



**Professional Engineers
Ontario**

Council Meeting

535th Meeting of Council
of Professional Engineers Ontario

to be held on

Friday, June 19th, 2020
9:30 a.m. – 3:30 p.m.

PEO Virtual Conferences

CONFIRMATION OF NOTICE AND QUORUM

Purpose: Secretariat to confirm notice and quorum of the meeting.

Prepared by: Eric Chor, Research Analyst

Briefing Note - Decision

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-535-1.2, Appendix A be approved; and***
- b) the Chair be authorized to suspend the regular order of business.***

Prepared by: Eric Chor - Research Analyst

Appendices:

- Appendix A – 535th Council meeting agenda

Agenda

535th Meeting of the Council
Professional Engineers Ontario
Videoconference

C-535-1.2
Appendix A

Date: Friday, June 19th, 2020
Time: 9:30 a.m. to 3:30 p.m.
Breaks: 10:30 a.m. to 10:50 a.m., 2:15 p.m. to 2:35 p.m.
Lunch: 12:00 to 1:00 p.m.

Friday, June 19 th – 9:30 a.m. – 3:30 p.m.				
9:30 a.m.		CALL TO ORDER – Meeting Begins		
Poll: Does Council consent to proceed with the meeting electronically?				
1. <u>CALL TO ORDER</u>		Spokesperson/ Moved by	Type	Time
1.1	CONFIRMATION OF NOTICE AND QUORUM	Secretariat	Confirmation	5 min
1.2	APPROVAL OF AGENDA	Chair	Decision	10 min
1.3	CONFLICTS OF INTEREST: Do any Councillors have a conflict to disclose	Chair	Exception	5 min
2. <u>PRIORITY REGULATORY AND GOVERNANCE ITEMS</u>		Spokesperson/ Moved by	Type	Time
2.1	PRESIDENT’S REPORT - Reimaging PEO Together: Planning for a vision to focus Council this year; Council’s expected role in Action Plan, Governance Roadmap and Strategic Direction	President Sterling	Discussion	40 min
10:30 a.m. – 10:50 a.m.		BREAK		
2.2	CEO/REGISTRAR’S REPORT: including updates on implementing Action Plan, Governance Roadmap, Strategic Direction	CEO/Registrar Zuccon	Discussion	40 min
2.3	EXECUTIVE COMMITTEE’S REPORT: in future Council meetings, Executive Committee will update Council on progress with the Governance Roadmap	None this meeting (standing item)	N/A	5 min
Regulatory Items - NONE				

Governance Items				
2.4	2021 ELECTION MATTERS: Includes the CESC Issues Report and documents for the 2021 Council Election.	Past President Hill	Decision	
2.5	2020 AGM SUBMISSIONS FOLLOWUP	CEO/Registrar	Information	
2.6	ENGINEERS CANADA DIRECTORS REPORT: this is a governance item on how we might co-ordinate and collaborate better	Chair	Discussion	25 min
12:00 p.m. – 1:00 p.m.		LUNCH		
3.	<u>CONSENT AGENDA</u>	Spokesperson/ Moved by	Type	Time 10min
3.1	MINUTES – 532 & 533 COUNCIL MEETINGS	Chair	Decision	
Regulatory Items				
3.2	GUIDELINE – PROVIDING REPORTS ON MINERAL PROJECTS	Councillor MacCumber	Decision	
3.3	GUIDELINE – ENVIRONMENTAL SITE ASSESSMENT, REMEDIATION, AND MANAGEMENT	Councillor MacCumber	Decision	
3.4	PROPOSED BY-LAW AMENDMENT: ELECTRONIC MEETINGS	CEO/Registrar	Decision	
Governance Items				
3.5	CHANGES TO THE 2020 COMMITTEES AND TASK FORCES MEMBERSHIP ROSTER	CEO/Registrar	Decision	
3.6	PSC UPDATE ON CO-ORDINATING LICENSED PROFESSIONAL (CLP) JOINT SUBCOMMITTEE	CEO/Registrar	Information	

4. <u>NEW BUSINESS ITEMS</u>		Spokesperson/ Moved by	Type	Time
4.1	COUNCILLOR/COMMITTEE ITEMS: this is an opportunity for Councillors and Committee Chairs to raise relevant items of new business for Council’s consideration	Councillors or Committees	Various	30 min
5. <u>IN-CAMERA</u>		Spokesperson/ Moved by	Type	Time
5.1	CONFLICTS OF INTEREST	Chair	Exception	5 min
Consent Agenda				10 min
5.2	IN-CAMERA MINUTES – 532 & 533 COUNCIL MEETINGS	Chair	Decision	
5.3	APPOINTMENT OF CENTRAL ELECTION & SEARCH COMMITTEE MEMBERS	Chair	Decision	
Regulatory Items				
5.4	DECISIONS AND REASONS	CEO/Registrar	Information	10 min
5.5	LEGAL UPDATE	CEO/Registrar	Information	10 min
2:15 p.m. – 2:35 p.m.		BREAK		
	Governance Items			
5.6	HUMAN RESOURCES COMMITTEE’S REPORT: standing item to update Council	HRC Chair	Decision	20 min
5.7	2021 AGM DISCUSSION	Chair	Discussion	15 min
5.8	PEO’S ANTI-WORKPLACE HARASSMENT AND ANTI-WORKPLACE VIOLENCE POLICIES – COUNCILLOR VIOLATIONS, IF ANY	Chair	Exception	5 min
5.9	COUNCILLOR ITEMS: this is an opportunity for Councillors to raise relevant items for Council’s consideration	Councillors	Various	15 min
3:30 p.m.		ADJOURNMENT		

Please note that in order to streamline the agenda, Committee reports are not 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 can be discussed at the meeting if a Councillor or an EC Director asks to address a specific item contained within the written report. The reports submitted as of June 12, 2020 are:

- Legislation Committee
- Discipline Committee
- Enforcement
- Registration Committee
- Stats

The link will take you directly to the reports [535 Council 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]

CONFLICTS OF INTEREST

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

No motion required

Prepared by: Eric Chor, Research Analyst

Briefing Note – Discussion

C-535-2.1

PRESIDENT’S REPORT

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

Motion(s) to consider:

none required

President Sterling will provide an oral report on her recent PEO activities, followed by discussion.

CEO/REGISTRAR'S REPORT

Purpose: CEO/Registrar Zuccon will present the CEO/Registrar's Report.

No motion required.

Prepared by: Eric Chor, Research Analyst

CEO/Registrar's report to be delivered at Council meeting.

Appendix A – CEO/Registrar's Report



CEO/Registrar Update

Johnny Zuccon, P.Eng., FEC, CEO/Registrar
Prepared for PEO Council, June 19, 2020



1. Operational Review / Action Plan

Activity Filter

(Recommendation 1, Key Steps 1,2; Recommendation 3, Key Steps 1,2)

Work continues on developing the evaluation criteria to be applied to the activities and outputs classified previously as either governance or neither.

Professional Practice Exam improvements

(Recommendation 4, Key Step 1)

When Council approved the transition to the National Professional Practice Exam (NPPE) in March, the aim was to develop the PEO infrastructure required to support the new exam program and determine a transition date and schedule. However, just prior to the Council meeting, the province declared a pandemic emergency resulting in the cancellation of the previously scheduled March 28 sitting of the Professional Practice Exam (PPE), for which 1786 applicants had registered. Since these applicants had already registered, paid and prepared for the exam, staff offered them the opportunity to write the NPPE in June. More than 70 per cent of these applicants have accepted. This sitting, which took place on June 8, 9 and 10, was handled by remote proctoring due to the COVID-19 emergency. Please note that this solution was not the planned transition to the NPPE but rather an accommodation for those who had been planning to write the PPE in March. The current plan is to implement the on-line registration and administration system by July 1, 2020, in time to transition to the September sitting of the NPPE.

There are 499 applicants who have failed one part of the PPE and must rewrite. Of these, 183 (37%) registered to write the NPPE at the June sitting. The remaining 316 did not register for the June sitting for various reasons, including a reluctance to write an exam that would retest them on material they had already passed. PEO will provide accommodation for these applicants by holding another sitting of the PPE at some future date. That sitting will make use of the examination materials prepared for the cancelled March 28 sitting and will be the final sitting of the PPE. Staff have confirmed that remote proctoring for this PPE sitting is possible and a review of the logistics to providing separate parts to specific applicants and other issues related to converting the paper-based examination to an on-line examination is ongoing. Once a decision is made on how to proceed, PEO will inform the applicants of this opportunity.

Online C of A renewals

(Recommendation 13, Key Step 2)

The online certificate of authorization renewal process launched in January 2020 has proven to be COVID resistant once cheques were removed as a payment option. Since our office closed on March 17, PEO has processed 917 renewals and can now track the average number of days between renewal submission and PEO approval. The current average is 3.72 days.

Online C of A applications

(Recommendation 13, Key Step 2)

Since the office shutdown, PEO has transitioned to a new, fully electronic process to receive and approve new certificate of authorization applications.

Stabilization initiatives

(Recommendation 5, Key Step 1)

Licensing process

The licensing process stabilization change initiative contains four projects: open applicant file inventory, minimum application information submission, academic equivalency and experience assessment methodology. Over the last several months, policy staff have worked with Licensing & Registration and IT staff to collect and analyze current applicant files, identify where in the process they are, how long they remain at each stage, and why. Staff will be meeting shortly to prioritize which parts of the licensing process should be modified to simplify, streamline, speed-up or reduce subjectivity in decision-making. The application information submission project is incorporating the new licence application form to capitalize on those changes going forward.

2. Organizational Review

(Recommendation 2, Key Step 2)

Work to address the recommendations from the final report of the organizational review conducted by Western Management Consultants continues. PEO has hired a director of human resources and next steps include conducting a comprehensive assessment of staff functions and a plan for recruiting and onboarding C-suite hires.

3. Governance

(Recommendation 2, Key Steps 1,2,3)

Further to Council's decision in March to proceed with implementing a governance road map, work continues on the RFP process to solicit external expertise to assist with this initiative.

Operations

Adapting to our remote environment

PEO's COVID-19 Response Team continues to meet regularly and planning has commenced for staff's eventual return to the office. This includes ordering disposable face masks, gloves, additional hand sanitizer and sanitizer wipes. The PEO Joint Health and Safety Committee (JHSC) has joined the COVID-19 Response team to work on the planning efforts. An RFP has been issued for a consultant to provide expert guidance and recommendations in planning for PEO's eventual return to office, which will take a phased gradual approach. PEO continues to monitor government recommendations and will return once we can do so in a safe, responsible manner that ensures everyone's health is protected.

While every effort has been made to deliver a seamless transition to a remote work environment for our staff on short notice, some processes, particularly in our licensing area, are largely paper-based, which has created some significant logistical and privacy challenges. In addition, not all staff were equipped with laptops prior to the shutdown, and deployment of laptops to staff continues. Movement to a digital strategy over the next few years is part of the action plan approved by Council in the wake of the external regulatory review completed in 2019. In the meantime, short-term solutions have been developed to enable us to continue to effectively carry out our mandate.

P.Eng. applications

PEO anticipates accepting new P.Eng. licence applications by email by mid-June. SharePoint has been configured to allow all new applications and supporting information to be received and filed electronically.

New licences and seals

PEO has issued licences to applicants whose files were near completion at the time of our office closure. This includes issuing more than 200 seals in a digital format. Since the office closure, processes were revised such that an additional 194 licences were able to be approved in early June.

Applications advancing

Processes have been adjusted to allow for more than 400 applications to advance electronically to the stage of experience assessment. Also, since the shutdown, 150 academic assessment results that were previously unable to be mailed, as well as 20 ERC interview outcomes, were communicated by email.

National Professional Practice Examination

PEO has adopted the National Professional Practice Exam (NPPE) as a replacement for the PEO-administered PPE. The NPPE is a computer-based, multiple choice examination administered through the Association of Professional Engineers and Geoscientists of Alberta and is based on the same content and curriculum as the PPE. Joining this program provides PEO with an objective, psychometrically valid and digital professional practice examination. This has been requested of PEO by the Fairness Commission of Ontario and, most recently, by the authors of our external regulatory performance review. During the COVID-19 pandemic, the NPPE is being offered as a remotely-proctored examination. The first sittings of this new exam occurred in June for those whose March PPE sitting was cancelled. Online registration for future sittings is set to go live on July 1.

Certificate of authorization applications

PEO has transitioned to a new process of receiving and approving new certificate of authorization applications while the PEO office is closed due to COVID-19 restrictions.

Certificate of authorization renewals

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

Practice advisory notice

PEO published a practice advisory notice outlining the obligations and responsibilities of professional engineers and holders of limited licences during the COVID-19 pandemic. The notice is available on PEO's website at: <https://www.peo.on.ca/sites/default/files/2020-03/Advisory%20Notice%20-%20COVID19%20%28FINAL%29.pdf>.

Complaint investigations

Statutory investigations are progressing with all department staff fully equipped to work from home. In March, processes were adjusted and communicated to accept and process complaints only by email. Due to the fact that the complaints process had previously largely transitioned to be paperless, the first fully remote Complaints Committee meeting to consider and dispose of files was successfully held by Zoom in May.

Enforcement

As the enforcement function had previously transitioned to be largely paperless, enforcement staff continue to investigate active matters and respond to new matters submitted by email and voicemail. There are no pending enforcement prosecution matters affected by reduced provincial court services.

Tribunals

Tribunal staff were provided laptops prior to the office closure. Access to certain key scheduling records and Outlook tasks has permitted support staff to maintain core functions during the operation, although the group currently lacks access to printers, copiers, official paper stationery for issuance of decisions to parties, as well as the ability to maintain tribunal records of proceedings, which requires scanners and paper files. Scheduling of matters continues through email correspondence. PEO's current capabilities do not extend to proceeding with virtual hearings. Considering the low number of hearings, it is unlikely that the business case would support proceeding in that manner. Staff are reviewing options to make use of licensed Zoom-type videoconference system, but this would likely be for preliminary non-contentious proceedings, such as pre-hearing conferences.

Information Technology

Several new technologies have been introduced to facilitate the remote work environments of our staff. These include:

- Implementing softphone software that allows staff to make telephone calls over the internet via their computer, laptop, tablet or smartphone as if they were in the office. We anticipate that 98 per cent of staff will have a PEO-issued laptop by the end of June
- Upgrading PEO's phone system to the cloud
- Implementing Zoom software for staff to conduct virtual meetings
- Converting to email distribution many regulatory communications previously issued by Canada Post
- Proceeding with migration to Office365 and hybrid cloud infrastructure that will further enable the use of cloud-based software, such as MS Teams
- Implementing online board management software for Council meetings (target Sept. meeting launch)

Engineering Dimensions

The first entirely virtually-produced issue of *Engineering Dimensions* was published—the May/June issue.

Committees and chapters

Many chapters and committees are now conducting regular meetings virtually online using either Adobe Connect or Zoom—the notable exceptions being the Academic Requirements Committee, the Experience Requirements Committee (for assessment interviews) and the Consulting Engineer Designation Committee, which require in-person access to files or equipment (see Figure 1).

Figure 1. Meetings of committees/task forces

Committees/task forces currently meeting
<ul style="list-style-type: none">• 30 by 30 Task Force• Advisory Committee on Volunteers• Audit Committee• Awards Committee• Complaints Committee• Enforcement Committee• Finance Committee• Government Liaison Committee• Human Resources Committee• Legislation Committee• Regional Councillors Committee• Professional Standards Committee• Volunteer Leadership Conference Planning Committee
Committees able to meet but have not to-date
<ul style="list-style-type: none">• Discipline Committee—typically meets two times per year (no decision yet)• Equity & Diversity Committee—chair decided to cancel with a September meeting possible• Experience Requirements Committee (business meetings)—first meeting scheduled for June 26• Fees Mediation Committee—typically meets two times per year (no decision yet)• Licensing Committee—scheduling for June• Registration Committee—typically meets two times per year (no decision yet)
Committees not meeting
<ul style="list-style-type: none">• Academic Review Committee—awaiting new files• Consulting Engineer Designation Committee—cannot meet at this time given lack of access to files

Finance

Financial update as of May 31, 2020

For the five months ending May 31, 2020, revenues earned were \$10.94m and expenses incurred were \$9.15m, resulting in an excess of revenues over expenses of \$1.79m as shown in Figure 2. The shortfall of revenues in comparison to budget by \$1.85m is largely due to lower application, registration and examination fees.

The total spend of \$9.15m versus a budgeted spend of \$11.96m (i.e. lower than budget by \$2.8m) is due to the lower than expected spend on full-time staff salaries, purchased services, contract staff, chapters and several other activities across the board that have been either delayed or deferred until further notice due to the COVID-19 crisis.

As can be seen in Figure 3, PEO has cash reserves of \$5.52m and an investment portfolio of \$11.49m as of May 31, 2020. Despite the overall fall in equity markets over the past few months, the value of the portfolio has increased by about \$190k since January due to a well-diversified asset mix with approximately 70% invested in high quality, fixed income instruments, which have helped in insulating the portfolio from the volatility of equity markets.

Figure 2. Revenues and Expenses as of May 31, 2020

	2020 Actual	2020 Budget	Variance Act vs Bud
Revenues	\$10,940,427	\$12,791,940	-\$1,851,513
Expenses	\$9,152,458	\$11,964,312	\$2,811,854
Excess of rev over exp	\$1,787,969	\$827,628	\$960,341

Figure 3. Assets and Liabilities as of May 31, 2020

	2020 Actual	2019 Actual	Variance (Fav / Unfav)
Cash	\$5,517,795	\$2,737,525	\$2,780,270
Other current assets	\$1,003,744	\$1,330,464	-\$326,720
Marketable securities	\$11,493,415	\$7,123,400	\$4,370,015
Capital assets	\$32,489,771	\$33,936,878	-\$1,447,107
Total assets	\$50,504,725	\$45,128,267	\$5,376,458
Current liabilities	\$13,706,177	\$11,396,942	-\$2,309,235
Long-term debt	\$3,175,627	\$4,258,939	\$1,083,312
Employee future benefits	\$6,825,000	\$11,559,350	\$4,734,350
Net assets	\$26,797,921	\$17,913,036	\$8,884,885
Total liabilities & net assets	\$50,504,725	\$45,128,267	\$5,376,458

Billings

Renewal billings for P.Engs, EITs, etc., are being run on schedule and emailed to members. Paper invoices and receipts are no longer being sent. The email notices of fee payment have been revised to request that members not send any cheques and to pay membership dues via online means only (i.e. via PC banking or credit card).

Impact of COVID-19 on membership requests for reduced fees

As shown in Figures 4 and 5, as of May 31, 2020, there were a total of 1051 fee remission requests received in comparison to 1045 requests as of May 31, 2019. There does not appear to be a significant increase in the number of members seeking to pay reduced fees.

Impact of COVID-19 on membership resignations

From Figures 4 and 5, the total number of resignation requests received as of May 31, 2020, has been 258, which works out to a monthly average of 52 resignations per month in comparison to the monthly average of 76 resignations per month or a total of 915 resignations in 2019. Staff is monitoring the situation to track all fee remission and resignation requests but as of now, there does not appear to be any significant increase in both requests for reduced fees and resignations.

To assist with payment options for dealing with the COVID-19 situation, staff are advising members about the various fee remission options currently available. In addition, members are being given an approximately 70-day grace period from the due date for paying their membership dues without incurring any penalties.

Figure 4. Remissions stats as of May 31, 2020

Remission Type	Jan	Feb	March	April	May	Total	Monthly Avg
Parental Leave	20	13	8	18	14	73	15
Post Grad	14	7	2	9	6	38	8
Unemployment	141	111	106	107	104	569	114
Temp Health	5	4	1	4	2	16	3
Permanent Health	3	4	4	2	2	15	3
Retired	67	93	87	34	59	340	68
Total	250	232	208	174	187	1051	210
Cumulative Total	250	482	690	864	1051		
Resignations						258	52

Figure 5. Remissions stats for 2019

Remission Type	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly Avg
Parental Leave	12	11	17	17	15	15	20	8	14	14	17	6	166	14
Post Grad	8	5	2	3	4	3	4	5	10	9	13	3	69	6
Unemployment	117	79	144	134	89	115	111	106	126	123	117	92	1353	113
Temp Health	1	2	7	4	1	2	5	1	2	3	3	8	39	3
Perm. Health	3	4	1	3	3	1	1	4	13	6	0	3	42	4
Retired	50	79	79	87	64	114	72	73	128	81	74	91	992	83
Total	191	180	250	248	176	250	213	197	293	236	224	203	2661	222
Cumulative Total	191	371	621	869	1045	1295	1508	1705	1998	2234	2458	2661		
Resignations													915	76

Accounts payable

With the exception of printing and mailing cheques, all payments are being processed via online means. In terms of turn-around times, volunteer payments are being processed within 8 to 10 business days but payments to vendors are being delayed and rescheduled without incurring any penalties.

Although it is early to accurately predict the full financial impact of the COVID-19 situation, an overall fall in revenues cannot be ruled out. Staff is continually monitoring the situation on the revenue and expenditure side and an update will be provided to Council at its next meeting.

Human Resources

New HR Director

Lolita Holden, CHRL, joined PEO on June 8 as our new Director, Human Resources, reporting directly to me. Ms. Holden is a seasoned professional with a wealth of experience that spans over 20 years and includes leading HR teams within various profit and non-profit organizations. In her most recent position, Lolita served as director, human resources & chief diversity officer with the Ontario College of Trades. Her work there included providing HR leadership across the organization, determining the strategic HR direction in response to the organization's vision, championing HR as a strategic business partner, and implementing key policies and programs to drive HR operational effectiveness.

Staff update

PEO is committed to ensuring the continued good health and well-being of all our employees. Fortunately, no COVID-19 cases of our employees have been reported to date.

On June 25, an interactive meeting with all staff will be held to receive feedback on the current work from home plan during the COVID-19 pandemic as well as concerns related to the challenges of returning to the office. Further, the Human Resources department organized refresher training sessions for members of PEO's Joint Health and Safety Committee (JHSC), including COVID-specific courses, to assist in the reopening of PEO's office in a safe and effective manner when deemed appropriate.

/

Licensing & Registration

The number of licence applications received during the first 2 ½ months of the year, prior to the COVID-related office shutdown, was generally consistent with the same period in 2019 (Figure 6). Since the office shutdown and because licence applications have been paper-based, no licence applications were able to be received at PEO between March 17 at May 31, which accounts for the significant decrease in applications received January to May 2020, as compared to the same period in 2019. PEO will have the ability to accept emailed P.Eng. applications in mid-June and it is expected that a large increase in P.Eng. applications received will be reflected in the next Registrar's Update.

Licences approved has suffered a lag and backlog related to the office shutdown and paper-based nature of files (Figure 7). While process workarounds have been implemented to allow licence approvals to continue remotely (involving communicating with applicants and compiling documents needed for final review from old and new email correspondence), a lag in this work has been experienced in relation to the workaround and the necessary deployment of laptops to staff. In addition, a recent batch of licence approvals processed on June 5 is not reflected in the January to May figures.

Figure 6. Breakdown of P.Eng. Licence Applications Received, January-May 2019 and 2020

Year	Applications Received 2019					Applications Received 2020					% change
Gender	Female		Male		Totals	Female		Male		Totals	Totals
	(#)	(%)	(#)	(%)	(#)	(#)	(%)	(#)	(%)	(#)	
CEAB	260	19%	1091	81%	1351	127	24%	397	76%	524	-61%
Non-CEAB	205	15%	1169	85%	1374	142	17%	683	83%	825	-40%
Undefined	92	22%	330	78%	422	0	0%	0	0%	0	
Totals	557	18%	2590	82%	3147	269	20%	1080	80%	1349	-58%

Figure 7. Breakdown of P.Eng. Licence Applications Approved January-May 2019 and 2020

Year	P.Eng. Licences Approved 2019					P.Eng. Licences Approved 2020					% change
Gender	Female		Male		Totals	Female		Male		Totals	Totals
	(#)	(%)	(#)	(%)	(#)	(#)	(%)	(#)	(%)	(#)	
CEAB	210	18%	949	82%	1159	116	21%	443	79%	559	-52%
Non-CEAB	88	14%	523	86%	611	62	18%	281	82%	343	-44%
Totals	298	17%	1472	83%	1770	178	20%	724	80%	902	-49%

Regulatory Compliance

Complaints

Complaint file processing times remain at a five-year low, reflecting a historical backlog being cleared, and adoption of a complaint 'streaming' process (Figure 8). The total number of active complaint files has increased somewhat since 2018, and the volume of complaints filed to-date in 2020 remains consistent with previous years, in spite of the COVID pandemic and shutdown (Figure 9).

In May, the Complaints Committee held its first-ever, fully electronic and remote meeting by Zoom, during which it considered and disposed of complaint files, fulfilling its statutory mandate.

Figure 8. Complaint file processing times as of May 31, 2020

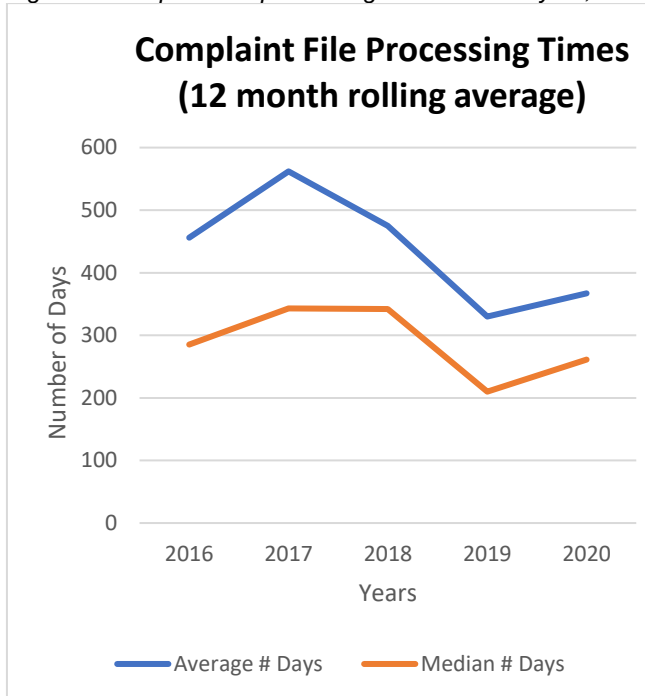
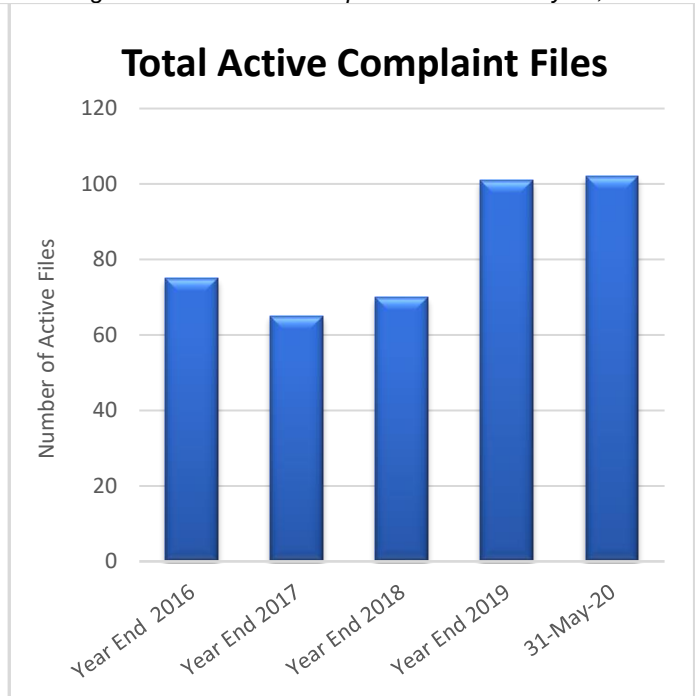


Figure 9. Total active complaint files as of May 31, 2020



Enforcement

The enforcement case load was relatively consistent for the first three months of 2020, with a moderate decline in new cases during April and a significant decline in May. Despite a reduction in reported matters, response times for inquiries has not been impacted. The ability to close active files has been impacted in part by PEO's temporary office closure and by slight procedural delays from respondents and service providers due to other limitations on the associated business operations. Consequently, the overall case backlog has increased by 13% since January 1.

Figure 10 shows the change in total case load during the year. The purple bars show the number of files open at month end, while the orange bars show the number of files that were closed during the month.

Figures 11 and 12 show the relative distribution, by type of violation and type of respondent, for all files opened each month. Figure 11 shows that reported title violations continue to be dominant each month, while Figure 12 shows a shift from reported violations by companies to reported violations by individuals during March and April.

Figure 10. Active Enforcement Files

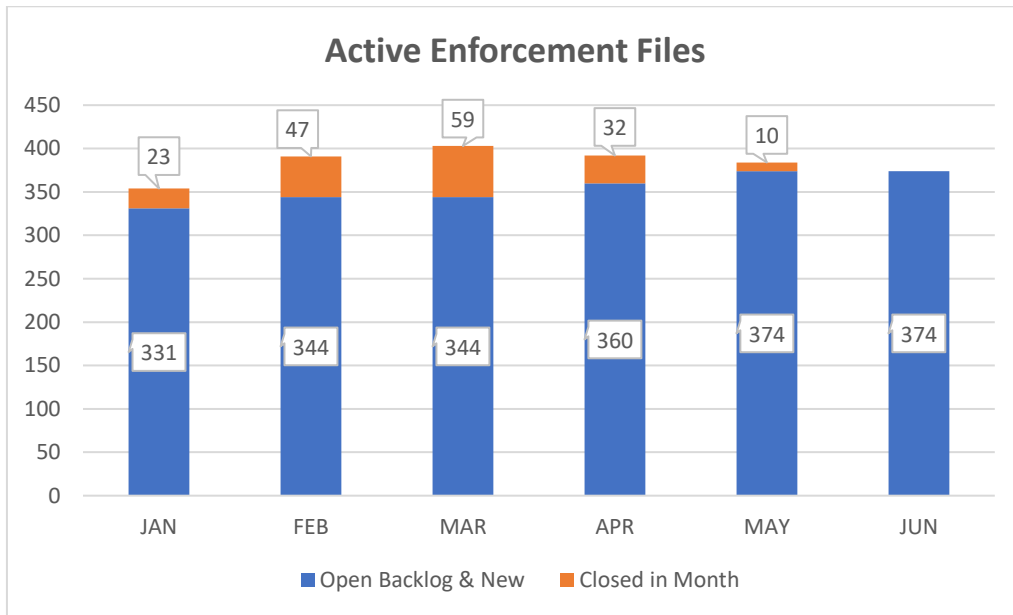


Figure 11. Title vs. Practice Violation

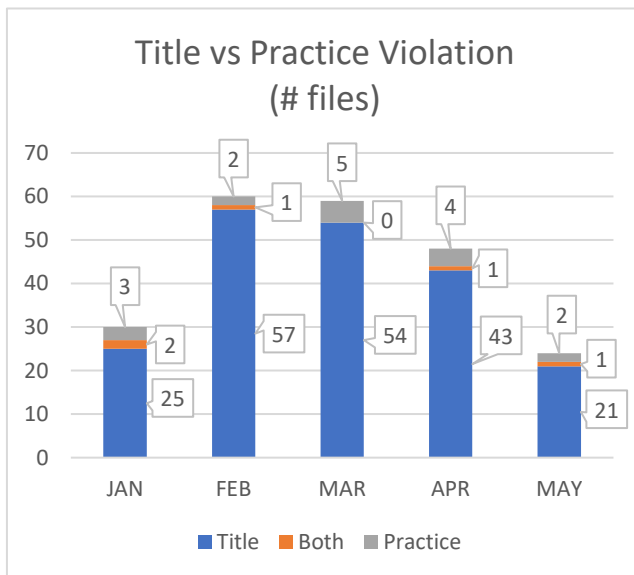
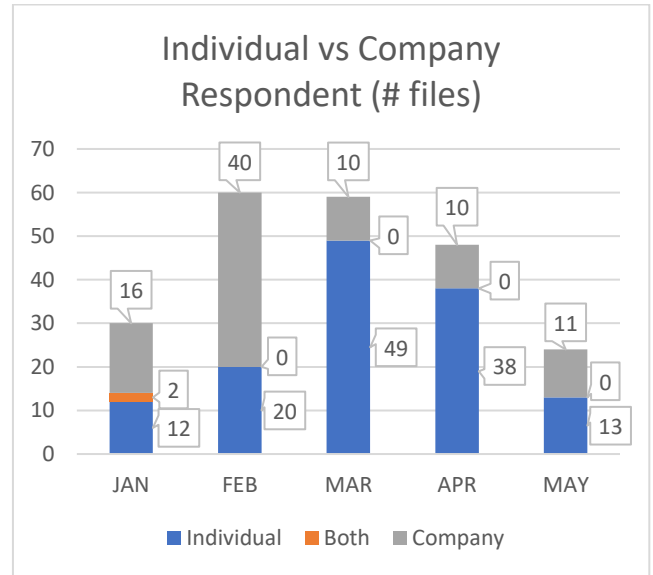


Figure 12. Individual vs. Company Respondent



Tribunals & Regulatory Affairs

Tribunals

The impact on proceedings/hearings are summarized as follows:

- i. The Fees Mediation Committee typically holds 1 to 2 arbitrations or mediations per year, and any delay can be dealt with no significant impacts.
- ii. The Complaints Review Councillor has always been a function which does not hold hearings, and thus no impacts are expected to its case functions.
- iii. The Discipline Committee is impacted as it has always held in-person hearings and pre-hearings, and the nature of submissions with various lawyers and parties makes it a paper-based process.
- iv. The same applies to the Registration Committee.

