



Minutes

The 532nd MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held at PEO Offices, 40 Sheppard Avenue West, Toronto, Ontario and via Teleconference on Friday, March 20, 2020 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
 - G. Boone, P.Eng., Eastern Regional Councillor
 - R.A.H. Brunet, P.Eng., Lieutenant Governor-In-Council Appointee
 - 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 12228 to 12250 only]
 - 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
 - W. Turnbull, P.Eng., Western Regional Councillor
 - R. Walker, P.Eng., Eastern Regional Councillor
- Regrets:
- S. Robert, P.Eng., Northern Regional Councillor
 - G. P. Wowchuk, P.Eng., Councillor at Large
- Staff:
- J. Zuccon, P.Eng., CEO/Registrar
 - L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance [excluding minute 12251 i)]
 - D. Smith, Director, Communications [excluding minute 12251 i)]
 - M. Wehrle, Director, Information Technology [excluding minute 12251 i)]
 - D. Abrahams, General Counsel [excluding minute 12251 i)]
 - J. Chau, P.Eng., Manager, Government Liaison Programs [excluding minute 12251 i)]
 - J. Max, Manager, Policy [excluding minute 12251 i)]
 - C. Knox, P.Eng., Manager, Enforcement, Regulatory Compliance [excluding minute 12251 i)]
 - R. Martin, Manager, Secretariat [excluding minute 12251 i)]
 - E. Chor, Research Analyst, Secretariat [excluding minute 12251 i)]
 - B. St. Jean, Senior Executive Assistant [excluding minute 12251 i)]
- Guests:
- A. Bergeron, PEO Director, Engineers Canada [minutes 12228 to 12250 only, excluding 12229]
 - H. Brown, Brown & Cohen [minutes 12228 to 12250 only, excluding 12229]

D. Chui, P.Eng., PEO Director, Engineers Canada [minutes 12228 to 12250 only, excluding 12229]
K. Reid, P.Eng., PEO Director, Engineers Canada [minutes 12228 to 12250 only, excluding 12229]
C. Sadr, P. Eng., PEO Director, Engineers Canada [minutes 12228 to 12250 only, excluding 12229]
D. L. Brown, Governance Solutions Inc.
D. A. Brown, Governance Solutions Inc.
L. Lukinuk, Governance Solutions Inc.

Council convened at 9:00 a.m. on Friday, March 20, 2020.

CALL TO ORDER

Notice having been given and a quorum being present, the Chair called the meeting to order at 9:01 a.m.

**12228
APPROVAL OF AGENDA**

The Chair advised that majority of Council consents to proceed with holding the meeting in an electronic format and requested for a vote to confirm consent. M. Wehrle provided the guidelines for the operation of the Council meeting and explained the functionality and features of the Adobe Connect technology to ensure that all participants are able to view and access the meeting materials, and that Councilors are able to participate in electronic voting, as required. It was clarified that only Council members should participate in voting and that votes from non-Council members will be considered invalid.

Moved by L. Notash, seconded by R.A.H. Brunet:

That PEO Council approve the guidelines as just outlined for the 532nd Meeting of Council.

CARRIED

Moved by A. Arenja, seconded by W. Turnbull:

That the agenda, as presented to the meeting at C-532-1.1 Appendix A be approved; and

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

CARRIED

**12229
CONFLICTS OF INTEREST**

M. Sterling and A. Sinclair advised of a potential Conflict of Interest to Item 2.12 as they are ex-officios of the Ontario Professional Board.

**12230
PRESIDENT'S REPORT**

President N. Hill advised that in light of increasing concerns relating to COVID-19, staff have been asked to work from home on a full-time basis to lead by example during challenging times. A. Dryland was welcomed to the meeting as the newest Councilor.

**12231
CEO/REGISTRAR'S REPORT**

CEO/Registrar J. Zuccon thanked all groups and staff for their actions amidst the COVID-19 response. The CEO Registrar's report is a mainstay document that forms part of the agenda as a means to provide information to assist in oversight roles; this document is a work in progress. Updates were provided regarding the Activity Filter, file

security upgrades, organizational review, operations, human resources (licensing and registration, regulatory compliance and the PEAK Program). The full report was included in the Council Agenda package.

L. Notash asked if a declaration of practicing be a requirement for renewal and CEO/Registrar J. Zucco advised that this may be a requirement under the annual mandatory reporting policy that was a recommendation arising from the Scott Johnston inquest. Council has requested that a policy paper be prepared, which will be available in June.

**12232
COVID-19 RESPONSE**

As COVID-19 concerns increase, the Council discussed converting the Annual General Meeting scheduled to take place in Ottawa on April 25, 2020 to an electronic meeting.

