

Legislation Committee Update

Purpose: To update Council on the Legislation Committee’s activities in September, October, and November 2020

No motion required

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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 was submitted to September’s Council meeting for information.
- The committee last met on August 28th. The Committee is still awaiting proposed changes from the government 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. However, due to an absence of agenda items, the committee did not meet in September, October or November.

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 8th, 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:

- (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;
- (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.

COMPLAINTS & INVESTIGATION STATISTICS

	2018	2019	2020 (Oct. 23)
COC's Caseload			
Filed Complaints ¹ not disposed of by COC at previous year-end	65	70	101
Complaints Filed (<i>PEAct s. 24. 1(a)</i>) during the Year	58	121	52
Total Caseload in the Year	123	191	153
Total Filed Complaints Disposed of by COC in the Year (for details see <i>COC's Disposition of Complaints</i> below)	53	90	48
Total Filed Complaints Pending for COC Disposition (for details see <i>Status of Active Filed Complaints</i> below)	70	101	105
COC's Disposition of Complaints			
Direct that the matter be referred, in whole or in part, to the Discipline Committee. (<i>PEAct s. 24. 2(a)</i>)	5	7	6
Direct that the matter not be referred. (<i>PEAct s. 24. 2(b)</i>)	28	66	31
Take such action as COC considers appropriate in the circumstances and that is not inconsistent with this Act or the regulations or by-laws. (<i>PEAct s. 24. 2(c)</i>)	20	17	11
COC's Timeliness Regarding the Disposition of the Complaint²			
Complaint disposed of within 90 days of filing	0	1	1
Complaint disposed of between 91-180 days of filing	3	7	5
Complaint disposed of after more than 180 days of filing	50	82	42
COC Processing Time – Days from Complaint Filed to COC Disposition (12 mo. rolling avg.)			
Average # Days	475	330	366
Minimum # Days	168	41	80
Median # Days	342	210	241
Maximum # Days	2183	1023	1757

¹ Signed Complaint Form filed with the Registrar.

² Days from Complaint Filed to date COC Decision is signed by COC Chair.

Status of Active Filed Complaints

Active Filed Complaints - Total		105
Complaints filed more than 180 days ago	77	77
Pending Approval and Reason regarding COC Decision	36	
Complaints under active consideration by COC	9	
Completed Investigation ready for COC consideration	8	
Regulatory Compliance Investigation	24	
Complaints filed between 91-180 days ago	8	8
Pending Approval and Reason regarding COC Decision	2	
Complaints under active consideration by COC	0	
Completed Investigation ready for COC consideration	0	
Regulatory Compliance Investigation	6	
Complaints filed within the past 90 days	20	20
Pending Approval and Reason regarding COC Decision	1	
Complaints under active consideration by COC	0	
Completed Investigation ready for COC consideration	0	
Regulatory Compliance Investigation	19	

Note:

Review by Complaints Review Councillor (PEAct s. 26. (s))

