



Minutes

Consulting Engineer Designation Committee

Meeting: August 15, 2019, Thursday

Present: Doug Barker, P.Eng.
Gord Debbert, P.Eng.
Ross Eddie, P.Eng.
Shawn Gibbons, P.Eng. – Chair
Andrew Lawton, P.Eng.
Bruce Matthews, P.Eng.
John Rosenthal, P.Eng.
Steve van der Woerd, P.Eng. – Vice Chair

Regrets: Christian Bellini, P.Eng.
Richard Kamo, P.Eng.
Adrian Pierorazio, P.Eng.
Donald Plenderleith, P.Eng.
Chris Redmond, P.Eng.

Staff: Johnny Zuccon, P.Eng.
Faris Georgis, P.Eng.
Imelda Suarez

Call to Order

The meeting was called to order by the Chair at 10am.

1. Agenda

Minor revisions to agenda. Sections 5.2 and 5.5 to be presented by Andrew Lawton. Proceed on consent.

2. Minutes

Steve van der Woerd moved to adopt the minutes of the May 16, 2019 meeting. Seconded by Gord Debbert. CARRIED

3. Regional Sub-Committee Reports – Designation/Redesignation

3.1 Western Region

Gord Debbert moved that applicant 1.1 from the Western Subcommittee report be recommended for **designation**; seconded by Andrew Lawton.

CARRIED

Gord Debbert moved that applicants 2.1 to 2.10 from the Western Subcommittee report be recommended for **redesignation**; seconded by Ross Eddie.

CARRIED

3.2 Eastern Region

There were no applicants for **designation**.

Andrew Lawton moved that applicants 2.1 to 2.6 from the Eastern Subcommittee report be recommended for **redesignation**; seconded by Ross Eddie.

CARRIED

3.3 Toronto

Ross Eddie moved that applicants 1.1 to 1.7 from the Toronto Subcommittee report be recommended for **designation**; seconded by John Rosenthal.

CARRIED

Ross Eddie moved that applicants 2.1 to 2.19 from the Toronto Subcommittee report be recommended for **redesignation**; seconded by John Rosenthal.

CARRIED

3.4 Southern Region

There were no applicants for **designation**.

Steve van der Woerd moved that applicants 2.1 to 2.6 from the Southern Subcommittee report be recommended for **redesignation**; seconded by Ross Eddie.

CARRIED

3.5 Northern Region

Andrew Lawton moved that applicant 1.1 from the Northern Subcommittee report be recommended for **designation**; seconded by Steve van der Woerd.

CARRIED

Andrew Lawton moved that applicant 2.1 from the Northern Subcommittee report be recommended for **redesignation**; seconded by Ross Eddie.

CARRIED

4. Permission to Use the Title "Consulting Engineers"

Ross Eddie moved that applicants 1.1 to 1.5, and applicants 1.7 to 1.9 be **approved** for the Permission to Use the Title "Consulting Engineers"; seconded by Steve van der Woerd.

CARRIED

Applicants 1.6 and 1.10 will be held until staff receives a legal opinion regarding if PEO has authority to withhold a CofA if the restricted Consulting Engineers title has been prematurely registered in the corporate name.

5. Work & HR Plans

Faris Georgis presented the drafts of the Work & HR Plans. The committee will review the updated document at the October meeting.

6. Harry Cayton Report

Faris Georgis announced that the Harry Cayton report was accepted by PEO Council. Council has directed Johnny Zuccon to provide high-level action items based on the 15 recommendations.

7. Franco di Giovanni application

Mr. di Giovanni is a limited licence holder who wants to be a volunteer in a committee/subcommittee. ACV initially declined his request as he is not an engineer. Faris Georgis to get a legal opinion to see if a limited licence member can be in a committee or subcommittee.

8. Activity Reports

8.1 Johnny Zuccon discussed the Harry Cayton Report which PEO Council decided to make public in June.

8.2 There was no report from Engineers Canada. Shawn Gibbons to invite John Gamble for the next meeting.

8.3 Bruce Matthews reported on the following activities of the CEO:

- Re-engaging with new cabinet ministers after the June cabinet shuffle;
- Amendments to the New Construction Act;
- Working with Engineers, Architects and Building Officials (EABO)
- AGM on September 13

The August 13 letter from CEO was discussed. The letter is attached as Appendix A.

9. Term Limits for Committee Volunteers

Faris Georgis reported on the response of the ACV regarding the request to provide clarification regarding term limit requirements for committee and subcommittee members. Email from ACV attached as Appendix B.

Adjournment

The meeting adjourned at 11:56am.

Appendix A

August 13, 2019

Ms. Nancy Hill, P.Eng.
President, Professional Engineers Ontario
101 – 40 Sheppard Avenue West
Toronto, ON M2N 6K9

Via Email: nhill@peo.on.ca



RE: PEO's Regulatory Performance Review – Quick Win Action

Dear Nancy,

I have read with interest the final report arising from the PEO Regulatory Performance Review completed earlier this year. Consulting Engineers of Ontario (CEO) is heartened by PEO Council's unequivocal acceptance of the report and its recommendations. As you are aware, we have been advocating for PEO to become a more focused regulatory organization and I note that at least seven of the report's recommendations arise from issues of poor regulatory focus.