Moved by W. Turnbull, seconded by T. Olukiyesi:

That the 2020 PEO Annual General Meeting scheduled to take place in Ottawa on April 25, 2020, be converted to an electronic meeting and held on that date or as soon thereafter as is practicable, in accordance with the applicable law and PEO's by-laws, and that other events associated with the AGM be postponed indefinitely or cancelled.

CARRIED.

Moved by M. Sterling, seconded by G. Boone:

That the motion be amended to remove "*or cancelled.*"

DEFEATED

Moved by D. Brown, seconded by C. Bellini:

That the CEO/Registrar is instructed to take all necessary steps to reduce the possibility of virus transmission until public authorities confirm that the risk of virus spread has sufficiently abated.

CARRIED.

That the next Council meeting be conducted electronically.

CARRIED.

**12233
2019 AUDITED FINANCIAL STATEMENTS**

The Auditor advised that the 2019 audited financial statements resulted in a clean and unqualified opinion.

Moved by G. Boone, seconded by W. Turnbull:

That Council approve the Audited Financial Statements for the year ended December 31, 2019, and the Auditor's report thereon, as presented to the meeting at C-532-2.1, Appendix A; and

Authorize the President and President-elect to sign the Audited Financial Statements on Council's behalf.

CARRIED.

**12234
RECOMMENDATION OF AN AUDITOR FOR
2020**

Moved by G. Boone, seconded by L. MacCumber:

That Council recommend to members at the April 2020 Annual General Meeting the appointment of Deloitte LLP as PEO’s auditor for 2020 to hold office until the next annual meeting or until their successor is appointed.

CARRIED

**12235
NATIONAL PROFESSIONAL PRACTICE
EXAMINATION**

Moved by R. Subramanian, seconded by A. Arenja:

That Council approve the proposal to use the National Professional Practice Examination in place of the current PEO administered Professional Practice Examination and direct the Registrar to implement the operational changes needed to join the National Professional Practice Examination program.

CARRIED
Recorded Vote

For

- A. Arenja
- C. Bellini
- D. Brown
- A. Dryland
- G. Houghton
- W. Kershaw
- T. Olukiyesi
- A. Sinclair
- M. Sterling
- S. Sung
- W. Turnbull
- R. Walker

Against

- G. Boone
- L. Cutler
- L. Notash
- R. Subramanian

Councilors expressed their concerns with the testing process and the need for PEO to have its own examination question bank amidst joining NPPE. The exam is aimed to achieve an end-result; therefore, the approval of the action plan will provide the Registrar the authority to proceed accordingly.

M. Sterling requested that the CEO Registrar review the complete cost of the PEO licensing process and recommend a potential fee structure to ensure no financial loss to PEO on an annual basis. CEO/Registrar J. Zuccon will provide a scope of interpretation and the resources required to complete a financial review.

**12236
GOVERNANCE ROADMAP**

The position of Chair was assumed by M. Sterling to facilitate the discussion for this agenda item.

Moved by N. Hill, seconded by A. Arenja:

That Council: (a) approve in principle the Governance Roadmap attached as Appendix A; as amended to combine step 19 and 20 to review parliamentary procedure

(b) pursuant to section 11 of the Professional Engineers Act, delegate to the Executive Committee for a period of two (2) years, subject to any extension that Council may grant, the responsibility for overseeing implementation of the Governance Roadmap and for bringing related recommendations to Council as required; and

(c) instruct the CEO/Registrar to recruit a Consultant to support the work of implementing the Roadmap and to provide governance advisory and training services to Council for a period of two (2) years, at a maximum cost not to exceed \$200,000.

CARRIED

**12237
SUCCESSION PLANNING TASK FORCE
FINAL REPORT**

Moved by D. Brown, seconded by L. MacCumber:

1. That Council receives the Succession Planning Task Force (SPTF) Report and Recommendations as presented to the meeting as C-532-2.6, Appendix A;

2. That Council accepts the SPTF Recommendations 1 and 2A-H (C-532-2.6, Appendix A) and directs the EXE Committee to develop an action plan to implement the recommendations.

3. The Succession Planning Task Force be stood down with thanks.

CARRIED

That Council receive the Draft Terms of Reference for a Succession Planning Committee. (C-532-2.6, Appendix B) and directs the EXE Committee to develop then in concert with 2 above.

WITHDRAWN

**12238
GUIDANCE DOCUMENT FOR MEMBER
SUBMISSIONS TO THE ANNUAL GENERAL
MEETING**

Moved by M. Sterling, seconded by A. Arenja:

That Council approve the new *Guide for Member Submissions at the Annual General Meeting*.

