



# Minutes

## LEGISLATION COMMITTEE MEETING

Friday, August 23, 2019 - 11:00 a.m.

[Meeting held via teleconference]

### Members:

Lisa MacCumber, P. Eng. (Chair)

Leila Notash, P. Eng. (Vice-Chair)

Gary Houghton, P. Eng.

Arthur Sinclair, P. Eng.

### Staff:

Bernard Ennis, P. Eng., Director, Policy and Professional Affairs

Jordan Max, Manager, Policy

### Regrets:

Sandra Ausma, P. Eng.

Nancy Hill, P. Eng. (President, Ex-Officio Member)

Marisa Sterling, P. Eng. (President-Elect, Ex-Officio Member)

## 1. PROCEDURAL

### 1.1 Introduction

The Chair called the meeting to order at 11:02 a.m. and welcomed everyone.

### 1.2 Approval of Agenda

The members were asked if there were any additions or changes to the agenda. No additions or changes were provided.

A motion was made to approve the agenda as written.

**Moved by: L. Notash                      Seconded by: G. Houghton                      CARRIED**

1.3 Approval of Minutes of July 26, 2019 Meeting

The members were asked if there were any additions or changes to the Minutes. No additions or changes were provided.

A motion was made to approve the Minutes as written.

**Moved by: G. Houghton                      Seconded by: L. Notash                      CARRIED**

1.4 Action Items Update from July 26, 2019 Meeting

J. Max reviewed the action items presented, as follows:

*By-Law No. 1 Changes - Additional 2019 Fee Increases*

**Discuss the EIT Fee Remission Policy with the Finance Department and Licensing and Registration Department on the origin of the policy and its operation. [Completed]**

J. Max reported this item as completed.

**Draft a Briefing Note that will give Council the option to either: 1) amend the Regulation, as well as the By-Law, to support EIT fee remission; or 2) rescind the Council motion authorizing EIT fee remission. This Briefing Note will also include additional information regarding the original purpose of the EIT designation and subsequent Fee Remission Policy to assist Council in this decision. [Pending]**

J. Max reported this item as pending. The Briefing Note was discussed as Item 2.1 at this meeting.

**Research the rationale, authority and history of and statistics relevant to the \$500 fee charged to applicants who choose to take a course in lieu of a technical exam. Staff will report back to the Committee at the next meeting. [Completed]**

J. Max reported this item as completed.

**Modify the Briefing Note to include the Committee's recommendation to not include the fee in By-Law No. 1 for the print edition of "Engineering Dimensions".**  
[Completed]

J. Max reported this item as completed.

2019-2020 Legislation Committee Meeting Schedule

**Amend the 2019-2020 Legislation Committee meeting schedule to note a start time of 11:00 a.m. and distribute to the Legislation Committee members.**  
[Completed]

J. Max reported this item as completed.

2019-2020 Legislation Committee Work Plan

**Amend the 2019-2020 Legislation Committee Work Plan as directed and submit to the People Development Department.** [Completed]

J. Max reported this item as completed.

Guide to Use of Engineering in Legislation

**Revise the guide to Use of Engineering in Legislation, as per the Committee's comments, share it with the Professional Standards and Complaints Committees, and subsequently bring it back to a future meeting.** [Completed]

J. Max reported this item as completed.

Regional Councillors Committee (RCC) Responses on By-Law Changes for Chapters

**Review the RCC recommendations to identify amendments that could be made to current By-Laws and discuss what should be included in a standardized Chapter Terms of Reference to implement Item 1.** [Completed]

J. Max reported this item as completed.

**2. FOR DECISION**

2.1 By-Law No. 1 Changes - Additional 2019 Fee Increases Briefing Note (Lieu Fee)

The Committee discussed the draft changes to Section 39 of By-Law No. 1 that would add several fees, as well as the accompanying Briefing Note written to go

to Council in September 2019. The Committee had asked for more information on the “in lieu” fee that is charged to applicants who are taking a course in lieu of their first technical exam. PEO staff reported that this fee was for opening an applicant’s exam file, and was normally charged as part of the fee for the first exam and was implemented so applicants who chose to take courses would pay the same amount as those who were undertaking exams. This was an internal decision made sometime in the 1970’s, and there are no associated Council decisions or legislation/by-law changes. J. Max also noted that there were inconsistencies around the application of this fee (it had only been applied five times in the past two years). A. Sinclair argued that, if there was no cost recovery associated with the fee, then it could not be justified, and G. Houghton agreed. J. Max stated that there was an administrative cost to PEO to determine and set up examinations as the Academic Requirements Committee needed to assess if the courses covered the same materials as the assigned exam. L. Notash stated that, if PEO did not often charge this fee, then that could indicate that the fee was not needed.

