### Legislation Committee Update

**Purpose:** To update Council on the Legislation Committee's activities in June, July and August 2020

### No motion required

Prepared by: J. Max, Manager, Policy, LEC Committee Advisor

#### 1. Status Update

- The 2020-2021 Legislation Committee members first met on June 12, 2020, and elected Lisa MacCumber, P.Eng. as Chair and Sandra Ausma, P.Eng. as Vice-chair. Its other members are Chantal Chiddle, P.Eng., Wayne Kershaw, P.Eng., and Sherlock Sung. Its 2020-21 Work Plan has been submitted to Council for this meeting for information.
- The committee also met July 24<sup>th</sup> and August 28th. Over the summer, the Committee has been engaged in reviewing draft Regulations regarding the Provisional Licence, NPPE, and housekeeping items, as well as a by-law change, all that are before Council this meeting. The Committee is also reviewing proposed changes to the Regulation that will come into effect with the government's proclamation of the *Ontario Not-for-Profit Corporations Act, 2010*, likely later this fall.
- The Committee is also reviewing staff proposals to consider a number of possible changes to the *Professional Engineers Act* to address mandatory annual reporting and other efficiency measures and will be bringing these forward in due course using the Act Change Protocol.

#### 2. Background

- Section 30(1) of By-Law No. 1 grants Council the power to appoint the Legislation Committee. The Legislation Committee is not a policy-generating committee.
- By Resolution dated May 8<sup>th</sup>, 2009, Council appointed the Legislation Committee as a Board Committee, comprised entirely of sitting Councillors.
- The Legislation Committee's mandate in its Terms of Reference (last amended December 2017) is:

"...to provide oversight and guidance to matters pertaining to PEO's Act, Regulation and By-Laws. This will include but not be limited to:

- 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;

- (iii) keeping Council apprised of relevant external Legislative initiatives and changes which may affect PEO Legislation;
- (iv) in accordance with the Regulatory Policy Protocol approved by Council, reviewing all referred policy proposals that involve authority from the Act, Regulations or By-Laws, and providing regulatory impact analysis and recommendations to Council pursuant, and;
- (v) reviewing Ontario legislation that conflicts with the authority or provisions of the *Professional Engineers Act* or its Regulations, and making recommendations for corrective actions pursuant.

# **Regional Congress Open Issues**

Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action By
East Ce	entral							
55	Feb/2019	For the purpose of open and transparent chapter elections, ECRC asks RCC to adjust the chapter membership policy, such that a member who belongs to an Alternate Chapter (either manually through PEO or through EPIM), but has been a member of said Alternate Chapter for less than one year, cannot change their chapter affiliation until the one year period expires, with the following exceptions: 1. The member moved his/her principal residence to within the chapter boundaries before the 1 year period expired, or 2. The member started employment inside the chapter boundaries before the 1 year period expired.	A. Lee, G. Merrill	Staff Update: Chapter Office followed up with York Chapter on Aug 17.	Staff	17-Aug-20	Remain Open	

Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation Closed Action By
56	Jun/2020	East Central Region requests that RCC allow chapters to mail framed certificates that are printed and currently in volunteers' possession until such time that licence ceremonies resume.	L. Nana Kouadjo, C. Frengopoulos	RCC Update: Recommend to Close.	RCC	18-Jul-20	

Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action By
Eastern								
127	Jun/2019	ERC requests Council to review EIT's, LL's, PL's and TL's rights to vote in PEO council elections commencing in the calendar year 2020, and in all subsequent PEO council elections.	C Chiddle, U Senaratne	RCC Update: Recommend Close. This issue is part of the Action Plan and will be dealt with through staff.		18-Jul-20		
133	Jun/2020	ERC requests funds which are not spent due to Covid- 19 to be accumulated for the next year. This implies that there would be an exemption from the bank- balance rule, so that unspent money does not penalize chapters	V. Proag, D. Unrau	RCC Update: Recommend to Close.	RCC	18-Jul-20		

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Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action By
134	Jun/2020	ERC moves that the monthly account balance currently provided by PEO Finance is not enough for maintaining and appropriate reporting of financial records and therefore requests that PEO prepare a more detailed monthly statements for chapters.	V. Proag, A. Hosier	RCC Update: Open Issue remains open. RCC Chair will contact CEO & Registrar Johnny Zuccon about the issue.	RCC	18-Jul-20	Remain Open	RCC Chair, R. Subramanian to contact PEO's Director of Finance, Chetan Mehta, and CEO & Registrar Johnny Zuccon regarding Eastern Open Issue #134 and follow up on proposed financial monthly statement sample provided by the Chapter Office.

Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action By
Northern								
46	Jun/2018	The Northern Region moves to request RCC acquire clarification from Council on criteria for eligible PEAK courses as an important area of non technical knowledge appears to have been missed, which has a direct impact on worker safety, such as OHSA regulations	S Schelske, M Wesa	RCC Update: Continue to remain open	RCC	18-Jul-20		
50	Jun/2020	NRC requests that RCC brings to Council the issue of PEO applicants who have failed either Part A or Part B in the lead-up to PEO's transition to the NPPE, be permitted to re- write the failed portion by October/November 2020 (deadline to be determined by PEO Exams Dept.).	G. Grunerud, S. Schelske	RCC Update: An update is posted on the PEO Website. The chapters office updates the chapter regarding the next PPE dates. RCC recommends closing this issue	RCC	18-Jul-20	Close	

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Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action B
West Ce	entral							
42	Jun/2020	That the RCC clarify to chapters what expectations and accountabilities exist for chapters and chapter treasurers with respect to the new financial framework.	D. Grandy, R. Gill	RCC Update: Recommend to Close.	RCC	18-Jul-20	Remain Open	
43	Jun/2020	WCRC moves RCC to investigate and update the chapters about centralized Zoom accounts for the chapters.	R. Gill, N. Lee	RCC Update: Chapters to purchase their Zoom account and submit a reimbursement claim to the Chapter Office through the personal reimbursement process.	RCC	18-Jul-20	Close	

Issue	Date Opened	Motion Text	Mover Seconder	Update M Description	leeting	Revision Date	Recommendation	Closed	Action By
Western									
75	Sep/2019	WRC reinforces the sentiments that the licensing process is a major problem at all levels that needs to have immediate action taken to resolve this issue, and therefore would like a summary of all ongoing issues and proposed actions, in time to review before the next WRC.	W. Juricic, H. El-Sayed	RCC Update: Remain Open. Western Councillor W. Kershaw is working on this issue with CEO & Registrar Johnny Zuccon.	RCC	18-Jul-20	Remain Open		
77	Feb/2020	Whereby the PEO is a self- regulating profession, and consultation with stakeholders is a critical element of effective change management, minimizes disruption, and maximizes the chance of successful implementation, WRC moves RCC propose to Council the need to implement a formal change management process including a formal consultation process with key stakeholders, to guide the development and implementation of the Action Plan.	J. Wilson, R. Chmura	Staff Update: Council unanimously accepted the report in its entirety and instructed PEO's CEO/reg to develop a high level aci plan to address these recommendations. This includes confirming the authority of the CEO/regis make all operational chan within the legislative frame Since approval of the plan fall, staff have began worth on the associated key stej including the Activity Filte which the first two phases (Council approval and classification) have been completed while work on t remaining three phases (evaluation, accountability reporting) is ongoing. PEO executive will be making recommendations to Cour following completion of the phases.	tion trar to ges ework. last king ps, r, for the and D's ncil	Staff 31-Au	ug-20 Remain C	Dpen [	

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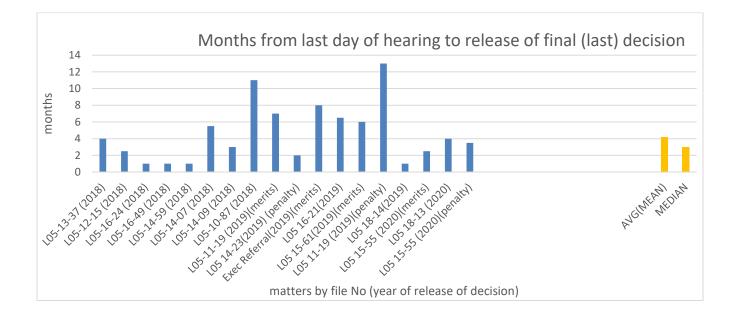
Issue	Date Opened	Motion Text	Mover Seconder	Update Description	Meeting	Revision Date	Recommendation	Closed Action By
78	Jun/2020	WRC motions the RCC to request that the Chapter Office send treasurer- related communications directly to the Chapter Treasurers, to avoid potential missed communications, for items such as the Monthly Chapter Business Statement, requests for the upcoming Business Plan, approvals on the Business Plan and allotment amounts.	W. Juricic, A. Scott	RCC Update: Recommend to close. The RCC suggests that treasurers may be inclu- the generic chapter ema upon request by the cha chair.	ded in ail	18-Jul-20		
79	Jun/2020	WRC motions the RCC to request that the Chapter Office include within the Monthly Chapter Business Statement, itemized details for all expenses and revenue entries received by each chapter, to assist Chapter Treasurers in monitoring the accuracy of monthly entries.	W. Juricic, J. Wilson	RCC Update: remains open. RCC Chair will contact CEO & Registrar Johnny Zuccon to follow up on chapters' requests regarding a more detailed Monthly Financial Statement.	RCC	18-Jul-20		