CARRIED

12239
ENGINEERS CANADA AGM ISSUES

Moved by C. Bellini, seconded by A. Arenja:

That Council direct its Member Representative at the 2020 Engineers Canada Annual Meeting of the Members to support the change to the Engineers Canada By-Law regarding setting of the Per Capita assessment, as approved by the Engineers Canada Board in March, 2020, item 4.4.

CARRIED

12240
APPOINTMENT OF PEO DIRECTORS TO
ENGINEERS CANADA BOARD

A confidential email was created to facilitate the casting of electronic votes. D. Abrahams acted as the scrutineer for the ballots.

Moved by T. Olukiyesi, seconded by G. Boone:

That Nancy Hill P.Eng., and Danny Chui, P.Eng. be nominated as PEO Directors to the Engineers Canada Board of Directors, for a three-year term effective as of the 2020 Engineers Canada Annual General Meeting.

CARRIED

Moved by A. Sinclair, seconded by R.A.H. Brunet:

That the ballots for the nominations of PEO Directors to the Engineers Canada Board of Directors for 2020 be destroyed.

CARRIED

12241
EMERGING DISCIPLINES TASK FORCE

P. Davita and G. Comrie presented on the Briefing Report and accompanying historical context paper to outline the history of the emerging task force that is set out to govern and regular the skill profession that is expanding at an accelerated rate of change and the emerging practices that conclude with the motion presented today.

Moved by G. Boone, seconded by R. Subramanian:

1. That the progress report of the Emerging Disciplines Task Force (EDTF) and its task group on Communications Infrastructure Engineering (CIE) in C-532-2.10 Appendix A be received, and its recommendations considered.

2. That Council make a policy decision to “enlarge PEO’s tent” to include emerging and non-traditional disciplines, subdisciplines, scopes of practice, and controlled acts that are deemed to be the practice of professional engineering within the meaning of the Professional Engineers Act, and to implement structures, mechanisms, processes, and programs to regulate their practice and practitioners in an effective manner and without delay.

3. Whereas Council in Feb 2002 passed a motion creating a Standing committee to effectively monitor emerging disciplines and propose

methods to integrate these into the Engineering profession as reproduced here:

- “Establish a permanent committee to monitor the qualifications and experience of applicants and job advertisements to identify new engineering disciplines, or, alternatively, task staff to do this;
- Apply the outlined process for defining a body of knowledge to identified new engineering disciplines;
- Promptly identify an area of exclusive practice for the licensed practitioners of any new engineering discipline and work with government to secure appropriate demand-side legislation.
- Implement enforcement processes in relation to new engineering disciplines with legislated exclusive scopes of practice;
- Examine a discipline-specific licensing model.”

Be it Resolved, That Council implement the decision by PEO Council in Feb 2002 under President Sterling and moved by Bruno DiStefano, and, That the committee be known as the Emerging Engineering Disciplines Committee (EEDC), and, that the initial and with initial membership as outlined in C-532-2.10, Appendix C., and, be constituted as per the draft terms of reference in C-532-2.10, Appendix B, to be reviewed at the first meeting of the EEDC and to make changes as necessary within the context and purpose of this initiative.

5. That Council authorize the ex-budget expenditure of \$10,000 in 2020 for the Committee’s and Task Group’s operation.

6. That Council approve the roster and 2020 workplan of the CIE / CSSE Task Group under the new Committee, as set out in C-532-2.10, Appendix D.

7. Contingent on Motions 2., 3., 4., 5., and 6. being passed, that Council stand down the Emerging Disciplines Task Force with thanks, upon appointment of the EEDC at a future meeting.

Moved by D. Brown, seconded by L. MacCumber:

That the motion be amended to strike motions 1 through 7 and insert:

1. Council tasks the Executive Committee to consider the EDTF report in conjunction with their work on the governance roadmap and the SPTF recommendations; and

2. That Council stand down the Emerging Disciplines Task Force.

AMENDMENT CARRIED

**12242
REPORT FROM THE GOVERNMENT
LIAISON COMMITTEE (GLC)**

Moved by A. Arenja, seconded by W. Turnbull:

1. Receive the report from the Government Liaison Committee (GLC) at C-532-2.11, Appendix A.

2. Restore funding to the GLP budget to enable the GLC to meet its mandate.

Discussed the importance and effectiveness of the committee as a voice to form and maintain the relationships with the government

CARRIED

**12243
RE-INSTATE "CHAPTER SCHOLARSHIPS
FUND" FOR 2020, WITH PROGRAM
REVIEW**

Council expressed its concerns with this agenda item and motion as it differs from what was originally included in the meeting package. This motion can be resubmitted to be considered at a future Council meeting.

