



Council Meeting

531st Meeting of Council
of Professional Engineers Ontario

to be held on

Thursday, February 6, 2020

5:30 p.m. – reception

6:00 p.m. – dinner

7:00 p.m. plenary session

Friday, February 7, 2020

7:45 – 8:45 a.m. – breakfast

9:00 a.m. – 4:00 p.m.

PEO Council Chambers

8th Floor

40 Sheppard Avenue West

Toronto, Ontario

Thursday, February 6, 2020

1. Reception – 5:30 p.m. to 6:00 p.m.
Dinner – 6:00 p.m. to 7:00 p.m.
(8th Floor Dining Room)

2. Plenary Session – 7:00 p.m. to 9:00 p.m.
(8th Floor Council Chambers)
 - Governance Solutions Inc.

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-531-1.1, 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 – 531st Council meeting agenda



Agenda

531st Meeting of the Council Professional Engineers Ontario

Date: Thursday, February 6 and Friday, February 7, 2020
Time: Thursday – 7:00 p.m. – 9:00 p.m.
 Friday – 9:00 a.m. – 4:00 p.m.
Place: PEO Offices – 8th Floor Council Chambers
 40 Sheppard Avenue West
 Toronto, Ontario

Thursday, February 6 – 7:00 p.m. – 9:00 p.m.

PLENARY SESSION	Spokesperson	Time
GOVERNANCE SOLUTIONS INC.	Debra and David Brown	2 hours

Friday, February 7 – 9:00 a.m. – 4:00 p.m.

CALL TO ORDER				
1.	<u>APPROVAL OF AGENDA AND LEADERSHIP REPORTS</u>	Spokesperson/ Moved by	Type	Time
1.1	APPROVAL OF AGENDA	Chair	Decision	5 min
1.2	CONFLICTS OF INTEREST	Chair	Information	5 min
1.3	AMENDMENT TO SEPTEMBER 2019 MINUTES	Councillor Torabi	Decision	5 min
1.4	PRESIDENT'S REPORT	Chair	Information	5 min
1.5	CEO/REGISTRAR'S REPORT	CEO/Registrar	Information	15 min
2.	<u>PRIORITY ITEMS</u>	Spokesperson/ Moved by	Type	Time
2.1	ACTIVITY FILTER APPLICATION	Dan Abrahams	Information	30 min
2.2	LAND ACKNOWLEDGEMENT	President-elect Sterling	Decision	15 min
2.3	ENGINEERS CANADA – PER CAPITA ASSESSMENT	Annette Bergeron	Information	10 min
2.4	SUCCESSION PLANNING TASK FORCE PRESENTATION	Paul Ballantyne	Information	45 min
3.	<u>CONSENT AGENDA</u>	Spokesperson/ Moved by	Type	Time
3.1	OPEN SESSION MINUTES – 530 th COUNCIL MEETING – NOVEMBER 14-15, 2019	Chair	Decision	5 min total

3.2	ANNUAL WORK AND HUMAN RESOURCES PLANS	Vice-President Bellini	Decision	--
3.3	CHANGES TO THE 2020 PEO COMMITTEES AND TASK FORCES MEMBERSHIP ROSTER	Vice-President Bellini	Decision	--
3.4	RULES FOR ELECTING ENGINEERS CANADA DIRECTORS	President-elect Sterling	Decision	--
4. <u>INFORMATION ITEMS</u>		Spokesperson/ Moved by	Type	Time
ONGOING ITEMS				
4.1	COUNCILLOR ITEMS	Chair	Information	15 min
5. <u>IN-CAMERA</u>		Spokesperson/ Moved by	Type	Time
ONGOING ITEMS				
5.1	IN-CAMERA MINUTES – 530 th COUNCIL MEETING – NOVEMBER 14-15, 2019	Chair	Decision	5 min
5.2	APPROVAL OF WOLFE-SMITH AWARDEES	Councillor Notash	Decision	5 min
5.3	PRESIDENT’S AWARD	President-elect Sterling	Decision	5 min
5.4	HRC UPDATE	President-elect Sterling	Information	5 min
5.5	DISCIPLINE COMMITTEE – DECISIONS AND REASONS	Linda Latham	Information	5 min
5.6	LEGAL UPDATE	Linda Latham	Information	5 min
5.7	PEO’S ANTI-WORKPLACE HARASSMENT AND VIOLENCE POLICIES – COUNCILLOR VIOLATIONS, IF ANY	Chair	Information	5 min

Please note that in order to streamline the agenda, Committee reports will no longer be included in the agenda package. Committee Chairs are asked to submit their written reports to the Secretariat for posting on the Council SharePoint site prior to each Council meeting. These reports will not be discussed at the meeting unless a Councillor or an EC Director asks to address a specific item contained within the written report. The reports submitted as of January 24, 2020 are:

- Engineers Canada
- Legislation Committee
- Government Liaison Program
- RCC
- Registration Committee’s Comments on PSA Report
- Stats

The link below will take you directly to the reports.

[531 Reports](#)

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]

2020 Council Meeting/Mailing Schedule

2020 Council Mailing Schedule

Meeting #		Meeting Date	Initial BN Due Date – Members at Large	Initial BN Due Date – Councillors/ Staff	Initial Agenda Mailing Date	Supp. Agenda ¹ Due Date	Supp. Agenda Mailing Date
531	Council	Feb. 6-7	Jan. 17	Jan. 21	Jan. 24	Jan. 29	Jan. 31
532	Council	Mar. 19-20	Feb. 28	March 3	March 6	March 10	March 13
533	Council	April 25	April 3	April 7	April 10	April 14	April 17

Upcoming Events

Date	Event	Location
Friday, April 24, 2020	Volunteers Leaders Conference Order of Honour Gala	Westin Ottawa Hotel Ottawa, Ontario
Saturday, April 25, 2020	Annual General Meeting	Westin Ottawa Hotel Ottawa, Ontario
May 28 – 30, 2020	Council Retreat	TBD

CONFLICTS OF INTEREST

Purpose: Councillors are requested to identify any potential conflicts of interests related to the Council agenda.

No motion required

Prepared by: Dale Power, Secretariat Administrator

AMENDMENT TO THE SEPTEMBER 2019 COUNCIL MINUTES

Purpose: To amend minutes for Item 2.15 in the September 2019 Council minutes

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

To amend the September Council meeting minutes for item 2.15 to read;

Following the introduction of the motion for a membership referendum on the PEAK program, Councillor Brown objected to Council considering the motion reasoning it was premature to discuss the motion in light of the pending work to be done related to the results of PEO's external regulatory performance review. Councillor Brown then introduced a new motion to determine if Council should consider the motion on the PEAK membership referendum.

That Council shall consider discussing the motion on holding a membership referendum on the PEAK program.

DEFEATED

Prepared by: Ralph Martin, Manager, Secretariat

Moved by: Councillor K. Torabi, P.Eng.

1. Need for PEO Action

In reviewing the minutes for the September 2019 Council meeting, Councillor Torabi felt that the section of the minutes related to Item 2.15 did not capture discussion held by Council.

The minutes from the September 2019 Council meeting read;

Past President Brown objected to the consideration of the motion because it was premature in light of the Cayton Report.

That Council consider the motion on a Membership Referendum on PEAK.

DEFEATED

Councillor Torabi, with the assistance of staff developed an amendment to the September 2019 minutes that reads;

Following the introduction of the motion for a membership referendum on the PEAK program, Councillor Brown objected to Council considering the motion reasoning it was premature to discuss the motion in light of the pending work to be done related to the results of PEO's external regulatory performance review. Councillor Brown then introduced a new motion to determine if Council should consider the motion on the PEAK membership referendum.

That Council shall consider discussing the motion on holding a membership referendum on the PEAK program.

DEFEATED

2. Proposed Action / Recommendation

To amend the September Council meeting minutes for item 2.15 to reflect the motion contained in this briefing note.

3. Next Steps (if motion approved)

Amend the minutes for Item 2.15 in the September 2019 Council minutes based on the motion.

4. Policy or Program contribution to the Strategic Plan

N/A

5. Financial Impact on PEO Budgets (for five years)

	Operating	Capital	Explanation
Current to Year End	\$0	\$0	
2 nd	\$0	\$0	
3 rd	\$	\$	
4 th	\$	\$	
5 th	\$	\$	

If program is not designated as ending in less than five years (such as creating a Task Force), subsequent years will be assumed to be similar to the fifth year of funding.

6. Peer Review & Process Followed

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

Briefing Note – Information

C-531-1.4

PRESIDENT’S REPORT

Purpose: To inform Council of the recent activities of the President.

Motion(s) to consider:

none required

President Hill will provide an oral report on her recent PEO activities.

CEO/REGISTRAR'S REPORT

Purpose: To inform Council of the various activities throughout the organization that are taking place.

Motion(s) to consider:

none required

The CEO/Registrar's update is attached.

Appendix A – CEO/Registrar's update

CEO/Registrar Update

Johnny Zuccon, P.Eng., FEC, CEO/Registrar
Prepared for PEO Council, February 7, 2020



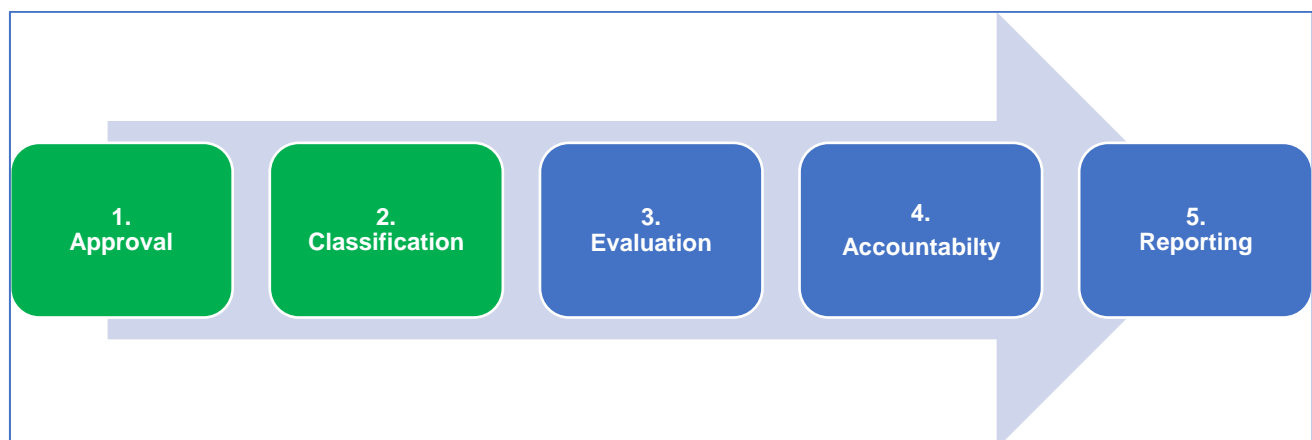
1. Operational Review / Action Plan

Activity Filter

(Recommendation 1, Key Steps 1,2; Recommendation 4, Key Steps 1,2)

At its February meeting, Council will receive a progress report on staff's application of the Activity Filter to key, high-level activities of PEO committees, subcommittees, chapters and working groups. Each activity and related output(s) have been assessed for its legal basis to determine if they are required or permitted under the current legislative scheme, or otherwise by law. They were also categorized using the process and criteria approved by Council. This classification completes the second phase of the Activity Filter's five-phase process as illustrated in Figure 1.

Figure 1. Activity Filter phases



Next steps include the development of recommendations by the CEO/registrar for Council on the assignment of responsibilities to either Council or the CEO/registrar for outputs classified as regulatory or related to governance. Further evaluation by Council will be required on the outputs classified as neither regulatory nor related to governance to determine appropriate accountabilities, performance measurement options and reporting.

Professional Practice Exam improvements

(Recommendation 4, Key Step 1)

Investigations are underway on options for improving the Professional Practice Examination to make it easier to administer and consistent with the Ontario Fairness Commission requirement that it be fair, transparent and objective. Council will be asked to decide which option to implement at its March meeting.

Academic equivalency determination

(Recommendation 5, Key Steps 1,2)

Based on evidence from the open file inventory, staff will determine if there are superior alternatives to our existing “equivalency” processes, including the “exam route to licensure,” which are more objective and require less time for applicants.

Experience review methodology

(Recommendation 5, Key Steps 1,2)

Based on evidence from the open applicant file inventory, staff will assess if there are superior, more objective alternative methods to producing experience requirements assessments that require less time for applicants.

Minimum application submission information

(Recommendation 5, Key Steps 1,2)

Based on evidence from the academic, experience and good character assessment requirements, staff will determine the minimum amount and type of applicant information required to receive and start processing applications for licensure, thereby reducing staff time spent on addressing incomplete applications and multiple assessments.

File security upgrades

(Recommendation 13, Key Step 1)

Staff are implementing measures to improve the security of paper files, such as replacing filing cabinets as required. Next steps include implementing a “clean desk” policy to ensure all files are securely stored.

Online C of A renewals

(Recommendation 13, Key Step 2)

Certificates of authorization (C of A) are now renewable online via our portal. New digital processes allow for automated distribution of email notices from PEO, and C of A holders are now able to manage their accounts online.

Online C of A applications

(Recommendation 13, Key Step 2)

The project to develop an online system to apply for a certification of authorization (C of A) gets underway this month. Many of the initiatives associated with this project will lay the technical groundwork for the development of an online system for P.Eng. applications.

Stabilization initiatives

Open applicant file inventory

Staff are conducting a “deep dive” into the current inventory of 22,150 open applicant files to identify reasons for aging applicant files, leading to possible actions to close certain groups of files, make determinations, reduce file size, digitize or store offsite.

Figure 2 illustrates the high-level distribution of where these files were on January 21, 2020, in the five main stages of the licensing process. **Stage 1 (Intake)** is comprised of applicant files missing information, as well as interprovincial transfers. **Stage 2 (Academic)** includes non-CEAB applicant files that are in the process of being assessed by staff and ARC, as well as those who are assigned and in the process of writing technical exams, for up to 8 years. **Stage 3 (PPE)** includes applicants who have met academic requirements and are eligible for or are in the process of writing the PPE, including some who have failed 2 or 3 times, for up to 2 years. **Stage 4 (Experience)** contains the lion’s share of applicant files, most of which are waiting to acquire 48 months of related work experience or to be assessed, with an unlimited duration.

Figure 2. Open applicant files - Snapshot by licensing process stages

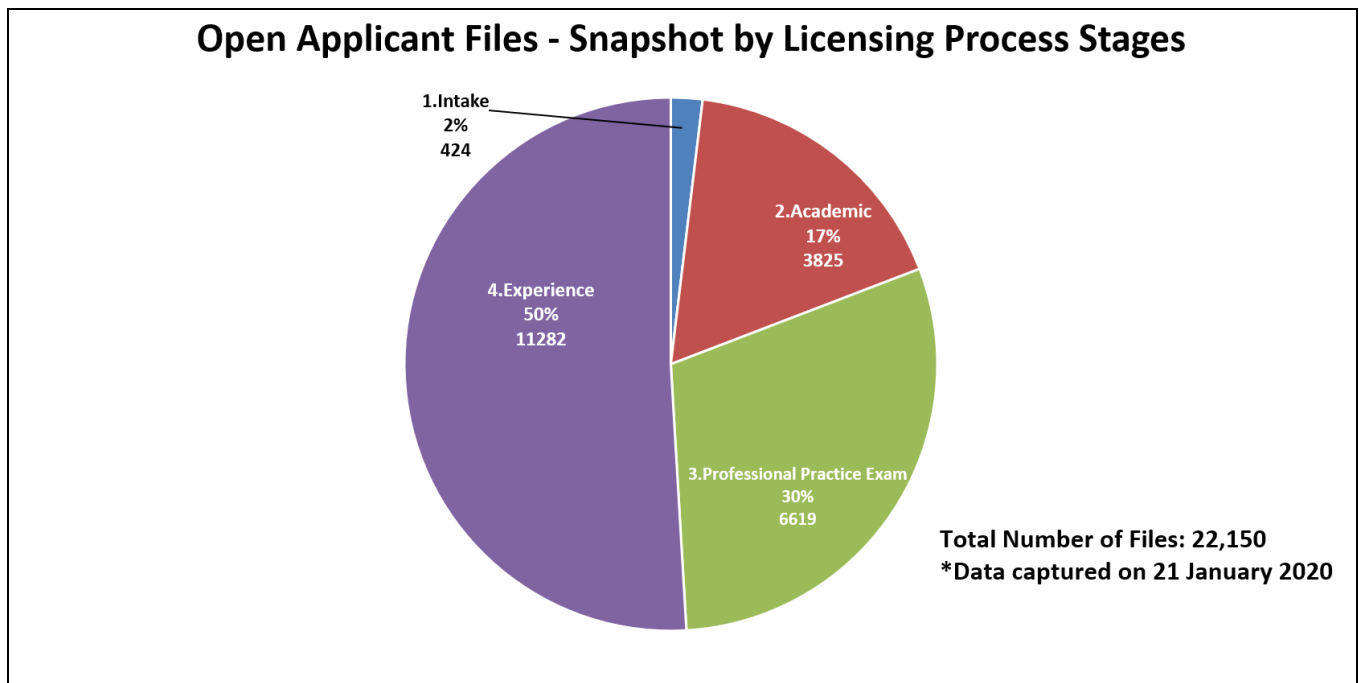
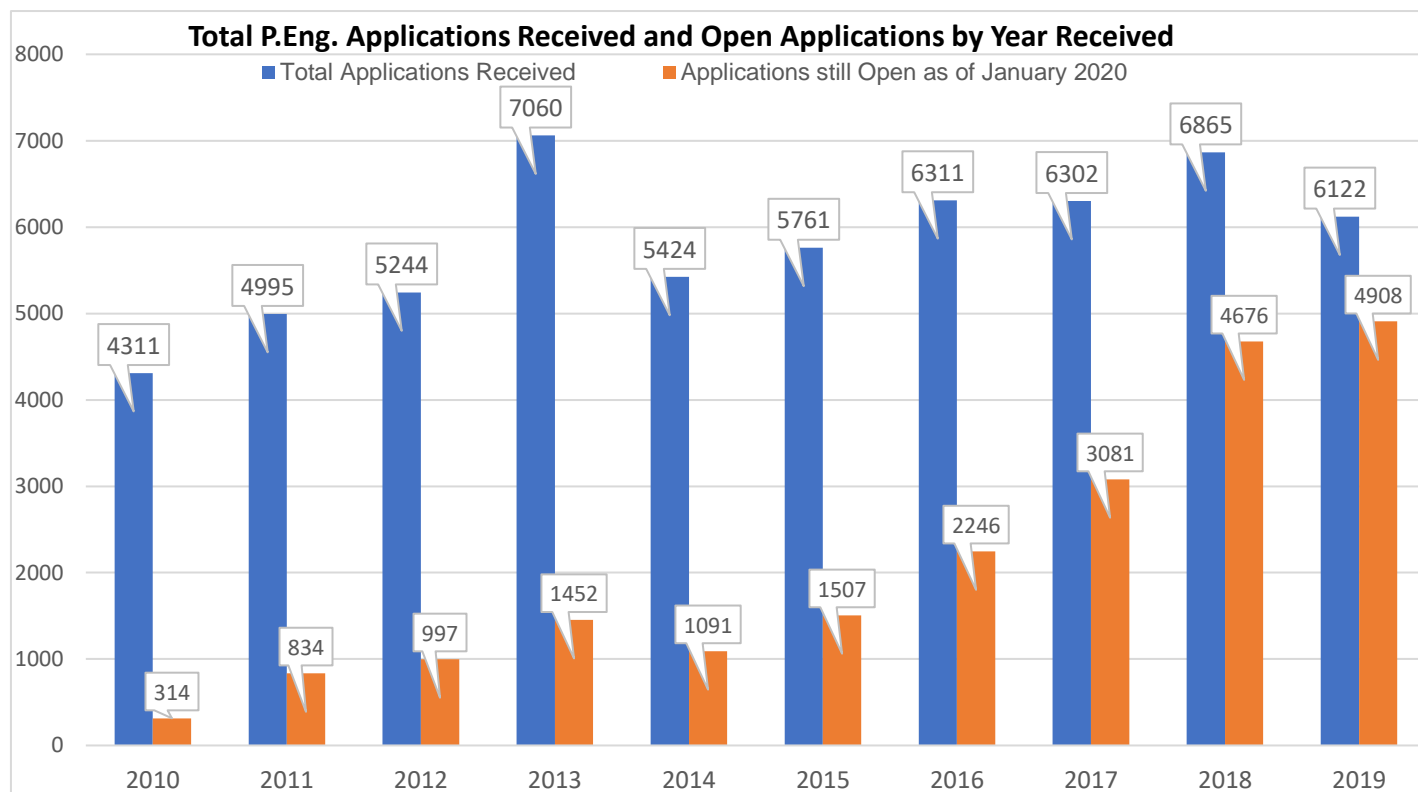


Figure 3 captures the number of open application files by year. Of the 22,150 open applications, over 90% (20,006) were received between 2010 and 2019 inclusive. Furthermore, 75% (16,418) of these open applications were received in the years 2015 to 2019.

Figure 3. Total P.Eng. applications received and open applications by year received



Financial Credit Program

In May 2019, changes were made to PEO's Financial Credit Program (FCP). Under the previous version of the FCP, fees for the licence application and first year enrolment in the EIT program were immediately waived for eligible candidates. Under the new version of the FCP, all eligible applicants have the application fees they paid, as well as the fee for the first year of participation in the EIT program (should they have registered for the program), credited towards payment of their registration and initial P.Eng. licence fees when they have been approved for a licence. As a result of this change, the number of FCP-eligible licence applications received decreased significantly from 2018 (Figure 4) as did the number of applicants enrolled in the EIT program via the FCP program (Figure 5).

