



Minutes

PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, September 1, 2020

(Meeting held via Zoom)

Members:

Fanny Wong, P. Eng. (Chair)

Roger Jones, P. Eng.

Dale Kerr, P. Eng.

James Lowe, P. Eng.

Lisa MacCumber, P. Eng. (Council Liaison)

Peter Rüschi, P. Eng.

Staff:

José Vera, P. Eng.

Jennifer Whang, P. Eng.

Regrets:

Neil Kennedy, P. Eng. (Vice-Chair)

Donna Serrati, P. Eng.

1. OPENING OF MEETING

The Chair called the meeting to order at 6:00 p.m., with six members of the Committee in attendance. Consequently, a quorum was attained.

1.1 Approval of the Agenda

A motion was made to approve the agenda as written.

Moved by: J. Lowe

Seconded by: L. MacCumber

CARRIED

2. MINUTES OF PREVIOUS MEETING AND ISSUES ARISING FROM MEETING

2.1 Approval of Minutes of June 9, 2020 Meeting

A motion was made to approve the Minutes of the June 9, 2020 meeting as written.

Moved by: D. Kerr

Seconded by: R. Jones

CARRIED

2.2 Action Items of June 9, 2020 Meeting

Staff made reference to the Action Items Log of the June 9, 2020 meeting, and reported as follows:

- The Performance Audits and Reserve Fund Studies for Condominiums subcommittee will create a list of stakeholders to invite for their feedback, including the Ministry of Government and Consumer Services and practitioners who work in this area.
- The Coordinating Licensed Professional subcommittee met in June 2020 and will hold one more meeting in September 2020 to finalize the proposed Coordinating Licensed Professional practice bulletin.
- The Pre-Start Health and Safety Reviews subcommittee held a meeting in June 2020. The next meeting will be scheduled once all the subcommittee members finalize their assigned sections for the first draft of the Pre-Start Health and Safety Reviews guideline.
- The Terms of Reference for the Professional Engineers Providing Engineering Services in Acoustical Services in Land-Use Planning guideline were approved during the Summer and will, therefore, be submitted to Council for approval at the November 2020 meeting.
- Staff asked every subcommittee Chair to recommend members as potential candidates for the PSC. Once all the recommendations are received, the PSC will discuss.

3. GUIDELINES

3.1 Guideline for Professional Engineers Providing Reports on Mineral Projects

This guideline was approved at the June 18, 2020 Council meeting and should be published soon.

3.2 Guideline for Performance Audits and Reserve Fund Studies for Condominiums

A subcommittee meeting will be scheduled to finalize the draft guideline and submit it to a small group of stakeholders for comments.

The subcommittee Chair advised that there were no changes or updates made in the past two months.

The next meeting will be scheduled in September 2020 to review the draft guideline.

3.3 Use of Seal Performance Standard

The subcommittee members and staff prepared a draft practice guideline and will be meeting sometime in September 2020 to review it.

To date, no comments have been received from the Legislation Committee.

Action: The subcommittee Chair to follow up with the Legislation Committee support staff regarding the memo prepared by the Chair of the PSC, so that it is included on the meeting agenda.

3.4 Guideline for Environmental Site Assessment, Remediation and Management

This guideline was approved at the June 18, 2020 Council meeting and has been published.

3.5 MECP - Professional Engineers Providing Engineering Reports under O. Reg. 1/17 (ESDM and AAR Reports)

A meeting will be scheduled for some time in September or October 2020 to review the comments received from the public consultation.

3.6 Coordinating Licensed Professional Subcommittee

The engineer members of the subcommittee met on July 15, 2020 to review a draft of the practice bulletin. A second meeting will be scheduled once comments are received from all the subcommittee members.

Action: Staff to send a reminder to the subcommittee members to submit their comments.

3.7 Guideline for Pre-Start Health and Safety Reviews

The subcommittee met for the first time on June 16, 2020. Each subcommittee

member was assigned to write a section for the guideline. A second meeting will be scheduled once each subcommittee member has completed their respective section.

3.8 Professional Engineering Practice Guideline

Staff sent the PSC members proposed new paragraphs for this guideline to remove controversial wording, such as “whistleblowing” and “moonlighting”. Three PSC members submitted very helpful edits.

The guideline will be updated by staff and submitted to the PSC members for approval on-line.

Action: Staff to revise the Part-Time Entrepreneurship section of the guideline for clarity. One of the PSC members suggested that “Secondary Engineering Employment” would be a better term. Council Liaison L. MacCumber recommended that staff look at some recent Discipline cases regarding this matter.

3.9 Guideline for Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning

The Terms of Reference for this guideline were approved by the PSC. They will be submitted to Council for approval at its November 2020 meeting.

The Briefing Note is expected to be approved by Council in November 2020 to create a new subcommittee.