## **DISCIPLINE STATISTICS – September 2020 Council Meeting Report**

Discipline Phase

	2018	2019	2020
			(as of Sep. 8)
Matters Referred to Discipline	5	7	6
Matters Pending (Caseload)	8	10*	14
Written Decisions Issued	11	7	3
DIC Activity			
Pre-Hearing Conferences Held	7	5	9
Hearings Phase commenced (but not completed)	0	0	1
Hearings Phase completed (but no D&R issued)	3	1	0

\*Two referrals were combined into 1 and were counted as 1.



#### PROFESSIONAL ENGINEERS ONTARIO P. ENG. STATISTICS 2020



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC	TOTAL
Members on Register													ľ
Beginning	85,627	85,438	85,648	85,798	85,951	85,976	86,177	86,425					85,627
New Members	370	296	210	166	37	213	322	342					1,956
Reinstatements	16	89	24	6	9	9	13	21					187
Resignation - Regular	-66	-49	-36	-4	0	-5	-39	-25					-224
- Retirees	-60	-33	-25	-5	0	-2	-34	-1					-160
Deceased	-36	-40	-21	-7	-21	-13	-14	-13					-165
Deletions - Regular	-236	-52	-2	-3	0	-1		-70					-364
													ļ!
- Retirees	-177	-1	0	0	0		0	-4					-182
													P
Total Ending	85,438	85,648	85,798	85,951	85,976	86,177	86,425	86,675	0	0	0	0	86,675
Members on Register Summary													P
Full Fee Members	70,884	71,051	71,137	71,287	71,249	71,415	71,707	71,752				ł	71,249
Partial Fee Remission - Retired	12,821	12,866	12,909	12,935	12,977	13,082	13,037	13,091				ł	12,977
Partial Fee Remission - Health	392	393	397	398	400	405	405	410					400
ratia ree Kemission - Health	392	393	397	390	400	405	405	410					400
Maternity and/or Parental Leave, Unemployment,													
Postgraduate remission & Others	1,341	1,338	1,355	1,331	1,350	1,275	1,276	1,422					1,350
	1,011	1,000	1,000	1,001	1,000	1,210	1,210	1,122					1,000
Total Membership	85,438	85,648	85,798	85,951	85,976	86,177	86,425	86,675	0	0	0	0	85,976
*								`					
Membership Licence													
Initial Applications	552	497	208	2	0	316	995	836					3,406
Applications Approved for FCP	0	0	0	0	0	0	0	0					0
** **													
Female Members on													1
Register - Beginning	10,026	10,066	10,125	10,169	10,201	10,208	10,257	10,312				İ	10,026
New Female Engineers	40	59	44	32	7	49	55	53					339
č												1	
Total Female Engineers	10,066	10,125	10,169	10,201	10,208	10,257	10,312	10,365	0	0	0	0	10,365

#### PROFESSIONAL ENGINEERS ONTARIO ENGINEER IN TRAINING - STATISTICS 2020

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC	TOTAL
Recorded													
Beginning of Month	14,686	14,635	14,553	14,737	14,645	14,684	14,590	14,476					14,686
		100					40.4	400					
New Recordings	322	192	223	36	31	24	134	186					1,148
New Recordings-FCP	1	1	0	2	0	1	0						5
Reinstatements	40	44	18	1	8	5	6	8					130
P. Eng. Approvals	-173	-152	0	-128	0	-116	-237	-148					-954
Resignations/Deletions	-130	-39	-57	-3	0	-8	-17	-6					-260
Lapse/Non Payment	-111	-128	0	0	0	0	0	-550					-789
Deceased	0	0	0	0	0	0	0						0
Total Ending	14,635	14,553	14,737	14,645	14,684	14,590	14,476	13,966	0	0	0	0	13,966
Female Recording on													
Register													
Beginning	3,186	3,174	3,162	3,197	3,181	3,192	3,168	3,168					3,186
New Female Recordings	-12	-12	35	-16	11	-24	0	-141					-159
Total Female Recordings	3,174	3,162	3,197	3,181	3,192	3,168	<mark>3,168</mark>	3,027	0	0	0	0	3,027
<u> </u>													