Figure 4. FCP Applicants in 2018 and 2019

YEAR	FCP Applicants 2018						FCP Applicants 2019					
Gender	Female		Male		Totals		Female		Male		Totals	
	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)
CEAB	418	23%	1421	77%	1839	100%	261	26%	741	74%	1002	100%
Non-CEAB	157	19%	677	81%	834	100%	79	18%	353	82%	432	100%
Totals	575	22%	2098	78%	2673	100%	340	24%	1094	76%	1434	100%

Figure 5. EITs enrolled via FCP in 2018 and 2019

YEAR	EITs enrolled via FCP 2018						EITs enrolled via FCP 2019					
Gender	Female		Male		Totals		Female		Male		Totals	
	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)
CEAB	418	23%	1421	77%	1839	100%	257	26%	728	74%	985	100%
Non-CEAB	157	19%	677	81%	834	100%	77	18%	340	82%	417	100%
Totals	575	22%	2098	78%	2673	100%	334	24%	1068	76%	1402	100%

Licensing process enhancements

A number of other initiatives have recently been undertaken to enhance the licensing process and support necessary stabilization efforts including those related to:

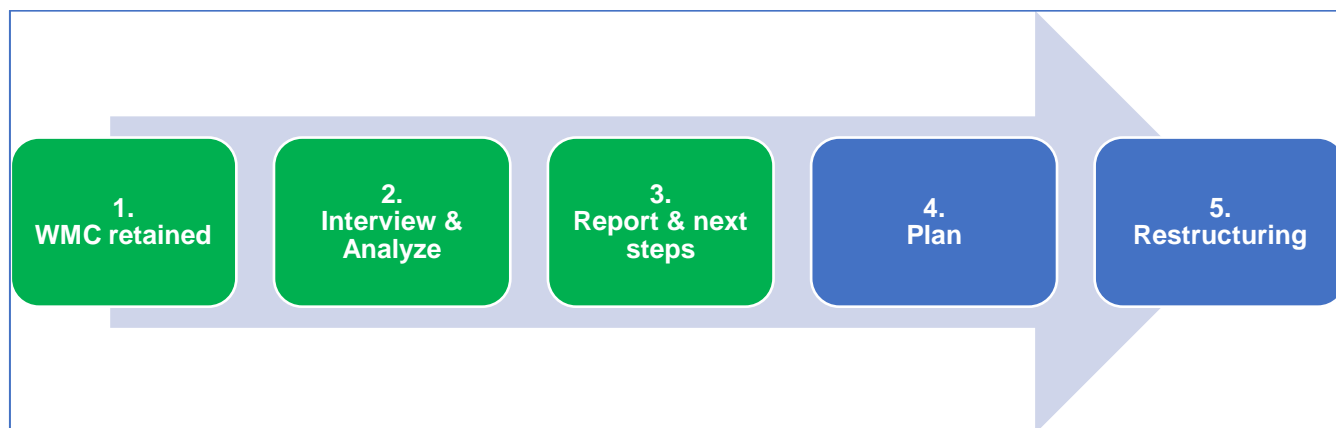
- Notices of Determination/Proposal
- Application closures vs. withdrawals
- Experience start dates (non-CEAB, BEng)
- Submission of engineering reports
- Name change documentation
- Retention of academic documents and transcripts
- Cross-discipline decisions
- Editable referee form

Information on these process enhancement initiatives are described in Appendix A.

Organizational Review

Western Management Consultants (WMC) met with the senior management team (SMT) on January 24 to discuss their findings and proposals on how best to implement key recommendations emerging from their organizational review.

Figure 6. Organizational review phases

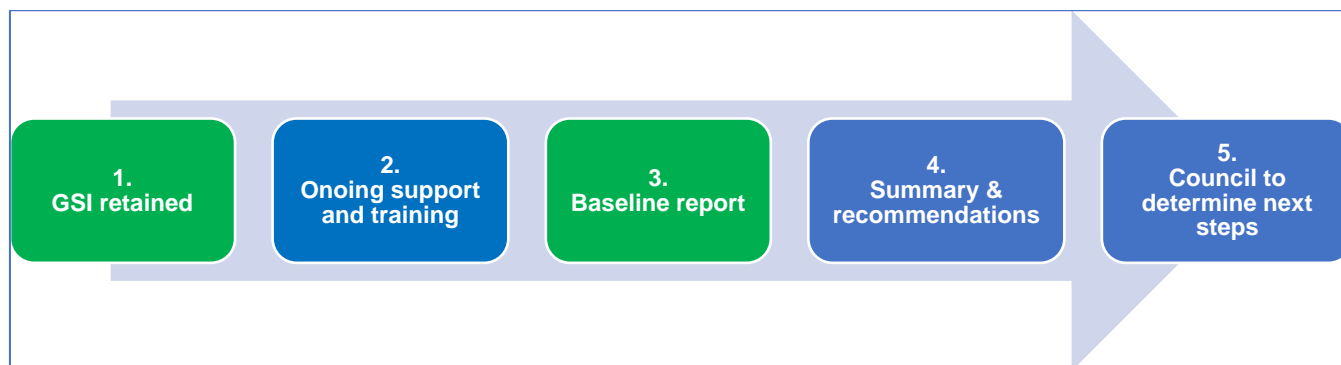


3. Governance

Governance Solutions Inc. (GSI) presented the results of PEO's governance baseline diagnostic assessment at the Executive Committee's meeting on January 21. The online self-assessment questionnaire was available to councillors and senior staff from December 2019 to January 2020. In total, 15 councillors (60%) and nine senior staff participated.

GSI will present the baseline results and recommendations to Council in February along with a roadmap for consideration as they continue to provide ongoing governance support and training (Figure 7).

Figure 7. Phases of governance enhancement via GSI



Operations

Finance

40 Sheppard Ave. West

On December 13, 2019, PEO leased approximately 13,500 square feet of space on the 4th floor to Home Construction Regulatory Authority (HCRA). Approximately 7,000 square feet of this space had previously been leased to the Ontario Film Authority (OFA) who were required to conclude its operations by the end of 2019 due to the revocation of its recognition by the Ontario government. Following this transaction, PEO has approximately 4 per cent or 4,400 square feet of vacant space.

Centralization of chapter bank accounts

As of January 27, 2020, 16 chapters bank accounts have been closed with approximately \$150,000 of unused funds sent to head office. Staff is continuing to work with the remaining chapters to assist with the transition to centralized banking.

Human Resources

HR Director recruitment

PEO has initiated the recruitment process for an experienced director of human resources with demonstrated success actualizing and supporting complex change management initiatives from a HR perspective. The successful candidate will help determine how best to implement WMC's recommendations.

Employee Statistics

Figure 8. Employee statistics as of December 31, 2019

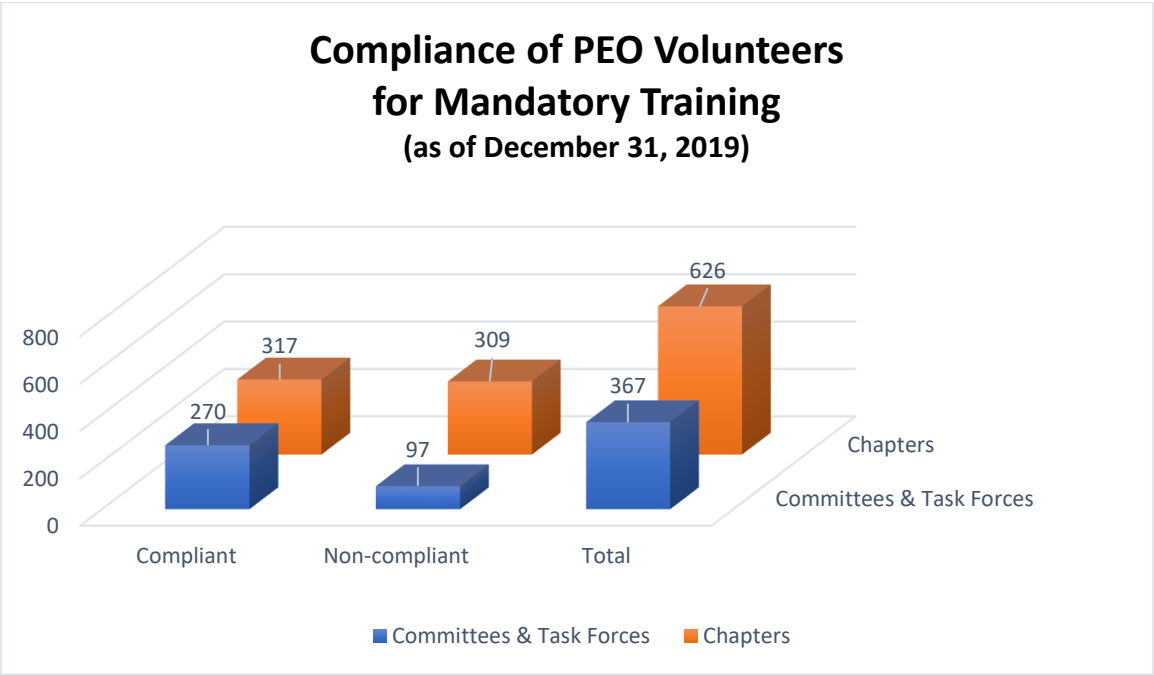
Council-approved, budgeted FTEs for 2019	111	
Council-approved, budgeted contract employees for 2019	10	
Total number of employees	109* <i>*includes 7 vacancies</i>	68 females
		41 males
Average age of employee	50 years	
Longest serving employee	41 years of service	
Average tenure of employment	10 years	

Mandatory volunteering training

The deadline for PEO volunteers to complete their Ontario government-mandated health & safety/accessibility training requirement was December 31, 2019. The list of volunteers who have completed the mandatory training is posted on PEO's website at: <https://peo.on.ca/volunteers/volunteer-orientation>. Volunteers who have yet to complete the required training have been suspended from PEO's volunteer roster and cannot participate in any PEO meetings/events in an official volunteer capacity. Suspended volunteers have been informed that they have until February 15, 2020 to complete the required training. Failure to do so by this date will result in their permanent removal from their current volunteer position. A final list of eligible volunteers will be submitted for approval at

Council’s March meeting. Figure 9 breaks down the participation of chapter and committee and task force volunteers in the mandatory training.

Figure 9. Compliance of PEO volunteers for mandatory training



Staff Room

A steering committee comprising staff and senior managers has been assembled to help design and construct a staff room. The committee will solicit input and preferences from staff in the creation of a dedicated space for PEO employees, which has not been available to staff since relocating to 40 Sheppard Ave. West.

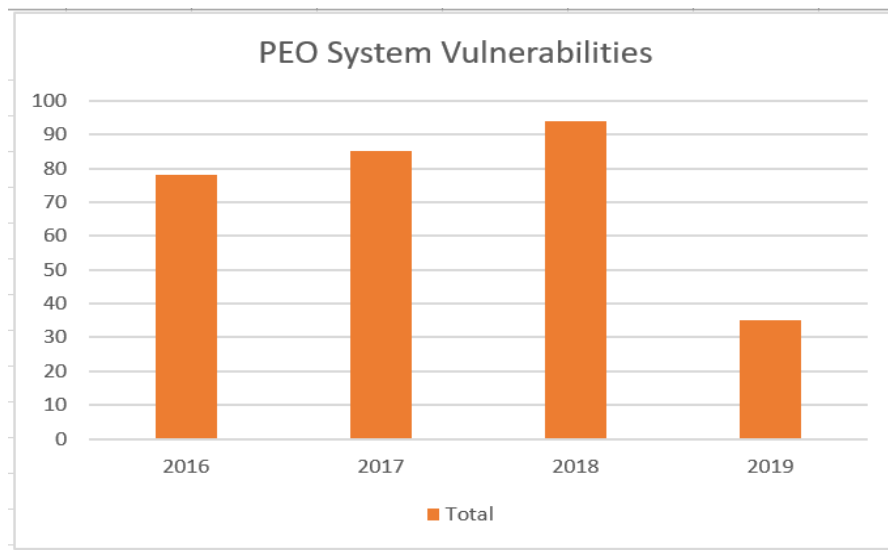
IT

System vulnerabilities

In 2019, all computers for PEO staff received upgraded hardware and migration to Windows 10 to prepare for the end of life of Windows 7 in January 2020.

Results from PEO’s external vulnerability and penetration testing are provided in Figure 10. As we upgrade and replace aging infrastructure, the security risk is reduced. Systems still to be upgraded include SharePoint, our exchange server and PEO websites (excluding the main site).

Figure 10. Results of annual vulnerability and penetration testing of PEO technology



Licensing Statistics

Figure 11. Breakdown of applications received in 2018 and 2019

YEAR	Applications received 2018						Applications received 2019					
Gender	Female		Male		Totals		Female		Male		Totals	
	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)
CEAB	284	19%	1195	81%	1479	100%	295	18%	1300	82%	1595	100%
Non-CEAB	300	18%	1322	82%	1622	100%	221	26%	636	74%	857	100%
Totals	584	19%	2517	81%	3101	100%	516	21%	1936	79%	2452	100%

Figure 12. Figure 12 Breakdown of P.Eng. licences issued in 2018 and 2019

YEAR	P.Eng. licences issued 2018						P.Eng. licences issued 2019					
Gender	Female		Male		Totals		Female		Male		Totals	
	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)	(#)	(%)
CEAB	326	18%	1440	82%	1766	100%	406	19%	1711	81%	2117	100%
Non-CEAB	124	15%	728	85%	852	100%	150	16%	788	84%	938	100%
Totals	450	17%	2168	83%	2618	100%	556	18%	2499	82%	3055	100%

Regulatory Compliance

Complaints

Complaint file processing times (Figure 13) continue to trend downwards reflecting a historical backlog being cleared and adoption of a complaint 'streaming' process. Total number of active complaint files (Figure 14) has generally remained constant, with a small increase in 2019 year-end attributable to a 'multi-respondent' complaint being filed that year.

Figure 13. Complaints file processing times

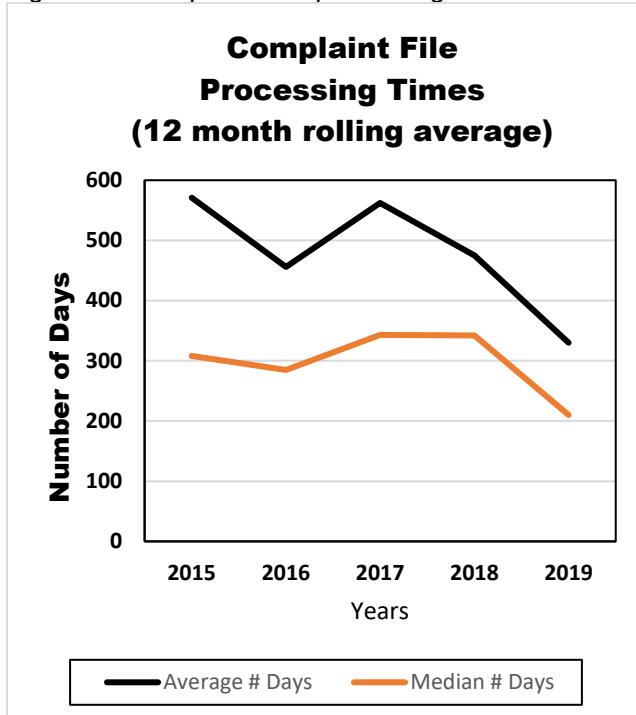
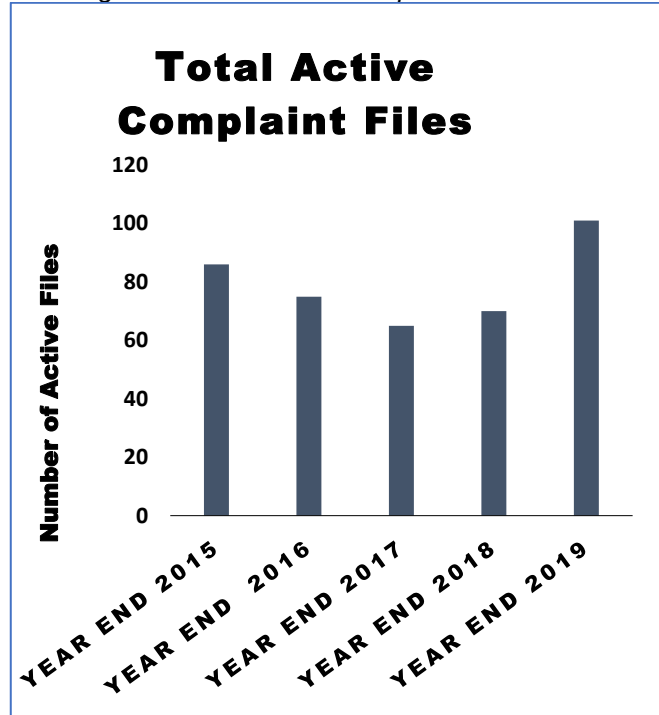


Figure 14. Total active complaint files



Enforcement

The annual enforcement case load was relatively stable for the preceding four years (approx. 820 files on average) and dropped by roughly 25% in 2019. This is due in part to a process change at title search services that reduced the number of business names that can be checked in a year for violations. Overall compliance remains at approximately 98% based on positive outcomes from undertakings by respondents and compliance achieved without further action being required.

Figure 15 provides a historical summary of total case load for the year. Open files (purple bars) include new and backlog files still open at year end, while closed files (orange bars) show new and backlog files that were closed during the year. Figures 16 and 17 show historic distribution for new files opened in the year (including closed files) by type of violation and type of respondent. Figure 16 shows that title violations are consistently dominant from year to year, while Figure 17 shows a shift from reported violations by companies to reported violations by individuals.

Figure 15. Active Enforcement files

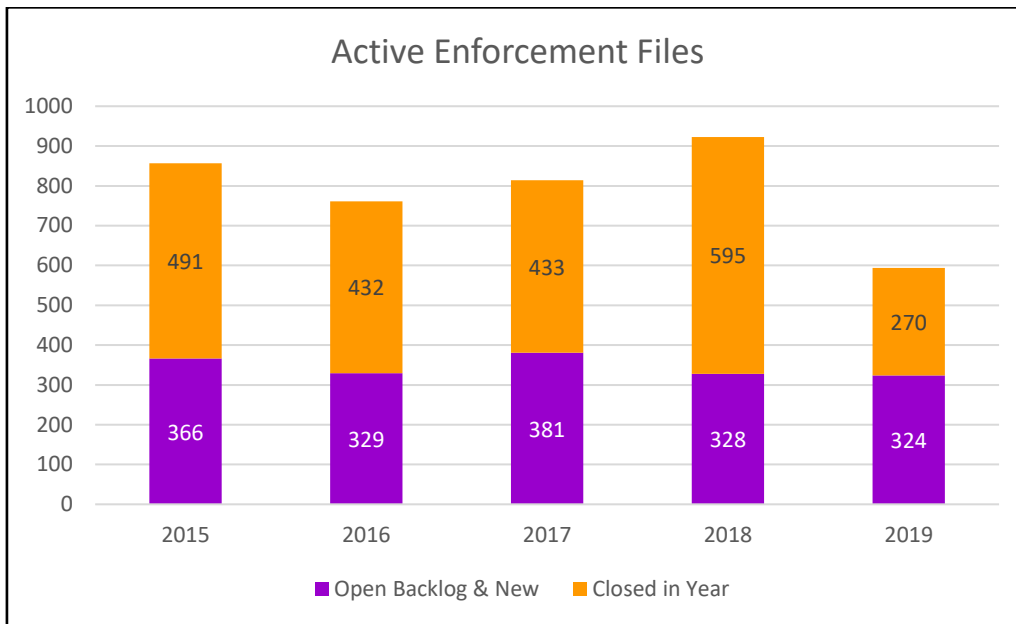


Figure 16. Title vs. practice violation

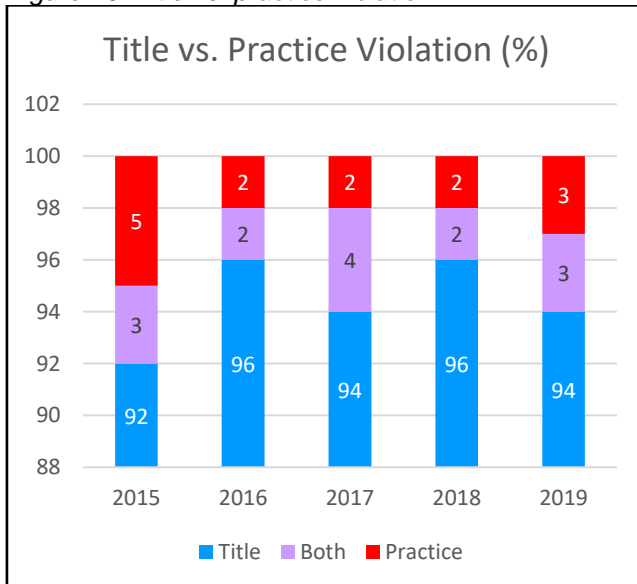
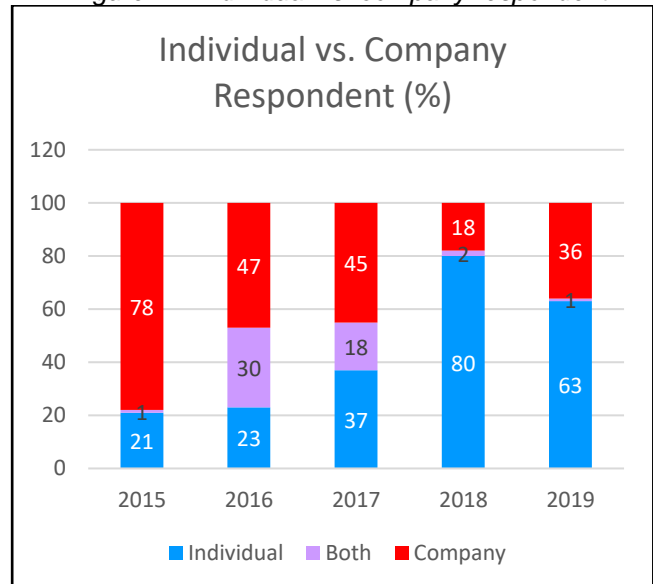


Figure 17. Individual vs. company respondent



Appendix A

Licensing process enhancements, May 2019 to January 2020

ITEM	CHANGE(S) MADE	EXPLANATION AND COMMENTS
<p><u>Notices of Determination / Notices of Proposal</u></p> <p>It was determined that applications that had already been assessed by ARC and/or ERC had not yet resulted in the issuance of Notices of Determination. This limited the Registrar's ability to carry out his statutory function in such cases.</p>	<p>Post-ERC and post-ARC letters were streamlined to conform with the legislative requirements.</p>	<p>These changes conform to the legislative requirements of s.14(3) (referral to ARC and/or ERC for determination, as appropriate), s.14(6) (notice of determination) and s.19 (issuance of notices of proposal) of the Act, as well as the academic and experience requirements set out in section 33 of the Regulation.</p>
<p><u>Closure versus Withdrawal</u></p> <p>After passing the PPE, applicants were sent a congratulatory letter that included a requirement to provide experience-related information. Failure to do so would result in the application being "closed." The use of the word "closed" was problematic.</p>	<p>The post-PPE letter was revised to clarify that the application would be deemed withdrawn if no response was received within a prescribed period. In addition, the process now includes a reminder email one week before the deadline.</p>	<p>The use of the term "withdrawn" (as opposed to closure) originates in the reference to EITs in the Act (s.20.1(3)). It is therefore justifiable to infer that deemed withdrawal of an application is a possibility. The deemed withdrawal does not prevent a former applicant from re-initiating their application at a later date.</p>
<p><u>Experience start dates for applicants with a Bachelor of Engineering from a non-CEAB-accredited program</u></p> <p>There were different experience start dates for applicants who were assigned a confirmatory examination program (CEP) versus those assigned a specific examination program (SEP).</p>	<p>For all non-CEAB applicants with Bachelor of Engineering degrees, experience now starts on the date of graduation, regardless of whether the applicant has been required to complete a CEP or SEP set of examinations.</p>	<p>Nothing in either section 14 of the Act (referencing academic and experience requirements for licensure) or section 33 of the regulation (specifying the requirements) mandated the former distinction, which had been imposed as a matter of policy. This change does not apply to applicants who do not hold a Bachelor of Engineering degree.</p>
<p><u>Timing of submission of engineering report</u></p> <p>Applicants assigned an engineering report (aka "thesis") could not submit it until they had completed the technical examinations assigned by the ARC.</p>	<p>An engineering report (thesis) can now be submitted at any time after it has been assigned by the ARC.</p>	<p>This complies with subsection 36(1) of the Regulation.</p>

ITEM	CHANGE(S) MADE	EXPLANATION AND COMMENTS
<p><u>Documentation to establish proof of name change</u></p> <p>We require official Canadian government identification in the name under which the applicant is seeking to be licensed. In a number of applications, there was a difference between the name shown on documents submitted in support of the application and the name appearing on government documents.</p>	<p>We now require an affidavit to confirm that documentation purporting to evidence a change of name is genuine.</p>	<p>It remains legally important for a regulator to be able to confirm the legal identity of individuals whom it will be regulating.</p>
<p><u>Retention of academic documents and transcripts</u></p> <p>We often receive documents and transcripts without any formal application.</p>	<p>Documents that do not pertain to a filed application will be retained for six months and then shredded, unless an application is commenced during that period.</p>	<p>We could find no legal impediment to the secure destruction of unsolicited documents in these circumstances.</p>
<p><u>Cross-discipline decisions</u></p> <p>Applicants whose experience is not aligned with their academic discipline present unique assessment challenges.</p>	<p>Applications will be assessed for conformity with legislated experience requirements independently of the applicant's academic discipline.</p>	<p>Neither the Act (s.14) nor the Regulation (s.33) speaks to the need for experience to be gained in any particular discipline, let alone correlated to the specific academic requirements that the applicant has satisfied.</p>
<p><u>Editable referee form</u></p> <p>A number of applications faced unnecessary delays because the "referee form" was not editable online.</p>	<p>This form can be completed and submitted electronically.</p>	<p>This is an efficiency measure.</p>

EXTERNAL REGULATORY PERFORMANCE REVIEW – ACTION PLAN ACTIVITY FILTER PROGRESS REPORT

Purpose: To provide a progress report on the application of an Activity Filter, as approved by Council on November 15, 2019.