Scheduling of matters is working well through email correspondence, but no physical hearings can be carried out. There is no access to paper records of proceedings and hence we cannot respond to requests from parties or members of the public.

PEAK Program

Development of a new ethics module and transition to a new learning management system platform is underway and will go live on July 1, 2020.

Industrial exception/nuclear industry

The report on the industrial exception and the nuclear industry approved by Council motion on September 19th, 2019 was to be completed by staff and delivered to Council at the June 2020 meeting. However, policy projects in support of the Action Plan (Licensing Process Stabilization), the Legislation Committee, and responses to government requests for consultation took priority and delayed work on the report. Work is ongoing, and staff have been gathering and analyzing information, and reviewing how the nuclear industry in Canada is regulated on the federal and provincial level. Staff expect the report to be finished by September 2020, and to be presented to Council at the September or November meeting.

EXECUTIVE COMMITTEE’S REPORT

Purpose: The Executive Committee’s update to Council on progress with the Governance Roadmap.

No motion required.

Prepared by: Eric Chor, Research Analyst

There is no update for this standing item at this meeting.

2020 ELECTION MATTERS

Purpose: To approve the recommendations of the 2020 Central Election and Search Committee (CESC) and to approve various other matters related to the conduct of the 2021 Council Elections.

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

That Council, with respect to the 2021 Council election:

- a) approve the recommendations contained in the 2020 Central Election and Search Committee Issues Report as presented to the meeting at C-535-2.4, Appendix A;
- b) approve the 2021 Voting Procedures, as presented to the meeting at C-535-2.4, Appendix B;
- c) approve the 2021 Election Publicity Procedures, as presented to the meeting at C-535-2.4, Appendix C;
- d) approve the 2021 Nomination Form as presented to the meeting at C-535-2.4, Appendix D;
- e) approve the 2021 Nomination Acceptance Forms for President-Elect, Vice-President, Councillor-at-Large and Regional Councillor as presented to the meeting at C-535-2.4 Appendix E,
- f) appoint the Regional Election and Search Committees (RESC) for each Region,
- g) appoint the Junior Regional Councillor in each Region (Luc Roberge, P.Eng., Chantal Chiddle, P.Eng., Peter Cushman, P.Eng., Peter Broad, P.Eng., Lisa MacCumber P.Eng.) as Chair of the RESC for their Region.

Prepared by: Ralph Martin – Manager, Secretariat

Moved by : Nancy Hill, P. Eng., Past President

1. Need for PEO Action

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

In accordance with the Protocol for Annual Review of Election Procedures, the Central Election and Search Committee (CESC) undertook a review of the procedures for the conduct of the 2020 Council Elections. PEO convention requires that Council approve voting procedures and election publicity procedures, which form part of the voting procedures, for its annual elections. All recommendations approved by the CESC have been incorporated into the Voting and Election Procedures and the 2021 Council Elections Guide, as the case may be, and will be amended, if required, as per Council's decisions at the meeting.

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

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

- Clarifying the nomination requirements for the three at-large positions in the election;
- Requiring the completion of mandatory volunteer training for all candidates

2. Proposed Action / Recommendation

That Council approve the motions noted above.

3. Next Steps (if motion approved)

The approved 2021 Voting Procedures and 2021 Election Publicity Procedures would be published on PEO's website and in the July/August issue of *Engineering Dimensions*. The 2021 Council Elections Guide will be updated reflecting the Council approved changes to the Voting and Publicity procedures.

4. Policy or Program contribution to the Strategic Plan

Approving policies for the 2021 PEO Council Election is related to Objective 9 in the 2018-2020 Strategic Plan

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

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

6. Peer Review

Comments were collected from stakeholders such as the Regional Election and Search Committee (RESC) Chairs, Returning Officers, the Official Elections Agent, the Registrar, the Chief Elections Officer and others during the Council election and are reflected in the Issues Report.

7. Appendices

- Appendix A – Central Election and Search Committee Issues Report
- Appendix B – Draft 2021 Voting Procedures
- Appendix C – Draft 2021 Election Publicity Procedures
- Appendix D – Nomination Form
- Appendix E – i) – Nomination Acceptance Form – President-Elect
ii) – Nomination Acceptance Form – Vice-President
iii) – Nomination Acceptance Form - Councillor-at-Large
iv) – Nomination Acceptance Form – Regional Councillor
- Appendix F – Maximum Council Election Allowance

Central Election and Search Committee Issue Report
2020 Council Elections

Item	Issue	Background	Recommendation
1.	<p>The nomination form requires the full address of a nominator. This is personal information and members are reluctant to provide it. A member questioned why the printed name of the nominator, and the nominators registration number, region and signature are not sufficient</p> <p>If a nomination form does not have the full address of the nominator but all other information would it be rejected?</p>	<p>The nomination form presently asks nominators to provide their name (as it appears on PEO's register), licence number, nominator's address, region, and signature.</p> <p>2020 Voting Procedures</p> <p>5. Only nomination acceptance and nomination forms completed in all respects, without amendment in any way whatsoever, will be accepted.</p> <p>Regulations under the Act</p> <p>14. A Member may be nominated for election to the Council as a regional councillor for a Region by no fewer than fifteen other Members who reside in the Region. O. Reg. 157/07, s. 5.</p>	<p>Recommendation: That the status quo be maintained.</p> <p>Rationale: The address of a nominator helps to ensure that the member nominating another member as a regional councilor actually lives in the region and thus that the nomination complies with Regulation 14.</p> <p>For councilor-at-large positions, the address helps determine whether a proposed candidate has a nominator from each of the five regions.</p>
2.	<p>A member interpreted the regulation that sets out the number of signatures required for at-large positions as permissive (in his words "can") as opposed to required ("must").</p>	<p>Regulations Under the Act</p> <p>14. (1) A Member may be nominated for election to the Council as president-elect, vice-president or a Councillor-at-large by no fewer than fifteen other Members,</p>	<p>Recommendation: That the regulation be amended to provide greater clarity, e.g. -</p> <p>14.(1) A Member may be nominated for election to the Council as president-elect, vice-president or a Councillor-at-large by no fewer than fifteen other Members, including Member</p>

Item	Issue	Background	Recommendation
	His nomination for an at-large position was rejected because the nomination lacked at least one nomination from each of the five regions.	<p>including Member residents from each Region. O. Reg. 157/07, s. 5.</p> <p>A member disagreed with the interpretation of Regulation 14(1) (see right) provided by the Chief Elections Officer and PEO's legal counsel and is requesting that the regulations be amended to coincide with his interpretation.</p>	<p>residents from each Region-of which one nominator must be a resident of each Region.</p> <p>Rationale: 14(1) of the legislation implies that members are not required to nominate a member for council as a Councillor-at-large – i.e. it is not mandatory that members nominate other members.; hence the use of the word “may”.</p>
3.	No activation of links in an eblast message sent by a candidate.	<p>2020 Election Publicity Procedures</p> <p>18.All material for the eblast messages must be submitted in a Word document only and must not be included as part of the message in the transmission email. Where the email message is received in a font size or style that is different from the specifications but otherwise meets all the requirements, the chief elections officer may authorize staff to change only the size and font of the material so it conforms to specifications. Staff are prohibited from amending material in any way except with the written permission of the candidate.</p> <p>Links can be activated by staff but there is no provision for them to do so.</p>	<p>Recommendation: To amend the Election Publicity Procedures to permit the Chief Elections Officer to direct staff to activate links in eblast messages that have not been linked by the candidate, such as links to the candidate's own website, email addresses, etc.</p> <p>Rationale: To expedite the processing of eblast material.</p>
4.	A member complained that a candidate, during the course of an All Candidates Meeting, indicated he (the candidate) would vote for his	<p>Election Publicity Procedures</p> <p>25. Councillors may use their positions to encourage candidates to stand for PEO office and members to participate in the</p>	<p>Recommendation: To maintain status quo.</p> <p>Rationale: Based on legal counsel's opinion.</p>

Item	Issue	Background	Recommendation
	opponent. The member was of the opinion that such a comment constituted an endorsement and, therefore, a violation of the Election Publicity Procedures.	election process but may not endorse candidates for PEO election.	
5.	Should candidates be required to take the mandatory volunteer training prior to declaring their candidacy.	<p>The Voting Procedures are silent on this issue.</p> <p>Members are appointed by Council to committees and task forces but it is only <u>after</u> such appointment that they are to take the Orientation and Training. There is no reference to Councillors who have not taken the training being required to do so.</p> <p>Volunteer Manual</p> <p>6.2 Orientation and Training</p> <p>Once the appointment of a new committee/task force volunteer is confirmed by Council, People Development will arrange for volunteer orientation, which usually takes place at PEO prior to the first meeting of the committee/task force the volunteer attends in person. A Volunteer Orientation webmodule, developed in 2015, will be sent to all new volunteers as a part of their initial volunteer training.</p>	<p>Recommendation: That successful candidates must complete the mandatory volunteer training before taking office at the Annual General Meeting and that Council should change the Regulations to require this training as a condition of candidacy.</p> <p>Rationale: In order to meet required laws.</p>
6.	Candidates should not be permitted to include personal attacks in their campaign material.	The Election Procedures are silent on this issue.	Recommendation: That the CESC to review complaints on a case by case basis.

Item	Issue	Background	Recommendation
			Rationale: The CESC will collect data on the number of complaints and consider possible changes to the 2021 Issues report.

C-535-2.4
Appendix B

**2021 Voting Procedures
for Election to the 2021-2022 Council of the
Association of Professional Engineers Ontario (PEO)**

The 2021 voting and election publicity procedures were approved by the Council of PEO in June, 2020. Candidates are responsible for familiarizing themselves with these procedures. Any deviation could result in a nomination being considered invalid. Candidates are urged to submit nominations and election material well in advance of published deadlines so that irregularities may be corrected before the established deadlines. Nominees' names are made available as received; all other election material is considered confidential until published by PEO.

1. The schedule for the elections to the 2021–2022 Council is as follows:

Date nominations open	October 19, 2020
Date nominations close	4 p.m., November 27, 2020
Date PEO's membership roster will be closed for the purposes of members eligible to automatically receive election material ¹	January 8, 2021
Date a list of candidates and voting instructions will be sent to members	no later than January 11, 2021
Date voting will commence	on the date that the voting packages are sent to members, no later than January 15, 2021
Date voting closes	4 p.m., February 19, 2021

All times noted in these procedures are Eastern Time.

¹ Members licensed after this date may call in and request that election information be mailed to them by regular mail, or, upon prior written consent by the member for use of his/her email address, via email, or via telephone

2. Candidates' names will be listed in alphabetical sequence by position on the list of candidates sent to members and on PEO's website. However, the order of their names will be randomized when voters sign in to the voting site to vote.
3. A person may be nominated for only one position.
4. Nomination papers are to be submitted only by email (elections@peo.on.ca) for tracking purposes. Forms will not be accepted in any other format (e.g. fax, personal delivery, courier, regular mail).

5. Only nomination acceptance and nomination forms completed in all respects, without amendment in any way whatsoever will be accepted.
6. Signatures on nomination forms can be hand signed or electronic.
7. Signatures on nomination papers do not serve as confirmation that a member is formally endorsing a candidate.
8. Candidates will be advised when a member of the Central Election and Search Committee has declared a conflict of interest should an issue arise that requires the consideration of the committee.
9. An independent agency has been appointed by Council to receive, control, process and report on all cast ballots. This "official elections agent" will be identified to the members with the voting material.
10. If the official elections agent is notified that an elector has not received a complete election information package, the official elections agent shall verify the identity of the elector and may either provide a complete duplicate election information package to the elector, which is to be marked "duplicate," by regular mail or email or provide the voter's unique control number to the voter and offer assistance via telephone. In order to receive such information via email, the elector must provide prior written consent to the use of his or her email address for this purpose.
11. Council has appointed a Central Election and Search Committee to:
 - encourage members to seek nomination for election to the Council as president-elect, vice president or a councillor-at-large;
 - assist the chief elections officer as may be required by him or her;
 - receive and respond to complaints regarding the procedures for nominating, electing and voting for members to the Council;
 - conduct an annual review of the elections process and report to the June 2020 Council meeting.
12. Council has appointed a Regional Election and Search Committee for each region to:
 - encourage members residing in each region to seek nomination for election to the Council as a regional councillor.
13. Candidates for PEO Council may submit expense claims. The travel allowance to enable candidates to travel to chapter events during the period from the close of nominations to the close of voting will be based on the distance between chapters and the number of chapters in each region. Such travel expenses are reimbursed only in accordance with PEO's expense policy.
14. Council has appointed an independent chief elections officer to oversee the election process and to ensure that the nomination, election and voting are conducted in accordance with the procedures approved by Council.
15. The chief elections officer will be available to answer questions and complaints regarding the procedures for nominating, electing and voting for members to the Council. Any such complaints or matters that the chief elections officer cannot resolve will be forwarded by the chief elections officer to the Central Election and Search Committee for final resolution. Staff is explicitly

prohibited from handling and resolving complaints and questions, other than for administrative purposes (e.g. forwarding a received complaint or question to the chief elections officer).

16. On or before the close of nominations on November 27, 2020, the president will appoint three members or councillors who are not running in the election as returning officers to:
 - approve the final count of ballots;
 - make any investigation and inquiry as they consider necessary or desirable for the purpose of ensuring the integrity of the counting of the vote and report the results of the vote to the registrar not later than March 10, 2020.
17. Returning officers shall receive a per diem of \$250 plus reasonable expenses to exercise the duties outlined above.
18. Nomination papers are to be submitted only by email for tracking purposes. Forms will not be accepted by any other format (e.g. personal delivery, courier, fax or regular mail). Candidates should allow sufficient time for their emails to go through the system to ensure that the completed papers are, in fact, received by the chief elections officer by 4 p.m. on November 29, 2019. In the event of a dispute as to when the forms were sent vs received, a candidate can provide the chief elections officer with a copy of his or her email to PEO that would indicate the time the nomination forms were sent from his/her computer. A nomination, once withdrawn, may not be re-instated.
19. If a candidate withdraws his or her nomination for election to PEO Council prior to the preparation of the voting site, the chief elections officer shall not place the candidate's name on the voting site of the official elections agent or on the list of candidates sent to members and shall communicate to members that the candidate has withdrawn from the election. If the candidate withdraws from the election after the electronic voting site has been prepared, the chief elections officer will instruct the official elections agent to adjust the voting site to reflect the candidate's withdrawal.
20. In the event a candidate changes his or her mind on a position and decides to run for a different position after submitting nomination forms, a newly completed nomination petition form, in addition to a new acceptance form, will be required.
21. In the event a chapter holds an All Candidates Meeting, the chapter must invite to the meeting all candidates for whom voters in that region are eligible to vote.
22. Voting will be by electronic means only (internet and telephone). Voting by electronic means will be open at the same time the electronic election packages are sent out.
23. All voting instructions, a list of candidates and their election publicity material will be sent to members. All voters will be provided with detailed voting instructions on how to vote electronically. Control numbers or other access control systems will be sent to members by email after the election package has been sent out. The official elections agent will send out an eblast with the control numbers (PINs) every Monday during the election period. Election material sent to members electronically or by mail will contain information related to the All Candidates Meetings.
24. Verification of eligibility, validity or entitlement of all votes received will be required by the official elections agent. Verification by the official elections agent will be by unique control number to be provided to voters with detailed instructions on how to vote by internet and by telephone.

25. The official elections agent shall keep a running total of the electronic ballot count and shall report the unofficial results to the chief elections officer, who will provide the candidates with the unofficial results as soon as practically possible.
26. Voters need not vote in each category to make the vote valid.
27. There shall be an automatic recount of the ballots for a given candidate category for election to Council or bylaw confirmation where the vote total on any candidate category for election to Council between the candidate receiving the highest number of votes cast and the candidate receiving the next highest number of votes cast is 25 votes or less for that candidate category or where the votes cast between confirming the bylaw and rejecting the bylaw is 25 votes or less.
28. Reporting of the final vote counts, including ballots cast for candidates that may have withdrawn their candidacy after the opening of voting to PEO, will be done by the returning officers to the registrar, who will advise the candidates and Council in writing at the earliest opportunity.
29. Certification of all data will be done by the official elections agent.
30. The official elections agent shall not disclose individual voter preferences.
31. Upon the direction of the Council following receipt of the election results, the official elections agent will be instructed to remove the electronic voting sites from its records.
32. Election envelopes that are returned to PEO as undeliverable are to remain unopened and stored in a locked cabinet in the Document Management Centre (DMC) without contacting the member until such time as the election results are finalized and no longer in dispute.
33. Elections staff shall respond to any requests for new packages as usual (i.e. if the member advises that he/she has moved and has not received a package, the member is to be directed to the appropriate section on the PEO website where the member may update his/her information with DMC).
34. DMC staff shall advise elections staff when the member information has been updated; only then shall the elections staff request the official elections agent to issue a replacement package with the same control number.
35. Elections staff are not to have access to, or control of, returned envelopes.
36. After the election results are finalized and no longer in dispute, the chief elections officer shall authorize the DMC to unlock the cabinet containing the unopened returned ballot envelopes so that it may contact members in an effort to obtain current information.
37. After the DMC has determined that it has contacted as many members whose envelopes were returned as possible to obtain current information or determine that no further action can be taken to obtain this information, it shall notify the elections staff accordingly and destroy the returned elections envelopes.
38. PEO will post total votes cast in the election on the PEO website on each Friday of the voting period and will post final vote totals by candidate after voting has closed. No other information related to vote totals will be made available.

39. Nothing in the foregoing will prevent additions and/or modifications to procedures for a particular election if approved by Council.

40. The All Candidate Meetings will take place the week of January 4, 2021.

41. All questions from, and replies to, candidates are to be addressed to the chief elections officer:

By email: elections@peo.on.ca

By letter mail: Chief elections officer
c/o Professional Engineers Ontario
101–40 Sheppard Avenue West
Toronto, ON M2N 6K9

The Election Publicity Procedures form part of these Voting Procedures.

**2021 Election Publicity Procedures
for Election to the 2020-2021 Council of the
Association of Professional Engineers Ontario (PEO)**

**C-535-2.4
Appendix C**

Important Dates to Remember

Deadline for receipt of publicity materials for publication in <i>Engineering Dimensions</i> and on the PEO website, including URLs to candidates' own websites	4 p.m., December 11, 2020
Deadline for submission of candidate material to eblast to members	1. January 11, 2021—1st eblast 2. January 25, 2021—2nd eblast 3. February 8, 2021—3rd eblast
Dates of eblasts to members	1. January 18, 2021 2. February 1, 2021 3. February 16, 2021
Date of posting period	January 15, 2021 to February 19, 2021
Dates of voting period	12 p.m., January 15, 2021 to 4 p.m., February 19, 2021

Note: All times indicated in these procedures are Eastern Time.

- Names of nominated candidates will be published on PEO's website as soon as their nomination is verified.
- Names of all nominated candidates will be forwarded to members of Council, chapter chairs and committee chairs and published on PEO's website by November 30, 2020.
- Should a candidate wish to withdraw from the election, their name will remain on the website and the word "withdrawn" will appear beside their name on the PEO website.
- Candidates will have complete control over the content of all their campaign material, including material for publication in *Engineering Dimensions*, on their additional material on PEO's website and on their own websites.
- Candidate material is readily available to the public and should be in keeping with the dignity of the profession at all times. Material will be published with a disclaimer. The chief elections officer may seek a legal opinion prior to publishing/posting of any material if the chief elections officer believes campaign material could be deemed libelous. The chief elections officer has the authority to reject the campaign material if so advised by legal counsel.

6. Candidate material may contain personal endorsements provided there is a clear disclaimer indicating that the endorsements are personal and do not reflect or represent the endorsement of PEO Council, a PEO chapter or committee or any organization with which an individual providing an endorsement is affiliated.
7. Candidate material for publication in *Engineering Dimensions* and any additional material they wish to publish on the website, including URLs to candidates' own websites, must be forwarded to the chief elections officer via email at elections@peo.on.ca no later than 4 p.m. on December 11, 2020, and **must be in accordance with these procedures and Schedule A attached**.
8. Candidates have the option of using one of two templates to present their election material in *Engineering Dimensions*. Both templates are included in Schedule A of these procedures. The size of both templates is the equivalent of one-half page, including border, in *Engineering Dimensions*.
 - a. Option 1: Candidates using the blank template will have discretion over the presentation of their material, including but not limited to font style, size and effects. Candidates using the blank template will be permitted to include their portrait within the template.
 - b. Option 2: Candidates using the fillable template must provide responses to the questions provided in the allotted space. The presentation of the fillable template is fixed and no modifications will be permitted. Candidates using the fillable template must submit their portrait separately for insertion into the designated location by PEO staff.
9. Candidates shall not use the PEO logo in their election material.
10. Candidates may include links to PEO publications but *not* a URL link to a third party in their material on PEO's website. Links to PEO publications are not considered to be to a third party. For clarity, besides links to PEO publications, the only URL link that may be included in a candidate's material on PEO's website is a URL link to the candidate's own website.
11. If campaign material is submitted by a candidate without identifying information, PEO staff are authorized to contact the candidate and ask if he or she wishes to resubmit material. If campaign material is received by the chief elections officer and returned to the candidate for amendment to comply with the Election Publicity Procedures, and the amended material is not returned within the prescribed time, staff will publish the material with a notation explaining any necessary amendments by staff.
12. The chief elections officer is responsible for ensuring that all candidate material (whether for *Engineering Dimensions*, PEO's website or eblasts) complies with these procedures. Where it is deemed the material does not satisfy these procedures, the chief elections officer will, within three full business days from receipt of the material by the chief elections officer, notify the candidate (or an appointed alternate), who is expected to be available during this period by telephone or email. The candidate (or appointed alternate) will have a further three full business days to advise the chief elections officer of the amendment. Candidates are responsible for meeting this deadline. Should a candidate fail to re-submit material within the three-business-day period, the candidate's material will be published with a notation explaining any necessary amendments by staff.
13. Candidate publicity material will be published as a separate insert in the January/February 2021 issue of *Engineering Dimensions* and to PEO's website in January 2021 and included in any

hardcopy mailing to eligible voters with voting instructions. Links to candidate material on PEO's website will be included in any electronic mailing to eligible voters.

14. Candidate material will be considered confidential and will be restricted to staff members required to arrange for publication until published on PEO's website. All candidates' material will be published to PEO's website at the same time.
15. Candidates may submit updates to their material on PEO's website once during the posting period. Any amendments to a candidate's name/designations are to be considered part of the one-time update permitted to their material during the posting period.
16. Candidates may post more comprehensive material on their own websites, which will be linked from PEO's website during the posting period. Candidates may include active links to their social media accounts (Facebook, Twitter, LinkedIn, etc.) in material appearing in *Engineering Dimensions*, published on PEO's election site (i.e. the 1000-word additional information candidates may submit), or included in an eblast of candidate material.
17. PEO will provide three group email distributions to members of candidate publicity material beyond the material published in *Engineering Dimensions*. Material to be included in an eblast must be submitted to the chief elections officer at elections@peo.on.ca in accordance with Schedule A. In the event of a dispute as to when the material was sent vs received, the material will be accepted only if a candidate can provide the chief elections officer with a copy of his or her email to PEO sent from from his or her computer indicating a sent time before the deadline.
18. All material for the eblast messages must be submitted in a Word document only and must not be included as part of the message in the transmission email. Where the email message is received in a font size or style that is different from the specifications but otherwise meets all the requirements, the chief elections officer may authorize staff to change only the size and font of the material so it conforms to specifications. Staff are prohibited from amending material in any way except with the written permission of the candidate.
19. Candidates are responsible for responding to replies or questions generated by their email message.
20. The chief elections officer is responsible for ensuring that all candidate material (whether for *Engineering Dimensions*, PEO's website or ebasts) complies with these procedures. Where it is deemed the material does not satisfy these procedures, the chief elections officer will, within three full business days from receipt of the material by the association, notify the candidate or an appointed alternate, who is expected to be available during this period by telephone or email. The candidate or appointed alternate will have a further three full business days to advise the chief elections officer of the amendment. Candidates are responsible for meeting this deadline. Should a candidate fail to re-submit material within the three-business-day period, the candidate's material will be published with a notation explaining any necessary amendments by staff.
21. PEO will provide candidates the opportunity to participate in All Candidate Meetings, which will be held at PEO offices during the week of January 6, 2020. The All Candidate Meetings will be video recorded for posting on PEO's website. On the day of the first All Candidates Meeting, an

eblast will be sent to members announcing that these video recordings will be posted on the PEO website within two business days.

22. Candidate materials from previous elections will remain on PEO's database as part of the record of the election.
23. Caution is to be exercised in determining the content of issues of membership publications published during the voting period, including chapter newsletters. Editors are to ensure that no candidate is given additional publicity or opportunities to express viewpoints in issues of membership publications distributed during the voting period from January 17, 2020, until the close of voting on February 21, 2020, beyond his/her candidate material published in the January/February issue of *Engineering Dimensions*, and on the PEO website. This includes photos (with or without captions), references to, or quotes or commentary by, candidates in articles, letters to the editor and opinion pieces. PEO's communications vehicles should be, and should be seen to be, nonpartisan. The above does not prevent a PEO publication from including photos of candidates taken during normal PEO activities (e.g. licensing ceremonies, school activities, GLP events, etc.) provided there is no expression of viewpoints. For greater clarity, no election-specific or election-related articles, including Letters to the Editor and President's Message, are to be included in *Engineering Dimensions* during the voting period. *Engineering Dimensions* or other PEO publications may contain articles on why voting is important.
24. Chapters may not endorse candidates, or expressly *not* endorse candidates, in print, on their websites or through their list servers, or at their membership meetings or activities during the voting period. Where published material does not comply with these procedures, the chief elections officer will cause the offending material to be removed if agreement cannot be reached with the chapter within the time available.
25. Councillors may use their positions to encourage candidates to stand for PEO office and members to participate in the election process but may not endorse candidates for PEO election.
26. Candidates may attend chapter annual general meetings and network during the informal portion of the meeting. Candidates are permitted to attend chapter functions in their current official capacity but are prohibited from campaigning while operating in their official capacity.
27. The Central Election and Search Committee is authorized to interpret the voting and election publicity guidelines and procedures and to rule on candidates' questions and concerns relating to them.

These Election Publicity Procedures form part of the Voting Procedures.

Schedule A - 2021 Elections Publicity Procedures

Specifications for Candidate Materials

Format for Candidate statements in <i>Engineering Dimensions</i>	<p>All submissions will be published with a border. If submissions are received without a border, one will be added as shown on the templates. If submissions do not fit within the chosen template, they will be mechanically reduced to fit.</p> <p>Option 1: Blank template</p> <p>Candidates using the blank template to present their material for publication in <i>Engineering Dimensions</i> must ensure the content fits in the bordered template provided at the end of these specifications. The template dimensions are 6.531 inches wide and 4.125 inches in height</p> <p>All material for publication must be submitted as a PDF document, with images in place for reference, <u>and</u> in Word format only, showing where images are to be placed. No other formats will be accepted.</p> <p>Portraits must also be submitted as specified in the next section.</p> <p>The publications staff needs both a PDF file and Word file of candidate material so they will know how candidates intend their material to look. If there are no difficulties with the material, the PDF file will be used. The Word file is required in case something isn't correct with the submission (just a bit off on measurement, for example), as it will enable publications staff to fix the problem, if possible. A hard and/or digital copy of a candidate's portrait is required for the same reason and for use on the PEO election website.</p> <p>Option 2: Fillable template</p> <p>Candidates using the fillable template must provide responses to the questions provided in the allotted space. The completed template must be submitted as a PDF document.</p> <p>Portraits must be submitted separately, as specified in the portraits section below, and will be added to the template by PEO staff.</p> <p>The presentation of the fillable template is fixed and no modifications will be permitted.</p>
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	<p>The profile template will be available on PEO's elections website, www.peovote.ca</p> <p>A hard and/or digital copy of a candidate's portrait is also required for use on the PEO Elections website.</p>
Portraits/Photographs	<p>Photographs must be at least 5" x 7" in size if submitted in hard copy form so that they are suitable for scanning ("snapshots" or passport photographs are not suitable).</p> <p>Only pictures taken in the last five years will be accepted.</p> <p>If submitted in digital form, photographs must be JPEG-format files of at least 300 KB but no more than 2MB.</p> <p>Candidates can submit a digital photo at the specifications noted, or hard copy as noted, and preferably both. In case the digital file is corrupted or not saved at a sufficiently high resolution, publications staff can rescan the photo (hard copy) to ensure it prints correctly, as indicated on the PDF.</p>
PEO Website (candidates' additional information)	<p>Candidates may publish additional information on PEO's website by submitting a Word or Word-compatible file of no more than 1000 words, and no more than three non-animated graphics in JPEG or GIF format. Graphics may not contain embedded material.</p> <p>Candidates may post additional material on their own websites, which will be linked from PEO's website. URLs for candidates' websites must be active by December 9, 2019.</p> <p>Candidates may include links to PEO publications but <i>not</i> a URL link to a third party in their material that is to be posted on PEO's website. Links to PEO publications are not considered to be to a third party. For clarity, the only URL link that may be included in a candidate's material on PEO's website is the URL to the candidate's own website. Candidates may include active links to their social media accounts (Facebook, Twitter, LinkedIn, etc.)</p> <p>[Update based on Issues Report item 13]</p>
Eblast material	<p>Candidates are permitted a maximum of 300 words for email messages. Messages are to be provided in 11 pt. Arial font; graphics are not permitted. For clarity, a "graphic" is an image that is either drawn or captured by a camera.</p>
Help	<p>Candidates should contact the chief elections officer (elections@peo.on.ca) if they have questions about requirements for publicity materials.</p>

Option 1: Blank template



Option 2: Fillable template

	Name:	Candidate statement:
	Employer and position:	
	Degree(s), school(s) attended, year(s) of graduation:	
	Employment history:	
	Participation on PEO Council, committee/task forces, chapters:	
Other professional affiliations and community service:		
Years of registration in Ontario:		



NOMINATION FORM

C-535-2.4
Appendix D

I, the undersigned, being a member of Professional Engineers Ontario (PEO), do hereby nominate <name of candidate> as a candidate for the position of <Council office> in the 2021 PEO Council elections.

It is my understanding that the candidate I am nominating is a Canadian citizen or has the status of a permanent resident of Canada, is currently living in Ontario, and in the case of nomination for the position of Regional Councillor also resides in the region in which he/she is being nominated, and is willing to serve if elected.

I further attest that:

- (i) I have reviewed the roles and responsibilities for the position of <Council office> as published on PEO's website;
- (ii) On the basis of personal experience of the candidate, I believe he/she possesses the desired attributes of a PEO Councillor in the position of <Council position>.

Name of Nominator _____
(as it appears in PEO's Register)

Nominator's PEO Licence Number _____

Nominator's Address _____

Nominator's Region _____

Nominator's Signature _____



NOMINATION ACCEPTANCE FORM

President-elect

THIS FORM MUST BE COMPLETED AND SUBMITTED BY NOVEMBER 27, 2020 AT 4:00PM

I, _____, hereby agree to stand as a candidate for election as **President-Elect** in the 2021 elections for Council of Professional Engineers Ontario (PEO), and not to withdraw my candidacy except under exceptional circumstances. If elected, I further agree to serve on Council for a three-year term (2021-2024). I am a Canadian citizen or have the status of a permanent resident of Canada, and am currently residing in Ontario.

I declare that the information in this nomination acceptance form and in all other information provided to PEO in support of my nomination and election to PEO Council is true and complete to the best of my knowledge. I understand that a false statement or misrepresentation could result in disciplinary action under the *Professional Engineers Act*.

I declare that I have read and understand Sections 1 and 2 of the *Council Manual*, as published on PEO's website, in particular Sections 1.4 – PEO's Core Values, 2.2 - Duties and Responsibilities of Councillors at Law; 2.3 - Duties Under By-Law No. 1; and 2.4 – Councillors' Code of Conduct, and agree to act in accordance with these sections in carrying out my duties as a Councillor if elected to PEO Council.

I declare that I have familiarized myself with the roles and responsibilities of the office of President-elect, and that I am adequately prepared to serve in that capacity.

I hereby agree to accept the results of the election as verified by PEO's Returning Officers.

Signature: _____ Date: _____

PLEASE PRINT OR TYPE YOUR NAME AND DESIGNATIONS AS YOU WISH THEM TO APPEAR ON PEO'S WEBSITE AND IN PRINT

NAME AND DESIGNATIONS: _____

PEO LICENCE NO. _____

PREFERRED MAILING ADDRESS: _____

TELEPHONE: BUS: _____ HOME: _____

FAX: BUS: _____ HOME: _____

PUBLIC E-MAIL ADDRESS: _____

Candidates are required to provide an e-mail address to be used and made public for election purposes only.