4. OTHER BUSINESS

4.1 Council Update on PSC Related Issues

Two PSC guidelines were approved in June 2020. There is a motion to approve the Briefing Note for the Acoustical Engineering Services in Land-Use Planning guideline at the September 2020 Council meeting.

4.2 Temporary Works Guideline

A PSC member who has experience in linear projects involving watermains, sewers, utilities and pumping stations submitted the following comments:

- In general, the guideline mainly focused on temporary works related to large structures.

- The responsibilities of the field engineer are not clearly defined.
- There is often clear involvement by the owner by virtue of them being an operating authority, especially with sewer and water systems.
- In some cases, the work to get the temporary system in place, such as allowing tie-ins or old sewer rehabilitation work, can take longer and can be more complicated than the actual main scope of work. Besides the owner, in many cases, operating authorities sometimes need to provide a significant portion of the input information.

The PSC member who submitted the above comments also mentioned the following:

- The draft guideline was written with more focused on high-rise structures, instead of general structures.
- Some prescriptive provisions in the guideline are on be followed up on.
- Overall, the guideline needs some work to make it applicable for broader disciplines.

4.3 Data Analytics on Recent Practice Advisory Documents

Staff advised that there was nothing new to report.

4.4 PSC New Members

Each subcommittee Chair was asked if there was a member of their subcommittee with the potential to volunteer on the PSC.

4.5 Remote Site Reviews

Staff noted that remote site reviews have become a common practice issue due to the COVID -19 pandemic.

Typical question:

A client asks an engineer to provide a site review remotely using telephony (e.g. FaceTime, Zoom, etc.) due to an outbreak of COVID-19 onsite which results in a policy of no site visits. The engineer is concerned that providing a review while not physically visiting the site could result in legal and safety risks. What should the engineer do?

The current PEO policies provide for the following:

- Law texts and case law make a strong case for onsite visits by engineers.
- However, under certain circumstances, a suitable non-engineer reasonably supervised by an engineer may be able to provide a site visit.
- Furthermore, some technologies allow engineers to observe a construction site remotely.
- Nonetheless, certain situations do not lend themselves to remote site reviews and, in these cases, a reasonably prudent engineer may need to physically go onsite while following the advice of medical professionals to reduce health risks in the event of an outbreak.
- As these situations often involve legal risks, practitioners are encouraged to seek the advice of their management, their firm's legal counsel and insurance professionals.

A practice article will be published for the November/December 2020 issue of "*Engineering Dimensions*". However, if the PSC is interested in a policy change, a practice guideline or bulletin should be considered.

A PSC member suggested that it would be helpful to address how to supervise people while working from home, and how often to have a meeting. Staff commented that this is a separate issue which would require a separate practice article.

The Chair of the PSC commented that it is important to ensure that this practice article be not so broad that it covers everyone. Recently, due to COVID-19, some people are still pressured to go to site visits when they feel unsafe to do so, without having any safety protocols in place. Therefore, there should be safety measures and protocols in place before a person is approved to go on a site inspection.

Some PSC members raised a concern that the topic covered in the Remote Site Review practice article would be essential in the future even after the COVID-19 pandemic ends. Since a practice article is not as enforceable as a bulletin or a guideline, there may be a need to create a practice bulletin on this topic in the future so that it could be used for a longer term. This topic will be included on the agenda of the next PSC meeting for discussion.

Action: Staff to include Remote Site Reviews on the agenda of the next PSC meeting.

4.6 Meeting with Ontario Structural Steel Fabricators Association (OSSFA)

The Vice-Chair and staff met with Gord Rados from the Ontario Structural Steel Fabricators Association (OSSFA) as one of their forms is inconsistent with PEO's Structural Design Services guideline. Mr. Rados agreed to make changes to this form.

4.7 Systems Engineering Filter

A PSC member made a presentation on the proposed systems engineering filter. The objective of the presentation was to develop a "Systems Engineering Filter" for use as a lens through which all the PSC guidelines and standards may be read.

The member suggested that developing a Systems Engineering Filter guideline would be beneficial on the following aspects:

- Captures all systems engineering issues in one place.
- Easy to update as systems engineering technology develops and as engineering disciplines may demand.
- May become a "meta-standard" in due course to capture systems engineering protocols across all engineering.

Action: Staff to provide a decision matrix for a systems engineering filter, with a recommendation as to a guideline or a filter, with some clarification to the PSC members as to the definitions (provide examples to demonstrate how a systems engineering filter is applicable).

4.8 PSC H.R. and Work Plans

The PSC H.R. and Work Plans are ready for PSC approval.

Action: Staff to resend the PSC H.R. and Work Plans to the PSC members, which will be discussed again at the October 2020 meeting.

5. ADJOURNMENT AND NEXT MEETING

The next meeting is scheduled for October 6, 2020.

The meeting adjourned at 7:30 p.m.