No motion required

Prepared by: Dan Abrahams, LL.B., General Counsel.

1. Background and Status Update

At its November 2019 meeting, Council approved an Activity Filter which was developed by staff in response to the External Performance Review. The need for an Activity Filter forms part of the high-level Action Plan approved by Council in September 2019. Staff were directed to prepare a progress report on the application of the filter for the February 2020 Council meeting.

Appendix A is a progress report on staff's application of the Activity Filter to key, high-level activities of PEO committees, sub-committees, Chapters and working groups. Each such activity and related output(s) has been assessed for its legal basis, to determine if it is required or permitted under the current legislative scheme, or otherwise by law. Each activity and related output(s) is then classified using the process and criteria approved by Council. The results are divided into three groups, as follows:

Group 1: Regulatory Activities. This is subdivided into two groups, as follows:

Group 1A: Core Regulatory activities, as defined in the Appendix to the November 2019 briefing note. These include activities and outputs which fall within six core regulatory areas (Licensing, Standards, Compliance, Complaints, Discipline and Enforcement). This category also includes activities that otherwise serve or protect the public interest in a way that relates to the practice of professional engineering and/or the provision of engineering services.

Group 1B: Regulatory Policy activities. The definition of "regulatory" in this context is the same as that used for Group 1A. In applying the filter, we also recognized that a number of committees and working groups have activities and outputs that are intended to contribute to the development of regulatory policy, whether or not they also exercise core regulatory activities (eg., the distinction between licensing someone, on one hand, and developing policies and regulations to govern the licensing process, on the other). In most such instances, policy formulation, typically for Council's review, is included in, or implied by, committee and working group terms of reference.

Group 2: Activities which are Governance. This is defined in the Appendix to the November 2019 briefing note as “the activities that are needed to ensure that the board, or PEO Council, fulfills its statutory, legal and fiduciary duties while directing and controlling PEO”.

Group 3: Activities which are neither Regulatory nor Governance, as those terms have been defined for the purpose of the Activity Filter. (This is described as the “Neither” category.)

Because of the broad scope of the legislative scheme, no activities and outputs thus far have been identified as “unlawful.”

2. Next Steps

The CEO/Registrar, assisted by senior staff, will:

- Develop recommendations for the assignment of responsibilities for outputs to either Council or the CEO/Registrar, and report to Council
- For activities with outputs that fall within the CEO/Registrar’s domain, develop appropriate reporting metrics and propose to Council
- For activities with outputs that do not fall within the CEO/Registrar’s domain, generate options for Council to consider with respect to whether the activity should be continued, how it should be continued and who should perform the activity

Appendices

Appendix A

Progress Report on the Application of the Activity Filter

Group 1: Regulatory Activities

1A: Core Regulatory Activities

1B: Regulatory Policy Activities

Group 2: Governance Activities

Group 3: Activities that Are Neither



Professional Engineers
Ontario

C-531-2.1
Appendix A

PROGRESS REPORT ON ACTIVITY FILTER
February 2020

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Group 1: Regulatory Activities¹

Group 1A: Core Regulatory Activities

Group 1A: Core Regulatory Activities

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted) ²
1.	A: Assesses academic qualifications of non-CEAB applicants O: Determination of qualifications, need for examinations	Licensing	Academic Requirements Committee	Act: s.14(3)(a) and (c) (permitted); s.14(4) (required) Reg.: s.40
2.	A: Develops, assigns and review technical examinations O: Technical examinations developed and assigned to applicants.	Licensing	Academic Requirements Committee	Reg: s.40(3)(d) (required, when examinations are needed)
3.	A: Assigns, reviews and approves professional practice examination. O: PPE is prepared and assigned.	Licensing	Academic Requirements Committee	Reg., ss.37, 38 (required) (NB this power is not specifically assigned to this committee)
4.	A: Oversees investigations O: Instruction to investigators (as needed)	Complaints	Complaints Committee	Act: s.24(1) (required)
5.	A: Considers investigation files	Complaints	Complaints Committee	Act: s.24(2)

¹ For the purpose of this filter, **Regulatory** activities are (a) those which fit within six (6) generally accepted type of regulation conducted by professional self-regulators (Licensing, Standards, Compliance, Complaints, Discipline and Enforcement) and (b) those that serve or protect the public interest in a way that relates to the practice of professional engineering and/or the provision of engineering services. Core Regulatory Activities (Group 1A) are distinguished from activities which support the development of Regulatory Policy (Group 1B).

² Legislative and by-law references are included to demonstrate legality and may not be exhaustive of all possible legal authority. “Act” means the *Professional Engineers Act*, as amended. “Reg.” means Regulation 941 under the Act, as amended. “By-law” means PEO By-Law No. 1.

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)²
	O: Written decision on whether to refer to Discipline, close (with reasons) or take other action permitted by the Act			(required)
6.	A: Examines procedures for treatment of complaints by Complaints Committee O: Report with recommendations to Council and to Complaints Committee (may also be to Minister)	Complaints	Complaints Review Councillor	Act: ss.26(1), (12), (16) (permitted)
7.	A: Reviews treatment of complaints that are older than 90 days O: Report with recommendations to Complaints Committee, Council, complainant and person complained against (may also be to Minister)	Complaints	Complaints Review Councillor	Act: ss.26(2), (14) (permitted) Act: ss.26(3), (14), (15) (required, unless aged, frivolous, vexatious or not in good faith: s.26(5))
8.	A: Determines applications for consulting engineers designation and re-designation O: Recommends members for designation by Council as consulting engineers	Public Interest in ensuring that practitioners claiming special designation are suitably vetted	Consulting Engineers Designation Committee	Act: s.7(1)23 Reg.: ss.62, 63, 67 (permitted)
9.	A: Hears and determines allegations of professional misconduct or incompetence, including matters referred under s.24, 27.1 (Council or Executive) O: Determination, reasons and penalty	Discipline	Discipline Committee	Act: s.28 (required)

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)²
10.	<p>A: Hears and determines applications for reinstatement of licences etc. revoked or suspended for cause.</p> <p>O: Determination, reported to Council and the applicant.</p>	Licensing/ Public Interest in ensuring that former or suspended licence and certificate holders have addressed issues of concern	Discipline Committee	Act: s.37 (required)
11.	<p>A: Determines whether to refer allegations of misconduct or incompetence to Discipline Committee</p> <p>O: Referral to discipline, as appropriate</p>	Complaints and Discipline	Executive Committee	Act: s.27.1 (permitted)
12.	<p>A: Assessing experience of applicants where requested or required</p> <p>O: Determination of experience for purposes of meeting the experience requirement in the statute and regulation</p>	Licensing	Experience Requirements Committee	Act: s.14(3)(b) and (c) (permitted); s.14(4) (required) Reg.: s.33, s.41
13.	<p>A: Assesses experience of applicants for the purpose of assisting ARC in considering experience when assigning examinations</p> <p>O: Determination of experience for the purpose of adjusting number of examinations, as appropriate</p>	Licensing	Experience Requirements Committee	Act: s.14 Reg.: s.40(3)(c) (permitted)
14.	<p>A: Mediates fees disputes on consent</p> <p>O: Mediated outcome (mediator's report)</p>	Public Interest in ensuring that	Fee Mediation Committee	Act: s.32(2) (permitted)

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted) ²
		engineering fees are appropriately justified		
15.	A: Arbitrates fees disputes on consent O: Arbitrated decision (arbitrator's report), enforceable as court order	Public Interest in ensuring engineering fees are appropriately justified	Fee Mediation Committee	Act: s.32(3), (4), (5) (permitted)
16.	A: Assists in resolving disputes between architects and P.Engs or C of A holders re professional services O: Either resolves matter or certifies that dispute cannot be resolved (condition precedent for enforcement or other regulatory action under the Act)	Public Interest in ensuring that regulatory jurisdiction is clarified	Joint Practice Board	Act: s.47(4), (5) (permitted)
17.	A: Determines whether to recommend the issuance of a licence or C. of A. to a holder of an Architects Act certificate of practice O: May do nothing or may make recommendation to Council to direct the Registrar to issue a licence or certificate of authorization	Licensing	Joint Practice Board (NB also includes members from another regulator)	Act: s.47(2), (3) (permitted)
18.	A: Development of practice standards O: Amendments to O. Reg 260/08 Performance Standards	Standards	Professional Standards Committee	Act: s.2(4)2 (objects); s.7(1)17 Reg.: s.72(2)(c), (required)

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)²
19.	A: Develops practice guidelines O: Practice guidelines	Standards	Professional Standards Committee	Act: s.2(4)2 (permitted)
20.	A: Holds hearings to determine whether to issue a licence O: Direction to Registrar to issue a licence, with or without conditions or refuse to issue a licence	Licensing	Registration Committee	Act: s.19 (required)

Group 1B: Regulatory Policy Activities

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory policy?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted) ³
1.	A: Examines PEO's processes to identify potential barriers to licensure for women. O: Advice to Council on measures to eliminate barriers to women in the licensure process.	Licensing; Public Interest in ensuring there are no barriers to women entering the engineering profession	30x30 Task Force	Act: s.8(1)14 (permitted)
2.	A: Develops advice to Council on current academic requirements and other initiatives related to educational qualifications O: Advice delivered to Council (and other committees) on academic requirements and initiatives related to educational qualifications	Licensing	Academic Requirements Committee	Act: s.10 Reg.: s.40 (permitted)
3.	A: Develops recommendations for admissions-related policies and procedures O: Recommendations for admissions-related policies and procedures delivered to Council and other committees	Licensing	Academic Requirements Committee	Act: s.10 Reg.: s.40 (permitted)
4.	A: Develops recommendation for standards, procedures, qualifications, exemptions etc. related to applications for consulting engineer designation O: Recommendations for standards, procedures, qualifications, exemptions etc. delivered to Council	Public Interest in ensuring that those claiming advanced status have been appropriately vetted	Consulting Engineers Designation Committee	Act: s.7(1)23 Reg.: s.61 (permitted)

³ As with the Core Regulatory group, legislative and by-law references are included to demonstrate legality and may not be exhaustive of all possible legal authority. "Act" means the *Professional Engineers Act*, as amended. "Reg." means Regulation 941 under the Act, as amended. "By-law" means PEO By-Law No. 1.

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory policy?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)³
5.	A: Assesses developments in new or emerging areas of practice with a view to enforcement and public protection O: Policy recommendations sent to Council	Licensing, Enforcement, Standards	Emerging Disciplines Task Force	Act: s.8(1)14 (permitted)
6.	A: Evaluates existing certification programs related to new or emerging areas of practice O: Policy recommendations to Council	Licensing, Enforcement, Standards	Emerging Disciplines Task Force	Act: s.8(1)14 (permitted)
7.	A: Prepares policy proposals and advice related to enforcement issues O: Policy recommendations to Council to be included in Enforcement Policy	Enforcement	Enforcement Committee	Act: s.10(1) (permitted)
8.	A: Develops common standards in elements of the design and construction industry O: Recommendations to Council and to other regulators as appropriate to implement common standards	Standards	Engineers, Architects and Building Officials Committee	Act: ss.2, 10 (permitted)
9.	A: Develops possible modifications and improvements to experience requirements O: Recommendations delivered to other committees, eg. Licensing and ARC, and to Council; changes to operating policies and procedures manual	Licensing	Experience Requirements Committee	Act: ss.2(4), 10(1) (permitted)
10.	A: Development of competency-based interviews. O: Recommendations for and implementation of competency-based interviews.	Licensing	Experience Requirements Committee	Act: ss.2(4), 10(1) (permitted)

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory policy?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)³
11.	A: Identifies and reviews PEO policies, rules and operational issues to identify need for legislative and regulatory change O: Recommendation to Council with statement of authority, validity for proposed change	Public Interest in ensuring effective and coherent regulation of the engineering profession.	Legislation Committee	Act: s.8(1)14 By-law: s.30(1)(a) (permitted)
12.	A: Develops advice to Registrar on appropriateness of various types of engineering experience. O: Advice to Registrar on appropriateness of experience.	Licensing	Experience Requirements Committee	Act: ss.2(4)1 and 2, 10(1)(c) Reg.: s.41 (permitted)
13.	A: Develops modifications to operating policies and procedures manual related to the assessment of experience. O: Revisions to manual, recorded as needed	Licensing	Experience Requirements Committee	Act: ss.2(4)1 and 2, 10(1)(c) Reg.: s.41 (permitted)
14.	A: Advises Licensing Committee and other PEO committees on issues related to experience O: Recommendations on requirements for licensure delivered to other committees	Licensing	Experience Requirements Committee	Act: ss.2(4)1 and 2, 10(1)(c) Reg.: s.41 (permitted)
15.	A: Oversees draft changes to legislation, as required O: Recommended changes sent to Council	Public Interest in ensuring more effective and coherent regulation of the engineering profession.	Legislation Committee	Act: s.8(1)14 By-law: s.30(1)(a) (permitted)
16.	A: Reviews other Ontario legislation to identify potential conflicts with PEA, regulations and by-laws	Public Interest in ensuring effective and coherent regulation of the engineering profession.	Legislation Committee	Act: ss.8(1)14, 10 By-law: s.30(1)(a) (permitted)

ID	Activity (A) and Output(s) (O)	Why is this classified as Regulatory policy?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)³
	O: Communications to relevant to Ministries to identify conflicts, follow up as required; reports to Council			
17.	A: Identifies need for changes and enhancements to PEO's licensing policies, criteria and processes, with involvement of other statutory licensing-related committees as needed. O: Recommendations and proposals delivered to Council, related to licensing.	Licensing	Licensing Committee	Act: s.10 By-law: s.30 (permitted)
18.	A: Tracks licensing developments in other self-regulating professions and for engineers in other jurisdictions. O: Report to Council on licensing developments with implications for PEO.	Licensing	Licensing Committee	Act: s.10 By-law: s.30 (permitted)
19.	A: Assesses external threats to PEO's licensing criteria. O: Reports to Council on perceived threats with recommendations as appropriate.	Licensing	Licensing Committee	Act: s.10 By-law: s.30 (permitted)
20.	A: Review inputs from various internal and external sources to determine the need for new or updated standards or guidelines O: Policy recommendations to Council.	Standards	Professional Standards Committee	Act: s.10(1) By-law: s.30(1)(b) (permitted)

Group 2: Governance Activities⁴

ID	Activity (A) and Output(s) (O)	Why is this classified as Governance?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted) ⁵
1.	A: Assists committees and task forces in the preparation of mandates, terms of reference, workplans and HR plans, using standard templates. O: Mandates, terms of reference, workplans and HR plans prepared for Council's approval.	Supports Council's role in ensuring that committees contribute effectively to regulatory work and governance	Advisory Committee on Volunteers	Act: s.10 By-law: s.30 (permitted)
2.	A: Recruits, instructs and oversees external auditor O: Audited financial statement and recommendation for appointment of auditor presented to Council and to AGM	Effective audit and oversight of finances is a key element of board governance. Use of an independent auditor is standard for non-profit corporations of appreciable size.	Audit Committee	Act: ss2(1), 3 By-law: ss.51, 52, 53 <i>Corporations Act</i> (Ontario) (external audit is generally required for not-for-profit corporations of appreciable size)
3.	O: Oversees financial reporting and internal controls and review of annual financial statements O: Report(s) to Council and to AGM as required	Effective audit and oversight of finances is a key element of board governance.	Audit Committee	Act: ss2(1), 3 By-law: ss.51 <i>Corporations Act</i> (Ontario) (oversight is required)
4.	A: Considers complaints regarding procedures for nominating, electing and voting for members of Council	Supports elections to ensure fairness and credibility	Central Election and Search Committee	Reg.: s.12(3)(c) (required)

⁴ "Governance" activities are defined as for this purpose as "the activities that are needed to ensure that the board, or PEO Council, fulfills its statutory, legal and fiduciary duties while directing and controlling PEO."

⁵ As with the Core Regulatory and Regulatory Policy groups, legislative and by-law references are included to demonstrate legality and may not be exhaustive of all possible legal authority. "Act" means the *Professional Engineers Act*, as amended. "Reg." means Regulation 941 under the Act, as amended. "By-law" means PEO By-Law No. 1. The *Corporations Act* is Ontario legislation, subject to any changes that may affect PEO by virtue of the new *Not-for-Profit Corporations Act* and any regulations thereunder.

ID	Activity (A) and Output(s) (O)	Why is this classified as Governance?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)⁵
	O: Decisions on complaints with appropriate penalties.			
5.	A: Encourages candidates to seek election to Council. O: Candidates for election for provincially-elected positions and in all regions.	Supports elections to fulfill Council's statutory and regulatory composition, based in part on regional focus	Central Election and Search Committee AND Regional Election and Search Committees (supported by Regional Councillors Committee)	Act: ss.7(1)2 and 4 Reg.: ss.12(3)(a), 13(4) (required)
6.	A: Acts on behalf of Council on matters referred to it O: Decision on any question referred by Council that is within Council's decision-making authority (apart from making, amending or revoking regulations or by-laws)	Fulfills and substitutes for Council's governance function as assigned	Executive Committee	Act: ss.10, 11 Reg: s.29(c) (required; word used is "shall")
7.	A: Acts on behalf of Council with respect to urgent matters arising between meetings O: Decision on any urgent matter that is within Council's decision-making authority, with report to Council on any action taken	Fulfills and substitutes for Council's governance function, subject to reporting, as required	Executive Committee	Act: s.10 Reg: s.29(a) (permitted)
8.	A: Formulates advice to Council and/or to the Registrar and senior, alone or in consultation with other committees, on various operational and organizational issues related to PEO and the Canadian Council of Professional Engineers (AKA Engineers Canada)	Governance assistance to Council (re advice to Registrar and senior staff)	Executive Committee	Act: s.10 Reg.: ss.29(b), (d), (e), (f), (g) (permitted)

ID	Activity (A) and Output(s) (O)	Why is this classified as Governance?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)⁵
	O: Recommendations to Council and to the Registrar for consideration and possible implementation			
9.	A: Reviews annual operating and capital budgets and provides oversight to ensure that budgets are adhered to. O: Budgets for Council's approval	Financial oversight relates to Council's legal and fiduciary duty to direct and control the organization	Finance Committee	Act: s.10 By-Law: s.30(1)(c) (permitted, but some form of oversight is required)
10.	A: Based on reports from management, ensures that financial procedures and systems for both operating and investment funds are in effective compliance with legal and regulatory requirements. O: Report to Council on risks or discrepancies, as appropriate.	Financial oversight relates to Council's legal and fiduciary duty to direct and control the organization	Finance Committee	Act: s.10 By-Law: s.30(1)(c) (permitted, but some form of oversight is required)
11.	A: Recruitment of CEO/Registrar O: Recommendation to Council to appoint a member as CEO/Registrar	CEO/Registrar is Council's employee and PEO work is directed and controlled through him/her	Human Resources Committee	Act: s.3(8) (required – "Council 'shall' appoint...")
12.	A: Reviews CEO/Registrar performance O: Performance review and recommendations	CEO/Registrar is Council's employee and PEO work is directed and controlled through him/her	Human Resources Committee	Act: s.10 By-law s.30 (permitted – the Act does not require that CEO/Registrar performance be reviewed)
13.	A: Develops advice on issues related to criteria for Lieutenant-Governor-in-Council appointments O: Advice and recommendations provided to government (and Council)	Policy and governance advice and support to Council on issues	Human Resources Committee	Act: s.10 By-law s.30 (permitted)

ID	Activity (A) and Output(s) (O)	Why is this classified as Governance?	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted)⁵
		related to board composition		
14.	A: Develops and facilitates input to Council related to board effectiveness utilizing a variety of tools O: Recommendations to Council	Intended to promote and support more effective board governance	Human Resources Committee	Act: s.10 By-law: s.30 (permitted)
15.	A: Develops advice to Council on governance-related issues O: Recommendations to Council	Policy and governance advice and support to Council	Human Resources Committee	Act: s.10 By-law: s.30 (permitted)
16.	A: Selects members for PEO and external committees O: Committee rosters and nominees to external committees recommended to Council for approval	Council has established committees to help facilitate governance and policy development	Human Resources Committee	Act: s.10 (required or permitted, depending on committee)
17.	A: Reviews and provides oversight for PEO's investment portfolio, including appointing portfolio managers and ensuring the effectiveness of procedures and systems used to ensure compliance with legal and regulatory requirements. O: Recommendations to Council, on appointment of portfolio managers and any procedural or systems issues, via Finance Committee, as required and appropriate to ensure effective oversight.	Financial oversight relates to Council's legal and fiduciary duty to direct and control the organization	Investment Sub-Committee	Act: s.10 By-law: ss.42, 43 (required to ensure legal compliance)
18.	A: Develops an implementation plan for succession planning at Council level O: Recommendations to Council regarding succession planning.	Composition of Council is clearly a governance issue	Succession Planning Task Force	Act: ss.8(1)14, 10 By-law s.30 (permitted)

Group 3: Activities That Are Neither Governance Nor Regulatory

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
1.	A: Devises and reports annually on metrics for women in the licensing process. O: Annual report on metrics to identify progress.	Task force mandate complements regulatory function but is not regulatory per se.	30x30 Task Force	Act: ss.8(1)14, 10(1) By-law: s.30 (permitted)
2.	A: Plans outreach workshops for stakeholder groups (Chapters, employers, universities, women's groups, etc.) O: Workshops delivered.	Task force is oversight and advocacy focused on increasing number of newly-licensed female engineers.	30x30 Task Force	Act: ss.8(1)14, 10(1) By-law: s.30 (permitted)
3.	A: Develops means to recognize PEO volunteers and their employers. O: Recommendations to Council for volunteer and volunteer employer recognition	This activity, recognizing the importance of volunteerism, has an association focus.	Advisory Committee on Volunteers	Act: s.2(4)4 (permitted)
4.	A: Organizes annual meeting of committee and task force chairs O: Annual meeting / conference held	Activity is focused on volunteer contributions to the association	Advisory Committee on Volunteers	Act: s.2(4)4 (permitted)
5.	A: Encourages, solicits and considers nominations for PEO and joint PEO/OSPE awards.	Awards recognize excellence in engineering and volunteerism.	Awards Committee	Act: s.2(4)4 (permitted)

⁶ As with the Core Regulatory, Regulatory Policy and Governance groups, legislative and by-law references are included to demonstrate legality and may not be exhaustive of all possible legal authority. In many instances in the "Neither" classification, legality is derived from the broad scope of section 2 of the Act, and in particular s.2(4), the additional objects provision. "Act" means the *Professional Engineers Act*, as amended. "Reg." means Regulation 941 under the Act, as amended. "By-law" means PEO By-Law No. 1.

