) **approve the 2018 Nomination Acceptance Forms for President-Elect, Vice President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-513-2.6, Appendix E,**
- f) **appoint the Regional Election and Search Committees (RESC) for each Region,**
- g) **appoint the Junior Regional Councillor in each Region (Dan Preley, P.Eng., Ishwar Bhatia, P.Eng., Thomas Chong, P.Eng., Lola Hidalgo, P.Eng., Warren Turnbull, P.Eng.) as Chair of the RESC for their Region.**

CARRIED

**11815
FUNDING PROPOSAL FOR THE 2017 OPEA**

Considering that Canada's 150th anniversary of Confederation in 2017 is an historic moment and that 2017 is also the 70th anniversary of the OPEA awards program, the OPEA Gala presented an opportunity to commemorate both achievements by:

- i. Inviting past Gold Medal award recipients to the event and honouring engineering excellence over the past 70 years of the OPEA awards program through the production of a dedicated anniversary vignette that can also be used for future profile raising efforts, and

- ii. Promoting greater awareness and recognition for the engineering profession and achievement in engineering excellence.

It was suggested that the vignette also include the fact that PEO is celebrating its 95th year.

The entire cost of this event will be borne by PEO. It was noted that in the 2016 newspaper supplement that the P.Eng. designation was not highlighted and that this should be corrected going forward.

In response to a query regarding effective ways to promote the OPEA Gala, N. Hill advised that she would follow up on ways to determine the best media options for promoting this event moving forward in consultation with the Gala Advisory Subcommittee (GAC).

Moved by Vice President Hill, seconded by Councillor Hidalgo:

1. That Council approve the Gala Advisory Subcommittee Proposal for additional funding for the 2017 OPEA Gala, subject to the following provisos, in order to commemorate the theme of “Celebrating Canada’s 150th” and to honour the 70th anniversary of the OPEA awards program:

- **approve a maximum of \$15,000 to fund the cost of producing a vignette and citations to pay tribute to the 70th anniversary of engineering excellence awards;**
- **approve issuing an invitation to 13 past OPEA Gold Medal award recipients residing in Ontario to attend the 2017 OPEA Gala and approve a maximum of \$12,000 to cover related travel, hotel and meal costs; and**
- **approve an additional funding commitment of \$15,000, for a total of \$30,000, to fund the promotion of the 2017 OPEA award recipients.**

2. That Council approve PEO assuming ongoing responsibility for the announcement.

CARRIED

**11816
COUNCIL LIAISON APPOINTMENTS**

At its November 2008 meeting, Council approved a revised Committees and Task Forces Policy under which Council is to approve Council Liaisons. Further, at its April 2009 meeting, Council directed each

committee/task force to designate a member of Council as Council Liaison.

More recently, at its September 23, 2016 meeting, Council approved a revised process for the appointment of Council Liaisons to Committees and Task Forces which directs the Human Resources Committee (HRC) to review the Committees and Task Forces Member Roster to ensure committees have at least one Councillor to act as a Council Liaison.

Submissions were reviewed by the HRC on June 1, and HRC has recommended the appointment of Council Liaisons as set out in the motion.

Moved by President-elect Brown, seconded by Past President Comrie:

That the following members be appointed as Council Liaisons to the Committees set opposite their respective names:

Lola Hidalgo Salgado	Awards Committee
Tomiwa Olukiyesi	Education Committee
Michael Wesa	Professional Standards Committee
Michael Chan	Registration Committee

CARRIED

**11817
CHANGES TO COMMITTEES/TASK FORCES
ROSTER**

It is the role of Council to approve annual rosters of committee members under the Committees and Task Forces Policy and authorize the membership of those volunteers who formally participate on its behalf through membership on committees and task forces. Furthermore, Council is asked to approve volunteer members of committees and task forces in accordance with PEO's insurance policy requirements.

Council approved the *2017 PEO Committees and Task Forces Membership Roster* at the November 18, 2016 meeting.

Moved by Past President Comrie, seconded by Councillor Chong:

That Council approve changes to the 2017 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-513-2.9, Appendix A.

CARRIED

**11818
2017 COMMITTEE/TASK FORCE WORK
AND HUMAN RESOURCESAQ PLANS**

One of the roles of Council, as identified in the *Committees and Task Forces Policy* (Role of Council, Item 3), is to approve committee/task force mandates, Terms of Reference, annual work plans, and annual human resources plans.

Moved by Past President Comrie, seconded by Councillor Takessian:

That Council approve the Complaints Review Councillor (CRC), Discipline Committee (DIC) and Registration Committee (REC) Work and Human Resources Plans as presented at C-513-2.10, Appendices A to C.