NOMINATION ACCEPTANCE FORM

Vice President

THIS FORM MUST BE COMPLETED AND SUBMITTED BY NOVEMBER 27, 2020 AT 4:00PM

I, _____, hereby agree to stand as a candidate for election as **Vice President** in the 2021 elections for Council of Professional Engineers Ontario (PEO), and not to withdraw my candidacy except under exceptional circumstances. If elected, I further agree to serve on Council for a one-year term (2021-2022). I am a Canadian citizen or have the status of a permanent resident of Canada, and am currently residing in Ontario.

I declare that the information in this nomination acceptance form and in all other information provided to PEO in support of my nomination and election to PEO Council is true and complete to the best of my knowledge. I understand that a false statement or misrepresentation could result in disciplinary action under the *Professional Engineers Act*.

I declare that I have read and understand Sections 1 and 2 of the *Council Manual*, as published on PEO's website, in particular Sections 1.4 – PEO's Core Values, 2.2 - Duties and Responsibilities of Councillors at Law; 2.3 - Duties Under By-Law No. 1; and 2.4 – Councillors' Code of Conduct, and agree to act in accordance with these sections in carrying out my duties as a Councillor if elected to PEO Council.

I declare that I have familiarized myself with the roles and responsibilities of the office of Vice President, and that I am adequately prepared to serve in that capacity.

I hereby agree to accept the results of the election as verified by PEO's Returning Officers.

Signature: _____ Date: _____

PLEASE PRINT OR TYPE YOUR NAME AND DESIGNATIONS AS YOU WISH THEM TO APPEAR ON PEO'S WEBSITE AND IN PRINT

NAME AND DESIGNATIONS: _____

PEO LICENCE NO. _____

PREFERRED MAILING ADDRESS: _____

TELEPHONE: BUS: _____ HOME: _____

FAX: BUS: _____ HOME: _____

PUBLIC E-MAIL ADDRESS: _____

Candidates are required to provide an e-mail address to be used and made public for election purposes only.



NOMINATION ACCEPTANCE FORM

Councillor at Large

THIS FORM MUST BE COMPLETED AND SUBMITTED BY NOVEMBER 27, 2020 AT 4:00PM

I, _____, hereby agree to stand as a candidate for election as **Councillor at Large** in the 2020 elections for Council of Professional Engineers Ontario (PEO), and not to withdraw my candidacy except under exceptional circumstances. If elected, I further agree to serve on Council for a two-year term (2021-2023). I am a Canadian citizen or have the status of a permanent resident of Canada, and am currently residing in Ontario.

I declare that the information in this nomination acceptance form and in all other information provided to PEO in support of my nomination and election to PEO Council is true and complete to the best of my knowledge. I understand that a false statement or misrepresentation could result in disciplinary action under the *Professional Engineers Act*.

I declare that I have read and understand Sections 1 and 2 of the *Council Manual*, as published on PEO's website, in particular Sections 1.4 – PEO's Core Values, 2.2 - Duties and Responsibilities of Councillors at Law; 2.3 - Duties Under By-Law No. 1; and 2.4 – Councillors' Code of Conduct, and agree to act in accordance with these sections in carrying out my duties as a Councillor if elected to PEO Council.

I declare that I have familiarized myself with the roles and responsibilities of the office of Councillor at Large, and that I am adequately prepared to serve in that capacity.

I hereby agree to accept the results of the election as verified by PEO's Returning Officers.

Signature: _____ Date: _____

PLEASE PRINT OR TYPE YOUR NAME AND DESIGNATIONS AS YOU WISH THEM TO APPEAR ON PEO'S WEBSITE AND IN PRINT

NAME AND DESIGNATIONS: _____

PEO LICENCE NO. _____

PREFERRED MAILING ADDRESS: _____

TELEPHONE: BUS: _____ HOME: _____

FAX: BUS: _____ HOME: _____

PUBLIC E-MAIL ADDRESS: _____

Candidates are required to provide an e-mail address to be used and made public for election purposes only.



NOMINATION ACCEPTANCE FORM

Regional Councillor

THIS FORM MUST BE COMPLETED AND SUBMITTED BY NOVEMBER 27, 2020 AT 4:00PM

I, _____, hereby agree to stand as a candidate for election as

_____ **Regional Councillor** in the 2021 elections for Council of Professional Engineers Ontario (PEO), and not to withdraw my candidacy except under exceptional circumstances. If elected, I further agree to serve on Council for a two-year term (2021-2023). I am a Canadian citizen or have the status of a permanent resident of Canada, and am currently residing in Ontario in the region in which I stand for election.

I declare that the information in this nomination acceptance form and in all other information provided to PEO in support of my nomination and election to PEO Council is true and complete to the best of my knowledge. I understand that a false statement or misrepresentation could result in disciplinary action under the *Professional Engineers Act*.

I declare that I have read and understand Sections 1 and 2 of the *Council Manual*, as published on PEO's website, in particular Sections 1.4 – PEO's Core Values, 2.2 - Duties and Responsibilities of Councillors at Law; 2.3 - Duties Under By-Law No. 1; and 2.4 – Councillors' Code of Conduct, and agree to act in accordance with these sections in carrying out my duties as a Councillor if elected to PEO Council.

I declare that I have familiarized myself with the roles and responsibilities of the office of Regional Councillor, and that I am adequately prepared to serve in that capacity.

I hereby agree to accept the results of the election as verified by PEO's Returning Officers.

Signature: _____ Date: _____

PLEASE PRINT OR TYPE YOUR NAME AND DESIGNATIONS AS YOU WISH THEM TO APPEAR ON PEO'S WEBSITE AND IN PRINT

NAME AND DESIGNATIONS: _____

PEO LICENCE NO. _____

PREFERRED MAILING ADDRESS: _____

TELEPHONE: BUS: _____ HOME: _____

FAX: BUS: _____ HOME: _____

PUBLIC E-MAIL ADDRESS: _____

Candidates are required to provide an e-mail address to be used and made public for election purposes only.

2021 Maximum Council Election Allowance (regional councillors) = Base travel allowance + Regional travel allowance

Region	Base travel allowance (\$)	Regional travel allowance (\$)			Council Election Allowance (regional councillors) (\$) (calculated)	2021 Maximum Council Election Allowance (regional councillors) (rounded to nearest \$50) (\$)	2020 Allowance
		Average total distance to visit all chapters (km)	2020 PEO Mileage Rate (\$/km)	Regional travel allowance (\$)			
Eastern	\$ 780.00	1245	0.59	\$ 734.55	\$ 1,514.55	\$ 1,500.00	\$1,450.00
East Central	\$ 780.00	388	0.59	\$ 228.92	\$ 1,008.92	\$ 1,000.00	\$1,000.00
Northern	\$ 780.00	4345	0.59	\$ 2,563.55	\$ 3,343.55	\$ 3,000.00	\$2,000.00
Western	\$ 780.00	1406	0.59	\$ 829.54	\$ 1,609.54	\$ 1,600.00	\$1,550.00
West Central	\$ 780.00	129	0.59	\$ 76.11	\$ 856.11	\$ 850.00	\$850.00

* Council Election Allowances (regional councillors) is capped at a maximum of \$3,000.00

For Councillor-at-Large, VP and President Elect Candidates (at large)

2021 Maximum Council Election Allowance (at large) = 25% premium of 2021 Maximum Council Election Allowance (regional councillors)

Region	2021 Maximum Council Election Allowance (regional councillors) (rounded to nearest \$50) (\$)	2021 Maximum Council Election Allowance (at large) (25% premium calculated or x1.25) (\$)	2021 Maximum Council Election Allowance (at large) (25% premium rounded to nearest \$50) (\$)	2020 Allowance
Eastern	\$ 1,500.00	\$ 1,875.00	\$ 1,850.00	\$1,800.00
East Central	\$ 1,000.00	\$ 1,250.00	\$ 1,250.00	\$1,250.00
Northern	\$ 3,000.00	\$ 3,750.00	\$ 3,750.00	\$2,500.00
Western	\$ 1,600.00	\$ 2,000.00	\$ 2,000.00	\$1,950.00
West Central	\$ 850.00	\$ 1,062.50	\$ 1,050.00	\$1,050.00

2020 AGM SUBMISSIONS FOLLOWUP

Purpose: To update Council on the results of the 2020 Annual General Meeting Member Submissions and the CEO/Registrar's next steps

No motion required

Prepared by: J. Max, Manager, Policy, Tribunals & Regulatory Affairs Department

1. Status Update

At PEO's 98th Annual General Meeting, held virtually this year on May 30, 2020, a total of seven Member Submissions were presented. Their respective motions, proponents, and results are listed in Appendix A.

Three of the seven submissions were passed by a majority vote of the members in attendance:

- #1: ISO 9001:2015 Certification
- #4: Regional Town Hall Meetings for Member Dialogue on Future of the Profession
- #5: Digital Seals for PEO Licence Holders

According to the "Guide For Member Submissions At The Annual General Meeting, March 2020", as approved by Council this past March, the CEO/Registrar will review the submissions which obtained majority support at the AGM, and prepare a report with recommendations, as appropriate, to Council for review. (see Appendix B for excerpt). The process set out in the Guide does not envision in-person submissions at Council unless Council specifically requests them. Council is not bound to adopt or vote formally on any submission.

2. Background

At its March 20, 2020 meeting, Council passed the following motion:

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

Appendices

- Appendix A: 2020 AGM Member Submission Results
- Appendix B: Excerpt from "Guide For Member Submissions At The Annual General Meeting", March 2020

Appendix A: 2020 AGM Submission Results

Submission	Motion	Vote	Passed/Failed to get majority support
#1: ISO 9001:2015 Certification	That PEO Council establish a Policy that it will become ISO 9001:1500 certified by 2022 on its 100 th anniversary. Moved by: Ray Linseman, P.Eng. Seconded by: John Ireland, P.Eng.	78% for , 21% against	Passed
#2: Membership Fees Deferral	That PEO defer collection of membership fees until March 16, 2021. Moved by: Pappur Shankar, P.Eng. Seconded by: Artemy Kirnichansky, P.Eng.	40% for, 60% against	Failed
#3: Innovator/ Entrepreneur Licensure	That PEO Council adopt new pathways to the P.Eng. licence to recognize engineering experience attained while engineering students are in accredited undergraduate program (through coop placements, jobs, capstone projects and other experience opportunities) and attained while engineering graduates work outside of the traditional employee-employer relationship without a direct P.Eng. supervisor (such as entrepreneurs, innovators and graduates who apply their engineering education to new and emerging fields of technology). Moved by: Tapan Das, P.Eng. Seconded by: Joe Podrebarac, P.Eng.	33% for, 67% against	Failed
#4: Regional Town Hall Meetings for Member Dialogue on Future of the Profession	Be it resolved that: 1. PEO create an organizing team to convene a series of Regional Town Hall Meetings (RTHM) across Ontario per Region, to engage the members in a dialogue of the issues, and, what we might do about them; 2. That the RTHM include, as a major component, break out sessions for each of the main practice disciplines to discuss the key issues	69% for , 31% against	Passed

Submission	Motion	Vote	Passed/Failed to get majority support
	<p>impacting these practices and the ability to properly serve and protect the public interest;</p> <p>3. That the main engineering practice areas shall include: Civil (all current forms of Water Treatment, Roads, Traffic Control), Structural, Mechanical (HVAC and Transportation), Electrical Power, Electrical Computers and Control, Software, Cyber Systems Security, Mining, Chemical, Industrial and Manufacturing, Artificial Intelligence (AI) – robotics-Mechatronics, Bio, Nano-Molecular, others with a significant number of members present; and</p> <p>4. That in preparation for these RTHMs on where the profession is to go, the PEO provide members with a comprehensive list of fundamental documents such as the McRuer reports that define Canadian self-regulation, as well as documents on the fundamentals of a proper Licence and what it means in relation to serving and protecting the public interest.</p> <p>Moved by: Peter M. DeVita, P.Eng. Seconded by: George Comrie, P.Eng.</p>		
#5: Digital Seals for PEO Licence Holders	<ul style="list-style-type: none"> WHEREAS the COVID-19 pandemic has increased the need for professional engineers to produce and seal/ sign electronic documents; WHEREAS the Supreme Court (Edgeworth Construction Ltd. v. N. D. Lea & Associates Ltd.), stated that the “<i>seal attests that a qualified engineer prepared the document.</i> It is not a guarantee of accuracy”. Instead, <i>it should be considered a “mark of reliance”</i>, an indication that others can rely on the fact that the opinions, judgments, or designs in the sealed documents <i>were provided by a professional engineer...</i>” WHEREAS the PEO has acknowledged in the “Use of the Professional Engineer’s Seal” document that “electronic documents can easily be changed and copied with no obvious indication”; 	84% for , 16% against	Passed

Submission	Motion	Vote	Passed/Failed to get majority support
	<ul style="list-style-type: none"> • WHEREAS the PEO has recognized the existence of electronic signatures (in the same document), and has placed the burden of ensuring the security of the signature on companies and practitioners; • WHEREAS companies often do not adhere to these guidelines and instead require staff to use insecure self-signed certificates; • WHEREAS it is impossible in Canada to obtain a validated third-party certificate from the sole Canadian company (Notarius) that is on Adobe's Approved Trust List unless either the individual's company or professional association have partnered with Notarius; • WHEREAS ten (10) out of the twelve (12) Provincial Engineering regulatory bodies have partnered with Notarius, with PEO and Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG) being the sole exceptions; • WHEREAS a partnership with Notarius does not replace the paper seal, and is in no way compulsory upon a practitioner, but simply provides them with a tool, at their own cost, for ensuring the public of the security and veracity of their seal/ signature; • WHEREAS the correct and consistent implementation of digital signatures/ seals provides assurance to the public that an electronic document has the same integrity as a paper document with the traditional P.Eng. stamp; • WHEREAS timely implementation of digital seals is essential to minimize the time-at-risk, or risk exposure of practitioners who must prepare and sign electronic documents using insecure methods, at their employer's request during the COVID-19 lockdown; • WHEREAS it is impossible for many practitioners to seal a paper copy of a document, since most do not have access to the large-format plotters and scanners that are necessary for many engineering drawings; 		

Submission	Motion	Vote	Passed/Failed to get majority support
	<ul style="list-style-type: none"> THEREFORE BE IT SUBMITTED THAT Council expeditiously investigate and pursue a partnership with Notarius such that licence holders may purchase a third-party digital certificate for signing/ sealing of documents. <p>Moved by: Tiberia C. Preda, P.Eng. Seconded by: Alex Chong, P.Eng.</p>		
#6: Democracy at PEO	<p>Be it resolved that: A motion be placed on the agenda at the next regular meeting of Council affirming: That this Association be governed democratically and That every member of the Association has an equal voice.</p> <p>Moved by: Peter Cushman, P.Eng. Seconded by: Keivan Torabi, P.Eng.</p>	23% for, 77% against	Failed
#7: Strict compliance with the objects of the Professional Engineers Act	<p>Be it resolved that: A motion be placed on the agenda at the next regular meeting of Council affirming: 1. That this Association will strictly comply with the Professional Engineers Act by restricting it's activities to its legislated principal object and five additional objects. 2. The Association will immediately stop collecting money for other organizations like the Ontario Society of Professional Engineers (OSPE). 3. The Association immediately desist from every other activity that directly or indirectly supports (financially or otherwise) the OSPE.</p> <p>Moved by: Peter Cushman, P.Eng., Seconded by: Keivan Torabi, P.Eng.</p>	47% for, 53% against	Failed

APPENDIX B: EXCERPT FROM “GUIDE FOR MEMBER SUBMISSIONS AT THE ANNUAL GENERAL MEETING”, MARCH 2020, PP. 3-4

Process for Dealing with Submissions After the AGM

3.1 Council’s Role

For each submission that receives majority support from those in attendance at the AGM:

- Staff under the direction of the CEO/Registrar will prepare a brief report to Council related to the submission, proposing whatever action staff feel is warranted
- Council will consider the submission and the staff report as soon as practicable and will take whatever action or make whatever decision Council believes is warranted
- Council will consult members, including the members responsible for the submission, as Council deems appropriate or as staff recommend.
- Council is not bound to adopt or vote formally on any submission.
- The outcome of Council’s consideration of the submission will be communicated directly to the members making the submission.
- Council will report to members generally on the progress of, and where applicable, the outcome of its review of member submissions not later than six (6) months following the AGM. For submissions that do not receive majority support at the AGM, Council may choose to consider the submission regardless, and if so will direct the staff review described below, as appropriate.

3.2 Staff Report

The staff report will:

- Identify whether the proposed action is lawful under the current legislative scheme
- Apply the Activity Filter approved by Council in November 2019 to assist in determining if the activity and its associated output is Regulatory, Governance or Neither.
- Consider the relationship to any Strategic Plan currently in force
- Outline potential financial, operational or resource considerations involved in adopting the proposed action
- Identify any public interest considerations related to the submission
- Conduct an environmental scan as needed
- Consider best practices at similar organizations, as applicable
- Include any other factual information that will assist Council
- Recommend a proposed course of action and/or options for Council’s consideration, based on PEO’s mandate, workload and other stated priorities

ENGINEERS CANADA DIRECTORS REPORT

Purpose: Report and discussion with Engineers Canada Directors.

Prepared by: Eric Chor, Research Analyst

Report to be delivered at Council meeting.

OPEN SESSION MINUTES – 532nd Council Meeting – March 20, 2020 and 533rd Council Meeting – April 24, 2020

Purpose: To record that the minutes of the open sessions of the 532nd and 533rd meetings of Council accurately reflect the business transacted at those meetings.

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

That the minutes of the 532nd meeting of Council, held March 20, 2020, and 533rd meeting of Council, held April 24, 2020, as presented to the meeting at C-535-3.1, Appendices A and B, accurately reflect the business transacted at that meeting.

Prepared by: Eric Chor, Research Analyst

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 – 532nd Council open session meeting – March 20, 2020
- Appendix B - Minutes – 533rd Council open session meeting – April 24, 2020



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. Zuccon 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



Minutes

The 533rd SPECIAL MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was held via Videoconference on Friday, April 24th, 2020 at 10:00 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
R.A.H. Brunet, P.Eng., Lieutenant Governor-In-Council Appointee
T. Bruyere, P.Eng., Lieutenant Governor-In-Council Appointee
L. Cutler, P.Eng., Lieutenant Governor-In-Council Appointee
A. Dryland, C.E.T., 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
A. Sinclair, P.Eng., East Central Regional Councillor
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: [Note: All staff were recused for the in-camera session.]
J. Zuccon, P.Eng., CEO/Registrar
L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance
C. Mehta, Director, Finance and PEO Controller
D. Smith, Director, Communications
M. Wehrle, Director, Information Technology
D. Abrahams, General Counsel
B. Ennis, P.Eng., Director, Policy and Professional Affairs
J. Chau, P.Eng., Manager, Government Liaison Programs
M. Farag, M.Eng., P.Eng., Manager, Admissions
C. Knox, P.Eng., Manager, Enforcement, Regulatory Compliance
J. Max, Manager, Policy
O. Tosic, HR Specialist
R. Martin, Manager, Secretariat

B. St. Jean, Senior Executive Assistant
E. Chor, Research Analyst, Secretariat

Guests: [Note: All guests were recused for the in-camera session.]

C. Chiddle, P.Eng., Eastern Regional Councillor-elect
D. Chui, P.Eng., PEO Director, Engineers Canada
K. Reid, P.Eng., PEO Director, Engineers Canada
L. Roberge, P.Eng., Northern Regional Councillor-elect
C. Sadr, P. Eng., PEO Director, Engineers Canada
D. L. Brown, Governance Solutions Inc.
D. A. Brown, Governance Solutions Inc.
L. Lukinuk, Governance Solutions Inc.

Council convened at 10:00 a.m. on Friday, April 24, 2020.

TECHNICAL OVERVIEW

IT Director Wehrle iterated the purpose of this meeting: to test and emulate the technology that would be used at the May 2020 Annual General Meeting. She gave attendees an overview of the features and guidelines of the Zoom webinar used during the meeting, including view restrictions, questions, point of order, and speakers list. She also explained the voting procedures via Lumi.

POLL FOR ELECTRONIC MEETING CONSENT

Attendance was taken, and quorum was present. The Chair requested that Council vote to consent to proceed with the meeting electronically. The vote passed by majority.

CALL TO ORDER AND MOMENT OF SILENCE

The Chair called the meeting to order at 10:20 a.m. and extended a moment of silence to the victims of the April 2020 Nova Scotia attacks. T. Bruyere was welcomed to the meeting as the newest Councillor.

12252 APPROVAL OF AGENDA

The Chair amended the agenda to have item 2.2 *Rules of Engagement for Virtual Meetings* addressed first. The Chair indicated that the role of Chair would be passed to M. Sterling for the Priority items and returned to her for the In-Camera items.

Moved by D. Brown, seconded by W. Kershaw:

That the agenda, as presented to the meeting at C-533-1.1, Appendix A as amended be approved; and

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

CARRIED

12253 CONFLICTS OF INTEREST

No conflicts of interest were identified for the open session items.

The Chair then turned her role over to M. Sterling.

**12254
RULES OF ENGAGEMENT FOR VIRTUAL
COUNCIL MEETINGS**

President N. Hill stated that the Rules of Engagement were created following the previous virtual meeting to establish standards for this meeting.

Moved by N. Hill, seconded by R. Brunet:

That Council approve the Rules of Engagement for Virtual Council Meetings, provided at C-533-2.2, Appendix A.

CARRIED

**12255
AGM VIRTUAL UPDATE**

CEO/Registrar J. Zuccon thanked staff for their actions amidst the COVID-19 response, and especially the President and President-elect for their collaboration with staff on the AGM virtual setup. He cited the challenges of PEO's operations moving from paper-based processes and in-person interactions to a virtual environment and called for solidarity and confidence in facing the adjustments to the pandemic. In his view, COVID-19 has heightened the urgency for PEO operations to identify significant business changes and develop a "new normal" upon return to the office environment, that it may be better prepared for a future requirement to work remotely.

He reported that the documentation was being prepared for this item and would be updated based on feedback from this meeting. It will be distributed to Council before the Annual General Meeting (AGM).

He reported that approximately 5000 PEO members have not provided email addresses for communication. PEO used an external provider to prepare a paper notice to these members to inform them that the AGM would be taking place on May 30th and that it would be virtual meeting. As of April 20th, the notices had been delivered to Canada Post and were on their way to the members.

**12256
FIRST COUNCIL MEETING LOGISTICS**

As with Item 2.2, J. Zuccon indicated that documentation was being prepared and would be finalized and distributed following the meeting.

The Chair reiterated that the technological requirements of the AGM were different from standard Council meetings, and that this special meeting was a test of the AGM requirements. This format accommodates a high percentage of participants, a presentation format, and a high volume of votes. Council meetings would have technologies that cater to smaller numbers and foster group interaction.

The AGM move to May 30th has resulted in the cancellation of the Council Workshop which had been scheduled at that time. Arrangements have been made to cancel arrangements for the Workshop at the hotel in Niagara Falls. Alternate approaches to holding the Council Workshop will be considered.

S. Sung asked for a financial update regarding the *force majeure* clauses that were invoked with the venues for the AGM and the Council Workshop. J. Zuccon reported that at this time, the clauses had been successfully invoked and no losses had been suffered for these events. However, the postponement may potentially interfere with other events.

A contract with a hotel in Toronto for April 24th date for the 2021 AGM, has been signed. Any change in that date could result in a financial penalty. Staff are in the process of contacting a number of hotels to determine their availability for a May 2021 AGM.

L. MacCumber suggested that voters have two windows open during the meeting, so they would not be seen as leaving the Zoom meeting to switch to Lumi to vote.

P. Cushman asked for clarification of the new 2020-2021 Council's start date. The Chair stated that the new Council's work begins on May 30th with the afternoon Council meeting following the AGM. Cushman also asked how the postponement of the 2021 AGM would affect the length of the new Council's term. The Chair answered that this was to be determined.

**12257
TECHNOLOGY DEBRIEF**

The Chair opened the floor to discussion, but there were no questions. She then returned the role of Chair to President Hill for the remainder of the meeting.

Moved by W. Kershaw, seconded by R. Brunet:

That Council now move in-camera.

CARRIED

**12258
IN-CAMERA SESSION**

All PEO staff and guests were recused from the in-camera session; only Councillors were present.

While in-camera Council:

- a. determined any conflicts of interest with the In-Camera material
- b. decided the CEO/Registrar's compensation for 2020.

Moved by W. Kershaw, seconded by R. Brunet:

That Council return to open session.

CARRIED

These minutes consist of five pages and minutes 12252 to 12258 inclusive.

N. Hill, P.Eng., Chair

R. Martin, Corporate Secretary

DRAFT

Briefing Note – Decision

C-535-3.2

Guideline – Providing Reports on Mineral Projects

Purpose: Council approval of the listed guideline is required to authorize its publication.

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

That Council:

1. Approve the publication of the guideline *Providing Reports on Mineral Projects* as presented to the meeting at C-535-3.2, Appendix A;
2. Direct the Registrar to publish the guideline and notify members and the public of its publication through usual PEO communications; and
3. Stand down the PSC subcommittee which prepared the *Providing Reports on Mineral Projects* guideline.

Prepared by: José Vera, P. Eng. – *Manager Practice and Standards* on behalf of Fanny Wong, P. Eng. – *Chair of the PSC*

Moved by: West Central Region Councillor, Lisa MacCumber, P.Eng., FEC., or designate

1. Need for PEO Action

Professional Standards Committee (PSC) was instructed by Council to revise the existing *Professional Engineers Providing Reports on Mineral Properties* guideline as per the following motion:

- 509th Council meeting on November 18, 2016:

That Council direct the Professional Standards Committee to form a Professional Engineers Providing Reports on Mineral Projects subcommittee to complete the work described in the Terms of Reference as presented to the meeting at C-509-2.11, Appendix A.

2. Proposed Action / Recommendation

- The PSC recommends that Council approve the *Providing Reports on Mineral Projects* guideline for publication, since it meets the objectives laid out its approved Terms of Reference (Appendix B).

3. Next Steps (if motion approved)

- Manager, Practice and Standards will collaborate with PEO Communications Department to prepare the draft document for publication as a PEO Guideline;
- Practice Article will be published in the PEO Engineering Dimensions and notices posted on the website to notify PEO members about the publication of this document; and
- The Providing Reports on Mineral Projects subcommittee will be stood down.

4. Policy or Program contribution to the Strategic Plan

- Strategy 1.7 Develop practice guideline for *Providing Reports on Mineral Projects*.

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

	Operating	Capital	Explanation
Current to Year End	\$	\$	Funded from existing PSC budget
2 nd	\$	\$	Not Applicable, since the guideline should be published this year.

6. Peer Review & Process Followed

Process Followed	<p>Outline the Policy Development Process followed.</p> <ul style="list-style-type: none"> • Draft document was posted on the PEO website for member and stakeholder consultation (April 1, 2019 – May 31, 2019). The following stakeholders were directly invited to the public consultation: <ul style="list-style-type: none"> ➤ Canadian Institute of Mining, Metallurgy & Petroleum (CIM) ➤ Consulting Engineers of Ontario (CEO) ➤ Engineers Canada ➤ Geoscientists Canada ➤ Ontario Securities Commission (OSC) ➤ Ontario Society of Professional Engineers (OSPE) ➤ Professional Geoscientists Ontario (PGO) • Draft document was revised where warranted based on recommendations received from members and stakeholders during consultation. • Draft document was reviewed and approved by PSC (May 25, 2020).
Council Identified Review	Not applicable
Actual Motion Review	Not applicable

7. Appendices

- Appendix A – *Providing Reports on Mineral Projects* guideline
- Appendix B – Terms of Reference Subcommittee - *Professional Engineers Providing Reports on Mineral Projects Subcommittee*

Providing Reports on Mineral Projects

Revision 17.0

May 14, 2020

CONTRIBUTORS

Jason Cox, P. Eng.
Mike Hoffman, P. Eng.
Eugene Puritch, P. Eng., FEC

Notice: The Professional Standards Committee has a policy of reviewing guidelines every five years to determine if the guideline is still viable and adequate. However, practice bulletins may be issued from time to time to clarify statements made herein or to add information useful to those practitioners engaged in this area of practice. Users of this guideline who have questions, comments or suggestions for future amendments and revisions are invited to submit these to PEO using the standard form included in the following online document: http://peo.on.ca/index.php/ci_id/23427/la_id/1.htm

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ABSTRACT

The purpose of this guideline is to define best practices for practitioners who provide reports on mineral projects in consideration of the *Professional Engineers Act (the Act)*.

1. PEO PURPOSE OF GUIDELINES

For more information on the purpose of practice guidelines, the guideline development and maintenance processes, including the Professional Engineers Ontario (PEO) standard form for proposing revisions to guidelines, please read our document *Guideline Development and Maintenance Process*:

http://peo.on.ca/index.php/ci_id/23427/la_id/1.htm

To view a list of the PEO guidelines, please visit the Publications section of the PEO website:

http://peo.on.ca/index.php/ci_id/1834/la_id/1.htm

2. PREFACE

In November 2016, the Professional Standards Committee formed a subcommittee of engineers experienced with providing reports on mineral projects in order to revise the previous *Guideline for Engineers Providing Reports on Mineral Properties* published in 2002. They were tasked to investigate the statutory, ethical, and professional aspects of providing reports on mineral projects. The subcommittee was instructed to develop best practices for practitioners undertaking this work and prepare a guideline describing these best practices.

The subcommittee met for the first time on May 15, 2017, and submitted a completed draft of this document to the Professional Standards Committee for approval on May 25, 2020.

Following consultations with practitioners and other stakeholders, the final draft was approved by Council at its meeting on _____, _____.

3. PURPOSE AND SCOPE OF GUIDELINE

The purpose of this guideline is to define best practices for practitioners who provide reports on mineral projects in consideration of the *Act*. The focus of this guideline is on the statutory, ethical, and professional obligations of practitioners providing reports on mineral projects with a focus on requirements from Canadian Securities Administrators.

4. INTRODUCTION

The life cycle of a typical mining project includes exploration, discovery, assessment, property development, production and closure/post closure. Various types of engineering reports are required for each of these project development stages that allow companies to properly assess the potential risks, quality and quantity of the mineral deposit, potential operating parameters, capital and operating costs, and potential financial returns.

The most visible type of reports are Technical Reports for public companies required under National Instrument 43-101, *Standards of Disclosure for Mineral Projects*, published by the Canadian Securities Administrators, which was unofficially consolidated on May 9, 2016 (referred to in this guideline as “NI 43-101”).

Input for reports on mineral projects may be required from a number of engineering disciplines including, but not limited to environmental engineers, geological engineers, geotechnical engineers, mining engineers, civil engineers, mechanical engineers, process engineers, electrical engineers and metallurgical engineers.

Reports on mineral properties and the reclamation of mining sites may also involve the participation of the following professions such as, but not limited to:

- Geoscientists
- Biologists
- Geochemists
- Environmental Scientists
- Hydrologists/Hydrogeologists
- Commodity Market Experts
- Professional Land Surveyors

At various development stages, the input from these various engineering disciplines can be included in public Technical Reports or internal reports on projects, including:

- Exploration Reports;
- Exploration Target Disclosure;
- Mineral Resource Estimates;
- Metallurgical Reports;
- Preliminary Economic Assessments;
- Mineral Reserve Estimates;
- Pre-Feasibility Studies;
- Feasibility Studies;
- Project Completion Report;
- Operating Mine Reports;

- Due Diligence Reports; and
- Valuation Reports.

This guideline provides references to applicable technical resources and PEO advisory resources to give the practitioner information that will help them to prepare the internal reports or public Technical Reports to the acceptable standards of professional engineering.

This guideline also discusses expectations for the practitioner regarding independence, competency, objectivity, qualifications, confidentiality, conflict of interest, and jurisdiction to aid the practitioner in their reporting duties, and ensure focus on the PEO Code of Ethics directive, that *the practitioner shall regard duty to the public welfare as paramount.*

For Council Approval

5. PREPARATION OF PUBLIC OR PRIVATE COMPANY REPORTS

5.1 Introduction

Under the rules presented in National Instrument 43-101, *Standards of Disclosure for Mineral Projects*, published by the Canadian Securities Administrators, (referred to in this guideline as “NI 43-101”), Technical Reports prepared by a Qualified Person (as defined by NI 43-101) are required to be filed with Canada’s Provincial Securities Commissions under a range of circumstances for both public and private purposes. The day-to-day continuous disclosure requirements of the Canadian Securities Administrators may not necessarily require Technical Report disclosure unless a material change in scientific and technical information has occurred or a Technical Report trigger has been activated.

Practitioners may be engaged in providing internal reports on mineral projects, not for public disclosure, typically including technical assessment, due diligence and audit reports. The issues discussed in this guideline apply equally to such internal reports and to public disclosure.

5.2 Report Purpose and Content

For public reporting, the basic requirement of a Technical Report is to provide a **summary** of scientific and technical information regarding a property or a project for an exploration or mining company that is required to disclose information material to its project(s) or is required to do so by the securities commission for their reporting jurisdiction and/or as required by TSX/TMX disclosure regulations. The Technical Report is not intended to be a detailed scientific and technical account of every facet of the project and should ideally be kept to a reasonable file size for the purpose of filing on SEDAR (System for Electronic Document Analysis and Retrieval).