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	O: Award winners recommended to Council (and OSPE, depending on the award) for approval.			
6.	A: Encourages and solicits nominations for external awards related to engineering. O: Nominations for awards given by other organizations.	External awards recognize excellence amongst professional engineers.	Awards Committee	Act: s.2(4)4 (permitted)
7.	A: Plans Chapter AGM O: Election of Chapter executives	Chapter governance is not the same as PEO governance. Chapters do not have a separate legal identify.	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)
8.	A: Presents licensing certificates O: Certificates presented to new members who choose to receive certificates from Chapters	Presentation of a certificate is not synonymous with the issuance of a licence	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)
9.	A: Organizes PEO seminars. O: Seminars held by Chapters to help explain regulatory requirements.	Education and outreach about regulatory expectations is not synonymous with regulation.	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)
10.	A: Organizes technical seminars and tours. O: Seminars and tours conduct industry experts to demonstrate and/or explain new or current technical and engineering content.	Education on current developments is not a regulatory function unless part of a structured licensing or CPD program.	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)
11.	A: Organizes networking events for members and EITs.	Networking is essentially an	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	O: Summer picnics, golf tournaments, etc.	“association” function.		
12.	A: Plans and implements “education outreach” for JK to post-secondary students. O: Outreach programs on engineering delivered to school groups.	Query the role of a regulator, as opposed to an association, in encouraging interest in a particular area of work	Chapters	Act: ss.2(4), 8(1)19 By-law: ss.2-9 (permitted)
13.	A: Organizes 30x30 events at the Chapters level. O: 30X30 related events held.	30X30 mandate complements regulatory function but is not regulatory per se	Chapters	Act: s.2(4)4 (permitted)
14.	A: Supports Engineering Innovation Forum O: Conference on innovation funded and held	Promoting a culture of innovation is a noteworthy association objective.	Education Committee	Act: s.2(4)4 (permitted)
15.	A: Plans outreach to JK-12 students. O: Materials about engineering for use in JK-12 classrooms.	PEO does not regulate or govern primary and secondary education	Education Committee	Act: s.2(4)4 (permitted)
16.	A: Considers Chapters proposals for special projects funding related to educational outreach in JK-12 O: Funding decisions for Chapters educational outreach projects.	PEO does not regulate or govern primary and secondary education	Education Committee	Act: s.2(4)4 (permitted)
17.	A: Develops advice for PEO Council regarding education-related policies.	Query to what extent PEO should be involved in matters of broader public policy. PEO does not	Education Committee	Act: 2(4)4 (permitted)

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	O: Advice to Council, and via Council to government, about educational issues related to engineering.	regulate or govern primary or secondary education		
18.	A: Plans Education Conference O: Conference to encourage innovative, engineering related outreach programs for pupils in JK to Grade 12	PEO does not regulate or govern primary or secondary education	Education Conference Planning Subcommittee	Act: s.2(4)4 (permitted)
19.	A: Develops joint position statements related to elements of the design and construction industry. O: Position statements recommended to Council.	Advocacy is typically an association function.	Engineers Architects and Building Officials Committee	Act: ss.2, 10
20.	A: Assembles and shares information on construction best practices, new construction types, technical codes and standards. O: Information about best practices, etc., assembled and shared with EBAO members at meetings.	Information-sharing supports coordination of efforts amongst various professions involved in design and construction.	Engineers Architects and Building Officials Committee	Act: ss.2, 10
21.	A: Oversees use of online Equity and Diversity training module by chapter and committee volunteers. O: Report to Council on extent of online equity and diversity module completion.	This reflects concern about equity and diversity as reflected in association activities	Equity and Diversity Committee	Act: s.2(4)4 (permitted)
22.	A: Develops proposals to recognize equity and diversity at the Chapters level. O: Award proposal to Council to recognize equity and diversity contributions at the Chapters level.	This reflects concern about equity and diversity as reflected in association activities	Equity and Diversity Committee	Act: s.2(4)4 (permitted)
23.	A: Considers recommendations for President's Award for non-engineers who have demonstrated	Awards raise the profile of the	Executive Committee	Act: s.2(4)4 (permitted)

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	extraordinary support for or promoted public awareness of the engineering profession. O: Award recipient recommended to Council for approval.	association and encourage support for and awareness of the engineering profession.		
24.	A: Trains ERC members on how to conduct interviews etc. O: Interview and related training programs for ERC members.	Training supports the regulatory role of ERC but is not regulatory per se.	Experience Requirements Committee	Act: s.10(1)(c)
25.	A: Oversees and advises Chapters on engagement with local MPPs O: Recommendations and ad hoc assistance to Chapters on matters related to engagement with MPPs	Lobbying elected officials in this manner is typically an association activity.	Government Liaison Committee	Act: ss.2(4)4, 10(1) (permitted)
26.	A: Oversees the development of government relations communications tools such as newsletters Engineering Dimensions articles, etc. O: Newsletters, articles, etc. produced with committee oversight.	Advocacy is typically an association activity.	Government Liaison Committee	Act: ss.2(4)4, 10(1) (permitted)
27.	A: Plans Queens Park reception to educate MPPs on role and work of PEO and discuss regulatory issues. O: Queens Park reception for MPPs and PEO representatives.	Advocacy is typically an association activity.	Government Liaison Committee	Act: ss.2(4)4, 10(1) (permitted)
28.	A: Reviews and attempts to resolve significant staff HR issues	The CEO/Registrar is responsible for resolving individual staff issues.	Human Resources Committee	Act: s.10(1) (permitted)

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	O: Resolutions or recommendation (to Registrar?) on significant staff HR issues			
29.	A: Reviews and attempts to resolve significant volunteer HR issues O: Resolutions or recommendations on significant volunteer HR issues	Engagement of volunteers is an association function.	Human Resources Committee	Act: s.10(1) (permitted)
30.	A: Considers submissions from Chief Building Officials related to the requirement for a services of an architect and/or professional engineer related to general design or review. O: Replies to questions and comments from CBOs	Harmonious relations amongst the design and construction-related professions and with building officials serves an association function.	Joint Liaison Committee	Act: s.2(4)2 and 4 (permitted)
31.	A: Prepares bulletins to building officials to provide clarity on emerging issues and/or disputes. O: Bulletins prepared and issued.	Harmonious relations amongst the design and construction-related professions and with building officials serves an association function.	Joint Liaison Committee	Act: s.2(4) 2 and 4 (permitted)
32.	A: Builds and strengthens relationships between PEO and OSPE and provides a forum for the resolution of disputes. O: Disputes resolved.	Activity and related outputs are difficult to quantify, but do not appear to fit within either regulatory or governance functions as defined here.	Joint Relations Committee	Act: s.2 (permitted)
33.	A: Organizes Regional Congress to filter Chapters issues to Councillors and relay regulatory information to the engineering community.	Conveying regulatory information is not regulation per se.	Regional Councillors Committee	Act: ss.2(4), 8(1)19 (permitted)

ID	Activity (A) and Output(s) (O)	Remarks	Responsibility currently assigned to...	Primary Legislative Authority (required or permitted, if known)⁶
	O: Regional Congress held, inputs received, regulatory information relayed.	Input to governors is not governance.		
34.	A: Chapters business plans analyzed for allocation of funds to Chapters. O: Chapters funded.	See above, re Chapters-related activities.	Regional Councillors Committee	Act: ss.2(4), 8(1)19 (permitted)
35.	A: Plans volunteer leadership conference for Chapter and committee leaders, in conjunction with PEO AGM O: Volunteer leadership conference held.	This supports an association function.	Volunteer Leadership Conference Planning Committee	Act: s.(4)4 (permitted)

INDIGENOUS LAND ACKNOWLEDGEMENT AT PEO EVENTS

Purpose: To approve the Indigenous land acknowledgement policy, and statement.

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

1. That Council approve the Indigenous Land Acknowledgement Policy (LAP) and initiate the recitation of the statement as found in Appendix A, at the start of all events held at PEO's headquarters.
2. That Council approve the invitation of Indigenous leaders from the Mississaugas of the Credit First Nation, and the Anishinabek Nation to attend PEO's Council meetings and the Annual General Meeting (AGM) to be held on April 24-25, 2020.
3. That Council directs Chapters to make a Land Acknowledgement Statement at the start of their events once the appropriate Indigenous nations have been identified, and approval received.

[By-Law No. 1, article 14: "The order of business at meetings of the Council shall be as such as the Council may establish from time to time".]

Prepared by: Rochelle Pereira-Alvares, Policy Research Analyst, Tribunals & Regulatory Affairs

Moved by: Marisa Sterling, President-Elect

1. Need for PEO Action

- At the 528th Council Meeting held on June 21, 2019, all Councillors present agreed by a show of hands to pursue the White Paper on the need for a PEO policy on Indigenous land acknowledgement, submitted by President-Elect Hill, Elected Vice President Sterling and Northern Regional Councillor Subramanian.
- Council was provided an information update at the November 2019 Council Meeting (see item C-530-4.2)
- Following completion of policy development work, Council is now being asked to consider the attached "Land Acknowledgement Policy" document (Appendix A) for approval.

2. Proposed Action / Recommendation

- Land acknowledgements were one of the recommendations of the Truth and Reconciliation Commission of Canada's 2015 Report. Making a land acknowledgement statement is the first step towards reconciliation with Indigenous Peoples.
- PEO has the statutory authority to create an Indigenous Land Acknowledgement Policy and statement; there is nothing to authorize or prohibit PEO from making such a decision.

- It is proposed that PEO approves the Land Acknowledgement Policy to honour and recognize the history of the land, and the pre-existence of Indigenous Peoples in North America prior to the arrival of settler societies, as follows:

“I acknowledge we are meeting on the traditional territory of the Mississaugas of the Credit First Nation and the Anishinabek Nation, and this is home to many Métis, First Nation and Inuit peoples. I acknowledge the long history of all the First Nations in Ontario. I say this in the spirit of reconciliation and the importance of reminding all of us we share this land with one another and Indigenous peoples.”

- Evidence from other regulators indicates that land acknowledgements are generally made by the Chair or President (see Appendix C), therefore staff recommends that PEO’s President, Registrar or Committee Chair make the statement depending on the situation. Anecdotally, some PEO chapters are already making their own local land acknowledgment statements.
- Initially, the acknowledgement will be made at the start of all PEO events including Council, committee and staff meetings held at 40 Sheppard Avenue West. Moving forward, the statement will be made at events held under PEO auspices at other locations such as public Chapter meetings. The wording of the Land Acknowledgment statement may be modified as necessary in the future.
- Staff contacted the Mississaugas of the Credit First Nation, Anishinabek Nation, and the Métis Nation of Ontario to determine if they had any concerns, issues or comments about PEO’s decision make land acknowledgement statements. The Mississaugas of the Credit First Nation replied with wording for PEO to use in the land acknowledgement statement and did not raise any concerns or the need for in-person consultations. The Anishinabek Nation reviewed and approved PEO’s Land Acknowledgement Policy and Statement. The Métis Nation of Ontario replied that they do not have specific territory in Toronto, but suggested the inclusion that Toronto is home to many Metis, First Nation and Inuit people.
- For these reasons,
 - Staff recommends that PEO adopt a staged approach to introducing the land acknowledgement statement pertaining to events and meetings at 40 Sheppard Avenue West or organized by PEO headquarters (e.g., Chapters’ Leaders Conference, OPEA, OOH, Annual General Meeting).
 - PEO’s Chapters Manager is prepared to communicate the Land Acknowledgment Policy as it pertains to Chapters at the Regional Congresses in February 2020 to support its implementation.

3. Next Steps (if motion approved)

- Representatives from the two identified indigenous groups will be invited to attend the opening of the next Council meeting in March and give some remarks, as well as future Council meetings and the 2020 Annual General Meeting in Ottawa.

- The Chapters Manager will communicate the Land Acknowledgment Policy to all Chapters during the February round of Regional Congresses.
- Staff/Chapters' volunteers will use an online mapping tool (ATRIS) to identify the appropriate bands/nations as required for each Chapter and construct appropriate statements.

4. Policy or Program contribution to the Strategic Plan

- As per the White Paper submitted to Council, the inclusion of a land acknowledgement statement relates to Objective 3-Enhance PEO's public image and Objective 9-Enhance Corporate Culture of the 2018-2020 Strategic Plan.

5. Financial Impact on PEO Budgets (for five years)

	Operating	Capital	Explanation
Current to Year End	\$0	\$0	No anticipated incremental staff costs.
2 nd	\$	\$	
3 rd	\$	\$	
4 th	\$	\$	
5 th	\$	\$	

6. Peer Review & Process Followed

Process Followed	<p>Outline the Policy Development Process followed.</p> <ul style="list-style-type: none"> • PEO staff contacted the Chiefs of Ontario, the Toronto Council Fire Native Cultural Centre and the City of Toronto's Indigenous Office, the University of Toronto, York University and online mapping tools to identify the appropriate Indigenous Peoples who need to be acknowledgement in the statement. • Following an environmental scan on land acknowledgement statements made by other regulators, staff contacted the College of Occupational Therapists of Ontario, and the Royal College of Dental Surgeons for additional information on how these regulators developed their statements. Staff specifically chose to follow up with these regulators because they had contacted Indigenous leaders/organizations as part of the engagement process while other regulators used internal staff or did not have Indigenous participation. • Based on feedback from the City of Toronto's Indigenous Office and the mapping tools, staff identified the Indigenous Peoples who traditionally lived in and around 40 Sheppard West as the Mississaugas of the Credit First Nation, the Anishinabek and the Métis Nation.
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	<ul style="list-style-type: none"> Accordingly, staff e-mailed the aforementioned Indigenous bands/nations to determine if they had any concerns, issues or comments about PEO's decision make land acknowledgement statements. The Mississaugas of the Credit First Nation replied with wording for PEO to use in the land acknowledgement statement and did not raise any concerns or the need for in-person consultations. The Anishinabek replied positively to PEO's request on October 31, 2019 and agreed to the Land Acknowledgement Policy on January 14, 2020. The Métis Nation gave their comments on January 30, 2020. For a more detailed chronology, refer to Appendix B. On President-Elect Sterling's recommendation, staff spoke to Cassandra Polyzou, Diversity, Equity and Inclusion Manager at Engineers Canada, for suggestions on developing the land acknowledgement policy and statement. President-Elect Sterling offered to consult with Indigenous engineers for their suggestions on the land acknowledgement statement, and policy development. Policy Unit Staff consulted with Chapters Manager regarding how to involve Chapters in the process and identify Indigenous groups who should be acknowledged at the Chapter level. The Chapters Manager indicated it would be best to reach out to Chapters at the Regional Congresses to be held in February 2020. Once the policy and statement are in place, Chapters intend to use an online mapping tool to identify the appropriate bands/nations as required and modify the statement accordingly. Depending on the nature of the event/meeting, the event's Chair (PEO's President, CEO/Registrar or Committee Chair) should make the statement at the beginning of the meeting/event.
Council Identified Review	<p>Identify who is to be consulted; how they will be consulted and what kind of response is expected.</p> <ul style="list-style-type: none"> The Policy Development Unit shared information from the various Indigenous groups with President-Elect Sterling.
Actual Motion Review	<p>Detail peer review and relevant stakeholder review undertaken</p> <ul style="list-style-type: none"> The motion was reviewed by the Senior Management Team, President Hill and President-Elect Sterling.

7. Appendices - Appendix A - Land Acknowledgement Policy

Appendix B - PEO's Indigenous Engagement Process

Appendix C - Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix A

Land Acknowledgement Policy	Date of Policy: XXXXX
	Approved by: XXXXX
	Review Date: XXXXX

Policy Statement	
PEO supports Indigenous reconciliation in Ontario by acknowledging Indigenous territorial rights on the land on which PEO meetings and events take place.	
Purpose	
To detail why, how and when PEO will acknowledge Indigenous territorial land at PEO meetings and events. <ul style="list-style-type: none"> Land acknowledgements were one of the recommendations of the Truth and Reconciliation Commission of Canada's 2015 Report. Making a land acknowledgement statement is the first step towards reconciliation with Indigenous Peoples. 	
Application and Scope	<i>State what direction is given to achieve the purpose and under what circumstances or conditions the policy applies.</i>
This policy applies to oral statements acknowledging Indigenous territorial lands occupied by PEO or its chapters, or at events that are held under PEO auspices at other locations, and the procedures for making these oral statements.	
Definitions	<i>Provides definition and clarification of specific terms used in the policy that may otherwise be misunderstood.</i>
<p>Truth and Reconciliation Commission of Canada: was created to give those directly or indirectly affected by the legacy of the Indian Residential Schools system the opportunity to share their stories and experiences.¹ The Commission released its findings in a report in 2015, "Honouring the Truth, Reconciling for the Future".² Along with the Report, the Commission submitted 94 Calls to Action to the Government of Canada. Non-Indigenous people began making such statements in response to Call to Action #45 "Royal Proclamation and Covenant of Reconciliation" (sec. i) which calls upon the Government to, "Repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and <i>terra nullius</i>."³</p> <p>Land Acknowledgement: A land acknowledgement is a statement recognizing the traditional territory of the Indigenous Peoples who called the land home (and in many cases still do) prior to the arrival of</p>	

¹ Truth and Reconciliation Commission of Canada, <https://www.rcaanc-cirnac.gc.ca/eng/1450124405592/1529106060525>

² "Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada", University of Manitoba, <http://nctr.ca/reports.php>

³ "Truth and Reconciliation Commission of Canada: Calls to Action", http://nctr.ca/assets/reports/Calls_to_Action_English2.pdf, p5.

settlers. Many Indigenous Peoples have been acknowledging the land at the beginning of ceremonies and gatherings since time immemorial.⁴

Mississaugas of the Credit First Nation: is part of the Ojibwe (Anishinaabe) Nation, one of the largest Aboriginal Nations in North America. The Mississauga of the Credit were the original owners of the territory commencing at Long Point on Lake Erie thence eastward along the shore of the Lake to the Niagara River, down the River to Lake Ontario, then northward along the shore of the Lake to the River Rouge east of Toronto, then up that river to the dividing ridges to the head waters of the River Thames, then southward to Long Point, the place of the beginning. A word in the Anishinaabemowin language translates: “Missisakis” into “many river mouths.”⁵ PEO sits on the traditional land of the Mississaugas of the Credit First Nation.

Anishinabek Nation: represents 40 First Nations throughout the province of Ontario from Golden Lake in the east, Sarnia in the south, Thunder Bay and Lake Nipigon in the north. The 40 First Nations have an approximate combined population of 65,000 citizens, one third of the province of Ontario’s First Nation population. The Ojibway (Chippewas), Odawa and Potawatomi Nations formed the Confederacy of the Three Fires of peoples who shared similar languages and territories and who met together for military and political purposes. Each Nation had their role in that Confederacy. The Ojibway (Chippewas) were the providers, the Odawa were the warriors and the Potawatomi were the firekeepers. The Council of the Three Fires had a number of meeting places. One of the most used and the most central was Michilimackinac.⁶

The Métis Nation of Ontario: Prior to Canada becoming Canada distinct Métis communities emerged in the West, the Upper Great Lakes, and along the waterways and fur trade routes of what is now known as Ontario. These communities have shared traditions and collective identities that are rooted in kinship, their relationship to the land and a distinctive culture and way of life that persists to the present day. In 1993, the Métis Nation of Ontario (MNO) was established through the will of Métis people and Métis communities coming together throughout Ontario to create a Métis-specific, democratic, province wide governance structure. The MNO represents and advocates on behalf of its citizens who are rights-bearing members of Métis communities that collectively hold rights, interests, and outstanding claims protected by sections 25 and 35 of the Constitution Act, 1982, including, but not limited to, the right of self-government. Ontario is home to the 2003 Powley decision, in which the Supreme Court of Canada recognized the existence of the Métis right to harvest for food that is protected by Section 35 of the Canadian Constitution. MNO is a Métis government with governance structures at the provincial, regional and local level and delivers a wide range of programs and services to citizens and communities throughout Ontario. There are approximately 20,000 MNO citizens currently on the MNO’s registry.