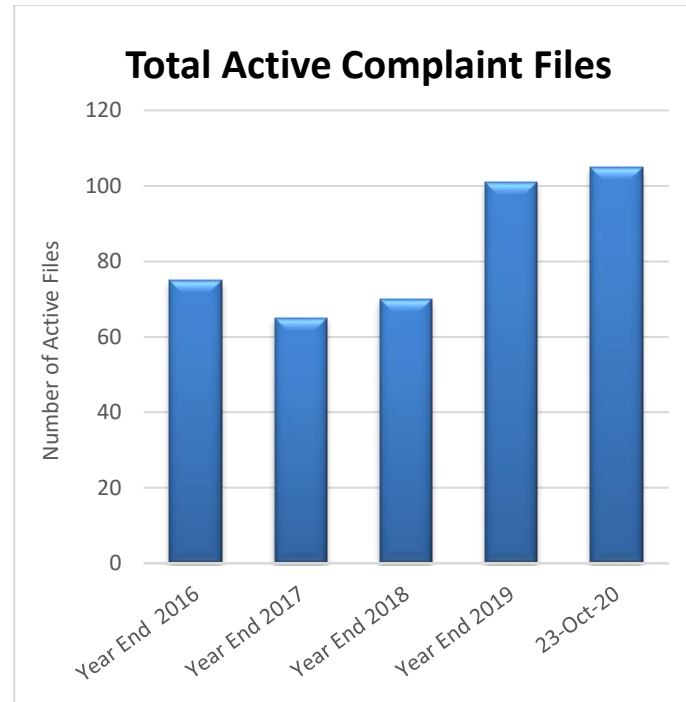
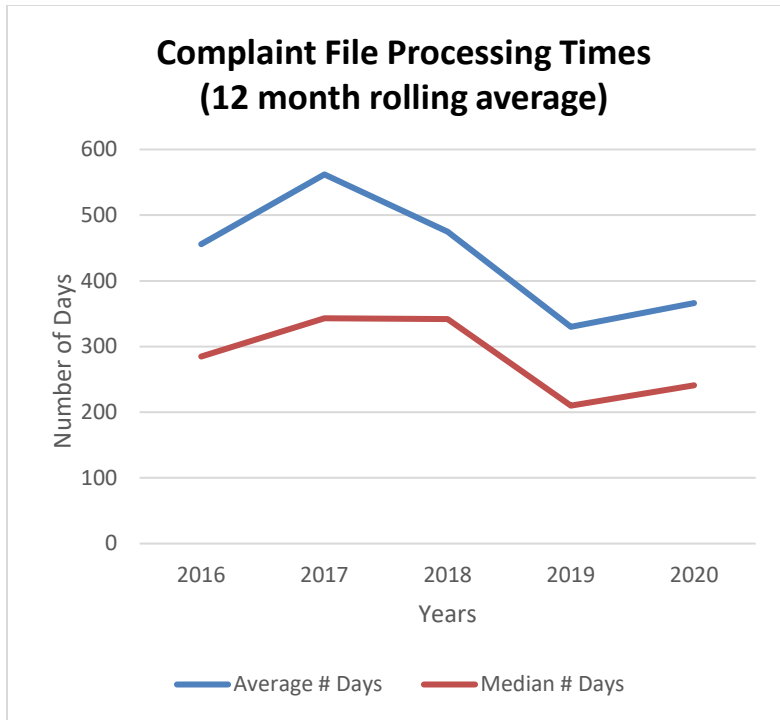
Where a complaint respecting a member of the Association or a holder of a certificate of authorization, a temporary licence, a provisional licence or a limited licence has not been disposed of by the Complaints Committee **within ninety days** after the complaint is filed with the Registrar, upon application by the complainant or on his or her own initiative the Complaints Review Councillor may review the treatment of the complaint by the Complaints Committee.

Glossary of Terms:

Complaint Filed – Signed Complaint Form filed with the Registrar.

Investigation Complete – Investigation Summary document prepared and complaint file ready for COC consideration

Complaints and Investigation Statistics (As at October 23, 2020)



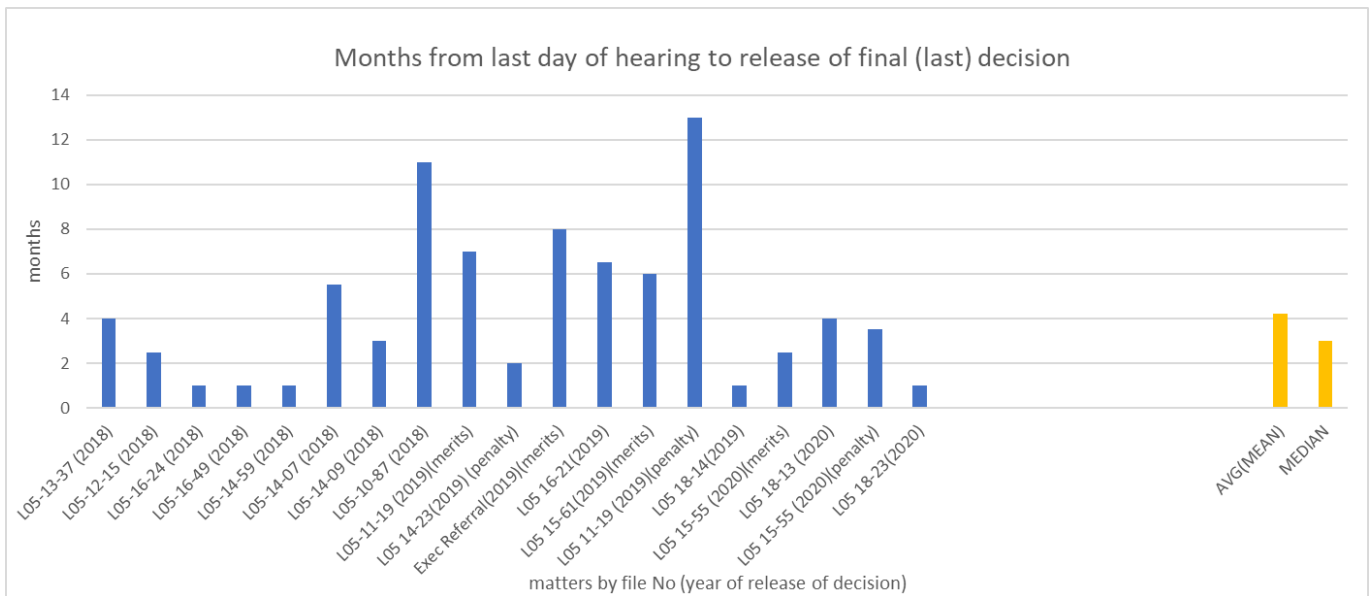
DISCIPLINE STATISTICS – November 2020 Council Meeting Report