Any of the types of Technical Reports discussed in this guideline may be written as private company or public company Technical Reports. Many private companies eventually become public companies and it is therefore recommended that private company reports be written in the same manner as public Technical Reports.

5.3 Report Validity

Practitioners and clients must be aware of the shelf life of their internal reports and public Technical Reports and that changing technology, parameters, key assumptions, and further project development will at some point cause the information to be out of date. It is the responsibility of the company (the “Issuer”) to ensure that all technical disclosure reflects the current conditions of the project or operation. It is the responsibility of the practitioner to ensure that the report content is accurate and current at the effective date of the report issuance.

5.4 Disclosure and Compliance

The standards for all public disclosure by an Issuer of material scientific and technical information concerning all mineral properties are presented in NI 43-101, which together with its referenced documents are the principal documents in Canada for disclosure of information on exploration and mining projects. These documents may be found on the Ontario Securities Commission (OSC) website

In addition to the OSC requirements for disclosure, the Toronto Stock Exchange (TSX) and TMX Group regulate disclosure by exploration and mining companies. The TSX manual, *"Disclosure Standards for Companies Engaged in Mineral Exploration, Development & Production"*, sets out the requirements for TSX listed companies. TMX Policy 3.3, *"Timely Disclosures"*, requires TMX-listed exploration and mining companies to comply with the requirements of the TMX, *"Appendix 3F, Mining Standards Guidelines"*. These documents, noted above are to be considered in addition to the requirements of NI 43-101.

Generally, the requirements of the TSX and TMX Group are consistent with the requirements of NI 43-101; however, in certain areas, particularly in connection with public disclosures, they are more detailed and require an added degree of compliance and diligence. For the purposes of preparing Technical Reports, however, the practitioner's primary sources of guidance are NI 43-101 and the reporting format Form 43-101-F1.

Regardless of its type, any Technical Report required to be filed with one or more of the securities commissions in any Canadian province is referred to in NI 43-101 as a Technical Report and must follow the Form 43-101-F1 format, which can be found on the OSC website.

5.5 Technical Report Authors

All Technical Reports must be authored by or under the supervision of a Qualified Person who, unless the mining company is a "producing issuer", must be independent of the company. As per NI 43-101 "producing issuer" is a company that had gross revenues of (i) at least CDN\$30 million in its most recently completed fiscal year and (ii) at least CDN\$90 million during its three most recent fiscal years. Qualified Persons who are not independent and prepare a Technical Report for a producing issuer must meet the professional and experience requirements in the same manner as an Independent Qualified Person.

Independent Qualified Persons must not, among other prohibitions, have been recently employed by the company or its affiliates, own any shares or other securities of the company or its affiliates, or in any of the preceding three years prior to the Technical Report effective date received the majority of their income from the company. In addition, Independent Qualified Persons should not receive company shares or other securities in advance for any of the work performed on the Technical Report. If shares or securities are received as payment after completion and SEDAR filing of the Technical Report, that Qualified Person may not be considered as being independent going forward on Technical Reports or other public disclosures.

NI 43-101 and Form 43-101-F1 focus on the requirements for Technical Reports to be used in Canada. Since some practitioners may be required to prepare Technical Reports on mineral properties for regulators outside Canada, for example SEC (USA) and AIM (UK), authors are advised to check with the agency to which the Technical Report will be submitted to ensure it will meet all regulatory requirements.

Technical Report authors may be required by their clients to review and approve technical information in many types of corporate public disclosures that are concerned

with the contents of their Technical Reports, such as those that follow:

- Management Discussion and Analysis
- Financial Statements
- Company Websites
- Annual Information Forms
- Investor Presentations
- Presentations to Indigenous communities or stakeholders
- Mineral Resource and Reserve Initial Disclosure
- Material Property Acquisitions
- Offering Documents
- Other Promotional Materials

Restrictions on authorship of non-public Mineral Project reports may vary according to jurisdiction. The issues discussed in this guideline apply to public disclosure that relies on reports prepared by practitioners.

5.6 Report Preparation

National Instrument 43-101 sets out the circumstances in which a written Technical Report must be filed with the securities commission (see section 5.1 Introduction, above). The contents of all Technical Reports filed with securities commissions must follow Form 43-101-F1.

The Companion Policy 43-101-CP recommends that exploration and mining projects be carried out and reported in accordance with the guidelines of The Canadian Institute of Mining, Metallurgy and Petroleum (CIM). The CIM guidelines were developed by a committee of industry professionals and regulators and are neither prescriptive nor exhaustive.

While much of the information required by Form 43-101-F1 to be included in a Technical Report is factual, the Qualified Person is required to perform some compulsory procedures and analysis and express in the Technical Report certain opinions and conclusions that require the exercise of professional judgment on the following:

- Interpretation of significant exploration results;
- Adequacy of sampling, sample preparation, security, analytical procedures, data density and data reliability;
- Recommended program of exploration or development expenditures and a statement that the property is of sufficient merit to justify that program;
- The degree to which samples used for metallurgical testwork are representative of the various types and styles of mineralization and the mineral deposit as a whole;
- The extent to which the Mineral Resource and Mineral Reserve Estimates could be materially affected by any known mining, metallurgical, environmental, permitting, legal, title, taxation, socio-economic, marketing, political, or other relevant factors;
- Relevant results and interpretations of the information and analysis being reported on, including any significant risks and uncertainties that could

reasonably be expected to affect the reliability or confidence in the exploration information, Mineral Resource or Mineral Reserve Estimates, or projected economic outcomes. Discuss any reasonably foreseeable impacts of these risks and uncertainties to the project's potential economic viability or continued viability.

- Recommended work programs and a breakdown of costs for each phase.

6. REPORTING ON SPECIALIZED COMMODITIES

Certain commodities require additional consideration, in accordance with specific codes, guidelines, and/or best practices pertaining to those commodities.

6.1 Coal Reserves

For consistency in public reporting of coal Mineral Resources and coal Mineral Reserves, it is recommended that all issuers use the Mineral Resource and Mineral Reserve categories set out in the CIM Definition Standards. Qualified Person(s) should be guided by the *Estimation of Mineral Resources and Mineral Reserve Best Practices Guidelines for Coal* and by *GSC Paper 88-21: A Standardized coal Resource/Reserve Reporting System for Canada*. It is acceptable to use the GSC Paper 88-21 as a framework for the development and categorization of coal estimates, but the GSC 88-21 categories should be converted to the equivalent CIM Definition Standard categories for public reporting.

6.2 Industrial Minerals

When reporting Mineral Resource and Mineral Reserve estimates relating to an industrial mineral site including aggregate quarries, the Qualified Person(s) should be guided by the CIM document *Estimation of Mineral Resources and Mineral Reserves Best Practice Guidelines for Industrial Minerals*.

6.3 Diamonds and Gemstones

When reporting diamond Exploration Information and Mineral Resources and Mineral Reserves, the Qualified Person is expected to comply with the CIM *Guidelines for the Reporting of Diamond Exploration Results* and the *Estimation of Mineral Resources and Mineral Reserves Best Practice Guidelines for Rock Hosted Diamonds*.

7. ENSURING COMPETENCY

Practitioners are required to always assess their competence in order to undertake a proposed assignment before agreeing to carry out the work. This will involve determining that their theoretical knowledge and practical experience in the relevant field are of suitable pertinence, extent and depth to enable them to provide a service that will be useful and reliable for the client or employer. This ensuring of one's own competence as a practitioner is an ethical requirement under the *Act*. Furthermore, there is an ethical requirement to act at times with knowledge of developments in the area of professional engineering relevant to any services that are undertaken. Therefore, continuous professional development is highly recommended as a means to ensure competency.

Note that according to section 72(2)(h), O. Reg. 941/90 under the *Act*, it is considered

professional misconduct for practitioners to undertake work that they are not competent to perform by virtue of their training and experience. Furthermore, failure to make responsible provision for complying with applicable statutes, regulations, standards, codes, by-laws and rules in connection with work being undertaken by or under the responsibility of the practitioner is professional misconduct according to 72(2)(d).

Peer review and mentorship can be used to ensure that work is competently performed (for example, see PEO guideline on peer review *Professional Engineers Reviewing Work Prepared by Another Professional Engineer*).

For all mineral project reports (including NI 43-101 Technical Reports), the practitioners involved must have relevant competency by virtue of their knowledge and experience relevant to their portion of the report in the following areas:

- the specific commodity or commodities, their prices, current costs of extraction, potential environmental and social impact and economic viability;
- currently acceptable methods of mining, mineral processing, tailings/waste rock disposal and environmental protection measures;
- potential failures in mine design and project economics;
- methods of property assessment for valuation purposes;
- Mineral Resource and Mineral Reserve estimation.

In the preparation of a report on a mineral property the practitioner must:

- 1) practice only inside their area of competence.
- 2) not take responsibility for the work of others without the practitioner being sufficiently qualified and competent.
- 3) take sufficient steps to check work by others before accepting responsibility, and refer to the PEO practice guideline *“Assuming Responsibility and Supervising Engineering Work”*.
- 4) maintain objectivity and not allow outside pressure to influence the quality and reliability of reporting.
- 5) not provide a report at a level far exceeding or falling short of the required report quality level (i.e. Preliminary Economic Assessment vs. Pre-Feasibility Study vs. Feasibility Study).
- 6) rely on regular peer reviews of methodologies, results and recommendations to ensure competency and currency, especially in small or single person consultancies.
- 7) rely upon CIM *Estimation of Mineral Resources and Mineral Reserves Best Practice Guidelines* and CIM *Definition Standards for Mineral Resources and Mineral Reserves*.
- 8) be familiar with the *Professional Engineers Reviewing Work Prepared by Another Professional Engineer* PEO guideline which refers to meeting and reasonableness of objectives, consideration of other options, bias, rigor and validity of assumptions and conclusions.
- 9) be prepared to defend the mineral property report in an audit or review on behalf of a client.
- 10) undertake the required professional development program(s) as indicated by their engineering licencing jurisdiction.
- 11) take precautions when using computer software for managing and deriving engineering solutions and refer to the PEO guideline *Professional Engineers Using Software-Based Engineering Tools*, which explains the software configuration,

quality assurance, quality control, validation and verification.

In assessing their own position, practitioners should be aware of the essential difference between “qualification” and “competence.” Dictionaries define qualification as “a quality or accomplishment that fits a person for some function, office or the like.” This includes the conferring of degrees and certification by technical and professional bodies. It is a one-time, static thing that cannot normally be lost or diminished by time. On the other hand, competence is a “quality of having suitable skill, knowledge, or experience for some purpose.” Competence, subsequently, is a dynamic quality that relates to the present task, assignment or activity. It should be noted that incompetence can mean not only a lack of knowledge, skill or judgment, but also the suffering from a physical or mental condition that can interfere with the exercise of one’s professional judgment.

Practitioners must realize that for both legal and ethical reasons they should not undertake assignments unless they honestly and reasonably believe that they are competent to carry out the work, or that they can become competent without undue delay, risk or expense to the client or employer, or that they will engage a competent licence holder to carry out work that is beyond their area of expertise. Practitioners who proceed on any other basis are not being honest with their clients or employers and are considered to be operating in a manner of professional misconduct.

Professional responsibility refers to practitioners’ obligations to conduct themselves in accordance with the technical, legal and ethical standards of the profession, including the higher duty of care associated with professional status. Whenever practitioners act in their professional engineering capacity, they must be prepared to answer for their conduct in discharging their obligations to the profession and the public. Accepting this responsibility is part of the commitment made by each individual when accepting the exclusive right to practise afforded by a licence to practise professional engineering. Good professional conduct includes practising only within one’s area of competence.

A key mineral industry example where competency using computer software is a concern is the example case whereby a relatively inexperienced engineer is provided a Mineral Resource estimation software package by his or her employer and sent to a 3-5 day workshop to learn how it operates. After the workshop, the employer expects the engineer to know everything about the application of the software, whereas in reality the engineer has just scratched the surface of the knowledge requirement to become competent. The engineer proceeds to develop a Mineral Resource Estimate with very little if any guidance from other experienced mineral industry professionals and he or she produces an estimate that is very inaccurate since his or her approach to the task is essentially that of a “black box” with misunderstood inputs, operation, and results. Unfortunately this engineer does not understand the workings of the software and is incapable of verifying and validating his or her work product. In order to avert this situation, a significant training investment is required and frequent interaction and review by peers is essential to acquire and maintain competency. For further information refer to the PEO practice guideline *Professional Engineers Using Software-Based Engineering Tools*.

8. INDEPENDENCE AND OBJECTIVITY

Managing client and employer expectations about the type and extent of services that can be provided by a practitioner is crucial to the successful conclusion of any assignment. Practitioners should serve their clients and employers with integrity and objectivity, making every effort to carry out assigned activities in a professional manner.

Carrying out work on mineral projects, such as estimation of Mineral Resources or Mineral Reserves, or completing engineering studies regarding potential development of a mining operation, the practitioner can be subject to client or employer pressure to produce positive results, particularly when those results may have a material financial impact on the project.

A practitioner can influence the results during the course of the work, through selection of various input parameters (e.g., metal prices and process recoveries) and/or estimation methods (e.g., Mineral Resource grade interpolation). Reasonable choices of inputs may cover a wide range, requiring judgement and experience to be applied.

Whether acting explicitly as an independent (e.g., an Independent Qualified Person under NI 43-101) or not, a practitioner is obligated to consider accepted industry practices and standards, such as:

- CIM Standards & Guidelines for Mineral Resources and Reserves
 - CIM Definition Standards for Mineral Resources and Reserves
 - Best Practice Guidelines
- CIMVal Standards and Guidelines for Valuation of Mineral Properties
- AACE 47R-11 Cost Estimate Classification System – As Applied in Engineering, Procurement, and Construction for the Mining and Mineral Processing Industries
- Equator Principles and International Finance Corporation (IFC) Guidelines
- Relevant federal, provincial, and local regulations and statutes

These references help to ensure that choices made during the course of the work are objective, reasonable, and appropriate, and that the results are defensible. Peer review, either internal or external, can provide another opinion on whether inputs and results are free from bias and technical error (see the PEO guideline on peer review *Professional Engineers Reviewing Work Prepared by Another Professional Engineer*).

The PEO guidelines *Professional Engineering Practice* and *The Professional Engineer Acting as an Expert Witness* contain best practices for practitioners preparing reports. Here is a summary of some of these best practices as they relate to mineral project reporting:

- It is important to ensure that a client is not misled by an overly favourable report or by a practitioner's failure to give proper emphasis to adverse considerations and project risks;
- For some projects, a client may request that a practitioner provide preliminary reports at various stages. These preliminary reports serve only one purpose: to inform a client about the progress of an investigation and provide guidance for the remaining report work;

- Before preparing a final report, a practitioner may discuss the facts and conclusions with a client to obtain appropriate guidance to ensure completeness;
- An engineer must accept final responsibility for a report, and thus **must not permit the client to exert undue influence** on its final form; and
- Expressly, engineers must not alter their reports so as to distort their opinions to advocate for a client.

As an example, issues in this area contributed to the collapse of the Algo Centre Mall in Elliott Lake. The report of the Elliot Lake Inquiry (Volume 1, chapter 14 recommendations, www.attorneygeneral.jus.gov.on.ca/inquiries/elliottlake/report/Vol1_E/ELI_Vol1_Ch14_E.pdf) released on October 15, 2014, included the recommendation 1.23¹ pertaining to engineering reports, which dealt with improper alterations of engineering reports.

PEO's Professional Standards Committee agreed with this recommendation and noted that while it specifically mentions Structural Adequacy Report, the concept that alterations to reports can only be made base on sound engineering principles or changed facts applies to all engineering reports.

9. MAINTAINING CONFIDENTIALITY

Section 77(3) of O. Reg. 941/90 covers confidentiality, making it clear that the practitioner should not divulge any information sensitive to their clients' or employers' business to third parties, unless expressly or implicitly authorized by their clients or employers or required by law to do so. Unreserved communication between practitioners, clients or employers is essential for effective delivery of professional services. Clients/employers must feel that all correspondence between themselves and practitioners are completely secure. They are entitled to assume this to be the case, without making any request as to the maintenance of confidentiality. They are also entitled to assume that the duty of confidentiality will survive the professional commission that required it, and continue indefinitely after the termination of contracts or relationships unless agreed to otherwise.

In preparing material for technical publications or reports on mineral projects, practitioners should be particularly careful to avoid inadvertent disclosure of confidential information, and should seek approval or consent of affected parties before submitting any client-specific information for publication. A mineral industry example of such information would be terms of mineral concentrate sales agreements with smelters (typically very confidential).

¹

"Recommendation 1.23

The Professional Engineers of Ontario should issue a clear direction to its members that the contents of an engineering report, or draft report, including a Structural Adequacy Report, should not be altered simply because the client requests that it be changed. Rather, any alteration of an engineering report, or draft report, should be based on sound engineering principles or changed facts."

For compliance with securities law it is highly recommended for practitioners to avoid using confidential information for the benefit of themselves or third parties, or to their clients' or to other practitioners' disadvantage. In the same vein, practitioners are expected to decline employment or a commission that would require disclosure of such information.

For example, an engineer works for company X, which is in the business of mineral exploration. The engineer is responsible for compiling and analyzing data regarding drilling, leading to an estimation of Mineral Resources. The engineer, in the course of employment, gains skill and experience in analyzing data for sites within this particular geological formation. The practitioner also acquires confidential information regarding Mineral Resources on land worked by X. The engineer subsequently leaves the employ of company X and joins a competitor company Y, which proceeds to buy land adjoining the property based on the engineer's knowledge of confidential information. Though the engineer can apply the specialized knowledge and skills learned at X to carry out analysis of the adjoining site, revealing the confidential information regarding Mineral Resources on X's land to Y is a breach of an outstanding obligation to the previous employer.

Since in the course of their assignments, practitioners may be required to discuss aspects of projects with third parties, they should ask clients to stipulate which disclosures need to be kept confidential. It may well be worthwhile for practitioners to make this distinction clear to their clients in certain situations. This stipulation should be included in the agreement for services or employment contract.

Confidentiality agreements are commonly used in the mineral reporting industry, typically including liability and term limits, and covering subcontractors or subconsultants in addition to the contracting organization.

10. DOCUMENT RETENTION

Practitioners produce many documents in the course of carrying out their assignments. Practitioners producing documents for clients often find that storage of these documents is costly and may wish to dispose of them when they no longer serve a purpose to the engineering firm. Unlike certain corporate documents, there is no legal requirement under the *Act* stipulating how long engineering documents, including drawings and specifications, must be retained. For mineral projects; however, NI 43-101 Part 6.3 stipulates document retention rules for issuers (i.e., clients or employers): An issuer must keep for seven years copies of assay and other analytical certificates, drill logs, and other information referenced in the Technical Report or used as a basis for the Technical Report.

Generally, the firm that created the documents may have internal standards for document retention. It is a best practice for practitioners to inform clients about document retention policies and confirm they are acceptable to the client. A practitioner should learn whether a client has special document requirements at the initial meeting and these requirements should be specified in the agreement. This should include obligations on the practitioner to protect, store or destroy documents related to the project.

At the conclusion of a project, a practitioner should provide a client with sufficient copies of all final documents, either in hard-copy or electronic format. The number of copies and the format should be stated in the client-practitioner agreement or contract.

It is common for mineral projects to change ownership and/or management frequently, and for the new entity to be interested in obtaining copies of past work (including reports and other data) on the project. In such a case, the practitioner is obligated to obtain the permission of the original client to share the information or in the event of an absent former owner, require proof that the new entity indeed owns the property.

11. CONFLICT OF INTEREST

11.1 Mineral Project Reports

An important aspect for practitioners when providing reports on Mineral Properties is managing potential conflicts of interest. Section 72 (2) in Regulation 941/90 made under the Act defines “professional misconduct”. Section 72 (2)(i) states that “failure to make prompt, voluntary and complete disclosure of an interest, direct or indirect, that might in any way be, or be construed as, prejudicial to the professional judgement of the practitioner in rendering service to the public, to an an employer or to a client” shall constitute professional misconduct.

It should be noted that disclosure of conflicting interests by the practitioner is not admitting that a lapse in judgement will happen or that the practitioner is susceptible to pressure. Informing clients and other stakeholders of circumstances that might be construed as a potential conflict of interest allows the work to proceed in an open and transparent manner and allow all parties to manage the work in a way that avoids potential conflicts.

In practical terms, the following describes some potential areas of perceived conflict of interest:

1. The practitioner or one of the study team may have previously completed work on the property or an adjacent property.
2. Working for two clients simultaneously with opposing interests.
3. The practitioner or one of the study team may have completed work on the property when employed by another company or for a previous or prospective owner.
4. The company contracting out the work may have indicated that further studies will be contracted to your firm if the results are positive on the study you are undertaking.
5. A family member of the practitioner or one of the study team may have a direct or indirect financial interest in the company that owns the property.
6. The practitioner in the course of the work may come into information considered confidential and not in the public domain and cannot act on this information to purchase shares in the client’s company

The practitioner should review *Professional Engineering Practice Guideline* for a more detailed discussion on Conflict of Interest.

11.2 NI 43-101 Technical Reports

When engaged in writing Technical Reports, the practitioner should review National Instrument 43-101 *Standard for Disclosure for Mineral Projects* regarding the definition of Qualified Person and independence, specifically Section 1.5:

“...a Qualified Person is independent of an issuer if there is no circumstance that, in the opinion of a reasonable person aware of all relevant facts, could interfere with the Qualified Person’s judgement regarding the preparation of the Technical Report.”

The practitioner should also review Sections 1.5 and 5.3 of Companion Policy 43-101CP to National Instrument 43-101 *Standard for Disclosure for Mineral Projects*.

12. JURISDICTION

Practitioners providing reports on mineral properties often are required to complete reports on properties out of province and it is not unusual for practitioners to complete reports on properties in international jurisdictions.

A common question raised by practitioners is, “Does PEO have jurisdiction if the report is on a property out of province?”

Recent legal developments appear to give PEO jurisdiction in a case where a business maintains a substantial presence in Ontario, even if the work is performed out of province. PEO is of the view that the public includes not just “natural persons” but corporations and governments as well. Ontario practitioners are required to comply with the laws of other jurisdictions where they practise. Ontario practitioners remain responsible to PEO for their conduct no matter where the work takes place. There are a number of legal precedents supporting this view such as November 13, 2007 Statement of Allegations of the PEO vs Serdar Kalaycioglu and decision of the Ontario Court of Appeal in R. vs Stucky (see PEO Gazette July/August 2009). These legal precedents demonstrate that both the PEO Discipline process and Ontario Courts can consider allegations of events occurring outside of Ontario and even Canada.

The practitioner who is not licensed by PEO and working in a jurisdiction outside Ontario is presumably governed by the jurisdiction where he holds a license providing the jurisdiction is recognized by the Ontario Securities Commission and the jurisdiction has the ability to discipline its members. However, a practitioner who is not licensed by PEO and intends to practice professional engineering in Ontario is considered an unlicensed person and must obtain a license from PEO.

13. MANAGING RISKS AND UNCERTAINTY

The practitioner as part of their duties in completing their portion of mineral project reports need to consider risk and uncertainty in their analysis and where possible to mitigate any potential risks to the project. Some examples of questions to consider when completing their analysis include the following:

Geology & Mineral Resources

- Is the data verification and quality control on assaying satisfactory?

- Has the mineral deposit been adequately sampled and tested to complete an accurate Mineral Resource Estimate?
- Has the geology been correctly interpreted including structure, orientation, geometry, alteration and mineralogy?
- What controls the grade variability and continuity of the mineralization?
- Is the Mineral Resource Estimate methodology appropriate for the type of deposit?
- Have the appropriate inputs to the Mineral Resource Estimate cut-off grade been utilized?
- What are the main uncertainties and risks with respect to the deposit and Mineral Resource model?

Geotechnical

- Has the mineralization, and structure been properly interpreted?
- Has adequate geotechnical lab testing been completed on the various rock units?
- Have items such as hydrogeology or potential voids been identified?
- Have overburden properties been interpreted correctly?
- Are open pit wall slope angles or the size of underground workings suitable for the rock types, mass and structure?
- Have the underlying soil foundation conditions of potential containment structures for waste rock, tailings or water been appropriately investigated?
- Are suitable construction materials available for use in building the containment structures?
- Has provision been made for ongoing monitoring and quality control during construction and operation for the containment structures?
- Have mine closure aspects been considered for the containment structure design?
- Is there potential for release of deleterious elements to the environment from the mine or containment structures and have mitigation measures been incorporated into the design?
- Have adequate factors of safety been used for design parameters?

Mine Design & Mineral Reserves

- Is the mining method suitable for safe and economic recovery of the type of mineral deposit?
- Are cut-off grade inputs (metallurgical recovery, metal prices, foreign exchange rate, revenue terms, operating costs) reasonable and consistent with the chosen operating scenario?
- Have mining mineralized material recovery and dilution been properly and realistically estimated?
- Has the Mineral Reserve Estimate been compared to previous estimates, and differences found to be reasonable/explainable?
- Are productivity factors realistic and achievable?
- Is the mining equipment type and sizing suitable?
- Have costs been estimated at an appropriate level of detail for the study being undertaken?
- Do Mineral Reserves have demonstrated economic viability via a cash flow model analysis?

Processing & Metallurgy

- Have samples for testing been properly selected to represent the variability and spatial distribution of the potential process plant feed and also representativity throughout the life of mine?
- Has processing plant production capacity ramp up and mineralized material feed properties been properly assessed in order that the equipment is properly selected and sized?

Environmental & Permitting

- Have adequate baseline studies been completed for flora, fauna, local stakeholders and site conditions?
- Have water sources and quality been properly identified and assessed?
- Are there any endangered flora or fauna associated with the project?
- Have all stakeholders associated with the project been identified and has the project interacted with them by communication, documentation, dispute resolution and outreach programs to identify any concerns and mitigate these concerns where possible?
- Have agreements been reached with relevant stakeholders detailing impacts, benefits and commitments through the life cycle of the project including closure and post-closure
- Have steps been taken to comply with corruption/anti-bribery/human rights/employment rights, labour laws and regulations?
- Are mine waste materials (including waste rock, tailings) disposed of in appropriately-designed storage facilities with industry accepted safety factors?
- Stakeholder consultations, such as Indigenous communities

Marketing

- Have marketing studies been completed for the commodity verifying that an economic market exists for the project's final product?
- Have all additional licensing, smelting, refining, marketing, transportation costs been included in the financial economic analysis?

Financial Analysis

- Have realistic currency exchange rate and commodity prices been used in the financial analysis?
- Have suitable allowances been made in the financial analysis for project ramp up of production and metallurgical performance
- Have suitable sensitivity analysis been completed on the financial model?
- Are the taxation rates used in the model realistic?
- Has a tax agreement been finalized with local governments including any provision for financial accommodations for stakeholders?
- Is the discount rate used in the financial analysis representative of the jurisdiction and political risk?
- Have suitable project financing alternatives been assessed with realistic terms to assess project sensitivity?
- Has mine closure and reclamation been addressed in the financial analysis?
- Has an adequate contingency allowance been used in project capital and operating cost estimates?

14. DEFINITIONS

“Engineers” in this guideline applies equally to professional engineers, temporary licence holders, provisional licence holders and limited licence holders as defined in the *Act*.

“Practitioners” refers to engineers and to firms, that hold a Certificate of Authorization to offer and provide engineering services to the public as defined in the *Act*.

“Out of province” means any jurisdiction outside of Ontario, such as Quebec, United States and Europe etc.

“Unlicensed person” means a person who does not hold a licence issued by Professional Engineers Ontario to practise professional engineering in the Province of Ontario.

Terms defined in NI 43-101: “Issuer”, “Producing Issuer”, “Qualified Person”, “Technical Reports”

Terms defined in CIM Definition Standards: “Feasibility Study”, “Preliminary Economic Assessment”, “Pre-Feasibility Study”, “Mineral Resources”, “Mineral Reserves”

APPENDIX 1 – References for Practitioners Providing Reports on Mineral Projects

Note that this list is provided for information only and should not be considered a comprehensive list. These references are informally grouped and presented in no particular order. This list in no way limits the responsibility of practitioners or the scope of this guideline. Further, the hyperlinks provided were valid only at the time of publication and may change after time.

Guidelines	
<i>Geological Survey of Canada, A Standardized Coal Resource/Reserve Reporting System for Canada</i>	https://www.onemine.org/document/abstract.cfm?docid=232792
<i>Exploration Best Practice Guidelines;</i>	https://mrmr.cim.org/en/best-practices/
<i>Estimation of Mineral Resources and Mineral Reserves Best Practice Guidelines</i>	https://mrmr.cim.org/en/best-practices/
<i>CIM Best Practice Guidelines for Mineral Processing</i>	https://www.cmpsoc.ca/wp-content/uploads/2015/09/CIM_Best_Practice_Guidelines_for_Mineral_Processing_Rev_F.pdf
<i>CIM Placer Deposits Guideline</i>	https://mrmr.cim.org/media/1037/placer-deposits-estimation-guidelines.pdf
<i>AACE 47R-11 Cost Estimate Classification System – As Applied in Engineering, Procurement, and Construction for the Mining and Mineral Processing Industries</i>	http://web.aacei.org/resources/publications/recommended-practices
<i>International Council on Mining & Metals - Principles</i>	https://www.icmm.com/
Standards	
<i>National Instrument 43-101, Standards of Disclosure for Mineral Projects</i>	http://www.osc.gov.on.ca/en/15019.htm
<i>Disclosure Standards for Companies Engaged in Mineral Exploration, Development & Production</i>	https://www.tsx.com/resource/en/97
<i>CIM Definition Standards</i>	https://mrmr.cim.org/media/1088/cim_definition_standards_may10_2014.pdf
<i>CIMVal Standards and Guidelines for Valuation of Mineral Properties</i>	https://mrmr.cim.org/en/standards/valuation-guidelines-for-mineral-properties/

Official Sites	
<i>System for Electronic Document Analysis and Retrieval (SEDAR)</i>	http://www.sedar.com
<i>Report on Mount Polley Tailings Storage Facility Breach</i>	https://www.mountpolleyreviewpanel.ca/final-report
<i>Global Reporting Initiative</i>	www.globalreporting.org
<i>International Mining and Metals</i>	www.icmm.com
<i>Total Sustainable Mining Mining Association of Canada</i>	www.mining.ca/towards-sustainable-mining/
IFC Environmental, Health, and Safety Guidelines	https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/policies-standards/ehs-guidelines
The Equator Principles	https://equator-principles.com/



Professional Engineers
Ontario

Terms of Reference

Professional Engineers Providing Reports on Mineral Projects

Subcommittee

(October 18, 2016)

OBJECTIVES

The Guideline for Professional Engineers Providing Reports on Mineral Projects subcommittee is directed by the Professional Standards Committee to review the existing guideline *Professional Engineers Providing Reports on Mineral Properties* and, in consideration of changes to legislation and standards affecting the industry and professional engineering, revise that document to better reflect current best practices and requirements.

BACKGROUND

The current Guideline for *Engineers Providing Reports on Mineral Properties* was published in 2002 and has not been revised since then. In the intervening 14 years there have been numerous changes to the technical guidelines and standards in the exploration and mining industry, such as:

- National Instrument 43-101 STANDARDS OF DISCLOSURE FOR MINERAL PROJECTS and its Companion Policy and Report Form;
- Canadian Institute of Mining, Metallurgy and Petroleum (CIM) Mineral Resource and Mineral Reserve Definition Standards;
- CIM Reserve and Resource Estimation Best Practice Guidelines; and
- CIMVal Standards and Guidelines for Valuation of Mineral Properties.

The above indicates that the guideline should be reviewed and revised as necessary to reflect current best practices and requirements.

MANDATE (Specific Tasks)

The Professional Engineers Providing Reports on Mineral Projects subcommittee is expected to obtain and provide information that will aid engineers in accordance with new requirements including the *Professional Engineers Act* and its regulations.

The subcommittee will review current legislation and identify the regulatory and ethical requirements for practitioners providing services in this area of practice.

The current practice guideline will be revised to reflect current best practices and requirements.

MEMBERSHIP

The subcommittee should be comprised of 3-5 members engaged in the practice of providing engineering services for exploration, mining, minerals, minerals processing and metallurgical industries. The subcommittee's Chair should be a PSC member.

DELIVERABLES

The subcommittee will present the completed guideline to the Professional Standards Committee no later than July 2018. The subcommittee will provide quarterly progress reports to PSC.

Meeting Schedule: At discretion of the Chair
Completion Date: July 2018

Briefing Note – Decision

C-535-3.3

Guideline – Environmental Site Assessment, Remediation and Management

Purpose: Council approval of the listed guideline is required to authorize its publication.

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

That Council:

1. Approve the publication of the *Environmental Site Assessment, Remediation and Management* as presented to the meeting at C-535-3.3, Appendix A;
2. Direct the Registrar to publish the guideline and notify members and the public of its publication through usual PEO communications; and
3. Stand down the PSC subcommittee which prepared the *Environmental Site Assessment, Remediation and Management* guideline.