Policy specific issues or considerations	
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| | <ul style="list-style-type: none"> • The intent of the policy is to honour and recognize the history of the land, and the pre-existence of Indigenous Peoples in North America prior to the arrival of settler societies. • Initially, the acknowledgement will be made at the start of all PEO events including Council, committee and staff meetings held at 40 Sheppard Avenue West. Moving forward, the statement |
|--|---|

⁴ City of Toronto, <https://www.toronto.ca/city-government/accessibility-human-rights/indigenous-affairs-office/land-acknowledgement/>

⁵ Mississaugas of the Credit First Nation, <http://mncfn.ca/about-mncfn/community-profile/>

⁶ The Anishinabek Nation and History, <https://www.anishinabek.ca/who-we-are-and-what-we-do>

will be made at events held under PEO auspices at other locations such as public Chapter meetings. The wording of the Land Acknowledgment statement may be modified as the consent of affected Indigenous groups are acquired.

Procedures	<i>Identify any additional procedures or appendices and where they are located.</i>
<ul style="list-style-type: none"> The following statement may be delivered, at the start of meetings at 40 Sheppard Avenue West, “I acknowledge we are meeting on the traditional territory of the Mississaugas of the Credit First Nation, the Anishinabek Nation, and this is home to many Métis, First Nation and Inuit peoples. I acknowledge the long history of all the First Nations in Ontario. I say this in the spirit of reconciliation and the importance of reminding all of us we share this land with one another and Indigenous peoples.” For facilities rented by PEO for an event, the organizing entity is required to ask the facility owner or rental agent if they already have a standard Indigenous Acknowledgment statement specific to that location, and use that one. When this is not available, PEO can use the following statement: <ul style="list-style-type: none"> “I acknowledge we are meeting on traditional Indigenous territory and acknowledge the long history of all the First Nations in Ontario. I say this in the spirit of reconciliation and the importance of reminding all of us we share this land with one another and Indigenous peoples.” Policy staff will assist Chapters Office staff to determine the appropriate land acknowledgment statement for events held within its chapter boundaries, using the Aboriginal and Treaty Rights Information System Tool (ATRIS) https://www.aadnc-aandc.gc.ca/eng/1100100014686/1100100014687 <ul style="list-style-type: none"> 	
Other Policies	<i>Where does this stand in relation to all other policies for compliance/adherence?</i>
Not applicable	
Responsibility	<i>Identify who has primary functional responsibility to ensure compliance/ adherence to this policy.</i> <i>Identify who has primary responsibility for implementation of the policy.</i> <i>Identify who has primary administrative responsibility for the policy.</i> <i>Who should know about this policy in order to properly carry out their responsibilities</i> <ol style="list-style-type: none"> 1. Secretariat has primary administrative responsibility for the policy 2. Council, Committees, the Chapters Office, Volunteers and Staff should be made aware of the policy prior to implementation.

APPENDIX A:	<i>Appendices are for sub-policies or for procedures under the policy</i>
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Procedure/Sub-policy	<i>Identify specific procedure or sub-policy</i>
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	<p><i>Appendices are for more detailed information about the general elements described in the policy itself. Allows for more detailed procedures or requirements to be provided in addition to the policy. In the event that changes are required or desirable, appendices or sub-policies allow for changes to the appendices or sub-policies rather than changes to the entire policy.</i></p> <p><i>N/A</i></p>
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Aboriginal and Treaty Rights Information System

Not secure | sidait-atris.aadnc-aandc.gc.ca/atris_online/Content/Search.aspx ☆

[Help](#)

ATRIS - Search

Search By:

Postal Code: (example: A1A 1A1 or A1A1A1) Buffer Size (km):

Profiles associated with results: [9]

1. Draw on map 2. Add buffer 3. Search Export Import Map Query

1) Hint: Select a community from the above search results.
2) or Hint: Select the 'I' button icon to query a point on the map for a summary of information related to that location.

44.710° N, 72.963° W

Comprehensive Search Results

All records

- ☒ Williams Treaties (1923) (Historic Treaties)
 - ☐ All related communities and organizations
- ☒ Mississaugas of the New Credit First Nation (Agreements)
 - ☐ All related communities and organizations
- ☒ Making Groups in Ontario (Assertions)
 - ☐ All related communities and organizations

Source: http://sidait-atris.aadnc-aandc.gc.ca/atris_online/home-accueil.aspx

Appendix B-PEO's Indigenous Engagement Process

Organization	Comments
Chiefs of Ontario	Many First Nations have sensitivities around organizations making land acknowledgement statements (no further elaboration).
Toronto Council Fire Native Cultural Centre	The cultural centre does not open with a land acknowledgement but prefers to open meetings with a Thanksgiving Address instead. Made reference to the City of Toronto's land acknowledgement statement: https://www.toronto.ca/city-government/accessibility-human-rights/indigenous-affairs-office/land-acknowledgement/
Mississaugas of the Credit First Nation	Provided a blanket land acknowledgement statement for PEO's use. No concerns or comments with respect to Indigenous issues and PEO.
City of Toronto's Indigenous Affairs Office	Confirmed the Indigenous Peoples on whose territorial land PEO sits; and provided important background information.
Engineers Canada: Diversity, Equity and Inclusion Office	Urged that the LAP and statement be tied to broader Indigenous issues and PEO activities like identifying barriers to licensure and engineering education, developing an Indigenous Engagement Plan etc. Suggested that PEO offer cultural competency awareness training with implementation of LAP.
The Anishinabek Nation <ul style="list-style-type: none"> • Mississaugas of Alderville, Curve Lake, Hiawatha, Scugog Island • Chippewas of Beausoleil, Georgina Island and Rama 	Staff reached out, spoke to Marci Becking (Senior Communications Officer). Becking said they are fine with us including the Anishinabewak Nation in our statement, no concerns or issues, and no need to engage with an elder/leader from their nation. Staff further shared a draft of the Land Acknowledgement Policy and Statement. Becking confirmed via email that the Anishinabek was satisfied with the documents.
Métis Nation of Ontario	Staff reached out, received a response from President Margaret Froh. Conference call scheduled for 19 December 2019 was rescheduled for 8 January 2019, and further postponed until 20 January 2019 due to President Froh's unavailability. On January 30, 2020, we received a reply that although Toronto is not specific Metis territory, we should include the phrase that it is "home to many Metis, First Nation and Inuit peoples", and the Land Acknowledgment Policy was amended accordingly.
Indigenous Elder Cat Criger (University of Toronto)	Staff reached out, no response
York University's Centre for Aboriginal Student Services	York University is in the process of rethinking the land acknowledgement statement.

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix C

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
How long has the organization been making a statement?	<ul style="list-style-type: none"> Around 2016 	June 2017 Council Meeting	~2.5 years	December 2018	January 2019	November 2018
What factors influenced your organization to introduce a land acknowledgement statement?	<ul style="list-style-type: none"> LSO's response to the TRC Report's Call to Action It was part of an Indigenous Framework adopted by LSO to guide its approach to Indigenous issues that related to its role as a regulator 	<ul style="list-style-type: none"> With the release of the Truth and Reconciliation Commission, the College recognized the importance of honoring the land and Indigenous presence 	<ul style="list-style-type: none"> The OAA had done some research in this area but it was a northern President who frequently works with First Nations communities who raised this to the forefront 	<ul style="list-style-type: none"> Part of a wider initiative driven by recommendations of the TRC Report and Council's desire to participate in reconciliation with Indigenous communities. In May 2018 Council directed staff to develop a three-pronged approach: <ul style="list-style-type: none"> development of a land acknowledgement statement; cultural competency education/training for CPSO Council and staff outreach/relationships building with Indigenous 	<ul style="list-style-type: none"> COTO wanted to engage with the indigenous community in our mandate of protecting the public and this was seen as a starting point 	<ul style="list-style-type: none"> RCDSO felt it was an important step to do its part in the Truth and Reconciliation efforts

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix C

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
				individuals and communities		
Is the statement made at all or only select events, and by whom is it read? Is the message altered depending on the event?	<ul style="list-style-type: none"> Open Convocation and public events with the acknowledgement Sometimes LSO does an acknowledgment at external events where the Treasurer (the chair of the board) is a speaker, but we decide that based on the event and the role of the Treasurer Land acknowledgments are adapted based on location 	<ul style="list-style-type: none"> By a member of Council at the beginning of all Council meetings 	<ul style="list-style-type: none"> Communicated by the President. At a reconciliation roundtable last year, in that instance, we took care to give co-ownership to our indigenous participants, and asked them to do the welcome, blessing, etc. 	<ul style="list-style-type: none"> Delivered by the President at the opening of Council meetings: <i>We acknowledge the land we are meeting on is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples.</i> 	<ul style="list-style-type: none"> Delivered in Council meetings only by the chair. The message is not altered 	<ul style="list-style-type: none"> Council meetings, Executive Committee meetings, and other public gatherings: symposiums, conferences
Was the statement initiative linked to or dependent on any other Indigenous-related	<ul style="list-style-type: none"> LSO's Equity and Indigenous Affairs Committee work and the adoption and implementation of the Indigenous Framework. This 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No, other than a review of the professionals' demographical information and a heightened awareness of low levels of 	<ul style="list-style-type: none"> The statement was one piece of a larger initiative, but this did not affect the implementation timeline. Council and some CPSO 	<ul style="list-style-type: none"> Not linked to other indigenous policies or activities but that is our future direction. Land acknowledgement 	<ul style="list-style-type: none"> No, but when our Executive Committee approved the statement, they expressed interest in taking other steps related to

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix C

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
policies, activities or actions? If so, what were they? Did this affect the implementation timeframe?	assisted the implementation timeframe.		indigenous participation in architecture	staff received cultural awareness training in December 2018, concurrent with the inaugural delivery of the land acknowledgement statement, and our work regarding outreach and relationship-building is ongoing	was the starting point	Truth & Reconciliation. The Patient Relations Committee identified indigenous issues as an area they would like to focus on over the next two years but don't yet know what that would look like.
How was the consultation carried out? By whom? (e.g. staff, committee, consultant) What forms did the consultation take?	<ul style="list-style-type: none"> Possibly (not certain) received input from LSO's Indigenous Advisory Group composed of Chiefs, Elders and members from First Nations communities in Ontario 	<ul style="list-style-type: none"> Discussion was carried out by staff in consultation with an Indigenous member of Council 	<ul style="list-style-type: none"> There was no consultation as this was just accepted as a best practice 	<ul style="list-style-type: none"> They drew on work by other Toronto-based and provincial organizations (see list below), on the understanding that these had been developed with direct involvement from Indigenous individuals, as well as discussions with government officials with specific expertise. 	<ul style="list-style-type: none"> Policy analyst did the environmental scan and contacted one of the indigenous groups who provided some examples 	<p>The assistant registrar:</p> <ul style="list-style-type: none"> led the development of the statement, supported by a public member of Council Conducted research into the intention of acknowledgement statements, the indigenous peoples' who have and are living on the lands and surrounding

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix C

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
						<p>area of meeting sites (on & off-site)</p> <ul style="list-style-type: none"> • Researched different statements used by organizations • Spoke with an Elder to get advice on how to word the statement, how to approach it, with respect
<p>With which Indigenous organizations and/or nations did your organization consult? How was the initiative received by these groups?</p>	<ul style="list-style-type: none"> • No response 	<ul style="list-style-type: none"> • The College consulted with the Ontario Ministry of Indigenous Affairs in 2017, and again in 2019 	<ul style="list-style-type: none"> • We relied heavily on the President's experience, and he in turn relied on some of his personal contacts when we first began 	<ul style="list-style-type: none"> • CPSO researched and evaluated statements by the Ontario Government, University of Toronto, City of Toronto, Ryerson University, Law Society of Ontario, Toronto District School Board, the Council of Ontario Universities, and the Ontario Trillium Foundation, as well as the Council of the Physicians and 	<ul style="list-style-type: none"> • Ontario Federation of Indigenous Friendship Centres. They were supportive. A Researcher with the organization provided potential supportive resources 	<ul style="list-style-type: none"> • She spoke with an Elder by the name of Cat Criger. He does some work at U of Toronto but also works in the community. He was very supportive of us developing a statement and had helpful comments and suggestions about how to approach the statement, and ideas about potential work

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

**C-531-2.2
Appendix C**

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
				<p>Surgeons of British Columbia.</p> <ul style="list-style-type: none"> No known reaction, land acknowledgements are commonplace 		and possibilities beyond the statement.
How did the process evolve? Were there any major challenges along the way?	<ul style="list-style-type: none"> No response 	<ul style="list-style-type: none"> The process was collaborative in nature and evolved smoothly. There were no major challenges. 	<ul style="list-style-type: none"> The challenge will be trying to ensure accuracy and validity in the acknowledgement. A lot of resources have been developed to try to assist but you still never want to make a mistake 	<ul style="list-style-type: none"> The process was relatively straight-forward, and we had the benefit of existing expertise. 	<ul style="list-style-type: none"> The challenge is getting it right, I can't say ours is perfect, it's work in progress 	<ul style="list-style-type: none"> No, this was straightforward, and we had unanimous support of senior leadership, the Executive Committee and Council.
How long did the process take (from deciding to make a statement to its first recitation)?	<ul style="list-style-type: none"> No response 	<ul style="list-style-type: none"> About 2 months 	<ul style="list-style-type: none"> Research into constructing the acknowledgement 	<ul style="list-style-type: none"> Council directed staff to work on a land acknowledgement statement in May 2018; the first recitation was in December 2018 	<ul style="list-style-type: none"> About 3-4 months 	5 weeks
Who was responsible for drafting the statement: internal staff,	<ul style="list-style-type: none"> Senior Indigenous Counsel, a staff position in the then Equity DepartmentFor external events, 	<ul style="list-style-type: none"> The process was collaborative in nature and evolved smoothly. There 	<ul style="list-style-type: none"> Collaboration between the President and internal staff (policy and communications) 	<ul style="list-style-type: none"> The development of the statement was directed by the CPSO's Executive Committee, with 	<ul style="list-style-type: none"> Internal staff, then Council Executive Committee reviewed and implemented 	<ul style="list-style-type: none"> Assistant registrar coordinated the work and the statement (borrowed heavily

C-531 Appendix C-Land Acknowledgement Statement Development by Other Regulators

C-531-2.2
Appendix C

Questions	Law Society of Ontario	College of Early Childhood Educators	Ontario Association of Architects	College of Physicians and Surgeons of Ontario	College of Occupational Therapists of Ontario	Royal College of Dental Surgeons of Ontario
a committee, an Indigenous person, etc.?	the counsel, who was Indigenous, would provide the appropriate acknowledgement	were no major challenges		support from senior staff		from UofT's statement)
Is the statement being recited as originally intended? Has there been a need to revise the statement? If so, how is this done?	<ul style="list-style-type: none"> The Treasurer will occasionally make minor adjustments to the acknowledgment, but nothing substantive is changed 	<ul style="list-style-type: none"> The process was collaborative in nature and evolved smoothly. There were no major challenges 	<ul style="list-style-type: none"> The statement has been modified when we travel to reflect the local environments or history The acknowledgement is customized at tours of local societies year-round and the annual conference which changes locations 	<ul style="list-style-type: none"> The statement is being recited as originally intended 	<ul style="list-style-type: none"> It's being recited as originally intended but, it's work in progress and there is always room for improvement 	<ul style="list-style-type: none"> Yes. It's fairly new, so no indication or need to revise the statement

Useful links:

- From OAA
- <https://native-land.ca/>
- <https://www.ontario.ca/page/ontario-first-nations-maps>
- <https://www.caut.ca/docs/default-source/professional-advice/list---territorial-acknowledgement-by-province.pdf?sfvrsn=12>
- <http://ofl.ca/wp-content/uploads/2017.05.31-Traditional-Territory-Acknowledgement-in-Ont.pdf>
- Whose Land?

ENGINEERS CANADA PER CAPITA ASSESSMENT FEE

Purpose: To discuss issues raised in the Memo from Engineers Canada regarding a change in the Engineers Canada Bylaw that sets the per capita assessment fee for regulators.

No motion required

Prepared by: Ralph Martin, Manager, Secretariat

1. Status Update

At the upcoming February 26, 2020 meeting of the Engineers Canada Board we will be asked to consider a proposal suggesting that we recommend to the Members (i.e. the regulators) a change to the Bylaw which sets the per capita assessment fee for regulators.

If the Board approves this proposal in February, the Bylaw change will be put before the Meeting of the Members in May. If approved by the Members, the revised Bylaw will become effective for the 2022 budgeting cycle (i.e. the assessment for 2022 will be approved by members prior to July 2021).

2. Background

As per the current Engineers Canada (EC) Bylaw, PEO and all other regulators are assessed \$10.21 per registrant on an annual basis to partially offset the operating expenses of Engineers Canada.

In January of 2018, Engineers Canada struck a Funding Task Force (FTF) to review the organization's funding model with a view to addressing a number of objectives, including:

- Restricting the growth of the annual operating budget of the organization; and,
- Establishing a methodology to disperse unimpeded growth of unrestricted reserves in an agreed upon manner.

At present, EC has an unrestricted reserve of ~\$1.9M at the end of 2019 and this is forecasted to grow to ~\$5.1M by the end of 2022. The organization is currently undertaking a review of its reserve needs, so these numbers may change.

In May of 2019 the Board considered the recommendations of the FTF and agreed to a number of motions aimed at meeting the above objectives. Further consideration, of these issues were deferred to give the organization time to assess the impact of APEGA leaving the Affinity Program and its downstream effect on EC finances. EC's Finance Audit and Risk (FAR) Committee has now had time to assess these matters and will be putting a proposal before the Board at its February 2020 meeting. The

details of this proposal are contained in the attached Briefing Note that has been prepared for the EC Board.

Essentially, the proposal suggests that, instead of having a static per capita assessment, the amount levied should be approved annually by the regulators at the Annual Meeting of Members, based upon a recommendation of the EC Board.

The advantages to this proposal are twofold. First, it will allow regulators to have a direct say over the size of the proposed budget for EC by determining, on an annual basis, the amount of regulator revenue that will be made available. Second, if EC's unrestricted reserve continues to grow as projected, it is anticipated that the per capita assessment would be reduced.

Appendices

Appendix A – Engineers Canada Memo – January 16, 2020

Memo | Note

DATE: January 16, 2020

TO: PEO Council

FROM: PEO EC Board Directors (Christian Bellini, Annette Bergeron, Danny Chui, Kelly Reid, Changiz Sadr)

SUBJECT: **Engineers Canada Per capita assessment fee**

At the upcoming February 26, 2020 meeting of the Engineers Canada Board we will be asked to consider a proposal suggesting that we recommend to the Members (i.e. the regulators) a change to the Bylaw which sets the per capita assessment fee for regulators.

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The advantages to this proposal are twofold. First, it will allow regulators to have a direct say over the size of the proposed budget for EC by determining, on an annual basis, the amount of regulator revenue that will be made available. Second, if EC's unrestricted reserve continues to grow as projected, it is anticipated that the per capita assessment would be reduced.

Other options were considered by the FAR (rebates to regulators, assessment holidays, etc.), however most of these were determined by EC's accountant to run afoul of the Canada Revenue Agency's rules for the treatment of unrestricted reserves for not-for-profit organizations.

If the Board approves this proposal in February, the Bylaw change will be put before the Meeting of the Members in May. If approved by the Members, the revised Bylaw will become effective for the 2022 budgeting cycle (i.e. the assessment for 2022 will be approved by members prior to July 2021).

SUCCESSION PLANNING TASK FORCE - PRESENTATION

Purpose: Succession Planning Task Force (SPTF) Presentation to Council

No motion required

Prepared by: Paul Ballantyne, P.Eng.(Chair, SPTF)

1. Status Update

The SPTF will update Council on the process the task force has followed and recommendations they will make to Council in their final report going to the March 2020 meeting.

2. Background

At the June 2017 meeting, Council approved the creation of the Succession Planning Task Force (SPTF) as part of the recommendations (Appendix A) made by the Council Term Limits Task Force (CTLTF). Recommendations 15 in the CTLTF report stated;

The SPTF will develop a comprehensive plan with schedule, future operating expenses of search and training modules, candidate targets, media programme to educate members etc.

Council approved a \$60,000 annual budget for the SPTF and directed that on completion of its work that the task force would be replaced by the Succession Planning Committee (SPC). The SPTF is to provide Council with a final report 18 months after being struck.

A draft Terms of Reference was presented to the Executive Committee at the October 30, 2017 meeting. The Committee directed staff to amend the Terms of Reference such that the key duties of the SPTF are to provide oversight and coordination with respect to the implementation of the Succession Planning recommendations. The amended SPTF Terms of Reference was peer reviewed by the Advisory Committee on Volunteers (ACV) at its March 8, 2018 meeting. The ACV recommended that the SPTF Terms of Reference be presented to Council

At the March 2018 Council meeting, then Vice President Hill and Councillor Spink indicated that they would revise the draft Terms of Reference and present them at the June Council meeting.

The Terms of Reference for the SPTF were approved at the June 2018 Council meeting.

Members of the SPTF were appointed by Council at the September 2018 Council meeting.

The SPTF will present their final report to Council at the March 2020 meeting.

Appendices – Appendix A – SPTF Terms of Reference

Terms of Reference

Succession Planning Task Force (SPTF)

Issue Date:
Approved by: Council

Review Date: N/A
Review by: N/A

Legislated and other Mandate approved by Council	To develop Terms of Reference and a comprehensive implementation plan for the Succession Planning Committee, based on succession planning recommendations approved by Council at its June 23, 2017 meeting.
Key Duties and Responsibilities	<ol style="list-style-type: none">1. Develop an Implementation Plan for succession planning, based on Council approved succession planning recommendations 1 to 13.2. Prepare Terms of Reference for the Succession Planning Committee that will implement succession planning as per Council approved recommendation 16.3. Task Force deliverables include the above Terms of Reference and Implementation Plan for the proposed Succession Planning Committee. The Implementation Plan shall include key recommendations, a schedule, a maintenance & oversight process and potential operating expenses.4. Engage key stakeholders through meetings and the peer review process in the development of the plan. Stakeholders shall include, at a minimum, the Central Election and Search Committee (CESC), the Human Resources Committee (HRC), the Advisory Committee on Volunteers (ACV) and the Equity and Diversity Committee (EDC).5. Utilize the services of a governance consultant to assist the task force in determining best practice for succession planning at PEO. The consultant will also support the TF in drafting its report and in providing expert opinion to Council during presentation of the report.
Constituency, Number & Qualifications of Committee/Task Force Members	<p>The task force shall consist of five (5) members as follows:</p> <ul style="list-style-type: none">• a past member of the CTLTF,• a current or past member of the ACV,• three members at large of PEO. <p>Preferably, members should collectively bring the following experience or background:</p> <ul style="list-style-type: none">• experience in the governance of non-profit organizations,• current or past experience on a chapter executive (at least one person),• at least one person in their early career,• no more than two members in their later career (not including retirees),

	<ul style="list-style-type: none"> • at least two members being from outside the GTA.
Qualifications and election of the Chair	The Chair should have experience dealing with the governance issues that will be required to implement succession planning and managing the production of TF deliverables. The Chair is to be elected from among the members of the task force in accordance with Wainberg's Society Meetings, By-Law No. 1, section 25(4) and Committee and Task Force Policy.
Qualifications and election of the Vice Chair	The Vice Chair should have the experience needed to take over from the Chair when required and to support the Chair in preparing the TF deliverables. The Vice Chair is to be elected from among the members of the task force in accordance with Wainberg's Society Meetings, By-Law No. 1, section 25(4) and Committee and Task Force Policy.
Peer Review	<p>The final report of the TF shall be reviewed by the following committees:</p> <ul style="list-style-type: none"> • Legislation Committee (LEC) • Central Election and Search Committee (CESC) • Advisory Committee on Volunteers (ACV) • Equity and Diversity Committee (EDC) • Human Resources Committee (HRC) <p>The TF shall present its recommendations to Council in a plenary session to obtain feedback from councillors for consideration for its final report.</p>
Term Limits for Chair, Vice Chair and Committee members	The task force is to be stood down following the submission of its final report to Council. Given the TF's limited lifetime, term limits are not applicable for the Chair and Vice Chair.
Quorum	In accordance with Wainberg's Society Meetings and By-Law No. 1, section 25(1), quorum for the purpose of having the meeting's decisions be considered binding is at least 50 per cent of the task force's membership present at the meeting.
Meeting Frequency & Time Commitment	The task force will meet at the call of the Chair. Meetings of the TF shall be held monthly during its active life. Meetings of sub-groups assigned to specific tasks shall be held more frequently depending on workload requirements. More frequent meetings may be required during the report preparation and review period.
Operational Time Frame	The task force will commence its work upon approval of its Terms of Reference and shall deliver its final report to Council no later than eighteen (18) months following its inception.