The Chair asked, given the amount of discussion this issue was generating, if the Committee had time to resolve it. J. Max stated that the Briefing Note could be divided, with Items 1, 4 and 5 going to Council for decision in September 2019, and Items 2 and 3 (Course Fee in Lieu of Exam and EIT Remission Fee) to go to Council for discussion in November 2019, following input from the Finance Committee. This idea was approved, and the Chair asked that Items 1, 4 and 5 also be moved to the top of the Briefing Note.

Prior to voting on the proposed Briefing Note amendments, the Committee discussed the fee remission policy for Engineering Interns. J. Max reviewed the new information that had been collected by staff: fee remission for members was started in 1989 and then, in 2009, an EIT brought a Briefing Note to Council asking that fee remission be extended to EITs, which Council approved.

A. Sinclair stated that he believed that the desire for EIT fee remissions was driven by a desire for EIT participation in Chapters, clarifying that they could view Chapter participation as a networking opportunity, and that Chapters would not allow fee remission EITs to participate if they were not an EIT. The Chair acknowledged that a similar situation had occurred with a Chapter in Mississauga who stopped an individual from participating in Chapter activities because they were no longer an EIT.

G. Houghton asked if EITs would be able to call themselves EITs during fee remission, and B. Ennis responded that they would. The Committee also questioned the rationale of pro-rating the fee mid-year and the benefits provided by the EIT program, and the Chair stated that not being an EIT does not stop an applicant from working under the supervision of an engineer. J. Max stated that

participation in Chapters is one of the few privileges that EITs are allowed under the legislation and questioned how fee remission would affect this privilege.

A motion was made to move Items 1, 4 and 5 to the top of the Briefing Note, set up items 2 and 3 for Council discussion in November 2019, following Finance Committee input, and add a note that Council would finalize those fee changes to the By-Law, if necessary, in February 2020.

**Moved by: G. Houghton      Seconded by: L. Notash      CARRIED**

**Action:**      Staff to move Items 1, 4 and 5 to the top of the Briefing Note, set up Items 2 and 3 for Council discussion in November 2019, following input from the Finance Committee, and add a note recommending that Council finalize the fee changes to the By-Law, if necessary, in February 2020.

## 2.2 Legislation Committee Comments on Regional Councillors Committee Proposals

J. Max reviewed the recent history of the Regional Councillors Committee proposals for the Legislation Committee. The Legislation Committee had been asked to determine which proposals required a By-Law change and which did not, and if there were any that needed to be done sooner. The Committee reviewed staff's analysis and made a decision to postpone further action on any of the RCC proposals until after the Action Plan relating to the Cayton report which pertain to Chapters was decided upon at the September 2019 Council meeting, and to send the Legislation Committee's analysis of the RCC proposals to the Acting Manager of Chapters, with a note stating that the RCC should wait until the action plan pertaining to Chapters is decided upon by Council prior to acting on any of the By-Law change proposals. There was no motion made for these decisions.

**Action:**      Staff to send the Legislation Committee's analysis of the RCC proposals to the Acting Manager of Chapters, with a note stating that the RCC should wait until the Action Plan pertaining to Chapters is decided upon by Council prior to acting on any of the By-Law change proposals.

## 3. FOR DISCUSSION

### 3.1 2019-2020 Legislation Committee Work Plan

J. Max reported that staff had added Act changes relating to the Action Plan for the external regulatory performance review as an item to the Work Plan, as well as an addition indicating that food allergies had been accommodated. J. Max

advised that staff would update the Work Plan to indicate that the Legislation Committee is waiting for the Action Plan prior to determining if the RCC proposals require Act or Regulation changes, and noted that the Professional Standards Committee's recommendations stemming from the Radiohead stage collapse could include practice standards for demountable structures and possibly a specialist designation, which would necessitate Regulation changes to O. Reg. 260/08, which would fall under the purview of the Legislation Committee.

#### **4. NEXT MEETING AND ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 12:35 p.m.

The next meeting is scheduled for Friday, September 27, 2019, from 11:00 a.m. to 2:00 p.m.