Prepared by: José Vera, P. Eng. – *Manager Practice and Standards* on behalf of Fanny Wong, P. Eng. – *Chair of the PSC*

Moved by: West Central Region Councillor, Lisa MacCumber, P.Eng., FEC., or designate

1. Need for PEO Action

Professional Standards Committee (PSC) was instructed by Council to revise the existing *Environmental Site Assessment, Remediation and Management* guideline as per the following motion:

- 509th Council meeting on November 18, 2016:

That Council direct the Professional Standards Committee to form an Environmental Site Assessment, Remediation and Management Subcommittee to complete the work described in the Terms of Reference as presented to the meeting at C-509-2.10, Appendix A.

2. Proposed Action / Recommendation

- The PSC recommends that Council approve the *Environmental Site Assessment, Remediation and Management* guideline for publication, since it meets the objectives laid out its approved Terms of Reference (Appendix B).

3. Next Steps (if motion approved)

- Manager, Practice and Standards will collaborate with PEO Communications Department to prepare the draft document for publication as a PEO Guideline;
- Practice Article will be published in the PEO Engineering Dimensions and notices posted on the website to notify PEO members about the publication of this document; and
- The Environmental Site Assessment, Remediation and Management subcommittee will be stood down.

4. Policy or Program contribution to the Strategic Plan

- Strategy 1.7 Develop practice guideline for *Environmental Site Assessment, Remediation and Management*.

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

	Operating	Capital	Explanation
Current to Year End	\$	\$	Funded from existing PSC budget
2 nd	\$	\$	Not Applicable, since the guideline should be published this year.

6. Peer Review & Process Followed

Process Followed	<p>Outline the Policy Development Process followed.</p> <ul style="list-style-type: none"> • Draft document was posted on the PEO website for member and stakeholder consultation (September 16, 2019 – November 16, 2019). The following stakeholders were directly invited to the public consultation: <ul style="list-style-type: none"> ➤ Ministry of the Environment, Conservation and Parks (MECP) ➤ Ministry of Transportation (MTO) ➤ Professional Geoscientists Ontario (PGO) ➤ City of Toronto ➤ City of Vaughn ➤ Ontario Society of Professional Engineers (OSPE) ➤ Consulting Engineers of Ontario (CEO) ➤ Engineers Canada • Draft document was revised where warranted based on recommendations received from members and stakeholders during consultation. • Draft document was reviewed and approved by PSC (May 12, 2020).
Council Identified Review	Not applicable
Actual Motion Review	Not applicable

7. Appendices

- Appendix A – *Environmental Site Assessment, Remediation and Management* guideline
- Appendix B – Terms of Reference Subcommittee - *Environmental Site Assessment, Remediation and Management*

***Environmental Site Assessment, Remediation and Management
Guideline***

C-535-3.3
Appendix A

Date: May 9, 2020

Version 28

Contributors:

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Notice: The Professional Standards Committee has a policy of reviewing guidelines every five years to determine if the guideline is still viable and adequate. However, practice bulletins may be issued from time to time to clarify statements made herein or to add information useful to those engineers engaged in this area of practice. Users of this guideline who have questions, comments or suggestions for future amendments and revisions are invited to submit these to PEO using the standard form included in the following online document:

http://peo.on.ca/index.php/ci_id/23427/la_id/1.htm

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1. INTRODUCTION

1.1 Purpose

This document is a guideline for Ontario professional engineers providing environmental site assessment (ESA), site remediation, and environmental risk assessment and management services. Its purpose is to highlight the professional and ethical responsibilities and to provide a benchmark to evaluate the level of professional practice and quality of work required of a professional engineer practicing in this field.

The guideline recognizes the multidisciplinary nature of such work, and that other professionals may be involved to provide complementary skills and knowledge as required for certain sites and/or stages in the remediation work.

This guideline is intended to assist engineers but does not replace existing legislation, regulations, policies or other guidelines, nor does it obviate the need for required appropriate education, training and experience.

For more information on the purpose of practice guidelines, the guideline development and maintenance processes, including the Professional Engineers Ontario (PEO) standard form for proposing revisions to guidelines, please read our document:

<https://www.peo.on.ca/sites/default/files/2019-08/GUIDELINE%20DEVELOPMENT%20AND%20MAINTENANCE%20PROCESSES%20terms%20of%20reference.pdf>

To view a list of the PEO guidelines, please visit the Publications section of the PEO website:

<https://peo.on.ca/index.php/knowledge-centre/practice-advice-resources-and-guidelines/practice-guidelines>

1.2 Responsibilities

1.2.1 Engineers

Engineers owe a legal duty to exercise reasonable diligence and skill to persons other than their own clients. Canadian court will recognize such a duty (known as a “duty of care”) where it is foreseeable that the engineer’s conduct could cause harm to a specific person and that person is not in a proximal relationship with the engineer, *Cooper v. Hobart*, 2001 SCC 79. Such duties of care can extend to third parties who merely rely on the reported findings and conclusions of engineers in certain circumstances. Where an engineer fails to meet the standard of care, the engineer could be found liable for any damages that are directly caused by that failure.

Engineers involved in ESAs and remediation should be familiar with federal, provincial and municipal legislation, regulations, policies and guidelines that apply to their projects, sites, contaminants of concern, and to their particular area of practice.

Permitting processes, approval requirements and compliance issues will vary, depending on the site location and proposed work plan. With the client’s consent, it is advisable that the engineer leading a project interact with the applicable regulator(s)/stakeholder(s) early in the planning stages and throughout the project to satisfy themselves that the method and interpretation of

the regulator's policy, guidelines, and acts are consistent and clear to all parties. Differences or concerns raised by the regulator should be clarified.

Beyond these responsibilities, engineers are also required to conduct themselves in a manner consistent with the *Professional Engineers Act* including, among other things, the duty to protect the public and the duty to conduct their work to the appropriate standard of care.

Where a multi-disciplinary team structure or oversight of others is required on a project, the engineer's responsibilities will vary depending on their role. For example:

- The role of engineers who are undertaking a specific portion of a project should be clearly defined in the agreement. Any limitations in the scope of work should be identified;
- Engineers overseeing the work of others, who may or may not be members of a professional organization, and who will ultimately sign off on the final report(s), should provide overall guidance and review of the results of others' work.

For more information, refer to the PEO "*Supervising and Assuming Responsibility for Engineering Work*" guideline and "*Use of the Professional Engineer's Seal*" guideline.

1.2.2 The Client and/or Property Owner

To achieve the desired goal and implement a reliable ESA, remediation, and/or risk assessment, the engineer should consider undertaking the following activities with the client/property owner:

- Define the objectives, scope of work, limitations, and deliverables with the client/property owner;
- Clarify the roles and responsibilities of the various professionals and contractors that the client/property owner has retained and are involved with the project;
- Enter into a signed written agreement with the client/property owner prior to commencing work. The agreement should be prepared in consultation with legal counsel. The agreement should outline the scope of work, the compensation, terms and conditions, insurance requirements, schedule for the services, and any other details on the project that were agreed upon or that of which the client/property owner should be made aware;
- Obtain all relevant documentation from the client/property owner that would benefit the undertaking of the ESA or risk assessment/remediation such as, utility maps, previous ESA reports, and historical uses of the site, including where applicable, providing letters of reliance as detailed in Section 1.8;
- Require that the client/property owner grants unimpeded access to the project site or document the site access limitations;
- Advise the client of potential regulatory requirements or schedule implications as a result of regulatory reviews and approvals;
- Recommend that the client/property owner obtain legal advice when appropriate; and
- Maintain communication with the client/property owner on the progress of the project and deviations or changes to the project. Changes to the scope of work or the terms of the written agreement should be documented and signed off by both parties to avoid conflicts or misunderstandings.

1.3 Sealing Requirements

Use of the seal is governed by Section 53, O. Reg. 941, under the *Professional Engineers Act*. The use of an engineer's seal is a matter of professionalism and not an independent source of civil liability. The failure to abide by Section 53 of O. Reg. 941, constitutes professional misconduct under Section 72(2)(g) of O. Reg. 941. Consequently, if in doubt, engineers are better off affixing the seal than withholding it. Affixing the seal avoids an allegation of professional misconduct and there is no downside of civil liability or professional misconduct in affixing the seal.

Engineers should decide whether a document needs to be sealed based on the policies and procedures that are outlined in the "*Use of the Professional Engineer's Seal*" guideline.

1.4 Qualifications

An engineer shall possess a combination of formal education, skill, experience and training appropriate to provide technically sound:

- Phased ESAs;
- Remedial options analysis;
- Site remediation design;
- Risk assessment; and/or
- Environmental risk management design.

A qualified engineer practicing in this field should also be knowledgeable of the federal, provincial, and municipal government legislation, regulations and guidelines, and approval-specific requirements that apply to site investigations, risk assessment and/or remediation. Applicable codes, by-laws, statutes, and rules in connection with work being undertaken should be followed. For more information on some of the applicable regulations, guidelines and industry standards, refer to Appendix 2.

To comply with their professional obligations, engineers should only perform or take responsibility for work in which they are certain they are competent. Section 72(2)(h) of *Regulation 941/90* states: "*Professional misconduct means undertaking work the practitioner is not competent to perform by virtue of the practitioner's training and experience*".

In addition to the above, engineers should:

- Be aware of the role and contributions of engineering, geoscience, and other disciplines required to assess and remediate a site;
- Be able to identify when additional specialized knowledge not already included in the project team is required;
- Recognize the value of team skills including project management, shared goals, team make-up, team operations, shared knowledge of accountability, and limitations of other team members; and
- Consider including a summary of their relevant work experience in the proposals, terms of reference, engineering agreements and/or reports.

Finally, engineers practicing in Ontario should be aware that a Phased ESA completed to support the filing of a Record of Site Condition (RSC) shall be conducted or supervised by a

“Qualified Person” (QP), as defined under Ontario Regulation (O. Reg.)153/04. An engineer can be a QP if they hold a licence, limited licence or temporary licence under the *Professional Engineers Act*.

1.5 Conflict of Interest

O. Reg. 941/90 made under the *Professional Engineers Act* describes the circumstances that create a conflict of interest. Section 72(2)(i) states that “*failure to make prompt, voluntary and complete disclosure of an interest, direct or indirect, that might in any way be, or be construed as, prejudicial to the professional judgment of the practitioner in rendering service to the public, to an employer or to a client*” shall constitute professional misconduct. To know when disclosure is appropriate, a clear understanding of what causes a conflict of interest is needed.

The simplest and most effective way to deal with potential conflicts of interest is to be forthright and communicate with the appropriate parties about any circumstances that could reasonably lead those parties to question the engineer’s judgment.

For more information on the “Conflict of interest” refer to the “*Professional Engineering Practice*” guideline.

1.6 Duty to Report

The duty to report is an essential component of an engineer’s commitment to professionalism. Each engineer “*shall regard the practitioner’s duty to protect the public welfare as paramount*” (Section 77(2).i, O. Reg. 941/90). For more information on the “Engineer’s Duty to Report” please refer to the “*Professional Engineering Practice*” guideline.

1.7 Professional Liability Insurance and Certificate of Authorization

Engineers who offer services to the public or engage in the business of providing services to the public within the practice of professional engineering shall hold a Certificate of Authorization and carry liability insurance in accordance with the provisions in Section 74(1) of Regulation 941/90 and other applicable Acts and Regulations.

1.8 Reliance

There may be situations when undertaking Phased ESAs, risk assessments, and/or remediation work where reliance on reports and data prepared by others for consideration and incorporation into one’s own project may be warranted. As well, for a variety of purposes, the final report(s) prepared for the client/property owner may also be used and distributed to other third parties who may seek reliance on the use of the report(s).

The merits for extending or requesting reliance on another professional’s work/report should be considered on a case by case basis, evaluating the circumstances and the risks involved such as the legal liability, cost considerations, and timing constraints, as these and other factors can all weigh in on the decision.

1.8.1 Extending Reliance to Others

In situations where an engineer has prepared a report and a third-party other than the client/property owner is seeking/requesting a letter of reliance to rely on the engineer’s report, the following should be considered:

- Engineers should consult their employer's legal counsel to decide on whether to provide a letter of reliance based on factors that may include but not limited to: the age of the report and the conditions on the site and adjacent site that may have changed in the intervening time; objective of the request; conflict of interest; business relationships with the client/property owner and recipient; and the legal consideration; and
- If a letter of reliance should be provided, engineers should seek the advice of the legal counsel to assist in preparing a letter of reliance.

1.8.2 Relying on third party documents or information (with and/or without reliance)

In situations where engineers should rely on information or reports prepared by others, the engineer should carefully review data and results from a third party to satisfy themselves that they are relevant and consistent with professional industry and regulatory standards and that no systematic or intentional bias exists with the data.

It would be prudent to identify the fact that some information has been provided by others and provide representations, disclaimers, limitation and qualifications in their reports that make the allocation of professional responsibility clear to the reader. Engineers relying on information prepared by others may need to consult their insurance companies since coverage may be denied by an insurer where the insured professional completes work outside of the covered area of expertise.

2. PHASE I ENVIRONMENTAL SITE ASSESSMENTS

In general, a Phase I ESA identifies potential contaminating activities and areas of potential environmental concern on a property through desktop study review of background documents and maps, interviews, and site reconnaissance.

Specific requirements of a Phase I ESA may vary depending on federal, provincial, and/or municipal regulations pertaining to the site, as well as client-specific requirements. The engineer should consider these factors when developing an approach to a Phase I ESA.

In Ontario, the Phase I ESA process often falls into one of two categories:

- Phase I ESAs completed for due-diligence purposes; and
- Phase One ESAs completed to support the filing of a Ministry of the Environment, Conservation and Parks (MECP) RSC under O. Reg. 153/04.

For the purposes of this document, the term “Phase I ESA” will be used to describe both Phase I ESA and Phase One ESA.

2.1 Objective

The objectives of a Phase I ESA are to determine:

- If the property is subject to actual contamination or potential sources of contamination;
- If there are potential off-site sources of contamination to the property;
- The locations on the property where contaminants are potentially present;
- If additional assessment, such as a Phase II ESA is recommended or required; and
- Under O. Reg. 153/04, the specific objectives of:

- Identifying Potentially Contaminating Activities (PCAs) (as defined under O. Reg.153/04) on the property or off-site within the defined study area; and
- Identifying Areas of Potential Environmental Concern (APECs) on the property as a result of the PCAs.

A Phase I ESA may be completed to:

- Develop a Conceptual Site Model;
- Establish the basis for further investigative work;
- Identify potential environmental risks or environmental liabilities;
- Assist in meeting regulatory, legislative or policy requirements;
- Assist in making informed decisions about property transactions or financing;
- Assist in identifying baseline conditions;
- Support legal action or defense;
- Serve as an initial step in the preparation of a site remediation;
- Support the completion of a risk assessment; and/or
- Support the filing of a RSC.

The type of report that is being prepared should be determined at the beginning of the ESA process and meet the overall project or study objectives.

2.2 Study Considerations

The specific requirements, methods, and practices for a Phase I ESA are more fully described in Canadian Standards Association (CSA) Standard Z768-01. The mandatory requirements for a Phase I ESA to support the filing of a RSC are outlined in Part VII of O. Reg.153/04.

The scope of work for a Phase I ESA should consider the following:

- A project study area is defined for the collection of off-site information;
- Access agreement or permits are in place;
- Reasonably attainable information is collected for the project site and properties within the scope of the project study;
- Reasonable steps are taken to obtain interviews with persons knowledgeable about the project site; and
- Site reconnaissance is conducted by an individual with the appropriate level of knowledge, skill and experience.

Sufficient information should be obtained, evaluated, and presented to support the engineer's conclusions. Engineers are required to use sound judgment and avoid speculation when identifying on-site and off-site environmental concerns and consider the relative degree of uncertainty associated with historical information, data gaps and conflicting information.

3. PHASE II ENVIRONMENTAL SITE ASSESSMENTS

In general, a Phase II ESA involves intrusive investigations (e.g., boreholes/monitoring wells, test pits) and assessment through sampling, monitoring, and chemical analysis of applicable media (i.e., soil, groundwater, sediment, and/or vapours) on areas of the property identified in the Phase I ESA where contaminants are potentially present.

Specific requirements of a Phase II ESA may vary depending on federal, provincial, and/or municipal regulations pertaining to the site, as well as client-specific requirements. The engineer should consider these factors when developing an approach to a Phase II ESA.

In Ontario, the Phase II ESA process often falls into one of two categories:

1. Phase II ESAs completed for due-diligence purposes; and
2. Phase Two ESAs completed to support the filing of a MECP RSC under O. Reg. 153/04.

For the purposes of this document, the term “Phase II ESA” will be used to describe both Phase II ESA and Phase Two ESA.

3.1 Objective

The objectives of a Phase II ESA may include:

1. Determining the location and concentration of contaminants in the land, sediment and/or water on, in, or under a specific property;
2. Determining if applicable standards¹ for contaminants on, in or under the property have been met;
3. Collecting data to inform other decisions such as data supporting the evaluation and design of remediation programs and supporting the development and/or completion of a risk assessment; and
4. Delineating the extent of contamination.

Additional objectives under O. Reg.153/04, include:

- Investigating APECs on the property identified in the Phase I ESA as a result of the on-site and/or off-site PCAs; and
- Confirming that the concentration of identified contaminants in the land and/or water on, in or under a specific property, meet the applicable site condition standards or property specific standards.

A Phase II ESA may be completed to:

- Develop or update a Conceptual Site Model;
- Assist in determining potential environmental risks or environmental liabilities;
- Assist in meeting regulatory, legislative or policy requirements;
- Assist in making informed decisions about property transactions or financing;
- Assist in identifying baseline conditions;
- Support legal action or defense;
- Assist in site remediation plan preparation;
- Support the completion of a risk assessment; and/or
- Support the filing of a RSC.

During the development of the scope of service, consultation with other professionals such as risk assessors and professional geoscientists, may be beneficial.

¹ In this document, the term “standards” is used to represent regulatory guideline values, criteria and standards.

The type of report that is being prepared should be determined at the beginning of the ESA process and meet the overall project or study objectives.

It is the engineer's responsibility to plan and execute a detailed intrusive site investigation and to prepare a report that includes the review and evaluation of information gathered during the site investigation. Within the approved scope, the site investigation should identify, characterize, and/or delineate the nature and extent of contamination on, in or under the property.

3.2 Study Considerations

The components of a Phase II ESA should include:

- Developing investigation and sampling work plans based on APECs (as identified by the owner, client, and/or previous ESAs conducted for the site);
- Developing data quality objectives;
- Retaining licensed and/or qualified contractors such as utility locators, drillers, and excavators to conduct intrusive investigations as required;
- Undertaking investigations and inspections when they can be done safely (e.g. utility locates, overhead clearance, traffic control, etc.);
- Recovering representative soil, groundwater, surface water, sediment, and/or soil vapour samples to characterize property conditions;
- Retaining an appropriately accredited analytical laboratory to conduct laboratory analysis of samples collected;
- Selecting the appropriate regulatory standards to compare the collected analytical data;
- Interpreting and reporting sampling results to the client/property owner of the property;
- Identifying if the study objectives have been met; and
- Providing recommendations for additional work.

The specific requirements, methods, and practices for a Phase II ESA are more fully described in CSA Z769-00. The mandatory requirements for a Phase II ESA to support the filing of a RSC are outlined in Part VIII of O. Reg.153/04.

A Phase II ESA should be as detailed as necessary for the purpose of the study. It should be guided by such information as:

- The types of activities, processes and practices that have occurred on the site and on neighbouring sites that have resulted in APECs for the property;
- Legislation and published guidelines that apply to the property;
- The amount and quality of pre-existing information on the site's potential contamination;
- Such site-specific conditions as soil type, soil vapour, hydrogeological conditions, groundwater quality, surface water quality, sediment quality and depth to bedrock;
- The type and quantity of information required for delineation or to design an appropriate remediation and/or risk management program; and
- The potential presence of designated substances, solid, liquid or hazardous wastes, raw materials, products and other dangerous goods.

3.2.1 Inherent Limitations

The client/property owner and other stakeholders should be apprised of the limitations of the Phase II ESA which may include:

- Uncertainty of subsurface conditions between sampling points;
- Inadequate background information;
- Errors by third parties;
- Limitations of use of the report in its entirety by the client/property owner;
- Limitations of third-party reliance on the report;
- Unknown off-site environmental concerns;
- Detection/Delineation limitations due to budget, access and/or time;
- The site's nature and constraints at the time of the investigation; and
- Other considerations such as environmentally sensitive areas, access control, safety concerns, and operational limitations.

3.3 Phase II ESA Practices

When preparing, undertaking and completing a Phase II ESA, the engineer should consider the following subsections to meet the objectives of the investigation.

3.3.1 Investigation and Sampling Work Plan

The engineer should develop a work plan detailing the investigation, sampling and handling procedures, monitoring, and applicable health and safety considerations to be conducted during a Phase II ESA.

When developing the work plan, the following should be considered:

- Site limitations;
- The objectives of the investigation or sampling effort;
- The types and locations of field measurements;
- The number of samples to be collected, analyzed and the location of each sample;
- Anticipated site conditions such as soil, groundwater, surface water, sediment and/or soil vapour conditions) based on background review;
- Avoiding adverse impact on the environment, including creating preferential pathways for contaminants to migrate. In particular, special consideration should be given to well-head protection areas or other designations identified by a regulatory authority for the protection of groundwater and/or source water protection areas;
- Specific sampling or measuring methods, the number of samples or measurements to be taken, the parameters being sampled or measured, a description of the objectives for each sampling or measuring activity, and details of the methods to be used for sample or measurement collection, preservation, transportation and analysis;
- A field and laboratory QA/QC program including data quality objectives;
- Management of investigation-derived waste; and
- Maintenance and/or decommissioning monitoring wells in accordance with Regulation 903.

The sampling methods used will be influenced by the types and concentrations of contaminants encountered or suspected to be present, and by the environmental media to be sampled.

Specific methods can range from non-intrusive field screening to more complex, intrusive media sampling.

Since the nature and extent of potential contamination may not be identified from file review and site observation, field screening techniques may provide an indication of the presence or absence of contaminants. The objective of field screening is not to quantify the magnitude and define the extent of contamination precisely, but rather to assist in identifying sampling methods, analytical parameters, and the selection of samples for analysis.

Established regulatory requirements, published guidelines, and relevant technical literature should be referenced where possible/applicable to assist in the development of the sampling work plan.

3.3.2 Undertaking Site Investigations

The Occupational Health and Safety Act requires all site work be conducted with appropriate regard for the health and safety of the individuals and workers at the site and the public in the vicinity. It is best practice to prepare and implement a site-specific health & safety plan.

Environmentally sensitive features should be identified and appropriately addressed before any physical work is undertaken with due consideration for applicable regulatory requirements.

The site investigation should be documented using appropriate methods, including but not limited to, field logbooks or forms, photographs, and/or videos. Logbooks, forms and records can be in hardcopy or electronic format. Electronic documents should have secure back-up copies.

During a site investigation, conditions may be discovered that require deviations from the sampling plan. The deviation and its rationale should be documented. Discussions with the client/property owner and regulatory agencies may be necessary to decide how to respond to deviations.

Collection, transportation and analysis of samples in a manner consistent with the investigation's requirements and applicable regulations, standards and guidelines are ultimately the engineer's responsibility.

3.3.3 Interpretation and Reporting of Sampling Results

The engineer should evaluate the information obtained during site investigation and present it in a manner designed to help the client/property owner understand its significance. To do this, the engineer should:

- Compare analytical data with the applicable standards;
- Summarize data and describe general trends or patterns;
- Use figures to show spatial patterns of contamination and soil/bedrock stratigraphy;
- Draw attention to data that indicate conditions of concern;
- Point out possible inconsistencies or anomalies in the data;
- Indicate the relative degree of uncertainty associated with evidence of contamination, and/or if the data are statistically reliable; and
- Identify any limiting conditions that arose during the investigation.

The engineer may also:

- Identify further investigation, sampling, or inspection to delineate the extent of contamination or to develop a proper remedial action plan; and
- Provide a preliminary scope of work and cost estimate for possible remedial activities.

Recommendation could be included in the Phase II ESA report or documented in a separate communication.

4. LIMITED-SCOPE INVESTIGATION

A limited scope environmental investigation may be sufficient to meet a project or client/property owner's objectives. A limited scope investigation is often conducted to evaluate a specific potential environmental concern or to evaluate one or more concerns identified by a Phase I ESA that are considered to have a higher potential to result in site contamination. The limited investigation should have a clearly defined scope of work, and the limitations to the work should be communicated to the client/property owner.

Examples of limited scope environmental investigations include:

- Historical document review (in lieu of a Phase I ESA);
- Client/property owner designed pre-screening study or form (in lieu of a Phase I ESA);
- Limited scope Phase II ESA involving the investigation of a specific medium, stratigraphy, or location;
- Environmental baseline study;
- Groundwater sampling/monitoring report;
- Excess soil and fill investigations;
- Spill response sampling; and
- Storage tank investigations.

The use of industry accepted methods for Phase I ESA and/or Phase II ESA will provide the engineer with a framework for quality when completing limited scope environmental investigations.

5. CONTAMINATION MANAGEMENT

Means by which identified contamination may be addressed are highly dependant on site specific conditions. Common approaches to contamination management include risk assessment (and subsequent management as required) and remediation of the site or a combination thereof.

5.1 Evaluation of Options

Management and/or remediation approaches or a combination thereof are typically selected for evaluation. A preferred approach is selected by weighing the advantages and disadvantages of the various alternatives, the trade-offs among alternatives, and the client/property owner risk tolerance. This often involves striking a balance between a number of factors, including but not limited to:

- Probability or certainty of success to reach remediation/management objectives;
- Timeframe and cost constraints;
- Regulatory constraints and/or approvals;

- Accessibility limitations;
- Potential for off-site impacts;
- Public safety;
- Sustainability; and
- Stakeholder consultation.

The results of the Phase II ESA or limited scope investigation outlined in Sections 3 and 4, respectively, may be sufficient to provide a representative description of the media/materials requiring remediation and/or management (by defining the contamination's nature, and preliminary quantity, area, vertical distribution and location). The investigation data and results should be thoroughly reviewed and evaluated for quality and completeness in order to determine adequacy in supporting management of the contamination. Additional investigations may be necessary to develop a fuller understanding of the contaminant's three-dimensional distribution to support the evaluation and design of remediation and/or management options.

5.2 Risk Assessment

A risk assessment is a scientific process used to evaluate the potential for adverse impact to human health or the health of ecological receptors.

A risk assessment approach to managing site contamination may be the preferred option when:

- Full remediation to applicable criteria is not financially feasible or is not technically practical or warranted;
- Remediation is required over a longer period of time and risk assessment is required to protect health and safety of users of the site during the interim; or
- It supports sustainable practices (such as reducing the need for the transportation and disposal of soil).

The risk assessment should consider the following but not be limited to:

- Evaluation of the potential risks to human health or ecological receptors based on site-specific contaminants and exposure pathways;
- The current use and/or proposed future use;
- Development of site-specific criteria for a contaminant (which may or may not have a published criteria);
- Development of risk-based remediation targets;
- Prioritization of remediation efforts;
- Reduction in quantity of excess soils generated during redevelopment; and
- Determination of appropriate risk management measures (RMMs).

Similar to ESAs, risk assessments can be completed for due-diligence purposes or to support the filing of a RSC under O. Reg.153/04. Risk assessments completed to support the filing of a RSC shall be completed following the specific requirements outlined in O. Reg.153/04.

Risk assessments can develop site specific standards, which consider specific information (such as geology, hydrogeology, site physical characteristics, exposure pathways and receptors) that may be more relevant to the site than the assumptions used to develop applicable generic standards. The application of site specific standards may be contingent on the implementation of RMMs.

5.3 Risk Management Measures

RMMs can be implemented to control potential contaminant exposure pathways. RMMs are designed to achieve the same target level of risk as the applicable generic criteria and may include administrative and/or engineered solutions.

Examples of administrative RMMs include:

- Land uses restrictions;
- Groundwater use restrictions;
- Building restrictions and building use restrictions;
- Soil and groundwater management plans; and
- Worker health and safety plans.

Examples of engineered RMMs include:

- Physical barriers to eliminate contact with contaminated media;
- Vapour intrusion mitigation systems; and
- Control of contaminated groundwater flow.

Engineers recommending and designing engineered RMMs require an appropriate level of education and experience, and familiarity with applicable regulations and codes.

RMM designs should:

- Have appropriate and measurable performance objectives;
- Consider the level of uncertainty that may be inherent in the risk assessment;
- Have the appropriate means to measure that the objective has been achieved;
- Include provisions for the short and long term monitoring and maintenance of the RMM;
- Include contingency plans should the RMM fail to meet the performance objective; and,
- Consider regulatory requirements, approvals, and/or notifications which may be required.

5.4 Site Remediation

5.4.1 Objectives

The objective of remediation is most often to return an impacted property/site to an environmental condition that will sustain its intended reuse without the need for administrative or engineering RMMs. Alternatively, the objective can be to secure the site in a manner that mitigates or prevents future on-site or off-site impacts.

5.4.2 Remediation Targets

There are multiple approaches that can be used to determine the remediation level to be achieved during site remediation. Remediation targets may include:

- Remediation to background conditions;
- Remediation to published “Generic” guidelines or standards; or
- Remediation to risk based or site-specific standards.

In principle, remediation to background can be used for any site. It is essentially a remedial strategy that restores the property to an environmental condition consistent with the ambient or background conditions. Background conditions can be defined by standards, surveys, studies, or through the completion of a site-specific study.

Remediation standards have been developed by several government agencies to assist in establishing criteria that are protective of human health and/or the environment. “Generic” standards are most commonly developed for such media as soil, groundwater, surface water, air and sediment. “Generic” standards have been developed for a range of applications, including different land uses, land-use sensitivity, depth of contamination, and surface water or groundwater use. The engineer should be aware of the limitations of “Generic” standards, including the assumptions made in their development, and advise the client/property owner of the relative merits of this approach to site remediation.

Site remediation or site management targets for a particular site may also be developed based on risk assessment at that site (see Section 5.2 above).

The selection of remediation targets will depend on a number of factors, including:

- Whether the remediation is voluntary or compliance-driven;
- Whether filing a RSC is an objective or a requirement; and
- The nature of contamination and feasibility of various remedial alternatives (refer to Section 5.4).

The decision process and logic used to select remediation targets should be documented and form part of the remedial action plan.

5.4.3 Identification and Evaluation of Remedial Alternatives

Once remediation objectives and targets are established, the next step is to identify and select site remediation alternatives for review and consideration. Similar to determining the preferred approach to contamination management, various remediation alternatives are evaluated, often by striking a balance between the same factors outlined in Section 5.1 above.

Remediation alternatives may involve one or more of the following activities:

1. Excavation and off-site removal (e.g., approved waste disposal site, relocation to alternative suitable receiving site); and/or
2. Elimination, destruction, degradation or transformation of contaminants through in-situ or ex-situ methods.

Alternatives may need to be refined based on the results of further site characterization or pilot study or transitions to changing technology.

Bench-scale and pilot-scale testing of remediation technologies may be prudent but not necessary in the evaluation of remediation alternatives. The value of conducting these studies and pilot tests should be weighed against the available budget and time required. If significant cost savings can be achieved, or if uncertainties can be reduced to tolerable levels, then treatability studies and/or pilot studies would be warranted.

5.4.4 Remedial Action Plans

Once a preferred remediation method is selected, a remedial action plan (RAP) should be prepared which:

- Provides a description of the project to the preliminary design stage;

- Defines the desired outcomes and appropriate remediation requirements and targets, including the decision making process to develop the remediation targets;
- Describes the plans and defines the sequence of activities for implementing the selected remediation alternative that responds to stakeholder concerns;
- Identifies approaches to mitigate the off-site effects of the remediation program; and
- Establishes monitoring and confirmatory requirements.

The RAP also serves as the basis for discussing implementation of the remediation work with the client/property owner, government regulatory authorities, and/or other stakeholders such as adjacent property owners, community groups, and indigenous groups.

The RAP may include the following elements:

- Objectives and remediation targets, including any specific remediation standard to be achieved;
- Stakeholder concerns;
- Overview of the site contamination and site conditions affecting remediation, including soil and stratigraphy, soil vapour, surface water, groundwater, and aquifers;
- Media/materials to be remediated;
- Management of excess soils, sediment and groundwater such as movement, disposal, and quantities during remediation from source site to receiving sites in compliance with local guidelines and regulations;
- Review of options that appear to be best suited to remediate specific conditions;
- Remediation strategy and the sequence of activities for remediation, including specific reference to each area to be remediated in terms of lateral and vertical extents, overall surface area, and overall volume, as well as volumes to be remediated with respect to each class of contamination typically based on soil or sediment standards;
- Requirements for a site-specific health and safety plan;
- Risk management plans;
- Issue resolution process with third party stakeholders;
- Types of pilot-scale tests to confirm the viability of specific options, including treatment equipment, if any;
- Government regulatory approval requirements;
- Communications plan;
- Mobilization and site preparation;
- Methods to manage accumulated water, dust, noise, odour, and traffic;
- Management of by-products;
- Requirements for on and off-site air quality/emission monitoring;
- Contingency plans;
- Identification of the fate of residual contaminants;
- Remediation verification and long-term monitoring plans;
- QA/QC plan;
- Site restoration and closure process including reporting and documentation requirements; and
- Closure and sign-off.