Budget	\$60,000 annually, prorated by number of months of operation in a given budget year.
Committee advisor	Scott W. Clark, LL.B., Chief Administrative Officer
Committee support	Ralph Martin, Manager, Secretariat

CONSENT AGENDA

Purpose: To approve the items contained in the consent agenda

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

That the consent agenda be approved.

Prepared by: Dale Power, Secretariat Administrator

Routine agenda items that may be approved without debate are included in a consent agenda and may be moved in a single motion. However, the minutes of the meeting will reflect each item as if it was dealt with separately. Including routine items on a consent agenda expedites the meeting.

Items included on the consent agenda may be removed and dealt with separately if they contain issues or matters that require review.

Please review the minutes ahead of time for errors or omissions and advise Dale Power (416-224-1100, extension 1130 or dpower@peo.on.ca) if there are any required revisions prior to the meeting so that the minutes, when presented, may be considered within the consent agenda.

The following items are contained in the consent agenda:

- 3.1 Minutes – 530th Council Meeting – November 14-15, 2019
- 3.2 Annual Work and Human Resources Plans
- 3.3 Changes to the 2020 PEO Committees and Task Forces Membership Roster
- 3.4 Rules for Electing Engineers Canada Directors

OPEN SESSION MINUTES – 530th Council Meeting – November 14-15, 2019

Purpose: To record that the minutes of the open session of the 530th meeting of Council accurately reflect the business transacted at that meeting.

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

That the minutes of the 530th meeting of Council, held November 14-15, 2019, as presented to the meeting at C-531-3.1, Appendix A, accurately reflect the business transacted at that meeting.

Prepared by: Dale Power, Secretariat Administrator

1. Need for PEO Action

In accordance with best business practices, Council should record that minutes of an open session of a meeting of Council accurately reflect the business transacted at a meeting.

2. Current Policy

Section 25(1) of By-Law No. 1 states that meetings of PEO are to be governed by *Wainberg's Society Meetings*. Rule 27.5 of *Wainberg's* states that "There is no legal requirement to have minutes verified, but it is considered good practice. The motion does not by itself ratify or adopt the business transacted; it merely verifies the minutes as being correct [a correct record of the discussions held and decisions made at the meeting]."

3. Appendices

- Appendix A - Minutes – 530th Council open session meeting – November 14-15, 2019



Minutes

C-531-3.1 Appendix A

The 530th MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario on Friday, November 15, 2019 at 9:00 a.m.

- Present: N. Hill, P.Eng., President and Council Chair
D. Brown, P.Eng., Past President
M. Sterling, P.Eng., President-elect
C. Bellini, P.Eng., Vice-President (Elected)
T. Olukiyesi, P.Eng., Vice-President (Appointed)
A. Arenja, P.Eng., Lieutenant Governor-In-Council Appointee
S. Ausma, P.Eng., Councillor at Large
G. Boone, P.Eng., Eastern Regional Councillor
L. Cutler, P.Eng., Lieutenant Governor-In-Council Appointee
G. Houghton, P.Eng., Western Regional Councillor
Q. C. Jackson, Barrister & Solicitor, Lieutenant Governor-In-Council Appointee
W. Kershaw, P.Eng., Western Regional Councillor
L. MacCumber, P.Eng., West Central Regional Councillor
L. Notash, P.Eng., Councillor at Large
N. Rush, C.E.T., Lieutenant Governor-In-Council Appointee [minutes 12184 to 12204]
A. Sinclair, P.Eng., East Central Regional Councillor
M. Spink, P.Eng., Lieutenant Governor-In-Council Appointee
R. Subramanian, P.Eng., Northern Regional Councillor
S. Sung, Lieutenant Governor-In-Council Appointee
K. Torabi, P.Eng., East Central Regional Councillor [via teleconference]
W. Turnbull, P.Eng., Western Regional Councillor
R. Walker, P.Eng., Eastern Regional Councillor
G. P. Wowchuk, P.Eng., Councillor at Large
- Regrets: V. Banday, P.Eng., Lieutenant Governor-In-Council Appointee
S. Robert, P.Eng., Northern Regional Councillor
- Staff: J. Zuccon, P.Eng., CEO/Registrar
L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance [excluding minute 12185 a) to c)]
D. Smith, Director, Communications [excluding minute 12185 a) to c)]
M. Wehrle, Director, Information Technology [excluding minute 12185 a) to c)]
D. Abrahams, General Counsel [excluding minute 12185 c)]
B. Ennis, P.Eng., Director, Policy and Professional Affairs [excluding minute 12185 a) to c)]
J. Chau, P.Eng., Manager, Government Liaison Programs [excluding minute 12185]
J. Max, Manager, Policy [excluding minute 12185]
C. Knox, P.Eng., Manager, Enforcement, Regulatory Compliance [minutes 12184 to 12204, excluding 12185]
K. Slack, P.Eng., Manager, Complaints and Investigations [minutes 12184 to 12211, excluding 12185]
R. Martin, Manager, Secretariat [excluding minute 12185 a) to c)]
D. Power, Secretariat Administrator [excluding minute 12185 a) to c)]
E. Chor, Research Analyst, Secretariat [excluding minute 12185 a) to c)]

B. St. Jean, Senior Executive Assistant [excluding minute 12185 a) to c)]

Guests:

- A. Bergeron, PEO Director, Engineers Canada [minutes 12184 to 12211 only, excluding 12185]
- H. Brown, Brown & Cohen [minutes 12184 to 12211 only, excluding 12185]
- D. Chui, P.Eng., PEO Director, Engineers Canada [minutes 12184 to 12211 only, excluding 12185]
- K. Reid, P.Eng., PEO Director, Engineers Canada [minutes 12184 to 12211 only, excluding 12185]
- C. Sadr, P. Eng., PEO Director, Engineers Canada [minutes 12184 to 12211 only, excluding 12185]
- D. L. Brown, Governance Solutions Inc.
- D. A. Brown, Governance Solutions Inc.
- L. Lukinuk, Governance Solutions Inc.
- T. Tariq, Office of the Fairness Commissioner [minutes 12184 to 12211 only, excluding 12185]

On Thursday evening, Council received a presentation from David Brown, Governance Solutions Inc.

Council convened at 9:00 a.m. on Friday, November 15, 2019.

CALL TO ORDER

Notice having been given and a quorum being present, the Chair called the meeting to order at 9:00 a.m.

Council observed a minute of silence to remember Matthew Ng, former Manager, Chapters, who recently passed away.

12184 APPROVAL OF AGENDA

The Chair removed item “2.6 Acknowledgement of Europeans’ contribution to Ontario today” from the agenda under Rule 10.2 for the same reasons as stated at the September 20th Council meeting. The Chair added that whilst she recognized that there was a minor change to the motion, the spirit of the motion was the same in that it does not advance the public interest. The motion does not respect the multicultural community of Ontario generally and the engineering community specifically.

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

That:

the agenda, as presented to the meeting at C-530-1.1, Appendix A be approved as amended; and

The Chair be authorized to suspend the regular order of business.

CARRIED

Moved by Councillor Notash, seconded by Councillor Turnbull:

That Council move in-camera.

CARRIED

12185 IN-CAMERA SESSION

While in-camera Council:

- a. received an HRC Report
- b. discussed PEO’s Anti-Workplace Harassment and Violence Policy

President Hill provided a summary of her recent activities on behalf of PEO.

12186
ACTION PLAN UPDATE

CEO/Registrar Zuccon provided an update on the progress of the Action Plan that was a result of the operational review on PEO's regulatory performance. He noted that in addition to this, PEO is currently involved with an organization review as well as enhanced governance.

12187
ACTIVITY FILTER

General Counsel Dan Abrahams presented the proposed Activity Filter which included examples of activities and what category these activities would fall into (regulatory, governance or neither.) The filtering process was explained. There will be three steps to the filtering process which are:

- Step 1 – What we do: activities and outputs
- Step 2 – Why we do it: determining the legal basis for the activity
- Step 3 – Is it regulatory, governance or neither

Staff will identify key high-level activities to determine if they are required or permitted under PEO's legislative framework, or either required or permitted as part of some other legal requirement. Once the legal basis for an activity is established, and once its core outputs are identified, the next step is for staff to characterize the activity as regulatory, related to governance or neither.

PEO is a creature of statute and is permitted to do whatever the statute and regulations, or other statutes or common law, allow. PEO performs a number of activities:

- Some relate to professional regulation
- Some relate to board governance; and
- Some relate to neither, but are permitted nonetheless.

Moved by Past President Brown, seconded by Councillor Jackson Kouakou:

That Council approves the activity filter as presented to the meeting at C-530-2.2, Appendix A, to assess the purpose of the activities of all PEO committees, chapters, subcommittees and working groups and determine which are regulatory, which are related to governance and which are neither.

CARRIED UNANIMOUSLY

12188
2020 OPERATING BUDGET

The Finance Committee completed its second review of the draft 2020 operating and capital budgets ("2020 budgets") on October 16, 2019 and recommended that these be presented to Council for approval.

On Oct 30, in a conference call with the President, CEO/Registrar, the

Chairs of the Finance and Audit Committees; and the Director of Finance, a decision was taken to restate the 2020 draft budgets with the cuts that were approved by Council for the 2019 budget. The rationale for this is that the spend for these activities can be put on hold until these have been passed through the activity filter, after which time both staff and Council would be in a better position to assess which of these activities are regulatory, non-regulatory, etc. and whether these need to be included as part of the core operating budget. It is expected that this exercise will be completed by no later than March 2020 at which time additional changes, if any, to the 2020 budget may be made.

The key highlights of the 2020 draft operating budget are summarized below and compared to the 2019 forecast. Total revenues in 2020 are budgeted at \$31.4m and total expenses are budgeted at \$28.8m resulting in an excess of revenues over expenses of \$2.6m. After expenses of \$170k on non-core operations, the excess of revenues over expenses is expected to be \$2.5m.

Revenue

The 2020 budgeted revenue is expected to be \$31.4m representing an increase of \$3.3m or 12% over the 2019 forecasted revenue. This is largely due to the fee increase in membership, application and other fees that came into effect on May 1, 2019 and is comprised of:

- An increase of \$2m or 11.2% in P.Eng. revenues;
- An increase of \$939k or 11.7% in application, registration, exam and other revenues;
- An increase of \$376k or 18.4 % in 40 Sheppard revenues due to the expected leasing of vacant space on the 4th, 5th and 8th floors in 2020.

Expenses

The 2020 budgeted expenses for core operations are planned to be \$28.8m, which represents an increase of \$2.1m or 8% over 2019 forecasted expenses. This is largely due to:

- An increase in employee salaries and benefits; and retiree and staff future benefits of \$1.2m over the 2019 forecast due to a 3.5% increase in staff salary for merit increases / CPI adjustments and pension top-up contributions.
- An increase of \$513k for additional Contract staff across various departments in 2020.
- An increase of \$170k in Purchased Services largely due to higher costs for event meals and related expenses for the AGM, the OOH and VLC which are to be held in Ottawa in 2020; videos for OPEA; higher costs for scanning licensing records, etc.
- An increase of \$128k in Legal expenses largely due to higher costs for various legal matters and discipline prosecution.
- An increase of \$120k in Volunteer Business Expenses due to higher costs for meals, mileage, accommodation and travel related expenses for attending various events, committee

meetings and conferences.

- An increase in costs for Computers and telephone of \$112k due to higher expenses for support contracts for various IT infrastructure services and for leasing IT equipment.

The above are partially offset by:

- Reduction of \$435k in 40 Sheppard Expenses in 2020 due a one-time write-off of tenant inducements and leasing commissions in 2019 on account of a tenant terminating a lease.
- Reduction of \$77k in Amortization largely due to fewer capital projects in 2020 and the full amortization of some old equipment.

Councillor Notash referred to C-530-2.3, Appendix C, University Sponsorships noting that the comment column should read "Cuts included in 2020 budget, not 202"

Moved by Councillor Cutler, seconded by Councillor Spink:

That Council approve the draft 2020 operating budget reviewed by the Finance Committee and as presented to the meeting at C-530-2.3 Appendix A.

Moved by Councillor Kershaw, seconded by Councillor Boone:

That the 2020 draft operating budget be amended to restore the Education Committee at a budget allotment similar to the 2019 budget allotment of \$28,500.

**DEFEATED
Recorded Vote**

For

A. Arenja
G. Boone
W. Kershaw
M. Sterling
W. Turnbull
R. Walker

Against

S. Ausma
C. Bellini
D. Brown
L. Cutler
G. Houghton
Q. Jackson
L. MacCumber
T. Olukiyesi
A. Sinclair
M. Spink
S. Sung

Abstained

L. Notash
R. Subramanian
K. Torabi
G. Wowchuk

Moved by Past President Brown, seconded by Councillor MacCumber:

That the vote to approve the draft 2020 operating budget be called.

DEFEATED

Moved by Councillor Turnbull, seconded by Councillor Arenja:

That the 2020 draft operating budget be amended to restore Queen's Park Day at a budget allotment similar to the 2019 budget allotment of \$35,000.

DEFEATED

Council then voted on the original motion.

That Council approve the draft 2020 operating budget reviewed by the Finance Committee and as presented to the meeting at C-530-2.3 Appendix A.

CARRIED

**12189
2020 CAPITAL BUDGET**

The highlights of the 2020 capital budget are noted below.

The key highlights of the 2020 draft capital budget are summarized below. The total capital budget for 2020 is \$841m and is comprised of the following parts:

- i. Capital improvements to 40 Sheppard - \$771k
- ii. Information Technology - \$50k; and
- iii. Facilities - \$20k

i. Capital improvements to 40 Sheppard

A total amount of \$570k has been budgeted for leasehold improvements (or inducements). Leasehold inducements are incentives by way of cost for renovations that are provided to potential tenants for signing leases for the vacant space on the 4th, 5th and 8th floors.

An amount \$201k has been budgeted for capital improvements that are part of Common Area Maintenance (CAM) costs which are recoverable from tenants and recommended by BGIS, PEO's property manager.

These planned improvements in 2020 include:

- \$66k for replacing defective exterior windows;
- \$33k for fire system updates and repairs;
- \$30k for structural study for main building roof;
- \$22k for heat pump replacement; etc.

ii. Information Technology Services (ITS)

Significant IT projects planned for 2020 include:

- \$50k for the upgrade of PEO's web portal

iii. Facilities

The expenditures for 2020 are:

- \$20k for replacing old office furniture

Moved by Councillor Cutler, seconded by Councillor Walker:

That Council approve the draft 2020 capital budget reviewed by the Finance Committee and presented to the meeting as C-530-2.4 Appendix A.

CARRIED

**12190
IMPLEMENTATION OF
RECOMMENDATIONS FROM THE
CORONER'S INQUEST INTO THE DEATH OF
SCOTT JOHNSON**

On April 26, 2019 the Coroner's Office released recommendations arising from the inquest into the death of Scott Johnson (Radiohead stage collapse at Downsview Park). The jury directed 21 recommendations regarding engineering practice to Professional Engineers Ontario.

Council considered the plan for implementing these recommendations at its June 21, 2019 meeting and approved the following motion:

That Council direct the Registrar to carry out the work outlined in the Implementation Plan in Appendix A and provide these policy analyses to Council at its November meeting for consideration and decision.

Many of these recommendations have already been incorporated into the guideline *Design Evaluation and Field Review of Demountable Event and Related Structures* that was included for Council approval in the November 15, 2019 agenda package. These were identified in the updated implementation plan provided to Council.

Of the 21 recommendations, four require policy analysis. However, one of these – the recommendation regarding mandatory continuing professional development for all licensed engineering practitioners – is essentially identical with an issue being investigated as part of the Action Plan dealing with the recommendations from the External Regulatory Review. Consequently, no policy analysis has been prepared for this recommendation. A second recommendation dealing with the creation of professional standards requires the development of preliminary regulatory impact assessments (PRIAs). As the PSC has not yet decided that professional standards are needed, no PRIAs have been prepared. These assessments will be prepared when draft standards are available.

Policy analyses for the other two recommendations were prepared and provided to Council.

Staff recommended that Council not proceed with the creation of a specialist category for licensed engineering practitioners as implied by Recommendation 14. The policy analysis supporting this staff recommendation was provided.

Staff recommended that Council approve the proposal to require annual reporting by all licensed engineering practitioners of information

regarding their current practice status, area of engineering practice, and other relevant information as described in the policy analysis.

Moved by Councillor MacCumber, seconded by President-elect Sterling:

That Council accept the recommendation not to proceed with creating a specialist designation for professional engineers designing and inspecting demountable event structures as presented in the policy analysis C-530-2.5, Appendix B.

CARRIED

Moved by Councillor MacCumber, seconded by Councillor Spink:

That Council approve the proposal to require annual reporting by all licensed engineering practitioners of information regarding their current practice status, area of engineering practice, and other relevant information as described in the policy analysis in C-530-2.5, Appendix C and direct the Registrar to amend the Professional Engineers Act and take other actions to make this possible.

CARRIED

**12191
MEMBERSHIP REFERENDUM ON “PEAK”**

The Chair ruled the proposed motion regarding membership referendum on “PEAK” out of order because it was the same motion that was presented to Council at the September 20, 2019 Council meeting for which there was an objection to the consideration of the motion that was upheld by a two-thirds majority vote.

**12192
CONSENT AGENDA**

Moved by Councillor Walker, seconded by Councillor MacCumber:

That the consent agenda be approved as presented with the exception of 3.3 Changes to the 2019 PEO Committees and Task Forces Membership Roster and 3.4 2020 Committees and Task Forces Membership Roster which were discussed and voted on separately.

The following items were approved as part of the consent agenda:

- 3.1 Minutes – 529th Council Meeting – September 19-20, 2019
- 3.2 Approval of CEDC Applications
- 3.5 2020 Work and Human Resources Plans
- 3.6 Re-Appointment to the Canadian Engineering Qualifications Board (CEQB)
- 3.7 Practice Guideline Design Evaluation for Demountable Structures
- 3.8 Practice Guideline Preparing As-Built and Record Documents
- 3.9 Act Change Proposal – Amendments to Notice of Proposal Provisions in Subsection 19(1)
- 3.10 Policy Decision – EIT Fee Remission
- 3.11 Fee for Academic Course in Lieu of First Technical Exam
- 3.12 Borrowing Resolution
- 3.13 Changes to Ontario Professional Engineers Awards (OPEA) Nomination Procedures

3.14 Council Action Log

CARRIED

[Note: minutes 12194 to 19202 reflect the motions provided in the briefing notes presented to the meeting.]

**12193
MINUTES – 529th COUNCIL MEETING –
SEPTEMBER 19-20, 2019**

That the minutes of the 529th meeting of Council, held September 19-20, 2019, as presented to the meeting at C-530-3.1, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

**12194
APPROVAL OF CEDC APPLICATIONS**

1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as presented to the meeting at C-530-3.2, Appendix A, Section 1.

2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-530-3.2, 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-530-3.2, Appendix A, Section 3.

CARRIED

**12195
2020 WORK AND HUMAN RESOURCES
PLANS**

That Council approve the committee/task force work plans and human resources plans as presented to the meeting at C-530-3.5, Appendices A to N.

CARRIED

**12196
RE—APPOINTMENT TO THE CANADIAN
ENGINEERING QUALIFICATIONS BOARD
(CEQB)**

That Council approves the re-appointment of Roydon Fraser, P.Eng. to serve on the Canadian Engineering Qualifications Board (CEQB) as a Member from Ontario for the last three-year term.

CARRIED

**12197
PRACTICE GUIDELINE DESIGN
EVALUATION FOR DEMOUNTABLE
STRUCTURES**

That Council:

- 1. Approve the publication of the practice guideline for Design Evaluation and Field Review of Demountable Event and Related Structures as presented to the meeting at C-530-3.7, Appendix A; and**
- 2. Direct the Registrar to publish the guideline and notify members and the public of its publication through usual PEO communications.**
- 3. Stand down the PSC subcommittee which prepared the Design Evaluation and Field Review of Demountable Event and Related Structures guideline.**

CARRIED

**12198
PRACTICE GUIDELINE PREPARING AS-
BUILT AND RECORD DOCUMENTS**

That Council:

- 1. Approve the publication of the Preparing As-built and Record Documents as presented to the meeting at C-530-3.8, Appendix A; and**
- 2. Direct the Registrar to publish the guideline and notify members and the public of its publication through usual PEO communications.**
- 3. Stand down the PSC subcommittee which prepared the Preparing As-built and Record Documents guideline.**

CARRIED

**12199
ACT CHANGE PROPOSAL – AMENDMENTS
TO NOTICE OF PROPOSAL PROVISIONS IN
SUBSECTION 19(1)**

That Council approves the policy intent to request explicit amendments to subsection 19(1) of the Professionals Engineers Act to restore the express requirement that was in place prior to December 14, 2017, that the Registrar shall issue Notices of Proposal to applicants who are refused a licence, limited licence, provisional licence, temporary licence, or certificate of authorization because they do not meet the respective requirements under subsections 14(1), 15(1), and 18(1) of the Act, and that Council refers this matter to staff, with the oversight of the Legislation Committee, to develop the detailed materials for Council consideration and, at the government's discretion, formal legislative amendment.