Discipline Phase

2018 2019 2020
(as of Oct 26)

Matters Referred to Discipline	5	7	6
Matters Pending (Caseload)	8	10*	13
Written Decisions Issued	11	7	4
<i>DIC Activity</i>			
Pre-Hearing Conferences Held	7	5	10
Hearings Phase commenced (but not completed)	0	0	0
Hearings Phase completed (but no D&R issued)	3	1	1

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

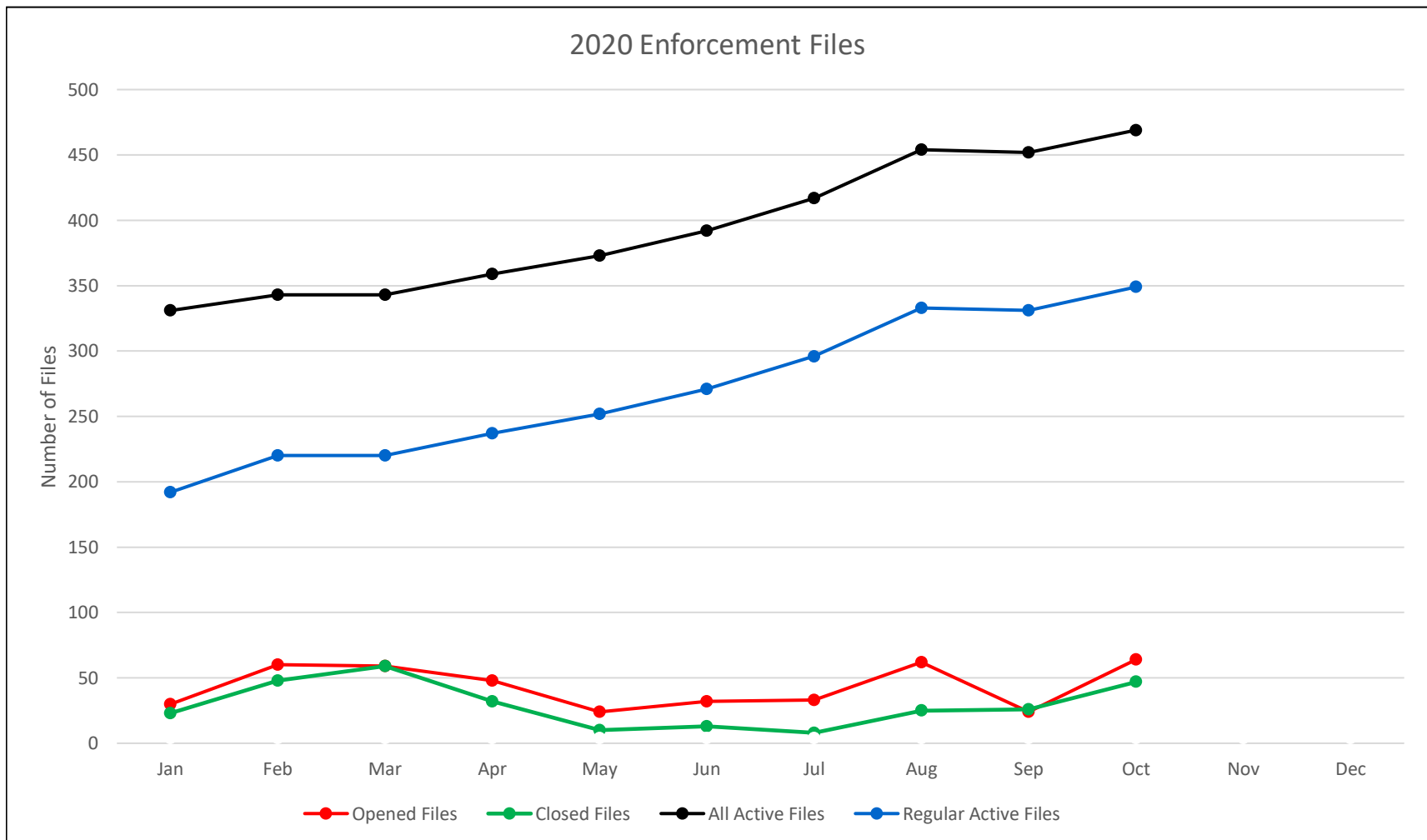


Monthly Enforcement Statistics for 2020

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement Standard Files	Open Backlog	184												184
	Files Opened	30	60	59	48	24	32	33	62	24	64			436
	Files Closed	22	32	59	31	9	13	8	25	26	46			271
	Net Active Files	192	220	220	237	252	271	296	333	331	349			349
	Active in Past 12 Months	455	507	541	564	559	572	575	629	640	675			
	Median Active Days	169	148	119	115	129	134	133	152	157	151			
	Closed in Past 12 Months	263	287	321	327	307	301	279	296	309	326			
	Median Days to Close	80	81	93	80	109	80	67	70	80	73			

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement Business Name Challenges with MGCS	Open Backlog	140												140
	Files Opened	0	0	0	0	0	0	0	0	0	0			0
	Files Closed	1	16	0	1	1	0	0	0	0	1			20
	Net Active Files	139	123	123	122	121	121	121	121	121	120			120
	Active in Past 12 Months	165	164	155	148	148	145	141	140	140	140			
	Median Active Days	1460	1477	1484	1472	1487	1483	1516	1527	1547	1567			
	Closed in Past 12 Months	26	41	32	26	27	24	20	19	19	20			
	Median Days to Close	1555	1520	1520	1499	1514	1497	1518	1516	1516	1518			

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	FY 2020
Enforcement Total Case Load	Open Backlog	324												324
	Files Opened	30	60	59	48	24	32	33	62	24	64			436
	Files Closed	23	48	59	32	10	13	8	25	26	47			291
	Net Active Files	331	343	343	359	373	392	417	454	452	469			469
	Active in Past 12 Months	620	671	696	712	707	717	716	769	780	815			