In cases where risk assessment becomes part of the remedial approach for a site, the description of risk management plans may be included in the RAP. For further details on risk assessment and RMMs, refer to Sections 5.2 and 5.3 above.

In addition to the above, depending on project needs and complexity, detailed construction/remediation specifications and drawings are typically developed at this stage for implementing the project and potentially for government regulatory approvals. The plan may include applying for permits and approvals for decommissioning or demolition of building structures and/or equipment in addition to the remediation of solid, liquid, or gaseous matrices.

The importance of contingency planning for site remediation cannot be overemphasized. There are many occasions where additional information not previously identified or obtained during the site assessment process is discovered during a site remediation activity, especially where excavation is part of the remedial activity. Contingency items may be needed to address:

- Site characterization uncertainties including vertical and lateral delineation or previously unknown contaminants;
- The potential for unknown infrastructure, such as underground storage tanks; and
- The potential for off-site impacts.

The engineer should advise the client/property owner that contingency measures may be necessary to complete the remedial objective if unknown conditions are encountered. Reference to other potential contingencies in the plan may be useful in alleviating project delays or disputes.

5.4.5 Implementation of Remedial Action Plan

The engineer should consider several important factors during implementation of the RAP as discussed below.

5.4.5.1 Notifications, Permits, and Approvals

Regulatory requirements shall be considered during implementation of the RAP. The engineer should allow adequate time to obtain required permits in the schedule for the RAP.

Due to the dynamic nature of site remediation, requirements for notifications, permits, and/or approvals may deviate from the details provided in the RAP. The engineer overseeing the RAP implementation shall be knowledgeable of regulatory requirements so that any such deviations may be addressed. As a best practice, engineers should retain copies of any notifications, permits, and/or approvals completed by the contractor.

5.4.5.2 Preparation of Specifications and Tender Documents, Contractor Selection

A wide range of strategies for contractor selection are available for remediation projects. The conventional approach involves the preparation of specifications and/or tender documents, issuing the tender for bid, review of bids, and contractor selection.

Typically, specifications provide a thorough description of the remediation work to be performed. Specifications may be in the form of written instructions, engineering drawings, or both; or other documentation models. The client/property owner may have their own standard

operating procedures for procurement. Detailed specifications are used when the remediation method is well defined and not open to alternatives developed by the remediation contractor. A performance specification is used when the end goal is well defined, but there are numerous ways to achieve the goal, any of which is considered acceptable to the client/property owner. Combinations of detailed and performance specifications can also be used as appropriate. The RAP, or components of the RAP, should form the basis for the development of the detailed technical or performance-based specifications.

Paramount importance must be given to selecting remediation contractors that fulfill regulatory approval, permit and certification requirements. Consideration should also be given to selecting a contractor with a demonstrated history of successful application of the remediation technology.

5.4.5.3 On-site Supervision

On-site supervision is essential during remediation operations to confirm the client/property owner's interests are addressed; that the contractor is executing the RAP as specified in the contract; and that remediation verification information is obtained (e.g., through confirmatory sampling and testing).

In some cases, the engineer may act as the client/property owner's representative to coordinate the implementation of the RAP. The role may include:

- Periodic or continuous supervision requiring various field methods (e.g., field screening techniques, progress sampling, conducting quality assurance/quality control activities, verification sampling of various waste streams, etc.);
- Advising the client/property owner if changing site conditions or situations deviate from the RAP or objectives and targets are not achieved;
- Documenting further approved or corrective actions;
- Compliance with applicable regulations;
- Compliance with the health and safety program;
- Monitoring/addressing issues that may arise during progression of remediation (e.g., previously unknown conditions, off-site plume migration, air quality/odour issues, dust control, etc.). This may include implementing contingency measures as outlined in the RAP or developing and implementing additional contingency measures;
- Documenting the nature and progress of the remediation as it relates to the objectives; and
- Performing contract administration duties.

Consideration should be given to the risks in assuming responsibility for and/or supervising engineering work. For more information, refer to the *"Assuming Responsibility and Supervising Engineering Work"* practice guideline.

5.5 Verification, and Documentation

Verification sampling of the remediated areas/materials should be carried out to monitor progress or completion of the RAP. The engineer shall follow relevant regulatory requirements and should follow established engineering and scientific practices in designing verification sampling and analysis programs. Key considerations include the following:

- The target media and contaminants of concern;

- An appropriate sampling and analysis plan, including interim sampling and analysis of impacted materials to verify/support that the remedial efforts were required and verification sampling and analysis to indicate that the remediation methods achieved the targets;
- A QA/QC plan as further discussed in Section 7; and
- The potential for contaminant concentrations to rebound. This is particularly a concern for in-situ remediation methods and pump and treat groundwater remediation.

Remediation activities, including results of the sampling and analysis program should be thoroughly documented. Typically, a remediation report is prepared and provided to the client/property owner. In preparing this report, the engineer should consider:

- Recommendations presented in Section 3.3.3 of this guidance document for evaluating and reporting information obtained during a Phase II ESA, as they are highly applicable to contaminant remediation;
- Describing site remediation activities and status at the time of reporting, including sufficient documentation to demonstrate whether or not the remediation objectives were achieved;
- Describing and providing rationale for any deviations from the RAP;
- Providing recommendations for further monitoring and/or contaminant management actions as appropriate; and,
- Fulfilling reporting requirements under a permit and/or regulatory authority, if they are within the scope of work.

6. EXCESS SOIL

Excess soil is often generated during construction activities or through the course of ESA and remediation activities. Engineers are encouraged to consider the beneficial reuse of excess soil, where appropriate, in a manner promoting sustainability and the protection of the environment. Soil conservation and management should be a consideration throughout a project where excess soil is expected to be generated.

When planning excess soil management activities, Engineers should consider best practice guidelines and be aware of municipal requirements and provincial regulations that pertain to excess soil management.

7. QUALITY ASSURANCE / QUALITY CONTROL

QA/QC programs are an essential part of the ESA and remediation processes. A QA/QC program provides a measurable standard of quality of engineering services and also provides a safeguard to public safety.

A site-specific QA/QC program may include but is not limited to the following:

- Assurance that data of sufficient quality is obtained to make proper decisions for the property and/or remediation design;
- Consideration for both field and laboratory data quality which may include the use of standard statistical methods;
- Establishment of data quality objectives (DQOs) and evaluating the data for conformance with DQOs;
- Monitoring staff and contractor performance;
- Verification of data quality relative to expectations of the regulatory agency;

- Use of standard field tests and assessment protocols, including the use of standard analytical tests by accredited laboratories; and
- Development of and adherence to standard operating procedures including, but not limited to:
 - Borehole drilling;
 - Test pitting;
 - Excavating;
 - Soil sampling;
 - Field screening measurements and calibration procedures;
 - Monitoring well installation, development, maintenance, and closure;
 - Field measurement of water quality indicators and calibration procedures;
 - Sediment sampling; and
 - Groundwater sampling.

DQOs are included as part of a good QA/QC program. DQOs outline the overall level of uncertainty that an engineer will accept when evaluating collected data. DQOs are set to assess precision, accuracy, representativeness, comparability, and completeness for field and/or laboratory data, with each specifically defined as:

- Precision is the measure of reproducibility of a measurement;
- Accuracy is the measure of how close the measured result is to the true value;
- Representativeness is the degree to which the results are indicative of true site conditions;
- Comparability is the confidence to which one data set can be compared to another; and
- Completeness denotes the amount of data planned to be collected to the amount of data actually collected.

DQOs can be viewed as the overall project design constraints that determine if the project work completed is acceptable.

The engineer should have an active role in reviewing and validating all QA/QC for the project, including but not limited to field, laboratory, data, and document control aspects of the QA/QC program.

7.1 Field Quality Assurance

A field QA/QC component should be included in the Phase II ESA and/or remediation sampling and analysis plan. The following, as a minimum, should be included in the field QA/QC:

- Specification on the minimum requirements for the number, type and frequency of field quality control measures including field blanks, trip blanks, equipment blanks, and/or blind field duplicates and calibration checks on field instruments;
- A minimum of 10% of blind field duplicate samples should be collected and submitted for laboratory analysis in each medium being sampled. Blind field duplicates labels should not be linked with the primary samples;
- Properly labelled and sealed samples in order to prevent lost, broken, or exposure to conditions that may affect the sample's integrity;
- Samples submitted to laboratories for analysis shall be accompanied by a chain-of-custody form to document the transport of samples, communicate requested analyses for the

appropriate parameters, receipt by the laboratory, and analyses within the prescribed laboratory holding times;

- The chain-of-custody form, completed at the time of sampling, should contain at least the sample number, date and time of sampling, and the name of the sampler. Contact information should also be provided. The engineer should confirm that the chain-of-custody document be signed and dated when transferring the samples during shipment or upon relinquishing the samples to the analytical laboratory; and
- All non-dedicated sampling and monitoring equipment be decontaminated following each use.

7.2 Laboratory Data Quality Assurance

As discussed in Section 8, DQOs set the acceptable level of uncertainty of collected data. The engineer should review and validate the laboratory certificates of analysis, including the laboratory supplied QA/QC data. Validation includes an evaluation of data for the following:

- Precision: Relative percent difference between parent sample data to field duplicate data;
- Accuracy: Review of method blanks, spiked blanks, and matrix spikes, and surrogate recovery results;
- Representativeness: That the analytical results are consistent with field screening measurements and/or previous investigations;
- Comparability: Confirmation that sample integrity, sample preservation, holding times, etc. are consistent; and
- Completeness: That the certificate of analysis is in agreement with the chain of custody documentation.

It is the engineer's responsibility to use their professional judgement to analyze the QA/QC data in context of the DQOs for the investigation to determine their suitability for use in making decisions for the investigation and/or subsequent phases of the project.

7.3 Document Control

Engineers are responsible for the documents and records that they create. A document control process should also be part of the QA/QC program. The documents included as part of an ESA, remediation, and/or risk assessment such as field notes, records, meeting minutes, project specific correspondence, report deliverables, should be managed and archived in a system that allows for validation and traceability. Where it pertains to report deliverables that may be under regulatory or legal scrutiny, these controls are essential for technical review/senior approval, updates, and documenting that changes have been conducted and adequately recorded. The retention and disposal of these documents shall be in line with legislative requirements and best practices.

8. SPECIAL SERVICES

8.1 Expert Testimony

The process of ESA, remediation and management sometimes requires the expert testimony of engineers at regulatory hearings, courts of law, inquest hearings and discoveries, through interrogatories, and before committees. The purpose of expert testimony is to provide unbiased truthful information to assist the trier of fact such as a judge, board, tribunal, or jury in reaching

a sound decision. Engineers should refer to PEO's guideline "*The Professional Engineer as an Expert Witness*" for further guidance on this subject.

8.2 Presentation at Public Meetings

The engineer requires a comprehensive understanding of the subject to present information in a manner the public can readily understand. Information shall be truthful and unbiased.

For complex or contentious public meetings, the engineer may consider a team approach including other professionals such as lawyers, planners or media consultants.

8.3 Advisory/Peer Review Services

Engineers may be retained to provide advisory or peer review services to stakeholders objecting or seeking another professional opinion on an ESA, remediation, risk assessment or management project. Engineers shall be aware of their responsibilities under the Code of Ethics when reviewing another engineer's work and shall comply with these responsibilities. Other engineers may have similar responsibilities.

In cases where the advisory services or peer review is for a third party such as community groups, prospective property buyers, regulatory agencies, or property owners, the engineer's role is to independently verify the work of other engineers, and to provide an independent report to the client/property owner.

For more information on the Peer Review, please refer to the "*Professional Engineers Reviewing Work Prepared by Another Professional Engineer*" guideline.

APPENDIX

Appendix 1 - Definitions

Where such definitions conflict or differ from what is in applicable legislation, the regulatory definition replaces the one used in this guide. For the purposes of this guideline:

"Client" is the party who engages the engineer, coordinating engineer, and/or in some cases, the contributing engineer(s) to provide the required professional services. The client may be the property owner, a potential buyer of the property or an affected third party which could include government.

"Conceptual Site Model" is a synthesis of all relevant information obtained from an environmental site assessment with interpretation as necessary, recognition of uncertainties, and identification of contaminant linkages that are, or might be, present.

"In-situ" is the management of contaminants in place without excavation or disturbance of the soil structure.

"Blind Field Duplicate" is used to assess field sampling precision by taking a second media sample and submitting with an identity not associated to the original sample in order to keep it unknown to the laboratory.

“Contaminant” for the purpose of this document means a substance of concern, at a concentration above an appropriate pre-established criteria in soil, soil vapour, sediment, surface water, groundwater, or air. As adapted from CSA Z768-01 (R2016)

“Contamination” for the purpose of this document means a substance of concern, or a condition, in concentrations above appropriate pre-established criteria in soil, soil vapour, sediment, surface water, groundwater, or air. As adapted from CSA Z768-01 (R2016)

“Criteria” are established numerical limits, a risk-based limit, or narrative statement. Criteria may be adopted directly from generic values or formulated to account for site-specific conditions.

“Due Diligence” is the care that a reasonable engineer exercises under the circumstances to avoid harm for their client, to other persons, property and the environment.

“Engineer” means an engineer who is registered as a member in good standing with Professional Engineers Ontario. References in this guideline to “engineers” apply equally to professional engineers, temporary licence holders, provisional licence holders and limited licence holders.

“Equipment blanks” are field blanks that are used to check for contamination from filtering equipment or any other equipment that is used in sample collection.

“Field blanks” are defined as matrices that are prepared by the analytical laboratory that have negligible amounts of the substance(s) or contaminant(s) of interest. They are prepared by transferring analyte free media from one vessel to another or by exposing the media to the sampling environment at the sampling site. Field blanks are used to test the purity of chemical preservatives, check for contamination of sample containers, detect contamination that occurs during sampling, and to detect other systematic and random errors that may occur during sampling.

“Monitoring” is the routine sampling of water, sediment soil or air samples at an appropriate frequency and location; the analyses of the samples for contaminants; and the collection or reporting of the methodology and interpretation of the results.

“Phased ESA” is the systematic environmental assessment process to determine whether a property is or may be subject to potential or actual contamination. A Phase I ESA generally involves desktop study review of background documents and maps, interviews, and site reconnaissance. A Phase II ESA involves intrusive investigations (e.g., boreholes/monitoring wells, test pits) including monitoring, sampling, and chemical analysis for applicable contaminants of concern.

“Project” is the total work contemplated.

“Property” comprises land, buildings, equipment, and installations and the improvement of any physical object with some degree of permanence.

“Property Owner” includes a lessee, a person in charge, a person who has care and control, and a person who holds him or herself as having the powers and authority of ownership or who for the time being exercises the powers of ownership.

“Quality assurance” means evaluating overall project performance on a regular basis to provide confidence that the project will satisfy the relevant quality standards.

“Quality control” means monitoring specific project results to determine if they comply with relevant quality standards and identifying ways to eliminate causes of unsatisfactory results.

“Remediation” means the development and application of a planned approach to treat, remove, or destroy contaminants present in the soil and/or groundwater for the purpose of reducing their concentration or availability to acceptable levels.

“Risk” means the probability or threat of damage, injury, liability, loss, or any other negative occurrence that is caused by external or internal vulnerabilities, and that may be avoided through preemptive action. For the purposes of this document, it generally refers to a measure of the severity of human health and/or ecological health effects arising from potential exposure to contamination and the probability of the occurrence.

“Risk Assessment” scientifically examines the risk posed to humans and the natural environment from exposure to a contaminant. The purpose of a Risk Assessment is to develop property specific standards that will protect the uses that are being proposed to take place on the property.

“Risk Management” means the actions implemented to eliminate or control potential contaminant exposure pathways.

“Stakeholder” means a person or organization who is directly involved with or affected by a project, product, or activity thereby having an interest in it.

“Trip blanks” (also known as Travel blanks) are field blanks that accompany sample bottles for the duration of the sample period and return to the laboratory without ever being opened.

Appendix 2 - References

The following documents were used in the development of this guideline and provide additional information that can be referenced. Updates to these documents may occur over time. The most recent version should be referenced. This is not an exhaustive list. Other reference documents exist and may be helpful in environmental site assessment and remediation work. The engineer should determine the applicability of other such references.

- Canadian Council of Ministers of the Environment. [2016]. *Guidance Manual for Environmental Site Characterization in Support of Environmental and Human Health Risk Assessment, Volume 1 Guidance Manual*.
- Canadian Standards Association (CSA). [2018]. *Z769-00 (R2018) – Phase II Environmental Site Assessment*
- Canadian Standards Association (CSA). [2016]. *Z768-01 (R2016) – Phase I Environmental Site Assessment*.
- Ministry of the Environment. [October 2004]. *Records of Site Condition. A Guide on Site Assessment, the Cleanup of Brownfield Sites and the Filing of Records of Site Condition*.
- Environmental Protection Act
- Ministry of the Environment, Conservation and Parks. [August 2017, Updated March 2019]. *Procedures for the Use of Risk Assessment under Part XV.1 of the Environmental Protection Act*

Retrieved from the Government of Ontario website:

<https://www.ontario.ca/page/procedures-use-risk-assessment-under-part-xv1-environmental-protection-act>

- Ministry of the Environment. [November 2010]. *Draft Technical Guidance: Soil Vapour Intrusion Assessment*.
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Appendix 3 - Acronyms

- APEC: Area of potential environmental concern
- CSA: Canadian Standards Association
- DQO: Data quality objectives
- ESA: Environmental site assessment
- MECP: Ministry of the Environment, Conservation and Parks
- PCA: Potentially contaminating activities
- QA/QC: Quality assurance/quality control
- QP: Qualified person
- RMMs: Risk management measures
- RSC: Record of site condition
- RAP: Remedial action plan
- PEO: Professional Engineers Ontario



Terms of Reference

Subcommittee - Environmental Site Assessment, Remediation and Management

(September 13, 2016)

OBJECTIVES

The Guideline for Environmental Site Assessment, Remediation and Management subcommittee is directed by the Professional Standards Committee (PSC) to review the existing guideline *Professional Engineers Providing Services in Environmental Site Assessment, Remediation and Management* and, in consideration of changes to legislation affecting the industry and professional engineering, revise that document to better reflect current best practices and requirements.

BACKGROUND

The current practice guideline for *Professional Engineers Providing Services in Environmental Site Assessment, Remediation and Management* was published in 1996 and has not been revised since then. In the intervening 20 years there have been numerous changes to the practice standards that affecting the Environmental Site Assessment, such as:

- CSA Z768-01 (R2012) - Phase I Environmental Site Assessment;
- CSA Z769-00 (R2013) - Phase II Environmental Site Assessment;
- ASTM Standard E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process;
- ASTM E1903 - 11 Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process;
- Ministry of the Environment and Climate Change (MOECC) - Guideline for Use at Contaminated Sites.

The above indicates that the guideline should be reviewed and revised as necessary to reflect current best practices and requirements.

MANDATE (Specific Tasks)

- Environmental Site Assessment, Remediation and Management subcommittee is expected to obtain and provide information that will aid engineers to perform their engineering role in accordance with best practices and requirements defined by the legislation including the *Professional Engineers Act* and its regulations.
- Subcommittee is expected to obtain and provide information on the engineer's role in the evaluation, design, implementation of remediation options and environmental risk management measures.

- The subcommittee will review current legislation and identify the regulatory and ethical requirements for professional engineers providing services in this area of practice.
- PEO staff will provide the subcommittee with both legal cases and discipline cases on Environmental Site Assessment, Remediation and Management. These cases will be used as part of an evidence based approach for developing the guideline.
- The current practice guideline will be revised to reflect current best practices and requirements.

MEMBERSHIP

The subcommittee shall consist of a member of PSC who will act as chair and a minimum of 6 engineers currently engaged in the practice of providing engineering services for the Environmental Site Assessment and Remediation industry and 2 observers from the MOECC.

DELIVERABLES

The subcommittee will present the completed guideline to the PSC no later than July 2018. The subcommittee will provide quarterly progress reports to PSC.

Meeting Schedule: At discretion of the Chair

Completion Date: July 2018

Briefing Note – Decision – Act/Regulation/By-Law Change

C-535-3.4

Proposed By-Law Change Regarding Electronic Meetings

Purpose: Approval of amendment to By-Law Number 1 to streamline the process for holding electronic meetings of Council and any Council committees for which electronic meetings are legally permitted.

Motion(s) to consider: (requires a 2/3 majority of votes cast to carry)

To amend By-Law No. 1 to replace the current wording of section 26 with the new wording set out in C-535-3.4, Appendix A.

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

Moved by: Lisa MacCumber, P.Eng., Councillor and Chair, Legislation Committee

1. Need for PEO Action

At the outset of the provincial state of emergency arising from the COVID-19 pandemic, when in-person gatherings of any appreciable size were prohibited, it became apparent that PEO's process for substituting electronic meetings for in-person ones was somewhat cumbersome. As presently worded, section 26 of By-Law No. 1 requires a majority of members of Council and of Council committees to consent to an electronic meeting before the meeting is held. There is, however, no mechanism set out in the by-law or otherwise for obtaining consent in advance of a meeting. Recent meetings have involved polling members to confirm consent to proceed electronically, prior to the meeting being called to order. Such a poll is not actually prescribed in the existing by-law; it was simply the best, if imperfect, means for confirming consent. In addition, the existing by-law provision seems to discourage electronic meetings, suggesting without obvious justification that there are certain types of meetings (for instance those related to the licensing process) that cannot be held electronically.

The value of in-person meetings should not be discounted. Meeting in person provides an essential opportunity for councillors and committee members to interact with each other informally, especially during meals and breaks. Moreover, there may be legal reasons to meet in person, for instance where a discipline hearing is being conducted and the parties have not consented to electronic proceedings.

Nonetheless, it is essential for Council and Council committees to be able to function seamlessly and without interruption. This is the case even when ordinary in-person meetings are not feasible. This could be because of the pandemic or for another legitimate reason, including unusual scheduling and/or logistical challenges, weather conditions that limit travel, or excessive cost (eg., for a meeting with a very limited agenda).

Governance best practices suggest that the chair of Council and the chairs of Council committees should have discretion, typically in consultation with senior staff and other councillors or committee members, to convert in-person meetings to electronic ones, where circumstances warrant (for instance, in situations comparable to those described in the above paragraph). There is no reason to believe that chairs will not exercise this discretion appropriately, taking all relevant considerations, including committee members' preferences, into account. The key requirement is that any electronic meeting

must permit all councillors or committee members, as the case may be, to participate as fully as if they were attending the meeting in person.

The available technology has advanced to the point where it is comparatively straightforward to arrange for in-person videoconferencing in almost every instance and to both share and edit documents in real time. Those who cannot or choose not to participate in video calls can participate by teleconference instead. PEO has also acquired technology that enables votes to be cast and tabulated as if a meeting were taking place in person. In addition, Council has adopted Rules of Engagement for Virtual meetings. These can be adapted to new technologies as they arise, to maximize the ability of Councillors and others to participate fully in meetings and decision-making.

2. Proposed Action / Recommendation

The proposed by-law amendment replaces existing section 26 with revised wording. The revised wording confirms that the the Chair of Council and the chairs of Council committees will have discretion to hold electronic meetings where circumstances warrant, and provided the conditions for full participation can be satisfied. The new wording no longer prohibits certain Council committees (Registration, Complaints, Discipline, Academic Requirements, and Experience Requirement, or meetings or proceedings that relate to complaints, discipline, licences, certificates of authorization, temporary licences, limited licences or provisional licences) from holding electronic meetings, unless there are specific legal reasons (potentially including reasons connected to an adjudicative process) as to why this cannot occur. This means, in effect, that all committees can hold electronic meetings in lieu of in-person meetings. All of this will confer the necessary discretion on Council and Council committee chairs to schedule electronic meetings as required.

3. Next Steps (if motion approved)

If the by-law amendment is approved, it will be published and will also be communicated to the chairs of committees and staff committee advisors for implementation as needed and appropriate. Further study will be included as part of the governance review to determine if additional follow-up measures are required.

4. Policy or Program contribution to the Strategic Plan

N/A

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

It is not possible to immediately predict the financial impact of this provision. Clearly a meeting which does not require in-person attendance (together with meals, accommodation, travel expenses, etc.) will cost less to hold. Cost savings may be partially offset by technological expenses, depending on the complexity, duration, and number of participants at the meeting to be held electronically.

6. Peer Review & Process Followed

Process Followed	Outline the Policy Development Process followed. <ul style="list-style-type: none">• The need for this by-law amendment became apparent during the earliest stages of the pandemic state of emergency – that is, with the first virtual Council meeting held on March 20, 2020.
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	<ul style="list-style-type: none"> • The by-law amendment has been requested by the President/Chair of Council and has been reviewed by the 2019-2020 governance advisors, Governance Solutions, Inc. • The by-law amendment was reviewed by the Legislation Committee (LEC) on June 12, 2020.
Council Identified Review	N/A
Actual Motion Review	N/A

7. Appendices

- Appendix A – Proposed New Wording of By-Law No. 1, section 26
- Appendix B – Current Wording of By-Law No. 1, section 26
- Appendix C – Redlined Proposed Changes to By-Law No. 1, section 26

26. Save as otherwise legally prohibited, Council or any properly constituted committee of Council may hold meetings where circumstances warrant and at the discretion of the Chair, by means of telephone conference, electronic or other communications facilities provided all persons participating in the meeting can communicate adequately with each other; any meetings held by means of videoconference, telephone conference, electronic or other communications facilities shall be conducted in accordance with any guidelines, rules of engagement or other requirements respecting such meetings which have been approved by Council, from time to time. Any Council or Committee member who is permitted to participate in a meeting may participate in a meeting of the Council or Committee by means of videoconference, telephone conference, electronic or other communications facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.

Current Wording of By-Law No. 1, Section 26

26. Council or any properly constituted committee of Council (with the exception of the Registration Committee, the Complaints Committee, the Discipline Committee, the Academic Requirements Committee or the Experience Requirements Committee or any other committee in a proceeding in respect of a licence, certificate of authorization, temporary licence, limited licence, or provisional licence) may hold meetings with the prior consent of a majority of the Council members or Committee members, by means of telephone conference, electronic or other communications facilities provided all persons participating in the meeting can communicate adequately with each other; any meetings held by means of telephone conference, electronic or other communications facilities shall be conducted in accordance with any guidelines or other requirements respecting such meetings which have been approved by Council, from time to time. With the prior consent of a majority of the Council members or Committee members, any Council or Committee member who is permitted to participate in a meeting may participate in a meeting of the Council or Committee by means of telephone conference, electronic or other communications facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.

Redlined Proposed Changes to By-Law No. 1, Section 26

26. Save as otherwise legally prohibited, Council or any properly constituted committee of Council ~~(with the exception of the Registration Committee, the Complaints Committee, the Discipline Committee, the Academic Requirements Committee or the Experience Requirements Committee or any other committee in a proceeding in respect of a licence, certificate of authorization, temporary licence, limited licence, or provisional licence)~~ may hold meetings as circumstances warrant and at the discretion of the Chair, with the prior consent of a majority of the Council members or Committee members, by means of videoconference, telephone conference, electronic or other communications facilities provided all persons participating in the meeting can communicate adequately with each other; any meetings held by means of telephone conference, electronic or other communications facilities shall be conducted in accordance with any guidelines, rules of engagement or other requirements respecting such meetings which have been approved by Council, from time to time. ~~With the prior consent of a majority of the Council members or Committee members,~~ aAny Council or Committee member who is permitted to participate in a meeting may participate in a meeting of the Council or Committee by means of videoconference, telephone conference, electronic or other communications facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.

CHANGES TO THE 2020 COMMITTEES AND TASK FORCES MEMBERSHIP ROSTER

Purpose: To approve changes to Sections 1 (Board Committees) and 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-535-3.5, Appendix A.

Prepared by: Viktoria Aleksandrova – Committee Coordinator

Moved by: President-elect 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 15, 2019 meeting.

Appendix A sets out changes that require Council approval at this time.

Appendix B, the *2020 Committees and Task Forces Membership Roster* updated after the AGM, reflects all changes identified in Appendix A and is presented for information only.

2. Proposed Action / Recommendation

Approve the changes to 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 updated *2020 PEO Committee and Task Force Membership Roster* will be posted on PEO's website.

4. Policy or Program contribution to the Strategic Plan

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. 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	N/a

6. Appendices

- Appendix A – Changes to the *2020 PEO Committees and Task Forces Membership Roster*.
- Appendix B – *2020 Committees and Task Forces Membership Roster* updated after the AGM (for information only)

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

**C-535-3.5
Appendix A**

535th Council Meeting

New appointments:

First/Last Name	Term / Compliance [per Terms of Reference]	Committee / Task Force Position
Michelle Parsons, P.Eng.	May 22, 2020 – December 31, 2020	Awards Committee (AWC) – Sterling Award subcommittee member
Parisa Bahrami, P.Eng.	May 22, 2020 – December 31, 2020	Enforcement Committee (ENF)
Desmond Lau, P.Eng.	May 22, 2020 – December 31, 2020	Enforcement Committee (ENF)
Colin Chan, P.Eng.	June 19, 2020 – AGM 2021	Finance Committee (FIC) member (re-appointed)
Linda Drisdelle, P.Eng.	June 19, 2020 – AGM 2021	Finance Committee (FIC) member (re-appointed)
Roberto Martini, P.Eng.	June 19, 2020 – AGM 2021	Finance Committee (FIC) member (re-appointed)
Alexandra Weryha, EIT	May 22, 2020 – December 31, 2020	Government Liaison Committee (GLC) – EIT representative
Nino Balbaa, P.Eng.	May 22, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member
Grant Elligsen, P.Eng.	May 25, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member
Renee Frigault, P.Eng.	May 22, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member
Danny Marmora, P.Eng.	May 23, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member
Raj Nellore, P.Eng.	May 22, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member
Tom Norton, P.Eng.	May 22, 2020 – December 31, 2020	Professional Standards Committee (PSC) – Pre-Start Health and Safety Review Guideline subcommittee member

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

First/Last Name	Term / Compliance [per Terms of Reference]	Committee / Task Force
Christian Bellini, P.Eng.	1-year term [1 st term / full compliance]	Human Resources Committee (HRC) – Chair
Michael Wesa, P.Eng.	1-year term [1 st term / full compliance]	Advisory Committee on Volunteers (ACV) – Vice Chair
Changiz Sadr, P.Eng.	April 1, 2020 – December 31, 2020	Government Liaison Committee (GLC) – Engineers Canada appointee
Al Lightstone, P.Eng.	June 19, 2020 – December 31, 2020	Professional Standards Committee (PSC) – ESDM reports subcommittee member

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

535th Council Meeting

Committee and Task Force Resignation:

First/Last Name	Service Dates	Committee / Task Force
Doug Hatfield, P.Eng.	2011/15, 2016 – March 2020	Advisory Committee on Volunteers (ACV) – Workshop subcommittee member
Nicholas Pfeiffer, P.Eng.	2012 – June 2020	Professional Standards Committee (PSC)

2020 PEO ANNUAL COMMITTEES AND TASK FORCES MEMBERSHIP ROSTER

(Effective January 1, 2020)

C-535-3.5
Appendix B

Board Committees have a fiduciary and/or oversight role; operate on a Council year basis (i.e. Annual General Meeting (AGM) to AGM); have the majority of its members as sitting members of Council; and members are selected either by position, election or appointment at the Council meeting immediately following the AGM.

The President and the president-elect shall be *ex-officio members* of all committees established under Section 30 of By-Law 1 (i.e. all committees not established by the Act of Regulations).