CARRIED

**12200
POLICY DECISION – EIT FEE REMISSION**

That Council rescinds its April 16, 2009 motion to apply the Fee Remission Policy to Engineering Interns.

CARRIED

**12201
FEE FOR ACADEMIC COURSE IN LIEU OF
FIRST TECHNICAL EXAM**

That Council cancels the current \$500 fee applied for an academic course taken in lieu of the first technical examination.

CARRIED

**12202
BORROWING RESOLUTION**

That Council:

- a) approve the borrowing of money upon the credit of the association by way of:**
 - i) an operating overdraft up to an amount not to exceed CAD\$250,000; and**
 - ii) use of corporate credit cards with an aggregate limit not to exceed CAD\$120,000.**
- b) in compliance with PEO's Internal Control Banking Policy, hereby confirms that this Borrowing Resolution is to expire on January 31,**

2021.

CARRIED

**12203
CHANGES TO ONTARIO PROFESSIONAL
ENGINEERS AWARDS (OPEA)
NOMINATION PROCEDURES**

That Council approve the Awards Committee recommendation that, for all individual OPEA categories, it would be sufficient that a nomination is supported by one P.Eng. nominator who would have to provide a letter of support along with two additional letters of support from other P.Engs.

CARRIED

**12204
ACTION LOG**

The Action Log was presented as an information item.

Moved by Councillor Turnbull, seconded by Councillor Arenja:

That Council move in-camera.

CARRIED

**12185
IN-CAMERA SESSION**

While in-camera Council:

- c. received an organizational review update from Western Management Consultants (WMC)
- d. verified the in-camera minutes from the 528th meeting of Council held September 19-20, 2019;
- e. discussed the TD Meloche Monnex Affinity Program;
- f. approved the 2020 Order of Honour Award Inductees;
- g. approved the recipient of the 2020 Gordon M. Sterling Award;
- h. received an update on the PEO pension plan
- i. received decisions and reasons of the Discipline Committee
- j. received a legal update on legal actions in which PEO is involved

**12205
CHAPTER BANK ACCOUNT
CENTRALIZATION**

On the advice of its Auditor and an HST consultant, and with the support of both the Audit and Finance Committees, PEO will change how Chapters funds are managed and will adopt more centralized controls and financial oversight to ensure fulfillment of legal and fiduciary obligations.

The Auditor's review and that of the independent HST consultant both revealed potential control and compliance issues regarding the management of funds and in particular the remittance of Harmonized Sales Tax (HST) for Chapters revenue-generating activities. Chapters are not independent, incorporated entities but are part of PEO. Hence, going forward, Chapters funds will be centrally held and disbursed in accordance with budget allocations to individual Chapters and ordinary expense-handling procedures. Funds currently held by Chapters will be remitted to the centralized account but will be available to the Chapters from which they were sourced. Moreover, Chapters will no longer generate revenues but will rely on annual PEO budget allocations and monies currently held and transferred to PEO. This decision has been communicated to the Regional Chapters Committee (RCC) and will be

rolled out to individual Chapters in the coming weeks.

PEO's Auditor, Deloitte, was made aware of potential control issues involving Chapters in 2017. It subsequently recommended centralization as an option to be considered. During the 2018 audit, the Auditor also highlighted potential HST compliance issues at the Chapters level. On the basis of the Auditor's recommendation, supported by the Audit and Finance committees, PEO retained an expert to assess the HST implications of Chapters revenue-generating activities. Management was also instructed to explore the option of centralizing Chapter finances to ensure adequate control of funds belonging to PEO.

The HST consultant has confirmed that most Chapter activities have HST implications. This update was provided to the Finance and Audit Committees as well as to the Auditor in October 2019.

The Finance Committee was made aware of the proposed centralization of funds on October 16, 2019 and indicated its support. On October 17, 2019, the Audit Committee recommended that PEO implement centralized handling of all Chapter funds and termination of revenue-generating activities by Chapters, as set out above.

The RCC was supportive of this initiative but suggested that additional time might be needed to ensure a smooth transition. Based, however, on the degree of legal, financial and fiduciary risk, management has elected to move forward with the year-end deadline for full implementation. Staff will work in close coordination with the Chapters to ensure as smooth a transition as possible and to minimize any disruption or inconvenience.

CEO/Registrar Zuccon recommended that the purpose as stated in item C-530-4.1 Centralization of Chapters Bank Accounts which reads "To advise Council of the decision to proceed with the centralization of Chapters bank accounts and to prohibit Chapters from generating revenues, effective not later than December 31, 2019" be replaced with "To advise Council of the decision to proceed with the centralization of Chapters bank accounts and to ensure that all Chapter activities, including those that generate revenues, comply fully with gap reporting, tax remittance and other legal obligations to which PEO is subject to by no later than December 31, 2019."

In order to be consistent, the eighth line of the second paragraph in Briefing Note C-530-4.1 which reads "Chapters will no longer generate revenues but will rely on annual PEO budget allocations and monies currently held and transferred to PEO" should be amended as well.

The creation of a Sponsorship Policy for corporate as well as the Chapter level was suggested.

PEO staff have created a draft land acknowledgement policy and statement for events taking place at 40 Sheppard Ave. West, based on

12206
LAND ACKNOWLEDGEMENT POLICY

early communications with Indigenous bands/nations/communities, and statements used by other regulators. It will be amended as necessary once other identified groups have consented to their inclusion, and when Chapters are ready to make their respective land acknowledgement statements.

President-Elect Sterling spoke with an Indigenous engineer who found the draft policy and statement offensive. In order for respectful and inclusive engagement to occur, further communication with Indigenous bands/nations/leaders is required. Staff has created a list of possible Indigenous leaders/consultants based on recommendations and research. However, this appears to be a broadening of the original policy intent for Land Acknowledgement and will delay the start of Land Acknowledgement statements at 40 Sheppard Ave. West.

If Indigenous engagement is positive and timely, staff will present a land acknowledgement policy and statement to Council by February 2020. Council feedback will be solicited at that time.

**12207
REGULATORY RISK REGISTER**

A brief discussion took place regarding the use of the regulatory risk register.

**12208
30 BY 30 METRICS**

Vice-President Bellini provided an update on the 30 by 30 metrics which were based on year-end results for 2018.

**12209
COUNCILLOR ITEMS**

Notice of Motion - Past President Brown will be bringing forth a motion for a full governance review for the February Council meeting.

**12210
CHANGES TO THE 2019 PEO COMMITTEES
AND TASK FORCES MEMBERSHIP ROSTER**

Moved by Vice-President Bellini, seconded by Councillor Notash:

That Council approve changes to the 2019 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-530-3.3, Appendix A.

CARRIED

Moved by Councillor Kershaw, seconded by Councillor Spink:

That Council move in-camera.

CARRIED

**12211
2020 COMMITTEES AND TASK FORCES
MEMBERSHIP ROSTER**

The 2020 Committees and Task Forces membership roster was updated to reflect the re-appointments of three non-Councillor members of the Audit Committee (AUC) - Ishwar Bhatia, Thomas Chong and Craig Young.

It was noted that the Chair of the Awards Committee (AWC) will be selected early in 2020.

Moved by Councillor Notash, seconded by Councillor Turnbull:

That Council approve the 2020 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-530-3.4, Appendix A.

CARRIED

These minutes consist of fourteen pages and minutes 12184 to 12211 inclusive.

N. Hill, P.Eng., Chair

R. Martin, Corporate Secretary

Briefing Note – Decision

C-531-3.2

COMMITTEE / TASK FORCE ANNUAL WORK AND HUMAN RESOURCES PLANS

Purpose: To approve committee and task force work plans and human resources plans.

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

That Council approve the committee/task force work plans and human resources plans as presented to the meeting at C-531-3.2, Appendix A.

Prepared by: Viktoria Aleksandrova – Committee Coordinator

Moved by: Vice President (elected) Bellini, P.Eng.

1. Need for PEO Action

Under the Committees and Task Forces Policy (Committees/Task Forces Operations, Item 3), each committee/ task force is to prepare an annual work plan and human resources plan for the following year by September 30 each year.

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. The Awards Committee (AWC) has submitted its human resources plan for Council approval. The plan was submitted later than the required date due to the anticipated changes in the committee membership in early 2020.

2. Proposed Action / Recommendation

That Council approve the submitted human resources plan for the Awards Committee (AWC).

3. Next Steps (if motion approved)

The approved document will be posted on the PEO website and the committee will implement its plan.

4. Policy or Program contribution to the Strategic Plan

The motion regarding Committee / Task Force Annual Work and Human Resources Plans is related to Objective 9 in the 2018-2020 Strategic Plan.

5. Financial Impact on PEO Budgets (for five years)

Not applicable

6. Peer Review & Process Followed

Process Followed	Committees and Task Forces Policy – <i>Reference Guide</i> , Section 3 - Committee and Task Force Operations <ul style="list-style-type: none">Item 3.3 - By September 30 each year, each committee/task force shall prepare an annual Work and Human Resources Plan for the following year.
Council Identified Review	Not applicable
Actual Motion Review	Not applicable

7. Appendices

- Appendix A – Awards Committee (AWC)
 - i) 2020 Human Resources Plan (changes are in grey highlight)

Human Resources Plan – 2020

C-531-3.2
Appendix A(i)

AWARDS COMMITTEE (AWC)

Committee: <i>Awards Committee</i>	Date Developed: <i>January 2020</i>
Committee Review Date:	Date Council Approved: <i>TBD</i>

Categories	Target / Ideal (To meet the needs of the Committee)	Currently in Place	Gap [ST = Short-term Goal LT = Long-term Goal]
Core Competencies <ul style="list-style-type: none"> Skills/Abilities Expertise/Knowledge 	<ul style="list-style-type: none"> Key objectives and core competencies are listed in Appendix A 	<ul style="list-style-type: none"> See Appendix A 	<ul style="list-style-type: none"> No gaps
Committee Membership	<ul style="list-style-type: none"> 11 members At least 1 Councillor, 2 OSPE appointees, 1 OOH Companion and at least 3 from the OOH list and from the OPEA 	<ul style="list-style-type: none"> 10 members 2 OSPE representatives 4 OOH (1 Companion) 1 OPEA 	<ul style="list-style-type: none"> 1 Member 1 Councillor
Broad Engagement Career Stage	<ul style="list-style-type: none"> At least 1 from every career stage (i.e. early, mid and late) 	<ul style="list-style-type: none"> 8 senior in career 2 mid in career Majority in Class F 	<ul style="list-style-type: none"> 1 early in career
Disciplines & Sectors	<ul style="list-style-type: none"> At a minimum: 1 from government, 1 from academia, 6 from a wide variety of disciplines and sectors 	<ul style="list-style-type: none"> Academia, Government (Municipal, Public Transport), Private (Digital Transmission Systems, Manufacturing, IT, Consulting, Trading) Chemical, Mechanical, Electrical, Civil 	<ul style="list-style-type: none"> No gaps
Gender / Diversity	<ul style="list-style-type: none"> At least 1/3 female members 	<ul style="list-style-type: none"> 2 female and 8 male members 	<ul style="list-style-type: none"> 1 female
Geographic Representation	<ul style="list-style-type: none"> Full geographic representation 	<ul style="list-style-type: none"> Geographic representation across all regions 	<ul style="list-style-type: none"> No gap
CEAB / International Engineering Graduates	<ul style="list-style-type: none"> A minimum of 3 CEAB & 2 International engineering graduates 	<ul style="list-style-type: none"> 7 CEAB and 3 IEG 	<ul style="list-style-type: none"> No gap
Licensed –vs– Non-licensed	<ul style="list-style-type: none"> All P.Engs. 	<ul style="list-style-type: none"> All P.Engs. 	<ul style="list-style-type: none"> No gap
Volunteer Development Plans <ul style="list-style-type: none"> List potential development opportunities [See Appendix B]	<ul style="list-style-type: none"> Advancement to Vice Chair / Chair / Past Chair Lateral move to other committee/task force Election to Council Appointment to external agencies 	<ul style="list-style-type: none"> Vice Chair appointed by AWC with expectation he / she will become Chair and that current Chair will become Past Chair For the other roles member self-identify future plans 	<ul style="list-style-type: none"> No gap
Succession Planning <ul style="list-style-type: none"> Time on Committee 	<ul style="list-style-type: none"> At least 2 members with 0 to 5 years on committee At least 2 members with 5 to 10 years 	<ul style="list-style-type: none"> Chair – Jan 2020 0 to 5 years = 9 5 to 10 years = 0 Over 10 years = 1 	<ul style="list-style-type: none"> 2 members with 5 to 10 years
Terms of Office: <ul style="list-style-type: none"> Chair/Vice Chair Committee members 	<ul style="list-style-type: none"> Maximum three (3) consecutive years At least every two (2) years a new member joins the committee 		

Human Resources Plan – 2020

AWARDS COMMITTEE (AWC)

APPENDIX A

A. Key objectives and core competencies (per the Work Plan)

<u>List top 3–5 Committee Work Plan Outcomes:</u>	<u>List core competencies for each Work Plan outcome:</u>
1. List of recommended nominees for the OOH, Sterling and OPEA Award submitted to Council (and in the case of OPEA, OSPE board) for approval	<ul style="list-style-type: none"> - Possess a good knowledge of PEO award criteria and selection process - Facilitation, review and evaluation of nomination submissions for OPEA, OOH and Sterling awards programs; independently and then through participation in a structured committee process
2. A balanced and high caliber pool of nominees for all Awards Programs and External Honours	<ul style="list-style-type: none"> - Ability to develop relationships with engineering stakeholders to promote awareness of awards programs and solicit increased nominations - Ability to oversee, facilitate and evaluate Awards Program Communication Plan and periodically monitor for effectiveness - Promote and make presentations on the Awards Program at Chapter or PEO events, RCC, other external venues, etc.
3. PEO website that promotes the Awards Program and is user friendly in accessing and completing the nomination processes for the various awards	<ul style="list-style-type: none"> - Proficient understanding of Awards Program nomination process and best practices used in other programs - Ability to contribute to promotion of Awards Programs, website development and electronic submissions
4. Greater efficiency and easier participation for AWC and PEO members by leveraging technology	<ul style="list-style-type: none"> - Ability to work with technology such as SharePoint and video conferencing

B. Action plan for volunteer recruitment

<u>List top 2 – 3 preferred core competencies (knowledge, skills, abilities)</u>	<u>List specific attributes for each core competency</u>	<u>Briefly state how you will meet your needs</u>	<u>Resources Needed</u>	<u>Target Date for completion</u>
<ul style="list-style-type: none"> • Ability to assess and make recommendations on how service years are to be calculated for OOH recipients. • Ability to review and understand selection criteria used for the OPEA award recipients – especially Citizenship Award and the new Engineering Project or Achievement Award • Ability to determine process for awarding the Engineering Project or Achievement Award during the OPEA gala. 		Facilitated strategic session (no external resources required)		June 2020 Strategic Session
Ability to work with technology such as SharePoint and video conferencing		PEO training sessions	PEO IT staff	Ongoing at each meeting

CHANGES TO THE 2020 COMMITTEES AND TASK FORCES MEMBERSHIP ROSTER

Purpose: To approve changes to Section 2 (Other Committees Reporting to Council) of the *2020 PEO Committees and Task Forces Membership Roster*.

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

That Council approve changes to the *2020 PEO Committees and Task Forces Membership Roster* as presented to the meeting at C-531-3.3, Appendix A.

Prepared by: Viktoria Aleksandrova – Committee Coordinator

Moved by: Vice President (elected) Bellini, P.Eng.

1. Need for PEO Action

It is the role of Council to approve annual rosters of committee members under the Committees and Task Forces Policy (Role of Council, Item 4) 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 *2020 PEO Committees and Task Forces Membership Roster* at the November 14, 2019 meeting. *Appendix A* sets out changes to the Section 2 (Other Committees Reporting to Council) of the approved Roster that require Council approval at this time, such as new appointments, election of Chairs/Vice Chairs, one-year extension of membership on the Awards Committee (AWC) and resignations.

Note: Awards Committee (AWC) Request for One-Year Extension

As noted in the Terms of Reference Template, "Under exceptional circumstances, the committee may request the Advisory Committee on Volunteers (ACV) to consider a temporary exemption of the term limits provision. If deemed appropriate, the ACV may make a recommendation to Council on behalf of the committee for temporary relief from this provision. Such relief to be not more than one (1) term in duration".

The Awards Committee (AWC) submitted a request to the ACV to approve a one-year extension for John Severino, P.Eng. to serve as a general member. The request was reviewed by the ACV at its December 12, 2019 meeting and an e-mail vote took place during the week of January 7th to 15th. Based on the majority votes, the ACV makes a recommendation to Council to approve a one-year extension for John Severino, P.Eng. to serve as a general member of the Awards Committee (AWC). *Appendix B* contains additional information related to the above request.

2. Proposed Action / Recommendation

Approve the changes to Section 2 (Other Committees Reporting to Council) of the *2020 PEO Committees and Task Forces Membership Roster*.

3. Next Steps (if motion approved)

- The newly appointed and re-appointed members will be notified accordingly.
- The resigned members will receive Thank you letters and Certificates of Appreciation.

4. Policy or Program contribution to the Strategic Plan

**Changes to the 2020 PEO Committees and
Task Forces Membership Roster**

531st Council Meeting

The motion regarding Changes to the *2020 PEO Committees and Task Forces Membership Roster* is related to Objective 9 in the 2018-2020 Strategic Plan.

5. Financial Impact on PEO Budgets (for five years)

Not applicable

6. Peer Review & Process Followed

Process Followed	Committees and Task Forces Policy – Role of Council Item 4: Approve the annual roster of committee members.
Actual Motion Review	

7. Appendix

- Appendix A – Changes to Section 2 (Other Committees Reporting to Council) of the *2020 PEO Committees and Task Forces Membership Roster*.
- Appendix B – Email correspondence regarding the request from the Awards Committee (AWC) to the Advisory Committee on Volunteers (ACV) for a one-year extension of membership to John Severino, P.Eng.

Changes to the 2020 PEO Committees and Task Forces Membership Roster

**C-531-3.3
Appendix A
- Updated**

531st Council Meeting

New appointments:

First/Last Name	Term / Compliance [per Terms of Reference]	Committee / Task Force
George Zhu, P.Eng.	Jan 2020 – December 31, 2020	Awards Committee (AWC) member
Alex Voronov, P.Eng.	Feb 2020 – December 31, 2020	Complaints Committee (COC) member
LGA Councillor Jackson Kouakou, LL.B.	2020 – Council end term	Discipline Committee (DIC) – member appointed per 27. (1) 3.
Peter Jarrett, P.Eng.	Feb 2020 – December 31, 2020	Experience Requirements Committee (ERC) member
David Sin, P.Eng.	Feb 2020 – December 31, 2020	Professional Standards Committee (PSC) – Coordinated Licensed Professionals subcommittee member
Alisa Chaplick, LL.B.	Feb 2020 – December 31, 2020	Registration Committee (REC) member
Geoffrey Pond, P.Eng.	Feb 2020 – December 31, 2020	Registration Committee (REC) member
Asif Rashid, P.Eng.	Feb 2020 – December 31, 2020	Registration Committee (REC) member

Changes to the Roster – election of Chairs/Vice Chairs and other:

First/Last Name	Term / Compliance [per Terms of Reference]	Committee / Task Force
Ramesh Subramanian, P.Eng.	1-year term [2nd term / full compliance]	Academic Requirements Committee (ARC) – Chair
Waguih ElMaraghy, P.Eng.	1-year term [2nd term / full compliance]	Academic Requirements Committee (ARC) – Vice Chair
Sean McCann, P.Eng.	1-year term [3rd term / full compliance]	Advisory Committee on Volunteers (ACV) – Chair
Lisa Lavery, P.Eng.	1-year term [3rd term / full compliance]	Advisory Committee on Volunteers (ACV) – Vice Chair
Ken McMartin, P.Eng.	1-year term [1st term / full compliance]	Awards Committee (AWC) – Chair
Rakesh Shreewastav, P.Eng.	1-year term [1st term / full compliance]	Awards Committee (AWC) – Vice Chair
John Severino, P.Eng.	Feb 2020 – December 31, 2020	Awards Committee (AWC) member – one- year extension
Peter Frise, P.Eng.	1-year term [1st term / full compliance]	Complaints Committee (COC) – Chair
Peter Braund, LL.M.	1-year term [1st term / full compliance]	Complaints Committee (COC) – Vice Chair
Stella Ball, LL.B.	1-year term [1st term / full compliance]	Discipline Committee (DIC) – Chair
Rob Willson, P.Eng.	1-year term [1st term / full compliance]	Discipline Committee (DIC) – Vice Chair

**Changes to the 2020 PEO Committees and
Task Forces Membership Roster**

531st Council Meeting

Warren Tiurnbull, P.Eng.	1-year term [3rd term / full compliance]	Government Liaison Committee (GLC) – Chair
Arjan Arenja, P.Eng.	1-year term [2nd term / full compliance]	Government Liaison Committee (GLC) – Vice Chair
Neil Kennedy, P.Eng.	1-year term [1st term / full compliance]	Professional Standards Committee (PSC) – Coordinated Licensed Professionals subcommittee chair

Committee and Task Force Resignations/Retirements:

First/Last Name	Service Dates	Committee / Task Force
Stelian George-Cosh, P.Eng.	2004 – December 31, 2019	Academic Requirements Committee (ARC)
LGA Councillor Jackson Kouakou, LL.B.	2018 – February 7, 2020	Complaints Review Councillor (CRC) Chair
Jamie Catania, P.Eng.	2014 – December 31, 2019	Professional Standards Committee (PSC)

531st Council Meeting

From: Viktoria Aleksandrova
Sent: Wednesday, January 15, 2020 10:01 AM
To:
Subject: RESULT: EMAIL VOTE - please respond by Wed, Jan 15 - Request for extension (AWC)

Dear All,

Thank you for submitting your votes via email.

This is to notify you that, based on the total number of "in favour" votes (9), the motion to approve a one-year extension for John Severino, P.Eng. to serve as a general member of the Awards Committee (AWC) has passed.

Best regards,

Viktoria Aleksandrova, M.Ed.
Committee Coordinator | Volunteer Management
Professional Engineers Ontario | 101 - 40 Sheppard Avenue West, Toronto, ON M2N 6K9
Phone: 416-224-1100, x 1207 | Fax: 416-224-5171 | www.peo.on.ca

 Reduce your footprint - Please consider the environment before printing this email.\

From: Viktoria Aleksandrova
Sent: Wednesday, January 8, 2020 4:23 PM
To:
Subject: EMAIL VOTE - please respond by Wed, Jan 15 - Request for extension (AWC)

Dear All,

At the last ACV meeting on December 12th, *Item 2.1 - One Year Extension for John Severino* was deferred to an email vote by the ACV pending additional information from the Awards Committee (AWC). Please see below the information provided by Rob Dmochewicz – AWC Staff Support.