#### PROFESSIONAL ENGINEERS ONTARIO CERTIFICATE OF AUTHORIZATION - STATISTICS 2020

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC	TOTAL
C of A Holders - Beginning													
Regular	5,861	5,866	5,911	5,913	5,908	5,926	5,945	5,910					5,861
Temporary	29	29	28	28	28	28	28	28					29
Sub Total	5,890	5,895	5,939	5,941	5,936	5,954	5,973	5,938	0	0	0	0	5,890
New Certificates Issued													
Regular	52	53	10	0	24	59	58	48					304
Temporary	0	1	0	0	0	0	0	2					3
Sub Total	52	54	10	0	24	59	58	50	0	0	0	0	307
Reinstatements													
Regular	2	0	1	0	1	0	0	3					7
Temporary	0	0	0	0	0	0	0						0
Sub Total	2	0	1	0	1	0	0	3	0	0	0	0	7
Deletions													
Closed	-47	-8	-8	-5	-7	-40	-93	-108					-316
Suspended, Revoked and other	-2	0	-1	0	0	0	0						-3
Temporary	0	-2	0	0	0	0	0	-5					-7
Sub Total	-49	-10	-9	-5	-7	-40	-93	-113	0	0	0	0	-326
Total Ending													
Regular	5,866	5,911	5,913	5,908	5,926	5,945	5,910	5,853	0	0	0	0	5,926
Temporary	29	28	28	28	28	28	28	25	0	0	0	0	28
	5,895	5,939	5,941	5,936	5,954	5,973	5,938	5,878	0	0	0	0	5,954

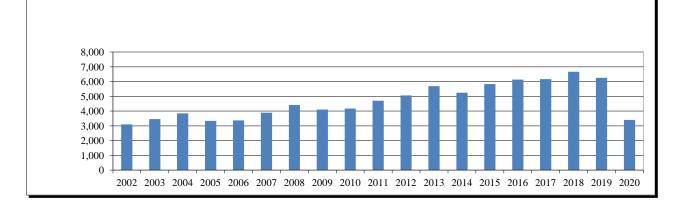
#### PROFESSIONAL ENGINEERS ONTARIO CONSULTANTS - STATISTICS 2020

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ост	NOV	DEC	TOTAL
Consultants													
Beginning of Period	964	960	957	957	958	960	959	967					964
New Designations	0	0	0	2	2	0	10	1					15
Reinstatements	0	0	0	0	0	0	0	0					0
Deletions	-4	-3	0	-1	0	-1	-2	-4					-15
Total Ending	960	957	957	958	960	959	967	964	0	0	0	0	964

#### PROFESSIONAL ENGINEERS ONTARIO APPLICATIONS RECEIVED 2002 - 2020

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
JANUARY	341	539	440	364	316	308	372	336	393	414	397	440	530	561	453	565	599	611	552
FEBRUARY	222	260	345	259	319	257	234	338	276	278	384	422	380	422	460	403	422	432	497
MARCH	234	169	298	340	316	272	345	379	373	453	398	428	395	368	265	435	436	504	208
APRIL	277	279	304	269	291	280	381	294	239	338	297	414	361	356	484	383	472	556	2
MAY	299	394	425	270	298	293	278	279	303	314	353	394	324	292	450	415	451	645	0
JUNE	220	221	337	264	273	279	332	320	306	322	374	388	356	472	421	485	482	399	316
JULY	265	200	297	286	254	355	460	395	332	398	482	529	486	555	554	513	603	624	995
AUGUST	269	357	272	301	285	367	413	326	358	493	508	505	495	547	638	601	661	495	836
SEPTEMBER	352	455	382	254	251	333	415	402	383	451	388	512	542	466	567	586	557	452	0
OCTOBER	206	257	253	263	282	396	419	428	372	469	540	646	568	648	566	664	672	603	0
NOVEMBER	238	190	236	304	226	505	430	340	497	481	503	525	416	565	754	651	802	499	
DECEMBER	178	140	261	168	260	248	334	270	336	295	432	491	392	576	525	460	510	436	
TOTAL	3,101	3,461	3,850	3,342	3,371	3,893	4,413	4,107	4,168	4,706	5,056	5,694	5,245	5,828	6,137	6,161	6,667	6,256	3,406
MONTHLY AVERAGE	258	288	321	279	281	324	368	342	347	392	421	475	437	486	511	513	556	521	341
YEAR TO DATE	3,101	3,461	3,850	3,342	3,371	3,893	4,413	4,107	4,168	4,706	5,056	5,694	5,245	5,828	6,137	6,161	6,667	6,256	3,406