CARRIED

**11819
COMMITTEE TERM LIMITS COMPLIANCE
REPORT**

At its meeting on September 23, 2016, Council passed motions regarding committee volunteer term limits, including:

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 People Development staff to conduct an annual compliance analysis of the implementation process, for review by the Advisory Committee on Volunteers, and forward a report to the Human Resources Committee.

People Development conducted a compliance review of the 16 non-Board committees who were requested to comply with the Council directive.

In summary:

- Three committees achieved full compliance as their revised Terms of Reference were presented and approved by Council within the required timeline.
- Nine committees submitted their revised Terms of Reference at the June meeting for Council review and approval, and one committee will submit at the September meeting.
- As yet, no submissions were received from three committees.

The Committee Term Limits Compliance Report was included in the agenda package.

President-elect Brown recommended that the Human Resources Committee (HRC) provide appropriate wording regarding term limits for the Chair and Vice-Chair positions to those committees who are not in compliance. The HRC would provide a report to Council at its September meeting.

**11820
COMMITTEES/TASK FORCES TERM OF
REFERENCE**

One of the roles of Council, as identified in the *Committees and Task Forces Policy* (Role of Council, Item 3), is to approve committee/task force mandates, Terms of Reference, annual work plans, and annual human resources plans.

In accordance with the *Committees and Task Forces Policy – Reference Guide* (Sections 2.5 and 3.2), various committees submitted their respective Terms of Reference to the Advisory Committee on Volunteers (ACV) for review and comment. Predominantly, the Terms of Reference documents were revised to comply with the Council directive that committees implement term limits by the imposed March 21, 2017 deadline.

At its May 25, 2017 meeting, the ACV passed a motion to accept the Terms of Reference of the Consulting Engineer Designation Committee (CEDC), Education Committee (EDU), Equity and Diversity Committee (EDC), Experience Requirements Committee (ERC), Professional Standards Committee (PSC) and Registration Committee (REC). ACV also approved its revised Terms of Reference.

ACV did not accept the Enforcement Committee (ENF) Terms of Reference and provided feedback to the Chair that ENF's proposed 20-year term limit for members was not in keeping with the intent of Council's directive. The Terms of Reference for the Government Liaison Committee (GLC) were reviewed by ACV on December 1, 2016 and forwarded to GLC with suggested revisions, which were subsequently approved by the GLC Chair.

Moved by President-elect Brown, seconded by Past President Comrie:

That Council approve the revised Terms of Reference for the following committees, as presented to the meeting at C-513-2.12, Appendices A to H:

- A. Advisory Committee on Volunteers (ACV)**
- B. Consulting Engineer Designation Committee (CEDC)**
- C. Education Committee (EDU)**
- D. Equity and Diversity Committee (EDC)**
- E. Experience Requirements Committee (ERC)**
- F. Government Liaison Committee (GLC)**
- G. Professional Standards Committee (PSC)**
- H. Registration Committee (REC)**

CARRIED

**11821
CONSENT AGENDA**

Moved by Councillor Preley, seconded by Councillor Bellini:

That the Consent Agenda be approved.

CARRIED

Included on the consent agenda:

- 3.1 Minutes – 511th Council meeting – March 24, 2017
- 3.2 Minutes – 512th Council meeting – April 22, 2017
- 3.3 Approval of CEDC Applications

[Note: minutes 11822 to 11824 reflect the motions provided in the briefing notes presented to the meeting.]

**11822
MINUTES – 511th COUNCIL MEETING –
MARCH 24, 2017**

That the minutes of the open session of the 511th meeting of Council, held on March 24, 2017 as presented to the meeting at C-513-3.1, Appendix A, and as amended, accurately reflect the business transacted at that meeting.

CARRIED

**11823
MINUTES – 512th COUNCIL MEETING –
APRIL 22, 2017**

That the minutes of the open session of the 512th meeting of Council, held on April 22, 2017 as presented to the meeting at C-513-3.2, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

Signing of Council minutes – Councillor Lederman noted that typically the minutes are signed by the Chair and Secretary rather than by the Registrar.

Attendance – Councillor Preley requested that the positions of all Council members be included and that staff attending the Council meeting be noted as well.

**11824
APPROVAL OF CEDC APPLICATIONS**

Under Section 61(2) of Regulation 941 under the Professional Engineers Act, the Consulting Engineer Designation Committee (CEDC) may make recommendations to Council in respect of all matters relating to application for designation as a consulting engineer. The CEDC is recommending that Council approve the following motions:

1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-513-3.3, Appendix A, Section 1.

2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-513-3.3, Appendix A, Section 2.

3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-513-3.3, Appendix A, Section 3.

**11825
STRATEGIC PLAN UPDATE**

Registrar McDonald advised that the existing Strategic Plan is 88% complete and that 90% of the activities are on track. There were no questions or comments.