Please submit your vote via email to valeksandrova@peo.on.ca by **Wednesday, January 15, 2020**. A reminder will be sent early next week.

Best regards,

Viktoria Aleksandrova, M.Ed.
Committee Coordinator | Volunteer Management
Professional Engineers Ontario | 101 - 40 Sheppard Avenue West, Toronto, ON M2N 6K9
Phone: 416-224-1100, x 1207 | Fax: 416-224-5171 | www.peo.on.ca

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From: Rob Dmochewicz
Sent: January 8, 2020 10:59 AM
To: Windsor-Essex Chapter Treasurer

Changes to the 2020 PEO Committees and Task Forces Membership Roster

531st Council Meeting

Cc: Viktoria Aleksandrova

Subject: RE: Request for extension - AWC

Good morning Sean,

Thank you very much for your thoughts and suggestions. I'm very happy to provide more information/background to reason our request.

I support the Awards Committee since 2015. Over first few years, we had mostly senior members on AWC. However, most of them retired and Nancy Hill resigned before assuming the role of PEO President. At the same time, the two OSPE representatives on AWC were replaced by new members as well. Currently, only John Severino is a senior member on the Awards Committee. Ken McMartin was indeed AWC member in past but it was about 20 years ago and he wasn't a chair but a regular member. Since then, there were many changes impacting PEO's Award Programs and the Awards Committee, including:

- Creation of OSPE – OPEA are now co-organized jointly by PEO and OSPE and the structure of AWC has changed (including OSPE representatives);
- Creation of GAC – Gala Advisory Committee (AWC subcommittee) which includes AWC members and OSPE representatives;
- Introduction of the G. Gordon M. Sterling Engineering Intern Award and the Sterling Award Subcommittee;
- Many changes to the external honours and awards (covered by another subcommittee of AWC);
- Changes to nomination and selection procedures regarding the Order of Honour and OPEA.

From my perspective, having John Severino for another year on AWC (as Past Chair and senior member) is strategic – for many reasons and benefits. His expertise and guidance will be crucial not only to support Ken McMartin in his new role as AWC Chair but also to support and guide other (mostly new) AWC members and AWC subcommittees. **I highly recommend that a 1-year extension on the Awards Committee is granted for John Severino.** Thank you for your consideration and voting in favour.

If ACV would require more information, please don't hesitate to contact me.

Kind regards,

Rob Dmochewicz, MPR

Recognition Coordinator | People Development

[PROFESSIONAL ENGINEERS ONTARIO](#)

40 Sheppard Avenue West, Suite 101, Toronto, ON M2N 6K9
(416) 224-1100 x 1210, 1 (800) 339-3716 x 1210



From: Viktoria Aleksandrova

Sent: Tuesday, January 07, 2020 11:09 AM

To: Rob Dmochewicz

**Changes to the 2020 PEO Committees and
Task Forces Membership Roster**

531st Council Meeting

Cc: Windsor-Essex Chapter Treasurer

Subject: RE: Request for extension - AWC

Hi Rob,

The ACV reviewed the AWC's request below at its December 12th meeting and asked you to amend it as follows:

- Add a note that the AWC requests to extend John Severino's term for one year because the current Vice Chair, Ken McMartin, has less than one year experience in this position, and the committee suggests, for the sake of continuity, that John continues as the AWC Chair for another year.

Once the request is amended / clarified, the committee will vote on this item via email.

Please let me know if you have any questions.

Thank you!

Viktoria Aleksandrova, M.Ed.

Committee Coordinator | Volunteer Management

Professional Engineers Ontario | 101 - 40 Sheppard Avenue West, Toronto, ON M2N 6K9

Phone: 416-224-1100, x 1207 | Fax: 416-224-5171 | www.peo.on.ca

From: Rob Dmochewicz

Sent: Tuesday, October 15, 2019 3:07 PM

To: Viktoria Aleksandrova

Cc: Margaret Braun

Subject: Request for extension - AWC

Viktoria – John Severino, current AWC Chair, will complete 10 years on the committee at the end of 2019. He requested to ask ACV for a 1-year extension. The reason is that, currently, John is the only senior member of the committee and the rest of the AWC members joined the committee over past 1-2 years.

Please let me know if you require more information.

Thank you.

Rob Dmochewicz, MPR

Recognition Coordinator | People Development

PROFESSIONAL ENGINEERS ONTARIO

40 Sheppard Avenue West, Suite 101, Toronto, ON M2N 6K9

(416) 224-1100 x 1210, 1 (800) 339-3716 x 1210

Briefing Note – Decision

C-531-3.4

RULES FOR ELECTING ENGINEERS CANADA DIRECTORS

Purpose: To approve the revised process for electing PEO Directors to the Engineers Canada Board of Directors.

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

That Council approve the revised process for electing *PEO Directors to the Engineers Canada Board of Directors*, as presented to the meeting at C-531-3.4, Appendix A.

Prepared by: Viktoria Aleksandrova – Committee Coordinator

Moved by: Marisa Sterling, P.Eng., President-elect - Chair, Human Resources Committee (HRC)

1. Need for PEO Action

At its March 2019 meeting, Council appointed PEO Directors to the Engineers Canada (EC) Board of Directors. Subsequent to that meeting, the Human Resources Committee (HRC) was requested to review the voting process for better efficiency (Refer to the action created from Motion 12091).

The proposed revisions were reviewed by the HRC at its January 15, 2020 meeting. As a result, the HRC is asking Council to consider revising the process for electing PEO Directors to the Engineers Canada Board of Directors as presented in Appendix A of this briefing note.

2. Proposed Action / Recommendation

Based on its review, the HRC is recommending that Council approve revising the document “*Terms of Reference, Expectations and Appointment Process for PEO Directors on Engineers Canada Board of Directors*” to amend the existing process and add the rules for election of one or two Engineers Canada Directors. The revised Terms of Reference is presented in Appendix B of this briefing note.

The significant changes include:

- One ballot to each eligible voter. Each voter is entitled to write or circle the name of one(1) or two (2) candidate(s) on each ballot, depending on the number of available positions;
- In case there is a tie after second round of voting, the coin toss process is implemented, as described in Appendix A.

3. Next Steps (if motion approved)

Council will apply the revised process for electing PEO Directors to the Engineers Canada Board of Directors at the next appointment opportunity.

4. Policy or Program contribution to the Strategic Plan

The motion regarding revisions to the process for electing PEO Directors to the Engineers Canada Board of Directors is related to Objective 9 in the 2018-2020 Strategic Plan.

5. Financial Impact on PEO Budgets (for five years)

Not applicable

6. Peer Review & Process Followed

Process Followed	The revised process was reviewed by the Human Resources Committee (HRC) at its January 15, 2020 meeting and further amended via email.
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7. Appendices

- Appendix A – Proposed Rules for Election of One (1) or Two (2) Engineers Canada Directors
- Appendix B – Revised *Terms of Reference, Expectations and Appointment Process for PEO Directors on Engineers Canada Board of Directors*

Election of One EC Director

Step 1: One ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected.

Step 2a: If two (2) candidates receive the highest number of votes in step 1, a tie is announced and a second ballot is prepared with only the names of the two (2) tied candidates. This second ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie, a coin toss (see step 3) decides the elected candidate.

Step 2b: If three (3) or more candidates receive the highest number of votes in step 1, a tie is announced and a second ballot is prepared with only the names of the tied candidates. This second ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie of three or more candidates, step 2b is repeated until either one candidate receives the highest number of votes and is elected, or two candidates tie for the highest number of votes and a coin toss decides the elected candidate, whichever occurs first.

Step 3: The coin toss process starts with the two tied candidates picking a number from a bowl (containing 2 different numbers). The candidate who picks the lowest number chooses the side of the coin, heads or tails. An impartial third party flips the coin and the side that lands facing up decides the elected candidate who chose the same side.

Election of Two EC Directors

Step 1: One ballot is given to each eligible voter. The voter is entitled to write or circle the name of two (2) candidates on their ballot. Ballots are collected and counted. The candidate(s) receiving the top 2 highest number of votes or 2 candidates tied for the highest number of votes are elected, or the one candidate receiving the highest number of votes is elected.

Step 2: If there are not two (2) elected candidates in step 1 (such as there is a tie for second place or three (3) or more candidates receive the highest number of votes), a tie is announced and a second ballot is prepared with only the names of the tied candidates. This second ballot is given to each eligible voter. If one candidate was elected in step 1, the voter is entitled to write or circle the name of one (1) candidate on their second ballot. If no candidate was elected in step 1, the voter is entitled to write or circle the names of two (2) candidates on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie between three (3) or more candidate, step 2a is repeated, or if there is a tie between two (2) candidates then a coin toss (see step 3) decides the elected candidate.

Step 3: The coin toss process starts with the two tied candidates picking a number from a bowl (containing 2 different numbers). The candidate who picks the lowest number chooses the side of the coin, heads or tails. An impartial third party flips the coin and the side that lands facing up decides the elected candidate who chose the same side.



Terms of Reference, Expectations and Appointment Process for PEO Directors on Engineers Canada Board of Directors¹

Background:

Engineers Canada is governed by a Board of Directors, consisting of one or more representatives from each Constituent Association. PEO appoints five representatives to this Board of Directors.

Engineers Canada is a federation of the provincial/territorial associations whose mandate is to coordinate the work of the Constituent Associations and to represent the profession nationally and internationally within the mandate provided by its Letters Patent and By-laws.

Specifically, section 6 of the Engineers Canada Articles of Continuance under the *Canada Not-for-profit Corporations Act* states:

6. Statement of the purpose of the corporation

The purposes of the Corporation are to provide national support and national leadership to the engineering profession on behalf of its members, so as to promote and maintain the interests, honour and integrity of the engineering profession in Canada, and to do all such lawful things as are incidental to or conducive with the attainment of the foregoing purposes including, without limitation:

1) to establish and foster relationships with and among the provincial and territorial associations of professional engineers in Canada and to assist them in, among other things:

A. coordinating activities and policies, particularly in the areas of registration of engineers, mobility registered engineers and interprovincial practice;

B. promoting and maintaining high standards in the engineering profession;

C. supporting and encouraging high standards in engineering education;

D. developing effective human resources policies and promoting the professional, social and economic welfare of the members of the engineering profession;

E. promoting a knowledge and appreciation of engineering and of the engineering profession, and enhancing the relationship of the profession to the public; and

F. generally carrying out their various objectives and functions.

¹ Approved by resolution at the November 2016 meeting of Council.



2) to act on behalf of and to promote the views of its members concerning the engineering profession in matters that are national or international in scope, including without limitation, international registration or certification. of engineers, and reciprocal practice;

3) to apply for or acquire and deal with or dispose of any trademark or copyright in any word(s), mark, design, slogan, or logo, or any literary, or other work, as the case may be, pertaining to the engineering profession **or** to its objects, and

4) to affiliate with, join or enter into arrangements or agreements to carry on any undertaking with or for the benefit the members of any society, association or other body having objectives similar or comparable to those of the Corporation.

Role of Engineers Canada Director:

The role and responsibilities of the Engineers Canada Board and its Directors are outlined in the *Engineers Canada Board Policy Manual* under the *Global Governance Process (GP)* section.

GP – 3.1 *Director Terms of Reference* outlines the duties of an Engineers Canada Board of Director as follows:

The Board is comprised of Directors and Advisors collectively referred to as Board members. The terms of reference for Advisors are set out in GP-3.2.

1. Purpose

- 1.1 Provide a key linkage between the Board and the regulators.
- 1.2 Explore, debate, define and understand Engineers Canada's policies.
- 1.3 Ensure that the Board focuses on policy issues related to the engineering profession.
- 1.4 Set and monitor performance and expectations within the governance structure.

2. In order to fulfill their purposes, Directors shall:

- 2.1 Know the business of Engineers Canada.
- 2.2 Be informed of issues affecting, or likely to affect Engineers Canada and the regulators.
- 2.3 Contribute to the Board's decision-making process by: Discussing all matters freely and openly at Board meetings.
 - Working towards achieving a consensus which respects divergent points of view and is in the collective interest of Engineers Canada and the regulators.
 - Respecting the rights, responsibilities and decisions of the regulators.



2.4 Participate actively in the work of the Board including by serving on committees or task forces to achieve the Ends.

2.5 Directors shall review all monitoring reports and make suggestions to strengthen policy governance by considering the following questions:

- Is this policy necessary?
- Does this policy clearly reflect the Board's intent?
- Does this policy adequately set expectations for the CEO to enable me to monitor performance within the governance structure?
- Are the expectations set out in this policy reasonably achievable by the CEO?

2.6 When assigned the director shall,

- Complete form *Director Review of GP Policies*, a template for discussion of Governance Process policies,
- Act as the meeting monitor, to prepare the meeting evaluation report on the Board's governance process and complete form *Meeting Monitor*, or
- Act as the lead presenter of monitoring reports submitted by the CEO and complete form *Monitoring Report Assessment Tool*.

3. Ownership Linkage

Directors shall provide a linkage with the regulators by communicating the views of the regulators to the Board and communicating the Board's views to the regulators. In order to do so, Directors shall:

3.1 Be knowledgeable of the rules, regulations, policies and procedures governing the regulator that nominated/elected them.

3.2 Be informed and knowledgeable about issues at their regulator by reviewing their regulator's council/board briefing books and the minutes of all council/board meetings, and attending council/board meetings.

3.3 Advise their regulator of issues to be discussed by the Board and seek input so as to be able to communicate their regulator's position to the Board.

3.4 Present and explain the views and positions of their regulation to the Board on issues which impact on the activities of their regulator or the policies that guide the operation of their regulator.

3.5 When requested by their regulator, request that an agenda item be added and specific time be allocated at a regular meeting of the Board for the Director to present reports and, where required, present resolutions for action by the Board.

3.6 Inform their regulator of the activities, decisions and plans of Engineers Canada by requesting that an agenda item be added and a specific time be allocated at each regular



meeting of the regulator's council/board for the Director to present reports or to receive guidance and direction.

3.7 Keep confidential all information in respect of which the Director is required to sign a confidentiality agreement.

4. Additional Duties and Obligations

4.1 Directors shall comply with GP-3 Code of Conduct.

4.2 Directors shall comply with the duties and obligations of Directors as set out in Part 9 of the *Canada Not-for-profit Corporations Act*.

5. Authority

5.1 As specifically set out in this policy or delegated by the Board.

The role and responsibilities of Engineers Canada Directors are further defined by the *Code of Conduct* outlined in GP-3 as follows:

The Board shall conduct itself in an ethical, professional and lawful manner. This includes proper use of authority and appropriate decorum. Board members shall treat one another and staff members with respect, co-operation and a willingness to deal openly on all matters.

1. Board members and members of Board committees must have loyalty to the entire ownership, unconflicted by loyalties to the chief executive officer, staff, other organizations or personal interests.

2. Directors shall discharge their duties honestly and in good faith and in accordance with s. 148 of the *Canada Not-for-profit Corporations Act*.

3. Directors have an ongoing obligation to disclose conflicts of interest in accordance with s. 141 of the *Canada Not-for-profit Corporations Act*.

3.1. Board members and members of Board committees shall not use their Board position to obtain employment at Engineers Canada for themselves, family members, or close associates. Board members must resign from the Board before applying for employment with Engineers Canada.

4. Board members and members of Board committees shall maintain confidentiality with respect to all matters that come into their knowledge or possession in the course of performing their duties in accordance with GP-3.0.1 Confidentiality Policy.

5. Board members and members of Board committees shall not attempt to exercise individual authority over the chief executive officer or staff unless authorized by the Board.



6. Board members and members of Board committees shall not attempt to interact with the public, press or other entities or speak on behalf of the Board except to repeat explicitly stated Board decisions unless authorized by the Board.

7. Board members and members of Board committees, except the chief executive officer, will not express individual judgments of performance of the chief executive officer or staff other than during participation in Board deliberations.

8. Board members and members of Board committees shall be familiar with the incorporating documents, by-law, policies and legislation governing Engineers Canada as well as the rules of procedure and proper conduct meetings so that decisions of the Board may be made in an efficient, knowledgeable and expeditious fashion.

9. Board members and members of Board committees will support the legitimacy and authority of Board decisions regardless of their personal position on the issue.

10. Board members and members of Board committees shall participate in Board educational activities that will assist them in carrying out their responsibilities.

11. Board members shall attend meetings on a regular and punctual basis and be properly prepared to participate in Board deliberations.

12. Board members and members of Board committees shall ensure that unethical activities not covered or specifically prohibited by the foregoing or any other legislation are neither encouraged nor condoned and are reported.

13. A Board member or a member of a Board committee who is alleged to have violated this Code of Conduct shall be informed in writing and shall be allowed to present his or her views of such alleged breach at the next Board meeting. The complaining party must be identified. If the complaining party is a Board member, he or she and the respondent Board member shall recuse themselves from any vote upon resolution or censure or other action by the Board. Board members that are found to have violated the Code of Conduct may be subject to the following sanctions and/or discipline:

- requirement to discontinue or modify his or her conduct giving rise to the complaint;
- resign his or her position as a Board or committee member;
- a report to the Board member's regulatory body;
- termination of position on the Board or the committee with or without notice; or
- such other reasonable and prudent sanction as appropriate in the circumstances.

14. Upon appointment, Board members and members of Board committees shall sign an acknowledgment of GP-3.0.1 Confidentiality Policy.

15. Upon appointment, Directors shall sign GP-3.1.1 Director Consent and Declaration.



Expectations Regarding Principal Activities as They Relate to PEO:

- Attend Engineers Canada meetings and report significant activities or decisions to PEO following each meeting, including a report on any special Engineers Canada projects.
- Attend PEO Council meetings. The Directors are expected to attend to the same standard to which a regular member of PEO Council is held.
- Provide a written report to Council through the Registrar in a timeframe acceptable so that it may be included in the Council meeting agenda package.
- Notify PEO's President and Registrar of any specific items for which he/she requires a decision of or guidance by, PEO Council, so that they may be included in the agenda for the next PEO Council meeting.

Eligibility:

To be eligible, a nominee for the position of Engineers Canada Director must be a current Councillor, recent past Councillor (no more than 2 years since last on Council), or a current Engineers Canada Director. Nominees must also be PEO and OSPE members.

Term of Appointment for Directors:

Appointment to the Engineers Canada Board is at the sole discretion of PEO Council. The term of appointment normally commences and ends at an annual meeting of Engineers Canada and shall normally be of three (3) years duration. However, PEO may determine a different term according to the circumstances of a particular appointment. Terms less than two years are discouraged as they may not allow for effective representation.

The maximum length of service as an Engineers Canada Director regardless of term length is 6 years which may be extended if the nominee secures the Engineers Canada presidency.

The Council of PEO may rescind the appointment of an Engineers Canada Director if it determines that the Director is not acting in accordance with these terms of reference.

Likewise, the Council, as it deems reasonable, may extend the term of appointment of any Director. Should a Director wish to extend his/her term, either to continue as a member of the Board of Directors or to serve on the Executive Committee, or seek the Office of President-Elect, a request shall be made at least three months prior to the expiration of the term, or in advance of such election, to the Council of PEO for such extension.

Performance Review

Council shall conduct an annual review of a Director's performance prior to the Annual General Meeting of Engineers Canada.



Process to Appoint an Engineers Canada Director

The following process is to be used when making Engineers Canada Director appointments:

1. A call for nominations for appointment by PEO Council to the Engineers Canada Board of Directors will be sent to all eligible nominees.
2. The call for nominations will specify the closing date for nominations and require nominees to indicate his/her willingness to serve for up to a three-year term in accordance with the terms of reference, role and expectations of PEO's Directors on Engineers Canada Board of Directors as noted above.
3. A nomination does not require a seconder.
4. No nominations will be accepted after the deadline for submission of nominations or from the floor at the meeting at which such appointments are to be made.
5. At the meeting at which such appointments are to be made, the Chair shall read out the names of those members who have submitted nominations.
6. Each nominee will be afforded an opportunity to make a brief (2 minute) personal introduction should they so wish. Absent nominees may submit a written personal introduction. The Chair will read any comments received from absent nominees.
7. Voting will be by secret ballot in accordance with By-Law No. 1, s.25(4).
Where there is only one nominee for a position, the Chair shall declare the nominee appointed to the Engineers Canada Board.
8. Sitting members of Council who put their names forward to be considered for nomination to the Engineers Canada Board of Directors shall abstain from voting. However, should a Councillor's name be removed from the ballot, either through election or elimination, they may vote in any subsequent ballots.
9. If applicable, ballots cast will remain with the Secretariat until a motion to destroy the ballots has been passed by Council.

Election of One EC Director

Step 1: One ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected.

Step 2a: If two (2) candidates receive the highest number of votes in step 1, a tie is announced and a second ballot is prepared with only the names of the two (2) tied candidates. This second ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie, a coin toss (see step 3) decides the elected candidate.

Step 2b: If three (3) or more candidates receive the highest number of votes in step 1, a tie



is announced and a second ballot is prepared with only the names of the tied candidates. This second ballot is given to each eligible voter. The voter is entitled to write or circle the name of one (1) candidate on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie of three or more candidates, step 2b is repeated until either one candidate receives the highest number of votes and is elected, or two candidates tie for the highest number of votes and a coin toss decides the elected candidate, whichever occurs first.

Step 3: The coin toss process starts with the two tied candidates picking a number from a bowl (containing 2 different numbers). The candidate who picks the lowest number chooses the side of the coin, heads or tails. An impartial third party flips the coin and the side that lands facing up decides the elected candidate who chose the same side.

Election of Two EC Directors

Step 1: One ballot is given to each eligible voter. The voter is entitled to write or circle the name of two (2) candidates on their ballot. Ballots are collected and counted. The candidate(s) receiving the top 2 highest number of votes or 2 candidates tied for the highest number of votes are elected, or the one candidate receiving the highest number of votes is elected.

Step 2: If there are not two (2) elected candidates in step 1 (such as there is a tie for second place or three (3) or more candidates receive the highest number of votes), a tie is announced and a second ballot is prepared with only the names of the tied candidates. This second ballot is given to each eligible voter. If one candidate was elected in step 1, the voter is entitled to write or circle the name of one (1) candidate on their second ballot. If no candidate was elected in step 1, the voter is entitled to write or circle the names of two (2) candidates on their second ballot. Ballots are collected and counted. The candidate receiving the highest number of votes is elected. If there is again a tie between three (3) or more candidate, step 2a is repeated, or if there is a tie between two (2) candidates then a coin toss (see step 3) decides the elected candidate.

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COUNCILLORS ITEMS

- a) **Notices of Future 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

In Camera Session

In-camera sessions are closed to the public