Executive Committee (EXE)		
Mandate as per Terms of Reference	<p>"The Executive Committee,</p> <p>a) may act on behalf of the Council with respect to urgent matters arising between regular meetings of the Council but shall report to the Council with respect to such actions;</p> <p>b) may consult with other committees of the Council;</p> <p>c) shall act upon or report upon matters that are referred to it by the Council;</p> <p>d) may advise the CEO/Registrar or any other officer or official of PEO on matters of policy;</p> <p>e) may make periodic reviews, forecasts, plans and recommendations to the Council concerning the future organization and operation of the Association;</p> <p>f) may advise the Council on matters pertaining to the Canadian Council of Professional Engineers; and</p> <p>g) may advise the Council on all financial matters, including, without limitation, investments, budgets, capital requirements, income, expenditures, salaries, reserves and contingencies or extraordinary expenses, both for current and future operations."</p> <p>[R.R.O. 1990, Reg. 941, s. 29.]</p> <p><u>EXE Terms of Reference</u></p>	
Composition	President, president-elect, past-president, appointed and elected vice-presidents, at least one LGA Councillor and additional Councillor(s), if any, as determined by Council at its first meeting following the AGM.	
EXE Committee Members (appointed to role)		Contributing From / To
Chair	President Sterling	2018 - AGM 2021
	President-elect Bellini	2017/18, 2019 - AGM 2021
	Past President Hill	2001/03, 2005/06, 2017 - AGM 2021
	Vice-president (elected) Campbell	2020 - AGM 2021
	Vice-president (appointed) Sinclair	2020 - AGM 2021
	LGA Councillor Arenja	2020 - AGM 2021
	Councillor Chan	2018/19, 2020 - AGM 2021
	LGA Councillor Cutler	2019 - AGM 2021
Committee Advisor	Johnny Zuccon - CEO/Registrar	2018

Audit Committee (AUC)		
Mandate as per Terms of Reference	To oversee the auditing of the association's financial statements by an external auditor; and To monitor the Accounting and Financial reporting processes and Systems of Internal Control.	
	<u>AUC Terms of Reference</u>	
Composition	7 members; at least 3 members must be current members of Council.	
AUC Members (appointed to role)		Contributing From / To
Chair	TBD	
Vice Chair	TBD	
	LGA Councillor Brunet	2020 - AGM 2021
	Councillor Chan	2020 - AGM 2021
	Councillor Roberge	2020 - AGM 2021
	LGA Councillor Sung	2019 - AGM 2021
	TBD (non-Council member)	
	TBD (non-Council member)	
	TBD (non-Council member)	
AUC Subcommittee Members (appointed to role)		Contributing From / To
Volunteer Expense Appeal Subcommittee	TBD	
	TBD	
	TBD	
Committee Advisor	Chetan Mehta - Director, Finance	2016
Admin Support	Lucy Capriotti - Administrative Assistant, Financial Services	2008

Finance Committee (FIC)		
Mandate as per Terms of Reference	To review financial projections and recommend appropriate financial strategies, including program reviews and capital projects.	
	To review the annual budget and make recommendations to Council.	
	To monitor short term and long term investment policy. For both short term and long term pension funds.	
	To assist in the identification of factors having significant impact on the budget.	
	To review financial performance against the budget.	
	To recommend policies to permit more effective budgetary control, fee remission, investment and insurance.	
	<u>FIC Terms of Reference</u>	
Composition	7 members; 4 members MUST be current members of Council.	
FIC Members (appointed to role)		Contributing From / To
Chair	TBD	
Vice Chair	TBD	
	LGA Councillor Arenja	2019 - AGM 2021
	Councillor Chiddle	2020 - AGM 2021
	LGA Councillor Cutler (Past Chair)	2018 - AGM 2021
	Vice President (appointed) Sinclair	2020 - AGM 2021
	Colin Chan (re-appointed in 2020)	2018 - AGM 2021

New appointments/changes are in **bold**.

OSPE or Engineers Canada representatives are identified with beige

Non-P.Eng. volunteers are identified with blue.

	Linda Drisdelle (re-appointed in 2020)	2018 - AGM 2021
	Roberto Martini (re-appointed in 2020)	2018 - AGM 2021
FIC Subcommittee Members (appointed to role)		Contributing From / To
Investment subcommittee	TBD (Council member)	
	TBD (HRC representative)	
	TBD (FIC representative)	
	TBD (Pension Plan Administrator)	
	Jenny Zang (Pension Plan member)	2018 - AGM 2020
Committee Advisor	Chetan Mehta - Director, Finance	2016
Admin Support	Lucy Capriotti - Administrative Assistant, Financial Services	2008

Human Resources Committee (HRC)		
Mandate as per Terms of Reference	<p>To conduct the recruitment process for the position of CEO/Registrar and make recommendations to Council; participate in the selection of senior staff.</p> <p>To review the performance and compensation of the CEO/Registrar and make recommendations to Council.</p> <p>To establish annual measurable goals and objectives for the position of CEO/Registrar for Council's review and approval.</p> <p>Act as reviewer on significant human resources issues.</p> <p>To work with the government appointments secretariat regarding LGA appointments.</p> <p>Act as reviewer on significant staff human resources issues.</p> <p><u>HRC Terms of Reference</u></p>	
Composition	5 members, President, President-elect, Past President, and two current members of Council.	
HRC Members (appointed to role)		Contributing From / To
Chair	President-elect Bellini (2020)	2020 - AGM 2021
	President Sterling	2019 - AGM 2021
	Past President Hill	2018 - AGM 2021
	Councillor Roberge	2020 - AGM 2021
	Councillor Turnbull	2020 - AGM 2021
Committee Advisor	Johnny Zuccon - CEO/Registrar	2018
Staff Support	Viktoria Aleksandrova - Committee Coordinator	2019

Legislation Committee (LEC)		
Mandate as per Terms of Reference	<p>To provide oversight and guidance to matters pertaining to PEO's Act, Regulation and By-Laws. This will include but not be limited to (i) acting as custodian for PEO Legislation, identifying PEO policies, rules and operational issues which touch on or affect PEO Legislation and providing guidance as to which of these should be put into legislation;(ii) overseeing draft changes to PEO Legislation and (iii) keeping Council apprised of relevant external Legislative initiatives and changes which may affect PEO Legislation.</p> <p><u>LEC Terms of Reference</u></p>	
Composition	5 members, all current members of Council.	

LEC Members (appointed to role)		Contributing From / To
Chair	TBD	
Vice Chair	TBD	
	President Sterling	2019 - AGM 2021
	President-elect Bellini	2020 - AGM 2021
	Councillor Ausma	2019 - AGM 2021
	Councillor Chiddle	2020 - AGM 2021
	Councillor Kershaw	2020 - AGM 2021
	Councillor MacCumber (Past Chair)	2018 - AGM 2021
	LGA Councillor Sung	2020 - AGM 2021
Committee Advisor	Jordan Max - Manager, Policy	2010

OSPE-PEO Joint Relations Committee (OSPE-PEO JRC)		
Mandate as per Terms of Reference	<p>The purpose of the Committee is to:</p> <ul style="list-style-type: none"> a) Build relationships between the leaders of the two organizations to strengthen regulation, service and advocacy for the profession within their respective mandates; b) Facilitate the exchange of information between the two organizations; c) Identify issues and facilitate cooperation between the two organizations in areas of mutual interest / concern; and d) Provide a forum for the discussion and informal resolution of potential areas of opportunity or conflict between the two organizations. <p><u>JRC Terms of Reference</u></p>	
Composition	<p>The Committee consists of the following members: a) The President/Chair plus three (3) senior volunteers of the Ontario Society of Professional Engineers; b) The Chief Executive Officer of the Ontario Society of Professional Engineers; c) The President and three (3) senior volunteers of Professional Engineers Ontario; and d) The Chief Executive Officer of Professional Engineers Ontario.</p>	
OSPE-PEO JRC Members (appointed to role)		Contributing From / To
Co-Chairs	President Sterling	2018 - AGM 2021
	Réjeanne Aimey (OSPE President/Chair)	2018 - OSPE AGM 2021
	President-elect Bellini	2020 - AGM 2021
	Vice-President (elected) Campbell	2020 - AGM 2021
	Jerome James (OSPE Board Member)	2020 - OSPE AGM 2021
	Tom Murad (OSPE Vice Chair)	2019 - OSPE AGM 2021
	Sandro Perruzza (OSPE CEO)	2014
	Councillor Roberge	2020 - AGM 2021
	Tibor Turi (OSPE Past Chair)	2018 - OSPE AGM 2021
Committee Advisor/member	Johnny Zuccon - CEO/Registrar	2018

Regional Councillors Committee (RCC)	
Mandate as per Terms of Reference	<p>To act as the responsible authority for the PEO Chapters in the five PEO regions.</p> <p>To respond to Council, chapters and regions on matters of concern to chapters and regions.</p> <p>To respond to Council on matters pertaining to the approved Mission, Focus and Strategic Plan of the association.</p>

New appointments/changes are in **bold**.

OSPE or Engineers Canada representatives are identified with beige

Non-P.Eng. volunteers are identified with blue.

	<u>RCC Terms of Reference</u>	
Composition	10 members, all current members of Council elected as Regional Councillors. RCC Chairs and Vice Chairs are elected annually from within the committee via secret ballot.	
RCC Members (appointed to role)		Contributing From / To
Chair	Councillor Subramanian (2020)	2018 - AGM 2021
Vice Chair	Councillor Walker (2020)	2019 - AGM 2021
	Councillor Broad	2020 - AGM 2022
	Councillor Chiddle	2020 - AGM 2022
	Councillor Cushman	2020 - AGM 2022
	Councillor Kershaw	2019 - AGM 2021
	Councillor MacCumber	2018 - AGM 2022
	Councillor Roberge	2020 - AGM 2022
	Councillor Sinclair	2019 - AGM 2021
	Councillor Turnbull	2015 - AGM 2021
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Section 2: Other Committees Reporting to Council

(Operate on a calendar year)

Academic Requirements Committee (ARC)			
Mandate as per Terms of Reference	To assess the academic qualifications of applicants referred to the Academic Requirements Committee (ARC) by the Registrar or requested the ARC to review their qualifications, To advise Professional Engineers Ontario (PEO) on academic matters relating to PEO Admission procedures and policies, and To oversee the Professional Practice Examination (PPE).		
	<u>ARC Terms of Reference</u>		
Composition	25 members; Majority are Professors/Associate Professors at one of Ontario's Engineering universities. Members MUST be licensed P.Engs.		
ARC Members (appointed to role)		# Years	Contributing From / To
Chair-	Ramesh Subramanian (2019/2020)	7	2013 - Dec 2020
Vice Chair	Waguih H. ElMaraghy (2019/2020)	27	1989-94, 1998 - Dec 2020
Council Liaison	TBD		
	Sanjiwan D. Bhole	16	2004 - Dec 2020
	Yehoudith (Judith) Dimitriu	28	1992 - Dec 2020
	Bob Dony (Past Chair 2011-2012)	22	1998 - Dec 2020
	Amir Fam	10	2010 - Dec 2020
	Roydon Fraser	22	1998 - Dec 2020
	Michael Hulley	3	2017 - Dec 2020
	Ross L. Judd	>36	Pre-1984 - Dec 2020
	Meilan Liu	10	2010 - Dec 2020
	Joseph (Joe) Lostracco	6	2014 - Dec 2020
	Ian Marsland	4	2016 - Dec 2020
	Magdi Emile Mohareb	10	2010 - Dec 2020
	Girgis (George) Nakhla	17	2003 - Dec 2020
	Leila Notash (Past Chair 2016-2018)	17	2003 - Dec 2020

New appointments/changes are in **bold**.

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	Remon Pop-Iliev	15	2005 - Dec 2020
	Amin S. Rizkalla	10	2010 - Dec 2020
	Medhat Shehata	6	2014 - Dec 2020
	Shamim A. Sheikh	18	2002 - Dec 2020
	Juri Silmberg	>36	Pre-1984 - Dec 2020
	J. Allen Stewart	6	2014 - Dec 2020
	Barna Szabados (Past Chair 2012-2015)	10	2000 - Dec 2020
	Seimer Tsang	21	1999 - Dec 2020
	Tze-Wei (John) Yeow	10	2010 - Dec 2020
	Malgorzata S. Zywno	27	1993 - Dec 2020
Committee Advisor	Moody Farag - Manager, Admissions		2004

Advisory Committee on Volunteers (ACV)			
Mandate as per Terms of Reference	To assist and advise committees in fulfilling their operational requirement under the policy. To assist Council by reviewing proposed revisions to Committee and Task Force - Mandates, Terms of Reference, Work plans and Human Resource Plans.		
	<u>ACV Terms of Reference</u>		
Composition	Currently 10 members (all P.Engs) with experience as PEO volunteers at the Council, Committee and Chapter level.		
ACV Members (appointed to role)		# Years	Contributing From / To
Chair	Sean McCann (2018-2019/2020)	5	2015 - Dec 2020
Vice Chair	Michael Wesa (2020)	1	2019 - Dec 2020
Council Liaison	TBD		
	Sola Abolade	1	2019 - Dec 2020
	Christian Bellini	7	2013 - Dec 2020
	Márta Ecsedi	7	2013 - Dec 2020
	Victoria Hilborn	1	2020 - Dec 2020
	Lisa Lavery	3	2017 - Dec 2020
	Eric Nejat	2	2018 - Dec 2020
	Saif Rehman	2	2018 - Dec 2020
	Nicholas Shelton	<1	2020 - Dec 2020
ACV Subcommittee Members (appointed to role)			Contributing From / To
Training and Committee Chairs Workshop Subcommittee	Saif Rehman (Chair)	2	2018 - Dec 2020
	Sola Abolade	1	2019 - Dec 2020
	Michael Chan	5	2015 - Dec 2020
	Lisa Lavery	3	2017 - Dec 2020
	Sean McCann	5	2015 - Dec 2020
Vital Signs Survey Subcommittee	Márta Ecsedi	3	2017 - Dec 2020
	Christian Bellini	3	2017 - Dec 2020
	Sola Aboldade	1	2019 - Dec 2020
Committee Advisor	TBD		
Staff Support	Viktoria Aleksandrova - Committee Coordinator		2009

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Awards Committee (AWC)			
Mandate as per Terms of Reference	To coordinate, manage, promote and monitor the Professional Engineers Ontario (PEO) Ontario Professional Engineers Awards (OPEA) Program, Order of Honour (OOH), and External Honours activities to support achievement of the object of the Act, which states, "Promote awareness of the Profession's contribution to society and the role of the association".		
	<u>AWC Terms of Reference</u>		
Composition	Currently 8 members, with maximum of 12 members of the association.		
AWC Members (appointed to role)		# Years	Contributing From / To
Chair	Ken McMartin (2020)	2	1993/2002, 2018 - Dec 2020
Vice Chair	Rakesh Shreewastav (2020)	5	2014/17, 2019 - Dec 2020
Council Liaison	TBD		
	Paul Henshaw	1	2019 - Dec 2020
	Kiran Hirpara	3	2017 - Dec 2020
	Manraj Pannu	2	2018 - Dec 2020
	John Severino (1-yr extension)	11	2009 - Dec 2020
	Michael Wesa	2	2018 - Dec 2020
	Angela Wojtyla	<1	2020 - Dec 2020
	Matthew Xie	2	2018 - Dec 2020
	George Zhu	<1	2020 - Dec 2020
AWC Subcommittee Members (appointed to role)			Contributing From / To
Sterling Award Subcommittee	Matthew Xie (Chair)	1	2019 - Dec 2020
	George Comrie	11	2009 - Dec 2020
	Kiran Hirpara	2	2018 - Dec 2020
	Michelle Parsons	<1	2020 - Dec 2020
	Marisa Sterling	11	2009 - Dec 2020
	Valerie Sterling	11	2009 - Dec 2020
	Zack White	1	2019 - Dec 2020
AWC Subcommittee Members (appointed to role)			Contributing From / To
Joint PEO/OSPE OPEA Gala Advisory Subcommittee (GAC)	John Severino (Chair)	4	2016 - Dec 2020
	Manraj Pannu	2	2018 - Dec 2020
	Michael Wesa (AWC rep)	1	2019 - Dec 2020
	Angela Wojtyla	<1	2020 - Dec 2020
Committee Advisor	TBD		
Staff Support	Rob Dmochewicz - Recognition Coordinator		2015

Central Election and Search Committee (CESC)	
Mandate as per Terms of Reference	The Central Election and Search Committee shall: (a) encourage Members to seek nomination for election to the Council as President-elect, vice-president or a councillor-at-large; (b) assist the Chief Elections Officer as may be required by him or her; and (c) receive and respond to complaints regarding the procedures for nominating, electing and voting for members to the Council in accordance with this Regulation. O. Reg. 157/07, s. 3 (3) [Excerpt from R.R.O. 1990, REGULATION 941].

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	<u>CESC Terms of Reference</u>		
Composition	6 members; the penultimate past-president; the immediate past-president; the president; and two other Members.		
CESC Members (appointed to role)		# Years	Contributing From / To
Chair	Penultimate Past President Dony	3	2017 - Sept 2020
	Past President Brown	2	2018 - Sept 2020
	President Hill	1	2019 - Sept 2020
	Daryoush Mortazavi	1	2019 - Sept 2020
	Sangeeta Nagrare	1	2019 - Sept 2020
Committee Advisor	TBD		
Staff Support	Ralph Martin - Manager, Secretariat		2014

Complaints Committee (COC)			
Key Duties & Responsibilities as per Terms of Reference	<p>To investigate and consider complaints made by the public or members of the association regarding the conduct or actions of PEO licence holders, or Certificate of Authorization holders.</p> <p>To determine the appropriate course of action with respect to those complaints, in accordance with Section 24(2) of the Act.</p> <p>To direct the Discipline Committee to hear and determine allegations of professional misconduct or incompetence against PEO licence holders or Certificate of Authorization holders that come to the Committee's attention, as deemed necessary.</p> <p>To advise Council on matters relating to incompetence, professional misconduct and the Code of Ethics.</p>		
	<u>COC Terms of Reference</u>		
Composition	Currently 14 members; membership also includes minimum two (2) LGA Councillors/Attorney General appointees. (Quorum requires at least one of either of the LGA members or public appointees). Membership represents a wide field of engineering practice.		
COC Members (appointed to role)		# Years	Contributing From / To
Chair	Peter Frise (2020)	23	1997 - Dec 2020
Vice Chair	Peter R. Braund, LL.M. (2020)	7	2013 - Oct 19, 2021
Council Liaison	Councillor MacCumber	2	2018 - Council term end
	Storer Boone	<1	2020 - Dec 2020
	Tony Cecutti	20	2000 - Dec 2020
	David Filer	22	1998 - Dec 2020
	George McCluskey	6	2014 - Dec 2020
	David Moncur	18	2002 - Dec 2020
	M. Jane Phillips	32	1986/93, 1995 - Dec 2020
	Chris Roney	22	1998 - Dec 2020
	Keith Stephen	3	2017 - Dec 2020
	John Zane Swaigen, LL.M.	7	2013 - Oct 19, 2021
	Nicholas Sylvestre-Williams	3	2017 - Dec 2020
	David Uren	3	2017 - Dec 2020
	Alex Voronov	<1	2020 - Dec 2020
Committee Advisor	Linda Latham - Deputy Registrar, Regulatory Compliance		2010

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Complaints Review Councillor (CRC)			
Description	A Complaints Review Councillor appointed by Council pursuant s. 25 shall review the handling of complaints when the complainant is dissatisfied with the outcome [e.g. the complaint has been dismissed by the Complaints Committee and does not go forward to the Discipline Committee] to ensure that the process was administered correctly.		
	<u>CRC Terms of Reference</u>		
Composition	A member of the Council appointed by the Lieutenant Governor in Council; or a person who is neither a member of the Council nor a member of the Association, and approved by the Attorney General.		
CRC Member (appointed to role)		# Years	Contributing From / To
Chair / member	Fiona Wang, LL.M.	<1	2019 - May 31, 2022
Committee Advisor	Sal Guerriero - Manager, Tribunals		2008

Consulting Engineer Designation Committee (CEDC)			
Description	Committee that recommends to Council applicants for designation as a Consulting Engineer and permission for companies to use the title Consulting Engineers or variations thereof.		
	<u>CEDC Terms of Reference</u>		
Composition	Approximately 10 members; MUST be P.Eng.; majority are Consulting Engineers representing a variety of practice disciplines.		
CEDC Committee Members (appointed to role)		# Years	Contributing From / To
Chair	Steven van der Woerd (Southern) (2020)	5	2015 - Dec 2020
Vice Chair	Andrew Lawton (Eastern) (2020)	1	2019 - Dec 2020
Council Liaison	TBD		
	Gordon Debbert (Western)	3	2017 - Dec 2020
	Ross Eddie (Toronto)	1	2019 - Dec 2020
	Richard Kamo (Northern)	4	2016 - Dec 2020
	Bruce Matthews (CEO representative)	2	2018 - Dec 2020
	Adrian Pierorazio (Southern)	1	2019 - Dec 2020
	Donald Plenderleith (Eastern)	1	2019 - Dec 2020
	John Rosenthal (Toronto)	1	2019 - Dec 2020
	<i>Christian Bellini (Observer)</i>		2016
CEDC Subcommittee Members (appointed to role)		# Years	Contributing From / To
Eastern Subcommittee	Andrew Lawton - Chair (2019)	8	2012 - Dec 2020
	J. Shawn Gibbons	14	2006 - Dec 2020
	Donald Plenderleith	4	2016 - Dec 2020
	Andrew John Robinson	29	1991 - Dec 2020
Northern Subcommittee	Donald Christopher Redmond - Chair (2018)	19	2001 - Dec 2020
	Richard Kamo	4	2016 - Dec 2020
	Matt Weaver	1	2019 - Dec 2020
Southern Subcommittee	Steven van der Woerd - Chair (2015)	5	2015 - Dec 2020
	Adrian Pierorazio	5	2015 - Dec 2020
Toronto Subcommittee	Ross Eddie - Chair (2019)	4	2016 - Dec 2020
	Douglas Barker	26	1994 - Dec 2020

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	Levente Laszlo Diosady	13	2007 - Dec 2020
	Denis Dixon	20	2000 - Dec 2020
	Santosh Gupta	4	2016 - Dec 2020
	Eric Nejat	25	1995 - Dec 2020
	Edward Poon	1	2019 - Dec 2020
	Michael Rosenblitt	1	2019 - Dec 2020
	John Rosenthal	4	2016 - Dec 2020
	Terry Sedore	1	2019 - Dec 2020
	Joseph Yeremian	1	2019 - Dec 2020
Western Subcommittee	Gordon Debbert - Chair (2019)	3	2017 - Dec 2020
	H. Richard Patterson	25	1995 - Dec 2020
	Robert Brian Pula	17	<2003 - Dec 2020
Committee Advisor	Faris Georgis - Manager, Registration		2016

Discipline Committee (DIC)			
Mandate as per Terms of Reference	To hear and determine allegations of professional misconduct or incompetence against a member of the association, a holder of a Certificate of Authorization, a limited licence, a provisional licence, or a temporary licence To hear applicants for reinstatement under section 37 of the Professional Engineers Act. Perform such other duties assigned by Council.		
	<u>DIC Terms of Reference</u>		
Composition	Set out in the <i>Professional Engineers Act</i> : 27. (1) The Discipline Committee is continued and shall be composed of the following persons appointed by the Council: 1. At least one elected member of the Council. 2. At least one member of the Association who is, i. a member of the Council appointed by the Lieutenant Governor in Council, or ii. not a member of the Council, and approved by the Attorney General. 3. At least one person who is, i. a member of the Council appointed by the Lieutenant Governor in Council under clause 3 (2) (c), or ii. neither a member of the Council nor a member of the Association, and approved by the Attorney General. 4. At least three members of the Association each of whom has at least 10 years experience in the practice of professional engineering. 2010, c. 16, Sched. 2, s. 5 (59).		
DIC Members (appointed to role)		# Years	Contributing From / To
Chair	Stella H. Ball, LL.B. (2020)	7	2013 - Oct 19, 2021
Vice Chair	Rob Willson (2020)	9	2011 - Dec 2020
Council Liaison	TBD		
Appointed per 27. (1) 1. At least one elected member of the Council.	Councillor Turnbull	5	2015 - AGM 2020
Appointed per 27. (1) 2. At least one member of the Association who is, i. a member of the Council appointed by the Lieutenant Governor in Council, or ii. not a member of the Council, and approved by the Attorney	LGA Councillor Cutler	1	2019 - Council term end
	Paul Ballantyne (2016, 3-yr AG re-appointment)	10	2010 - Nov 14, 2022
	Ishwar Bhatia (2016, 3-yr AG re-appointment)	11	2009 - Nov 14, 2022
	Rishi Kumar (2016, 3-yr AG re-appointment)	16	2004 - Nov 14, 2022
Appointed per 27. (1) 3. At least one person who is i. a member of the Council appointed by the Lieutenant Governor in Council under clause 3 (2) (c), or ii. neither a	Eric Bruce, J.D.	1	2019 - May 31, 2022
	Alisa Chaplick, LL.B.	1	2019 - May 31, 2022
	David N. Germain, J.D.	7	2013 - Oct 19, 2021
	Reena Goyal, J.D.	1	2019 - May 31, 2022

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member of the Council nor a member of the Association, and approved by the Attorney General.	LGA Councillor Jackson	2	2017/18, 2020 - Council term end
	Kathleen L. Robichaud, LL.B.	7	2013 - Oct 19, 2021
Appointed per 27. (1) 4. At least three members of the Association each of whom has at least 10 years experience in the practice of professional engineering.	James Amson	9	2011 - Dec 2020
	Michael Chan	4	2016 - Dec 2020
	Kam Elguindi	24	1993-95, 1998 - Dec 2020
	Aubrey Friedman	6	2004 - Dec 2020
	Tim Kirkby	4	2016 - Dec 2020
	Charles McDermott	3	2018 - Dec 2020
	Jag Mohan	30	1990 - Dec 2020
	Sean O'Brien	2	2018 - Dec 2020
	Anne Poschmann	27	1993 - Dec 2020
	Glenn Richardson	23	1997 - Dec 2020
	David Robinson	16	2004 - Dec 2020
	Michael Rosenblitt	2	2018 - Dec 2020
	L. Brian Ross	25	1995 - Dec 2020
	Virendra (Vinni) Sahni	8	2004/10, 2018 - Dec 2020
	Tommy Sin	2	2018 - Dec 2020
	Albert Sweetnam	18	2002 - Dec 2020
	Gary Thompson	2	2018 - Dec 2020
	John Tyrrell	2	2018 - Dec 2020
	John Vieth	16	2004 - Dec 2020
	Michael Wesa	28	1992 - Dec 2020
Committee Advisor	Johnny Zuccon - CEO/Registrar		2008

Enforcement Committee (ENF)			
Mandate as per Terms of Reference	To advise Council on matters relating to the enforcement of the provisions of the <i>Professional Engineers Act</i> dealing with unlicensed and unauthorized practice.		
	<u>ENF Terms of Reference</u>		
Composition	Up to 10 members; All MUST be P.Eng.; One must be a lawyer as well; representation from a variety of engineering practice.		
ENF Members (appointed to role)		# Years	Contributing From / To
Chair	Stephen Georgas, LL.B. (2019)	8	2012 - Dec 2020
Vice Chair	Joe Adams (2019)	5	2015 - Dec 2020
Council Liaison	LGA Councillor Olukiyesi (2018)	2	2018 - Council term end
	Parisa Bahrami	<1	2020 - Dec 2020
	Roger Barker	10	2010 - Dec 2020
	Gordon Ip	2	2018 - Dec 2020
	Desmond Lau	<1	2020 - Dec 2020
	Indra Maharjan	1	2019 - Dec 2020
	Juwairia Obaid	2	2018 - Dec 2020
	Tommy Sin	1	2019 - Dec 2020
Committee Advisor	Cliff Knox - Manager, Enforcement		2015

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Staff Support	Steven Haddock - Enforcement and Advisory Officer, Regulatory Compliance	2002
	Ashley Gismondi - Enforcement and Outreach Officer, Regulatory Compliance	2016

Equity and Diversity Committee (EDC)			
Mandate as per Terms of Reference	To recommend action plan to integrate equity and diversity values and principles into the general policy and business operations of PEO.		
	<u>EDC Terms of Reference</u>		
Composition	No more than 9 members; represents broad diversity of PEO membership.		
EDC Members (appointed to role)		# Years	Contributing From / To
Chair	Vera Straka (2019)	9	2011 - Dec 2020
Vice Chair	TBD		
Council Liaison	Councillor Subramanian (2018)	2	2018 - Council term end
	Georgia Fotopoulos	2	2018 - Dec 2020
	Victoria Hilborn	1	2019 - Dec 2020
	Nermen Maximous Mansour	1	2019 - Dec 2020
	Juwairia Obaid	1	2019 - Dec 2020
Committee Advisor	TBD		
Staff Support	Rob Dmochewicz - Recognition Coordinator		2015

Experience Requirements Committee (ERC)			
Mandate as per Terms of Reference	To assess the experience of applicants through file review and by personal interview as may be required: (a) To determine if experience under the Regulations has been met; (b) To recommend to the ARC how experience should be taken into account in assigning of examinations; (c) To interview applicants where there is a question of the ability to communicate effectively in English; and (d) in the case of reinstatement – to assess applicant's knowledge and understanding of the current laws and standards governing the practice of professional engineering.		
	<u>ERC Terms of Reference</u>		
Composition	Currently 146 members; membership is restricted; MUST be P.Eng.; MUST have at least 10 years of engineering work experience.		
ERC Members (appointed to role)		# Years	Contributing From / To
Chair	David Kiguel (2018-19/2020)	16	2004 - Dec 2020
Vice Chair	Changiz Sadr (2018-19/2020)	17	2003 - Dec 2020
Council Liaison	TBD		
	Samuel Abd el Malek	13	2007 - Dec 2020
	Mokhtar Aboelezz	2	2018 - Dec 2020
	Ali Afshar	14	2006 - Dec 2020
	Shah Alamgir	8	2012 - Dec 2020
	Obrad Aleksic	1	2019 - Dec 2020
	Hisham Alkabie	2	2018 - Dec 2020
	Ilir Angjeli	2	2018 - Dec 2020
	George Apostol	20	2000 - Dec 2020
	Nanjappan Ardhanarisamy	6	2014 - Dec 2020

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Behrouz (Bruce) Atrie	16	2004 - Dec 2020
Magdy Milad Attia	11	2009 - Dec 2020
Afshin Azadmanesh Samimi	7	2013 - Dec 2020
Arshad Azhar	15	2005 - Dec 2020
Naeim Azizi Tavakkoli	7	2013 - Dec 2020
Devinder Bahra	16	2004 - Dec 2020
Steven Bailey	7	2013 - Dec 2020
Christian Bellini	15	2005 - Dec 2020
Mark Bendix	17	2003 - Dec 2020
Duncan Blachford	8	2012 - Dec 2020
Spiridon Bot	14	2006 - Dec 2020
Mohamed Boutazakhti	12	2008 - Dec 2020
Albena Bukurova	7	2016 - Dec 2020
Ruben Burga	8	2012 - Dec 2020
Betty Anne Butcher	24	1996 - Dec 2020
Jeremy Carkner	8	2012 - Dec 2020
Pellegrino V. Castaldo	7	2013 - Dec 2020
Raju Chander	14	2006 - Dec 2020
V. George Chelvanayagam	16	2004 - Dec 2020
Jim Chisholm	1	2019 - Dec 2020
Andrew Cornel	5	2015 - Dec 2020
Dan Cosmin	14	2006 - Dec 2020
Michael Dang	20	2000 - Dec 2020
Farid Danial	16	2005 - Dec 2020
Charles De la Riviere	17	2002 - Dec 2020
Savio DeSouza	5	2015 - Dec 2020
Milorad Dimitrijevic	14	2006 - Dec 2020
Afshin Ebtekar	16	2004 - Dec 2020
S. Jalal Emami	15	2005 - Dec 2020
Hassan Erfanirad	15	2005 - Dec 2020
Reda Fayek	14	2006 - Dec 2020
Rabiz Foda	20	2000 - Dec 2020
Shaun Gao	2	2018 - Dec 2020
Dalila Giusti	19	2001 - Dec 2020
Branislav Gojkovic	16	2004 - Dec 2020
Mohinder Grover	21	1999 - Dec 2020
Liang Guo	6	2014 - Dec 2020
Ravi Gupta (Past Vice Chair 2012-13)	28	1992 - Dec 2020
Santosh Gupta (Past Chair 2012/15, 2016)	20	2000 - Dec 2020
Mohamed Hamed	4	2016 - Dec 2020
Faiz Hammadi	15	2005 - Dec 2020
Md Akhtar Hossain	7	2013 - Dec 2020
Magued Ibrahim	16	2004 - Dec 2020
Shawky Ibrahim	16	2004 - Dec 2020
Gordon Ip	4	2016 - Dec 2020
William Jackson	24	1996 - Dec 2020

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Peter Jarrett	22	1998 - Dec 2019
Ayvun E. Jeganathan	15	2005 - Dec 2020
Jega Jeganathan	6	2014 - Dec 2020
Torben Jensen	4	2016 - Dec 2020
David A. Kahn	11	2009 - Dec 2020
Witold Kellerman	4	2016 - Dec 2020
Vyjayanthi Keshavamurthy	6	2014 - Dec 2020
Mohammad Khalid	7	2013 - Dec 2020
Nazli Khan	6	2014 - Dec 2020
Saleemullah Khan	14	2006 - Dec 2020
Vitali Kovaltchouk	5	2015 - Dec 2020
Berta Krichker	22	1998 - Dec 2020
Rishi Kumar	16	2004 - Dec 2020
C. LeRoy Lees	21	1999 - Dec 2020
Kam Leong	1	2019 - Dec 2020
Dexter Lestage	15	2005 - Dec 2020
Guo Min (Galen) Li	14	2006 - Dec 2020
John Lill	10	2010 - Dec 2020
Andrew Luk	1	2019 - Dec 2020
Wayne Mac Culloch	2	2018 - Dec 2020
Bosko Madic	15	2005 - Dec 2020
Yogaranee (Ranee) Mahalingam	14	2006 - Dec 2020
Nazmy Markos	13	2007 - Dec 2020
Alexei Martchenko	15	2005 - Dec 2020
Daniel Martis	4	2016 - Dec 2020
James McConnach	19	2001 - Dec 2020
Florin Merauta	6	2014 - Dec 2020
Huirong Min	7	2013 - Dec 2020
Cameron Mirza	22	1998 - Dec 2020
Jiteshkumar Modi	16	2004 - Dec 2020
Gerald Monforton	2	2018 - Dec 2020
Zoran Mrdja	15	2005 - Dec 2020
Muhammad Mudassar	12	2008 - Dec 2020
Anis Muhammad	15	2005 - Dec 2020
Mirsad Mulaosmanovic	1	2019 - Dec 2020
Thamir (Tom) Murad	16	2004 - Dec 2020
Mohamed Mushantat	1	2019 - Dec 2020
Eric Nejat	4	2016 - Dec 2020
Franz Newland	5	2015 - Dec 2020
Catalin Gabriel Onea	15	2005 - Dec 2020
Mario A. Orbegoza	16	2004 - Dec 2020
Daniel R. Ospina	7	2013 - Dec 2020
Tibor Palinko	18	2002 - Dec 2020
Efeng (Michael) Pan	7	2013 - Dec 2020
Anthony Paz	22	1998 - Dec 2020
Edward Poon	1	2019 - Dec 2020