**11826
PUBLIC INFORMATION CAMPAIGN (PIC)
TASK FORCE UPDATE**

Vice President Spink advised that in June 2016 Council discussed initiating a communications/advertising/marketing plan related to a public information campaign. In September 2016 Council directed the Registrar to develop terms of reference and propose members for the task force and in February 2017 Council approved the term of reference and task force members. The Public Information Campaign (PIC) task force met twice in April. At its second meeting in April the task force finalized its work plan and RFP for a consultant to assist in putting a plan

together. The task force will be meeting with the three selected finalists on June 27, 2017. Councillor Spink is the Chair of the task force and asked Councillors to send any ideas or comments to her. The original date for presentation to Council was April 2018 but that this date has been pushed forward to February 2018.

Registrar McDonald advised that PIC Task Force update will be a standing agenda item and that updates will also be provided through the Registrar's report.

**11827
STATUS OF COMPLAINTS AND DISCIPLINE
PROCESS TASK FORCE
RECOMMENDATIONS**

Registrar McDonald advised that the status of the Complaints and Discipline Process Task Force recommendations had been included in the agenda package noting that the majority of the 24 recommendations have been addressed. He proposed that an update as to the status of the recommendations be provided to Council every six months. There were no questions or comments.

**11828
LEGISLATION COMMITTEE UPDATE**

Councillor Bellini reported that the Legislation Committee has met twice in 2017. The first meeting was primarily for orientation while the second dealt with a number of items, one of which was a review of a motion passed some time ago by Council to authorize the removal of a Councillor. This motion was passed prior to PEO having a protocol regarding proposed legislative changes. This item is now being looked at by the HRC.

The committee received a proposal from a member of the Ottawa Chapter executive to amend the by-law to more accurately reflect the engineering intern provisions in Regulation 941 which still uses the terminology "Engineer in Training" rather than "Engineering Intern". This item has been added to the list of proposed by-law changes.

The committee received a presentation from the Registrar regarding PEO appeals on Discipline Committee decisions.

The committee discussed ways to prioritize PEO's regulatory priority conflict items and identified three committee challenges for use at the Committee Chairs Work Shop in November as requested by the Advisory Committee on Volunteers (ACV).

**11829
REGIONAL COUNCILLORS COMMITTEE
UPDATE**

Councillor Turnbull reviewed the open issues in C-513-5.5, Appendix A. Further to the open issue submitted by the West Central Regional Congress that there be space for RCC to include some chapter contact and general information in the "Welcome Package" provided to new licensee recipients to better inform them of their chapter affiliation, Past President Comrie advised that the Licensing Committee was never consulted. M. Price advised that this has been reviewed by staff and that the feedback has been provided to the Chapter office through the Manager, Chapters. This feedback and a draft design of how the pages will look will be brought forward for review at the next RCC meeting.

Councillor Turnbull further advised that all the Open Issues listed will be discussed/resolved at the July 29, 2017 RCC meeting.

Councillor Chong noted that a number of the open issues go back to 2014 and asked if there was any way that these items could be expedited. He further noted that open issues 41 and 55 should be combined since they deal with the same issue.

Past President Comrie advised that the Licensing Committee is currently looking at open issues 55 and 56 regarding the structured EIT program. He further noted that the Professional Standards Committee has produced a draft experience guide on what it means to take responsibility for engineering work and that this guideline is now out for consultation. He encouraged Council members to take a look at this guideline and to provide feedback.

Further to the finalization of the Chapter Bylaw, Councillor Turnbull advised that the Legislation Committee will be providing an update on status at the July 2017 RCC meeting.

Councillor Takessian suggested that the RCC open issue items either be placed on the agenda as a line item or finding a way of communicating status of open issues to the RCC.

An update was provided in the June 23, 2017 Registrar's report.

**11830
OSPE-PEO JOINT RELATIONS COMMITTEE
(JRC) UPDATE**

**11831
ENGINEERS CANADA UPDATE**

C. Roney provided the update advising that he concluded his Presidency at the May Annual General Meeting of Engineers Canada and that A. Bergeron was elected as President-elect. He pointed out that over the span of the last seven years that Ontario has had three Presidents and that two of these were women.

Some of the Engineers Canada priority items include accreditation improvements, governance and the strategic planning process, hiring a new CEO, improving regulator support and increasing the profile and relevance of engineering.

C. Roney advised that at the 2017 Annual General meeting the member regulators voted unanimously to reduce the size of the Board since it is an unsustainable model. This will be the focus of the upcoming workshop to look at strategic directives.

Accreditation is the number one challenge at the moment. There are very divergent opinions between the Deans of the higher education institutions and Engineers Canada. He applauded the work that PEO has done and President Dony's initiative to bring the Deans and PEO together on this issue. A. Bergeron added that a task force was created

to look at accreditation units with President Dony as Chair.

C. Roney noted that there is a shortage of Accreditation Board members which is being addressed to ensure that the membership represents the profession. A nominations task force, with C. Roney as Chair, has been created to look at how vacancies are filled as well as how the Chair and Vice Chair are selected.