CEO believes that PEO should move quickly to demonstrate its resolve in addressing the report's recommendations. There are a number of "quick wins" that would achieve that objective. One example would be the elimination of the regulation of the "consulting engineer" title. This would support the fulfillment of both Recommendation 1 and Recommendation 6 in the report.

PEO's current regulatory framework for the "consulting engineer" title, detailed in Sections 56 to 71 of Regulation 941, does not provide any public interest protection value as it does not address any identifiable public interest risk. We know this is so because no other jurisdiction in Canada regulates the "consulting engineer" title, and yet there is no evidence of related problems in those jurisdictions. There is no public confusion, no reported concerns and no identified risks. Indeed, none of our sister provincial or territorial consulting engineering associations are seeking to have their respective regulators introduce any kind of regulation of the "consulting engineer" title. They fully understand there is no need for it.

One of the principles of "right touch regulation" espoused by your report's author, Harry Cayton, CBE, is "proportionality". The extent of regulation should be in proportion to the identified risk issues. Where there are no risks, there should be no regulation.

The P.Eng. licence and the Certificate of Authorization provide PEO with ample regulatory authority over those individuals and firms who identify as "consulting engineers". Engineers and engineering firms engaged in the independent practice of professional engineering are sufficiently accountable to PEO through those regulatory mechanisms. An additional layer of regulation regarding the "consulting engineer" title is completely unnecessary.



PEO is a constituent association of Engineers Canada which, among other things, seeks to facilitate mobility of engineering practitioners across Canada. Such mobility requires a degree of harmonization of the regulatory frameworks among the 12 engineering regulators. Elimination of PEO's regulation of the "consulting engineer" title would be a step towards greater harmonization and enhance the mobility of practitioners who identify as "consulting engineers".

CEO classifies this recommended change as a "quick win" because it requires only a straightforward change to the regulations under the *Professional Engineers Act*. There is no requirement for an Act change. Specifically, PEO Council need only exercise its authority under Section 7(1)23 of the Act to revoke Sections 56 to 71, inclusive, of Regulation 941. Given the events over the past year, I believe you will find the Ministry of the Attorney General supportive of such a regulation change.

To summarize, the current regulatory framework for the "consulting engineer" title is a solution in search of a problem. It provides no public interest protection and serves only as a marketing tool – something with which PEO should not be involved. PEO has other regulatory tools to sufficiently protect the public interest with respect to practitioners who identify as "consulting engineers". This is an opportunity for PEO to harmonize its framework with the rest of the country, and it will require minimal effort to achieve. CEO urges PEO to take prompt action on this and demonstrate its commitment to addressing the recommendations from the Regulatory Performance Review.

If you have any questions about this recommended regulation change, I can be reached at 416-620-1400, ext. 224, or by email at bgmatthews@ceo.on.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Matthews', is written over a light blue horizontal line.

Bruce G. Matthews, P.Eng.
Chief Executive Officer

cc: Christine Hill, P.Eng., Chair, CEO
Johnny Zuccon, P.Eng., Registrar, PEO
David Brown, P.Eng., Past-President, PEO
Tibor Turi, P.Eng., Chair, OSPE
Sandro Perruzza, Chief Executive Officer, OSPE

Faris Georgis

From: Viktoria Aleksandrova
Sent: Wednesday, July 10, 2019 1:28 PM
To: Faris Georgis
Subject: RE: Mr. Diosady and Mr. Woolhouse - CEDC's Toronto s/c members

Good afternoon Faris,


Further to your request for the ACV to provide clarification regarding term limit requirements for committee and subcommittee members, as well as regarding the ex-officio participation of the Past Chair, below is an excerpt from the ACV Minutes of June 6, 2019:

<p>2.2 Term limits for committee volunteers</p> <p>- Request from CEDC re: term limits for subcommittee members</p>	<p>The committee discussed the request from the Consulting Engineer Designation Committee (CEDC) regarding term limits for subcommittee members and provided the following feedback:</p> <ol style="list-style-type: none"> 1. Term limits requirement approved by Council does not apply to subcommittee members, as per the Terms of Reference Template. However, the best practice is to consider development of a Succession Plan for the main committee and subcommittees. 2. Subcommittee member(s) can join the main committee regardless of their service on the subcommittee, if they have not previously served on the main committee. 3. With regards to the Past Chair, whose term of service exceeded the term limit, remaining on the committee as an ex-officio member, ACV's perception is that such continuation of service would conflict with the Council's directive as the <i>ex-officio</i> member would be considered to be a member of the committee with full voting rights. <p>Action [2]:</p> <ul style="list-style-type: none"> • Staff to communicate the above feedback to the respective committee.
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Please let me know if you have any questions.

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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