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	Andrew Tadeusz Poray	11	2009 - Dec 2020
	Saverio Pota	5	2015 - Dec 2020
	Eugene J. Puritch	13	2007 - Dec 2020
	Majid Rahimi-Chatrri	12	2008 - Dec 2020
	Touraj Rahnammoun	5	2015 - Dec 2020
	Julija Rakocevic	7	2013 - Dec 2020
	Venkatasubramanian Raman	14	2006 - Dec 2020
	Mario R. Ramirez-Roldan	10	2010 - Dec 2020
	Comondore (Ravi) Ravindran	19	2001 - Dec 2020
	Farzad Rayegani	18	2002 - Dec 2020
	Shiraz Yusuf Rehmani	7	2013 - Dec 2020
	Amin Rizkalla	15	2005 - Dec 2020
	Ghaus M. Rizvi	7	2013 - Dec 2020
	Karl Rueb	4	2016 - Dec 2020
	Titus Rusu	7	2013 - Dec 2020
	Lionel Ryan	2	2018 - Dec 2020
	Saeid Safadel	16	2004 - Dec 2020
	Magdy S. Samaan	12	2008 - Dec 2020
	William S. Sanabria Nunez	10	2010 - Dec 2020
	George S. Semaan	15	2005 - Dec 2020
	Tahir Shafiq	25	1995 - Dec 2020
	Urmish Shah	12	2008 - Dec 2020
	Abdul Waheed Shaikh	8	2012 - Dec 2020
	Sat Sharma	5	2015 - Dec 2020
	Duncan Sidey	14	2006 - Dec 2020
	Frank Sigouin-Allan	19	2001 - Dec 2020
	Ferdo Simov	16	2004 - Dec 2020
	John M. Smith	15	2005 - Dec 2020
	Zeljko Sucevic	2	2018 - Dec 2020
	Saleh Tadros	20	2000 - Dec 2020
	Sasa (Sasha) Tasic	15	2005 - Dec 2020
	Mihir Thakkar	11	2009 - Dec 2020
	Uthayakaren Thurairajah	5	2015 - Dec 2020
	William Van-Heyst	8	2012 - Dec 2020
	Julio Vilar	4	2016 - Dec 2020
	Cathy Wang	2	2018 - Dec 2020
	Feng Xia (Iris) Wang	4	2016 - Dec 2020
	Jianguo Wang	10	2010 - Dec 2020
	Mingchun (David) Wang	12	2008 - Dec 2020
	Michael Wong	2	2018 - Dec 2020
	Yu Song (Matthew) Xie	20	2000 - Dec 2020
	Shigong (George) Yin	16	2004 - Dec 2020
	Sufang (Sarah) Zhang	15	2005 - Dec 2020
Committee Advisor	TBD		

Fees Mediation Committee (FMC)			
Description	Pursuant to Section 32 of the <i>Professional Engineers Act</i> and Sections 30 and 31 of Regulation 941, the committee is formed as required to mediate or arbitrate fee disputes between engineers and their clients. Council designates members as being eligible to serve on the Fees Mediation Committee.		
	<u>FMC Terms of Reference</u>		
Composition	7 members are currently designated as eligible to serve on the FMC. Committee members are designated by Council. The Complaints Review Councillor and members of Complaints or Discipline Committees are not eligible for membership on the FMC.		
FMC Members (appointed to role)		# Years	Contributing From / To
Chair	<i>Kathryn G. Sutherland (2006)*</i>	14	2006 - Dec 2020
	Gordon Danson	14	2006 - Dec 2020
	Billy Haklander	2	2018 - Dec 2020
	Peter F. Scott	31	1989 - Dec 2020
	Jude Tremblay	2	2018 - Dec 2020
	Paul Walters	2	2018 - Dec 2020
Committee Advisor	Sal Guerriero - Manager, Tribunals		2012
Staff Support	Svitlana Tereshchenko - Tribunals Law Clerk		2012

*Chair continues pending election in January 2020

Government Liaison Committee (GLC)			
Mandate as per Terms of Reference	To provide oversight and guidance for the PEO Government Liaison Program (GLP).		
	<u>GLC Terms of Reference</u>		
Composition	Member of the Regional Councillors Committee (RCC) (recommended by RCC), member of Council, two active members of a chapter who have experience with GLP or government relations or public policy, a member of the Advisory Committee on Volunteers (ACV) (recommended by ACV), P.Eng. active in a Riding Association, P.Eng. member of the Ontario Society of Professional Engineers (OSPE) (recommended by OSPE), P.Eng. member of Engineers Canada (recommended by Engineers Canada), P.Eng member of the Consulting Engineer of Ontario (recommended by CEO), a student representative and an EIT representative. The President and the President-elect are ex-officio members.		
GLC Members (appointed to role)		# Years	Contributing From / To
Chair / Council Liaison	Councillor Turnbull (RCC representative) (2018/19-2020)	4	2016 - AGM 2020
Vice Chair	Arjan Arenja (Chapter GLP Chair) (2019/2020)	2	2018 - Dec 2020
	Lorne Cutler (Member of Council)	1	2019 - Dec 2020
	Victoria Hilborn (ACV rep)	1	2020 - Dec 2020
	Christine Hill (CEO representative)	2	2018 - Dec 2020
	Jeffrey Lee (P.Eng. in Riding Association)	2	2018 - Dec 2020
	Changiz Sadr (Engineers Canada)	<1	2020 - EC term end
	Gabriel Tse (Chapter GLP Chair)	6	2014 - Dec 2020
	Alexandra Weryha (EIT)	<1	2020 - Dec 2020
	Shawn Yanni (Student representative)	1	2019 - Dec 2020
	TBD (OSPE)		

New appointments/changes are in **bold**.

OSPE or Engineers Canada representatives are identified with beige

Non-P.Eng. volunteers are identified with blue.

Ex-officio members	Johnny Zuccon - CEO/Registrar	2018
	Howard Brown - GLP Consultant	2010
Committee Advisor	Jeannette Chau - Manager, Government Liaison Programs	2011

Licensing Committee (LIC)			
Mandate as per Terms of Reference	To coordinate and integrate the ongoing development of PEO's licensing requirements and processes, including the inputs of other PEO committees and external stakeholders involved in the licensing process.		
	<u>LIC Terms of Reference</u>		
Composition	Nine members as follows: two (2) to be nominated by the Academic Requirements Committee (ARC) – one for a 3-year term, and one for a 2-year term; two (2) to be nominated by the Experience Requirements Committee (ERC) – one for a 3-year term, and one for a 2-year term; one(1) to be nominated by the Registration Committee (REC) for a 3-year term; one (1) to be nominated by the Legislation Committee (LEC) for a 1-year term, as liaison with LEC and Council; three (3) other members to be drawn from among PEO volunteers with extensive domain knowledge of licensure – one for a 3-year term, and two for a 2-year term.		
LIC Members (appointed to role)		# Years	Contributing From / To
Chair	Barna Szabados (ARC, 3-year term) (2018, re-elected 2019)	6	2014 - Dec 2020
Vice Chair	Santosh Gupta (ERC, 3-year term) (2018, re-elected 2019)	6	2014 - Dec 2020
Council Liaison	TBD	6	2014 - Dec 2020
	Christian Bellini (member-at-large, 2-year term)	6	2014 - Dec 2020
	Guy Boone (RCC, 2 year-term)	1	2019 - Dec 2020
	George Comrie (member-at-large, 3-year term)	6	2014 - Dec 2020
	Roydon Fraser (2018) (ARC, 2-year term)	6	2014 - Dec 2020
	Mohinder Grover (ERC, 2-year term)	1	2019 - Dec 2020
	Lola Hidalgo (member-at-large, 3-year term)	2	2018 - Dec 2020
	David Kiguel (member-at-large, 2-year term)	3	2017 - Dec 2020
	Leila Notash (LEC rep, 1-year term)	<1	2020 - Dec 2020
Committee Advisor	Bernie Ennis - Director, Policy and Professional Affairs		2019

PEO-OAA Joint Liaison Committee (PEO-OAA JLC) - inactive			
Mandate as per Terms of Reference	To coordinate the enforcement of the <i>Professional Engineers Act</i> and the <i>Architects Act</i> with respect to required engineering and architectural qualifications for the design and general review services related to building construction. This committee is also expected to discuss any issues which may arise relating to scope of work. The committee will refer issues as necessary to the Joint Practice Board, Council, Enforcement Committee or other groups.		
	<u>JLC Terms of Reference</u>		
Composition	Committee is administered jointly by PEO and OAA; currently, 5 PEO representatives with extensive Ontario Building Code experience.		
PEO-OAA JLC Members (appointed to role)		# Years	Contributing From / To
Co-Chair	Chris Roney (2008) (PEO)	12	2008

New appointments/changes are in **bold**.

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Co-Chair	TBD (OAA)		
Council Liaison	TBD		
	Mark Bendix	12	2008
	David Dengler	12	2008
Committee Advisor	Bernard Ennis - Director, Policy and Professional Affairs		2008

Professional Standards Committee (PSC)			
Mandate as per Terms of Reference	To fulfill that part of the second of the additional objects of the Act dealing with establishing, maintaining and developing standards of practice: 2(4) For the purpose of carrying out its principal object, the Association has the following additional objects: 2. To establish, maintain and develop standards of qualification and standards of practice for the practice of professional engineering. <u>PSC Terms of Reference</u>		
Composition	10 members; MUST be P.Eng.; Volunteers represent a variety of engineering practice; also operates with a number of Guideline sub-groups of non-committee members.		
PSC Members (appointed to role)		# Years	Contributing From / To
Chair	Wai-Man (Fanny) Wong (2018, re-elected 2019)	10	2010 - Dec 2020
Vice Chair	Neil Kennedy (2018, re-elected 2019)	5	2015 - Dec 2020
Council Liaison	Councillor MacCumber (2018)	2	2018 - Council term end
	Roger Jones	10	2010 - Dec 2020
	Dale Kerr	5	2015 - Dec 2020
	James Lowe	2	2018 - Dec 2020
	Peter Cornelius Rusch	1	2019 - Dec 2020
	Donna Serrati	1	2019 - Dec 2020
PSC Subcommittee Members (appointed to role)			Contributing From / To
Coordinating Licensed Professionals Subcommittee	Wai-Man (Fanny) Wong - Chair	3	2017 - Dec 2020
	Mark Bendix	3	2017 - Dec 2020
	Eric Czerniak	3	2017 - Dec 2020
	Majid Haji-Alikhani	3	2017 - Dec 2020
	Neil Kennedy	1	2020 - Dec 2020
	Gerry Conway (OAA member)	1	2019 - Dec 2020
	Walter Derhak (OAA member)	1	2019 - Dec 2020
	Colm Murphy (OAA member)	1	2019 - Dec 2020
	David Sin (OAA member)	1	2020 - Dec 2020
	<i>Dheerish Rambaruth (MMA Observer)</i>		
Environmental Site Assessment Subcommittee	Andy Lee - Chair	3	2017 - Dec 2020
	Andrea Bulanda	3	2017 - Dec 2020
	Dave Flynn	3	2017 - Dec 2020
	Tom Grimminck	3	2017 - Dec 2020
	Thomas Jones	3	2017 - Dec 2020
	Asif Rashid	3	2017 - Dec 2020
	<i>Andrea Brown (MECP observer)</i>		2017
	<i>Emily Prior (MECP observer)</i>		2017

New appointments/changes are in **bold**.

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	<i>Richard Saunders (MECP observer)</i>		2017
	<i>Jennifer Volpato (MECP observer)</i>		2017
ESDM Reports Subcommittee	Neil Kennedy - Chair	1	2019 - Dec 2020
	Sadie Bachynski	3	2017 - Dec 2020
	Linda Drisdelle	3	2017 - Dec 2020
	Al Lightstone	3	2017 - Dec 2020
	Ravi Mahabir	3	2017 - Dec 2020
	Nicholas Sylvestre-Williams	3	2017 - Dec 2020
	Tony Van Der Vooren	3	2017 - Dec 2020
	<i>Sushant Agarwal (MECP observer)</i>		2017
	<i>Lisa MacCumber (MECP observer)</i>		2017
	<i>Anthony Martella (MECP observer)</i>		2017
Guideline for Performance Audits and Reserve Funds Studies for Condominiums Subcommittee	Dale D. Kerr - Chair	8	2012 - Dec 2020
	Hitesh Doshi	8	2012 - Dec 2020
	Henry J. Jansen	8	2012 - Dec 2020
	Sally Thompson	3	2017 - Dec 2020
	Edgar Beltran Vargas	8	2012 - Dec 2020
Mineral Projects Subcommittee	Eugene Puritch - Chair	3	2017 - Dec 2020
	Mike Hoffman	3	2017 - Dec 2020
	<i>Craig Waldie (OSC observer)</i>		2017
Pre-Start Health and Safety Review Guideline Subcommittee	Jim Lowe - Chair (2020)	2	2020 - Dec 2020
	Nino Balbaa	<1	2020 - Dec 2020
	Grant Elligsen	<1	2020 - Dec 2020
	Renee Frigault	<1	2020 - Dec 2020
	Danny Marmora	<1	2020 - Dec 2020
	Raj Nellore	<1	2020 - Dec 2020
	Tom Norton	<1	2020 - Dec 2020
Structural Engineering Assessment Guideline Subcommittee	L. Brian Ross - Chair (2013)	7	2013 - Dec 2020
	Norm Becker	7	2013 - Dec 2020
	Donald R. Ireland	7	2013 - Dec 2020
	Neil A. Kennedy	7	2013 - Dec 2020
	Will Teron	7	2013 - Dec 2020
	<i>Roger Jeffreys (observer)</i>		since 2015
The Use of Professional Engineer Seal Subcommittee	L. Brian Ross - Chair (2017)	3	2017 - Dec 2020
	Dan Gartenburg	3	2017 - Dec 2020
	Nasir Qureshi	3	2017 - Dec 2020
	Peter Cornelius Rusch	3	2017 - Dec 2020
	<i>Ray Yousef (ESA observer)</i>		2017
Committee Advisor	José Vera - Manager, Practice and Standards		2011
Staff Support	Jennifer Whang - Standards and Guidelines Development Coordinator		2020

Registration Committee (REC)			
Description	To hold hearings, when required by the applicant, subsequent to a receipt of a Registrar's Notice of a proposal to refuse to issue a licence, limited licence, temporary licence, provisional licence and Certificate of Authorization. To hold hearings at the request of a licensee or certificate holder in respect of a Registrar's proposals to suspend or revoke a limited licence, temporary licence, provisional licence and Certificate of Authorization.		
	<u>REC Terms of Reference</u>		
Composition	9 members		
REC Members (appointed to role)		# Years	Contributing From / To
Chair	Bogdan Damjanovic (2018)	14	2006 - Dec 2020
Vice Chair	Simon Sukstorf (2018)	6	2014 - Dec 2020
Council Liaison	TBD		
	Stella Harmantas Ball, LL.B.	4	2016 - Oct 19, 2021
	Paul Ballantyne	4	2016 - Dec 2020
	Alisa Chaplick, LL.B.	1	2020 - May 31, 2022
	Michael Chan	3	2017 - Dec 2020
	Joseph Khatamay	16	2004 - Dec 2020
	Charles McDermott	4	2016 - Dec 2020
	Geoffrey Pond	<1	2020 - Dec 2020
	Asif Rashid	<1	2020 - Dec 2020
	Virendra Sahni	16	2004 - Dec 2020
	Anthony C Tam	20	2000 - Dec 2020
Committee Advisor	Johnny Zuccon - CEO/Registrar		2008

Volunteer Leadership Conference Planning Committee (VLCPC)			
Mandate as per Terms of Reference	The Volunteer Leadership Conference Planning Committee (VLCPC) is responsible for organizing an annual conference, to be held in conjunction with PEO's Annual General Meeting, that would involve both chapter and committee volunteer leaders and include topics related to PEO policy, governance issues, regulatory process and leadership development with a regulatory focus.		
	<u>VLCPC Terms of Reference</u>		
Composition	The VLCPC membership will consist of: one representative/advisor from the Executive Committee (EXE), to be appointed by the EXE; two representatives/advisors from the Advisory Committee on Volunteers (ACV), to be appointed by the ACV; two representatives/advisors from the Regional Councillors Committee (RCC), to be appointed by the RCC; Director, People Development; and Manager, Chapters.		
VLCPC Members (appointed to role)		# Years	Contributing From / To
Chair	Márta Ecsedi (2018/2019) (ACV)	4	2016 - AGM 2020
Vice Chair	Guy Boone (2018/2019) (RCC)	3	2018 - AGM 2020
	President-elect Sterling (EXE)	1	2019 - AGM 2020
	Eric Nejat (ACV)	1	2019 - AGM 2020
	Arthur Sinclair (RCC)	1	2019 - AGM 2020
Committee Advisors	TBD		
	Adeilton Ribeiro - (Acting) Manager, Chapters		2018

New appointments/changes are in **bold**.

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Staff Support	Viktoria Aleksandrova - Committee Coordinator	2014
	Julie Hamilton - Chapter Coordinator	2016

Section 3: Regional Committees

East Central Regional Congress Committee		
Mandate	To openly communicate, discuss issues, propose improvements and share best practices amongst PEO Chapter office staff, Chapters delegates and Councillors in an open forum.	
Composition	<i>14 members: two (2) Regional Councillors , two (2) official delegates per each of the six (6) Chapters within the East Central Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Sinclair (2020)	2019 - AGM 2021
Vice Chair	Councillor Cushman (2020)	2020 - AGM 2022
	East Toronto Chapter delegates (2)	n/a
	Lake Ontario Chapter delegates (2)	n/a
	Scarborough Chapter delegates (2)	n/a
	Simcoe Muskoka Chapter delegates (2)	n/a
	Willowdale Thornhill Chapter delegates (2)	n/a
	York Chapter delegates (2)	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Eastern Regional Congress Committee		
Mandate	To openly communicate, discuss issues, propose improvements and share best practices amongst PEO Chapter office staff, Chapters delegates and Councillors in an open forum.	
Composition	<i>16 members: two (2) Regional Councillors, two (2) official delegates per each of the seven (7) Chapters within the Eastern Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Walker (2020)	2019 - AGM 2021
Vice Chair	Councillor Chiddle (2020)	2020 - AGM 2022
	Algonquin Chapter delegates (2)	n/a
	Kingston Chapter delegates (2)	n/a
	Ottawa Chapter delegates (2)	n/a
	Peterborough Chapter delegates (2)	n/a
	Quinte Chapter delegates (2)	n/a
	Thousand Island Chapter delegates (2)	n/a
	Upper Canada Chapter delegates (2)	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Northern Regional Congress Committee		
Mandate	To openly communicate, discuss issues, propose improvements and share best practices amongst PEO Chapter office staff, Chapters delegates and Councillors in an open forum.	
Composition	<i>16 members: two (2) Regional Councillors, two (2) official delegates per each of the seven (7) Chapters within the Northern Region.</i>	

Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Subramanian (2020)	2018 - AGM 2021
Vice Chair	Councillor Roberge (2020)	2020 - AGM 2022
	Algoma Chapter delegates (2)	n/a
	Lake of the Woods Chapter delegates (2)	n/a
	Lakehead Chapter delegates (2)	n/a
	North Bay Chapter delegates (2)	n/a
	Porcupine Kapuskasing Chapter delegates (2)	n/a
	Sudbury Chapter delegates (2)	n/a
	Temiskaming Chapter delegates (2)	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

West Central Regional Congress Committee		
Mandate	To openly communicate, discuss issues, propose improvements and share best practices amongst PEO Chapter office staff, Chapters delegates and Councillors in an open forum.	
Composition	16 members: Two (2) Regional Councillors, two (2) official delegates per each of the seven (7) Chapters within the West Central Region.	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Turnbull (2020)	2015 - AGM 2021
Vice Chair	Councillor MacCumber (2020)	2018 - AGM 2022
	Brampton Chapter delegates (2)	n/a
	Etobicoke Chapter delegates (2)	n/a
	Kingsway Chapter delegates (2)	n/a
	Mississauga Chapter delegates (2)	n/a
	Oakville Chapter delegates (2)	n/a
	Toronto Humber Chapter delegates (2)	n/a
	West Toronto Chapter delegates (2)	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Western Regional Congress Committee		
Mandate	To openly communicate, discuss issues, propose improvements and share best practices amongst PEO Chapter office staff, Chapters delegates and Councillors in an open forum.	
Composition	20 members: Two (2) Regional Councillors, two (2) official delegates per each of the nine (9) chapters within the Western Region.	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Kershaw (2020)	2019 - AGM 2021
Vice Chair	Councillor Broad (2020)	2020 - AGM 2022
	Brantford Chapter delegates (2)	n/a
	Chatham Kent Chapter delegates (2)	n/a
	Georgian Bay Chapter delegates (2)	n/a
	Grand River Chapter delegates (2)	n/a
	Hamilton-Burlington Chapter delegates (2)	n/a

New appointments/changes are in **bold**.

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	Lambton Chapter delegates (2)	n/a
	London Chapter delegates (2)	n/a
	Niagara Chapter delegates (2)	n/a
	Windsor-Essex Chapter delegates (2)	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

East Central Regional Election and Search Committee – (RESC)		
Mandate	To find, motivate and act as a resource for suitable potential candidates for the election of East Central Region Councillor.	
Composition	<i>7 members: Vice Chair of the East Central Regional Congress Committee (aka junior East Central Regional Councillor), the elected Chapter Chairs from the six (6) Chapters within the East Central Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Cushman (2020)	2020 - AGM 2022
	East Toronto Chapter Chair	n/a
	Lake Ontario Chapter Chair	n/a
	Scarborough Chapter Chair	n/a
	Simcoe Muskoka Chapter Chair	n/a
	Willowdale Thornhill Chapter Chair	n/a
	York Chapter Chair	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Eastern Regional Election and Search Committee – (RESC)		
Mandate	To find, motivate and act as a resource for suitable potential candidates for the election of Eastern Region Councillor.	
Composition	<i>8 members: Vice Chair of the Eastern Regional Congress Committee (aka junior Eastern Regional Councillor), the elected Chapter Chairs from the seven (7) Chapters within the Eastern Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Chiddle (2020)	2020 - AGM 2022
	Algonquin Chapter Chair	n/a
	Kingston Chapter Chair	n/a
	Ottawa Chapter Chair	n/a
	Peterborough Chapter Chair	n/a
	Quinte Chapter Chair	n/a
	Thousand Island Chapter Chair	n/a
	Upper Canada Chapter Chair	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Northern Regional Election and Search Committee – (RESC)		
Mandate	To find, motivate and act as a resource for suitable potential candidates for the election of Northern Region Councillor.	

Composition	<i>8 members: Vice Chair of the Northern Regional Congress Committee (aka junior Northern Regional Councillor), the elected Chapter Chairs from the seven (7) Chapters within the Northern Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Roberge (2020)	2020 - AGM 2022
	Algoma Chapter Chair	n/a
	Lake of the Woods Chapter Chair	n/a
	Lakehead Chapter Chair	n/a
	North Bay Chapter Chair	n/a
	Porcupine Kapuskasing Chapter Chair	n/a
	Sudbury Chapter Chair	n/a
	Temiskaming Chapter Chair	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

West Central Regional Election and Search Committee – (RESC)		
Mandate	To find, motivate and act as a resource for suitable potential candidates for the election of West Central Region Councillor.	
Composition	<i>8 members: Vice Chair of the West Central Regional Congress Committee (aka junior West Central Regional Councillor), the elected Chapter Chairs from the seven (7) Chapters within the West Central Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor MacCumber	2018 - AGM 2022
	Brampton Chapter Chair	n/a
	Etobicoke Chapter Chair	n/a
	Kingsway Chapter Chair	n/a
	Mississauga Chapter Chair	n/a
	Oakville Chapter Chair	n/a
	Toronto Humber Chapter Chair	n/a
	West Toronto Chapter Chair	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Western Regional Election and Search Committee – (RESC)		
Mandate	To find, motivate and act as a resource for suitable potential candidates for the election of East Central Region Councillor.	
Composition	<i>10 members: Vice Chair of the Western Regional Congress Committee (aka junior Western Regional Councillor), the elected Chapter Chairs from the seven (9) Chapters within the Western Region.</i>	
Members (appointed to role)		Contributing From / To
Chair / Council Liaison	Councillor Broad (2020)	2020 - AGM 2022
	Brantford Chapter Chair	n/a
	Chatham Kent Chapter Chair	n/a
	Georgian Bay Chapter Chair	n/a
	Grand River Chapter Chair	n/a

New appointments/changes are in **bold**.

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	Hamilton Burlington Chapter Chair	n/a
	Lambton Chapter Chair	n/a
	London Chapter Chair	n/a
	Niagara Chapter Chair	n/a
	Windsor Essex Chapter Chair	n/a
Committee Advisor	Adeilton Ribeiro - (Acting) Manager, Chapters	2018

Section 4: Task Forces

30 by 30 Task Force (30/30 TF)			
Mandate as per Terms of Reference	For PEO to show visible leadership in addressing the underrepresentation of women licensed in the profession by formally endorsing the 30 by 30 initiative with Engineers Canada and committing to undertaking an action plan to resolve this inequity.		
	<u>30 by 30 Terms of Reference</u>		
30 by 30 Task Force Members (appointed to role)		# Years	Contributing From / To
Chair	Helen Wojcinski (Ontario rep from Engineers Canada Equitable Participation Committee 2017-2018)	2	2018 - TBD
Vice Chair	Christian Bellini (Member of EXE 2017-2018)	2	2018 - TBD
	Bob Dony (PEO President 2017-2018)	2	2018 - TBD
	Lola Hidalgo	2	2018 - TBD
Committee Advisor	Jeannette Chau - Manager, Government Liaison Programs		2018

Section 5: Appointments to External Boards

Canadian National Exhibition Association (CNEA)	Term End
Kathryn Woodcock (appointed as of Oct 2017, re-appointed in 2019)	CNEA 2020 AGM

Engineers Canada - Board of Directors		Term End
Christian Bellini	(appointed as of EC AGM 2018)	EC AGM 2021
Kelly Reid	(appointed as of EC AGM 2019)	EC AGM 2022
Changiz Sadr	(appointed as of EC AGM 2019)	EC AGM 2022
Danny Chui	(appointed as of EC AGM 2017, re-appointed in March 2020)	EC AGM 2023
Nancy Hill	(appointed as of March 2020)	EC AGM 2023

National Engineering Month Ontario Steering Committee (NEMOSC)		Term End
George Comrie		TBD

Ontario Association of Certified Engineering Technicians and Technologists (OACETT) Board		Term End
Tim Kirkby	(appointed as of June 2019)	June 2021

Section 6: Nominations to External Boards

Canadian Engineering Accreditation Board (CEAB) - Member from Ontario		Term
Ramesh Subramanian	(nomination approved in Sept 2018)	Dec 2018 - June 30, 2021

Canadian Engineering Qualifications Board (CEQB) - Member from Ontario		Term
Roydon Fraser	(appointed as of Feb 2014, re-appointed in April 2017)	July 1, 2017 - June 30, 2020

Greater Toronto Airports Authority (GTAA) - PEO nominee		Term End
TBD		

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Update on the Coordinating Licenced Professional (CLP) joint subcommittee

Purpose: to update Council on the status of the CLP joint subcommittee on behalf of the PSC

No motion required

Prepared by: José Vera, P. Eng. – *Manager Practice and Standards* on behalf of
Fanny Wong, P. Eng. – *Chair of the PSC*

1. Status Update

The current OAA Council position is that they only want to include "prime consultant" as the entity who are permitted to be the Coordinating Licenced Professional (CLP). Whereas, the subcommittee initially agreed to having the CLP be either an Architect or Engineer directly connected with the design team (not a third party under the owner's control, nor strictly defined as "prime consultant" because there are contracts that do not entail having a prime consultant - such as Design Build contracts).

Because of this difference of opinion, the CLP joint subcommittee has not been able to complete a practice guideline as per the attached Terms of Reference. Consequently, the PSC will be proceeding with the development of a practice bulletin in this matter in lieu of a practice guideline.

2. Background

The attached Council approved Terms of Reference for *Coordinating Licensed Professional Joint Subcommittee* are included for reference.

Appendices – Appendix A - Coordinating Licensed Professional Joint Subcommittee



**Professional Engineers
Ontario**

C-535-3.6
Appendix A

C-509-2.12
Appendix A



Ontario Association of Architects

Terms of Reference

Coordinating Licensed Professional Joint Subcommittee (October 18, 2016)

OBJECTIVES

The PEO Professional Standards Committee (PSC) and Ontario Association of Architects (OAA) Practice Committee have agreed to establish the OAA/PEO Coordinating Licensed Professional joint subcommittee for the purpose of developing a joint practice guideline that would be endorsed by both the Professional Engineers Ontario (PEO) and the Ontario Association of Architects (OAA). Coordinating Licensed Professionals will coordinate the design work of architects and engineers for buildings required to be designed by an architect, an engineer, or both as per the *Professional Engineers Act*, the *Architects Act* and the Ontario Building Code. Furthermore, the joint subcommittee will develop an accompanying Performance Standard once the Ministry of Municipal Affairs and Housing (MMAH) announces changes to the *Building Code Act*.

BACKGROUND

- PEO Council supports in principle that a Professional Coordinator be mandated in the Ontario Building Code as described in the Motion below.
 - At 494 Council Meeting on June 9, 2014:
*Motion that Council support in principle the following position:
That the Building Code should mandate that an owner retain and identify a principal or coordinating professional, either a Professional Engineer or an Architect, licensed to practise in Ontario as part of a required filing for a permit application. The OAA and PEO would be responsible to establish the professional standards which apply to this role through regulation and or practice guidelines, as appropriate.*
- Elliot Lake Inquiry Recommendation No. 1.27 states:
For the construction of any buildings requiring the services of more than one professional consultant, either a professional engineer or an architect should be designated by the owner or the owner's agent as the prime consultant to perform the roles and responsibilities of that position, as defined by one or the other or both of the Professional Engineers of Ontario (PEO) and the Ontario Association of Architects (OAA).
- PEO's Submission to the Elliot Lake Policy Roundtable indicates that, "*PEO supports amendment of the Ontario Building Code to provide that the owner of a structure must name a prime consultant in the application for a building permit*".
- The Building Advisory Council recommended the implementation of mandatory professional design coordination roles in their 2012 Report (Appendix C - Recommendation 15).
- In March 2009, Engineers, Architects and Building Officials (EABO) submitted a letter to the Ministry of Municipal Affairs and Housing, EABO recommending the following:

That provisions in the *Architects Act*, the *Professional Engineers Act*, the *Building Code Act* and the Ontario Building Code incorporate requirements for the appointment of a coordinating consultant

where professional design is currently mandated by those statutes. Regulations under the professional acts should clearly set out the standards of practice for this function.

- The OAA and PEO met and agreed that the PEO would prepare draft Terms of Reference for the new joint subcommittee.

MANDATE (Specific Tasks)

This joint subcommittee is expected to obtain and provide information that will aid engineers and architects in performing their engineering role when acting as the coordinating licensed professional in accordance with the *Professional Engineers Act*, *Architects Act* and *Regulation 941*. Tasks that the joint subcommittee should consider as useful to this process are:

- a) review and consider the roles of the Coordinating Registered Professional (CRP) from other jurisdictions such as, Association of Professional Engineers and Geoscientists of BC (ABEGBC) and Association of Professional Engineers and Geoscientists of Alberta (APEGA),
- b) prepare a practice guideline for a *Coordinating Licensed Professional*, that defines the roles and responsibilities of the Coordinating Licensed Professional, along with best practices.

Furthermore, the Coordinating Licensed Professional joint subcommittee is expected to develop a Performance Standard once the MMAH announces changes to the Building Code Act.

MEMBERSHIP

The joint subcommittee should be comprised of 3 architects and 3 engineers engaged in the practice of coordinating the design work of architects and engineers in building projects.

Each organization may provide staff support as appropriate. A Chair should be a member of the Professional Standards Committee (PSC) and Vice-chair will be determined by the joint subcommittee.

DELIVERABLES

The joint subcommittee will complete the draft Joint Practice Guideline and present it to the PEO Professional Standards Committee and OAA Practice Committee no later than December 2017. The joint subcommittee will provide quarterly progress reports to PEO Professional Standards Committee and OAA Practice Committee. Once agreed to by each organization's respective committee, the guideline will be subject to final approval and endorsement by each organization's respective Council.

Meeting Schedule: At discretion of the Chair
Completion Date: December 2017

COUNCILLOR/COMMITTEE ITEMS

- a) Notice of Future Council Agenda Items**
- b) Councillors/Committee 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: Eric Chor - Research Analyst

In Camera Session

In-camera sessions are closed to the public