PEO'S PEAK program is being keenly watched by several of the provincial regulators and is being looked at as potentially the next generation of how regulators maintain the public trust through continued education of their license holders.

OSPE and Engineers Canada are working together to coordinate a message regarding the labour market situation for engineers since Engineers Canada is the "go to" resource for the federal government.

R. Shreewastav provided an update regarding efforts to increase the profile and relevance of engineering on Parliament Hill. The federal government has requested Engineers Canada involvement as experts in some of its policy making. C. Roney added that this includes re-negotiations of some international relations and trade agreements affecting engineering services, i.e. the comprehensive European trade agreement.

Vice President Hill advised that she attended the CODE meeting and noted that there may be some inconsistency in the teams in terms of their evaluations and suggested training for the teams.

Councillor Hidalgo referred to the translated Charbonneau Commission on the Engineers' Canada website and asked if Engineers Canada was discussing lessons learned. C. Roney advised that a task force has been struck to study lessons learned for the engineering profession regarding the Charbonneau Commission, Elliot Lake and the Mount Polley dam failure.

Vice President Spink referred to Endscape noting that there was advertising for Quality Technicians with no requirement for a P.Eng. designation. C. Roney advised that this would be looked at.

There were no questions or comments.

11832
STATISTICS – COMPLAINTS, DISCIPLINE,
LICENSING AND REGISTRATION UPDATE

11833
COUNCILLOR ITEMS

- a) Notice of Item – that the HRC provide an updated report at the September Council meeting regarding term limits for committees.
- b) Upcoming Events – Vice President Hill requested that the upcoming events section on the Council agenda include the Committee Chairs Workshop
- c) Inclusion – Vice President Hill requested that early discussions of items by Councillors that are on the agenda should include all

members of Council in the spirit of openness, transparency and fairness

- d) Canadian Anti-Spam Legislation (CASL) – Councillor Boone advised that this legislation comes into effect on July 1, 2017 and expressed concern regarding PEO’s strategy in this matter. Registrar McDonald replied that PEO’s strategy was developed based on advice that was given. Council may direct PEO to seek consent from members but the response would be low.
- e) Questions from the general public – Councillor Hidalgo advised that she has received questions from the general public regarding policy in general or PEO’s operations and asked how these calls should be directed. Registrar McDonald asked that such queries should be forwarded to him and he will ensure that timely responses are received.

**111834
FINANCE COMMITTEE UPDATE**

A written report was distributed at the meeting. There were no questions or comments.

**11835
COUNCIL COMPOSITION TASK FORCE
UPDATE**

Councillor Kirkby advised that the Council Composition Task Force was established by Council on September 23, 2016 to examine Council size and composition. The first meeting was held on October 20, 2016. The Chair of the task force is Wayne Kershaw, the Vice-Chair is Roger Jones and the Council Liaison is Tim Kirkby. The other three members are Councillor Lederman, Annette Bergeron and Sabrina Dias. He advised that the task force meets on a monthly basis and although much has been accomplished, the task force will not be in a position to submit its report to Council in September. Since it is anticipated that the report should be ready by the end of the year, an extension will be requested at the September Council meeting.

Moved by Past President Chong, seconded by Councillor Takesian:

That Council move in-camera.

CARRIED

**11836
IN-CAMERA SESSION**

While in-camera, Council:

- a) verified the in-camera minutes from the 511TH meeting of Council held March 24, 2017 as presented;
- b) approved the appointment of additional members to the 2017-2018 Central Election and Search Committee;
- c) received the HRC Update
- d) received the Complaints Review Councillor Report;
- e) received decisions and reasons of the Discipline Committee;
- f) received a legal update on legal actions in which PEO is involved;
- g) Noted there were no issues reported regarding PEO’s Anti-Workplace Violence and Harassment Policy.

**11837
APPOINTMENT OF ADDITIONAL**

The following item was moved from the in-camera agenda into open session:

**MEMBERS TO 2017-2018 CENTRAL
ELECTION AND SEARCH COMMITTEE**

Moved by Past President Comrie, seconded by Councillor Chong:

That:

- a) Nigel Fung, P.Eng., Juwairia Obaid, P.Eng., and Helen Wojcinski, P.Eng be appointed as the the additional members to the 2017- 2018 Central Election and Search Committee;**
- b) that the 2016-2017 Central Election and Search Committee be stood down with thanks at the close of this Council meeting;**
- c) that the 2017-2018 Central Election and Search Committee be constituted at the close of this Council meeting.**

CARRIED

There being no further business, the meeting concluded.

These minutes consist of twenty-two pages and minutes 11807 to 11837 inclusive.

B. Dony, P.Eng., Chair

G. McDonald, P.Eng., Registrar