**Applications Received - Year To Date** 

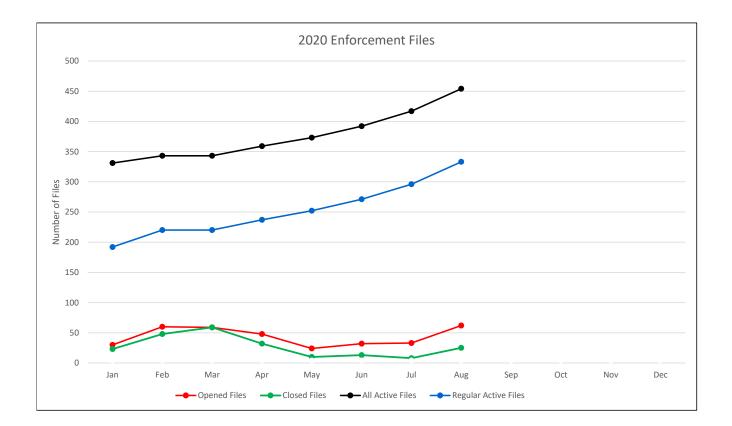


# Monthly Enforcement Statistics for 2020

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement	Open Backlog	184												184
Standard Files	Files Opened	30	60	59	48	24	32	33	62					348
	Files Closed	22	32	59	31	9	13	8	25					199
	Net Active Files	192	220	220	237	252	271	296	333					333
	Active in Past 12 Months	455	507	541	564	559	572	575	629					
	Median Active Days	166	137	108	93	118	125	125	148					
	Closed in Past 12 Months	263	287	321	327	307	301	279	296					
	Median Days to Close	80	81	93	80	109	80	67	70					

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement	Open Backlog	140												140
Business Name	Files Opened	0	0	0	0	0	0	0	0					0
Challenges	Files Closed	1	16	0	1	1	0	0	0					19
with MGCS	Net Active Files	139	123	123	122	121	121	121	121					121
	Active in Past 12 Months	165	164	155	148	148	145	141	140					
	Median Active Days	1460	1477	1484	1472	1487	1483	1516	1527					
	Closed in Past 12 Months	26	41	32	26	27	24	20	19					
	Median Days to Close	1555	1520	1520	1499	1514	1497	1518	1516					

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement	Open Backlog	324												324
Total Case Load	Files Opened	30	60	59	48	24	32	33	62					348
	Files Closed	23	48	59	32	10	13	8	25					218
	Net Active Files	331	343	343	359	373	392	417	454					454
	Active in Past 12 Months	620	671	696	712	707	717	716	769					
	Median Active Days	319	272	217	191	205	189	177	173					
	Closed in Past 12 Months	289	328	353	353	334	325	299	315					
	Median Days to Close	121	144	129	117	133	117	76	81					



## **REGISTRATION STATISTICS – September 2020 Council Meeting Report**

	2018	2019	<b>2020</b> (as of Sep.8)
Requests for Hearing	0	8	0
Premature Applications	0	0	0
(No Notice of Proposal)			
Matters Pending (Caseload)	1*	6**	5**
Written Final Decisions Issued	2	1	0
Appeals to the Divisional Court	0	0	0
REC Activity			
Pre-Hearing Conferences Held	1	5	0
Hearings Phase completed, but	0	0	2
no D&R issued			

#### **Registration Phase**

\* The Registrar granted a license in 2018 to two of the applicants; no hearing required. \*\* Two matters were withdrawn by the applicants. (Note: in late February 2020 one more applicant withdrew, making it 3 withdrawals in 2019-2020)

**Note:** There are no changes since the last two reports (March and June 2020)