Moved by G. Boone, seconded by R. Walker:

Council to support the Pending RCC Decision to approve \$40K+ for the "Chapter Scholarship Fund" in 2020, as follows:

(a) RCC to remove Suspension Immediately for the "Chapter Scholarship Fund" for the current operating 2020 year, with...

(b) Program Review to ensure the Objectives of the Chapter Scholarship Program at met. It is recommended that (a) the entire "Chapter Scholarship Fund" be transferred to the Ontario Professional Foundation for Education, that (b) all participating Chapters become "Chapter Members" of the Foundation for appropriate administration, disbursement & promotions with (c) half of Chapter Scholarship Funds be granted to Females in support of the Engineers Canada "30 by 30" Initiative (serves as "Carrot").

(c) RCC enhance program to make it proportionate for all Chapters, from Smallest to Largest, making funds proportionate to the Chapter Size and increasing the total fund.

(d) The "Chapter Scholarships Fund" needs to be promoted to the entire PEO Membership in partnership with the Foundation for Education to encourage individuals & corporate Tax Receiptable Donations. Program does not need to be solely funded by PEO, and Chapters & Members have shown a keen interest to keep program active.

Motion that the motion shall be considered at this Council meeting. (2/3 majority of votes cast required to carry)

DEFEATED

Moved by R.A.H. Brunet, seconded by A. Arenja:

**12244
CONSENT AGENDA**

That the consent agenda be approved as presented.

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

- 3.1 Minutes – 531st Council Meeting – February 6-7, 2020**
- 3.2 Approval of CEDC Applications**
- 3.3 Board Committee Appointments Decision Criteria Matrix**
- 3.4 Changes to 2020 Committees and Task Forces Membership Roster**
- 3.5 Changes to 30 by 30 Task Force**
- 3.6 Compliance Training Update and Recommendations**

CARRIED

**12245
MINUTES – 531ST COUNCIL MEETING –
FEBRUARY 6-7, 2020**

That the minutes of the 531st meeting of Council, held February 6-7, 2020, as presented to the meeting at C532-3.1, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

**12246
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-532-3.2, Appendix A, Section 1.

2. That Council approve the applications for re-designation as Consulting Engineer as presented to the meeting at C-532-3.2, 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-532-3.2, Appendix A, Section 3.

CARRIED

**12247
BOARD COMMITTEE APPOINTMENTS
DECISION CRITERIA MATRIX**

That Council approve the Board Committee Appointments – Decision Criteria Matrix as presented to the meeting at C-532-3.3, Appendix A.

CARRIED

**12248
CHANGES TO THE 2020 PEO COMMITTEES
AND TASK FORCES MEMBERSHIP ROSTER**

That Council approve the 2020 PEO Committees and Task Forces Membership Roster as presented to the meeting at C-532-3.4, Appendix A.

CARRIED

**12249
30 BY 30 TASK FORCE**

1. That Council approves the extension of the 30 by 30 Task Force by six months to 31 December 2020 with no additional funding.

2. That Council approves the establishment of an annual check in meeting with key stakeholders to track metrics, starting in 2020, until the 30% goal is reached in 2030. The metrics gathered from this annual

meeting will feed into the annual reporting to PEO Council, starting at its November 2020 meeting.

CARRIED

**12250
COMPLIANCE TRAINING UPDATE AND
RECOMMENDATIONS**

That Council approve the recommended protocol requiring all current and prospective PEO volunteers, including representatives from other organizations, to complete mandatory volunteer compliance training prior to: becoming candidates for PEO Council and chapter board elections; serving on PEO committees/task forces and chapter committees; and representing PEO on external boards and advisory groups.

CARRIED

**12251
IN-CAMERA SESSION**

While in-camera Council:

- a. verified the in-camera minutes from the 531ST Meeting of Council held February 6-7, 2020;
- b. approved the 2020 Ontario Professional Engineers Award nominees;
- c. received an HRC update;
- d. received the Complaints Review Councillor's Report;
- e. received the 2019 Engineers Canada Directors Evaluation summary report;
- f. received decisions and reasons of the Discipline Committee
- g. received a legal update on legal actions in which PEO is involved
- h. noted there were no issues reported regarding PEO's Anti-Workplace Harassment and Violence Policy
- i. held a private discussion period with only the CEO/Registrar.

These minutes consist of ten pages and minutes 12228 to 12251 inclusive.

N. Hill, P.Eng., Chair

R. Martin, Corporate Secretary