	Median Active Days	326	282	225	201	213	198	182	182	192	214			
	Closed in Past 12 Months	289	328	353	353	334	325	299	315	328	346			
	Median Days to Close	121	144	129	117	133	117	76	81	107	85			



REGISTRATION STATISTICS – November 2020 Council Meeting ReportRegistration Phase

	2018	2019	2020 (as of Oct 26)
Requests for Hearing	0	8	0
Premature Applications (No Notice of Proposal)	0	0	0
Matters Pending (Caseload)	1*	6**	5**
Written Final Decisions Issued	2	1	0
Appeals to the Divisional Court	0	0	0
<i>REC Activity</i>			
Pre-Hearing Conferences Held	1	5	0
Hearings Phase completed, but no D&R issued	0	0	2

* 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 three reports (March, June and September 2020)

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

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Members on Register													
Beginning	85,627	85,438	85,648	85,798	85,951	85,976	86,177	86,425	86,675	86,541			85,627
New Members	370	296	210	166	37	213	322	342	299	262			2,517
Reinstatements	16	89	24	6	9	9	13	21	17	33			237
Resignation - Regular	(66)	(49)	(36)	(4)	0	(5)	(39)	(25)	(73)	(62)			(359)
- Retirees	(60)	(33)	(25)	(5)	0	(2)	(34)	(1)	(21)	(22)			(203)
Deceased	(36)	(40)	(21)	(7)	(21)	(13)	(14)	(13)	(12)	(11)			(188)
Deletions - Regular	(236)	(52)	(2)	(3)	0	(1)	0	(70)	(173)	(69)			(606)
- Retirees	(177)	(1)	0	0	0	0	0	(4)	(171)	(5)			(358)
Total Ending	85,438	85,648	85,798	85,951	85,976	86,177	86,425	86,675	86,541	86,667	0	0	86,667
Members on Register Summary													
Full Fee Members	70,884	71,051	71,137	71,287	71,249	71,415	71,707	71,752	71,685	71,710			71,710
Partial Fee Remission - Retired	12,821	12,866	12,909	12,935	12,977	13,082	13,037	13,091	12,972	13,017			13,017
Partial Fee Remission - Health	392	393	397	398	400	405	405	410	406	410			410
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	1,478	1,530			1,530
Total Membership	85,438	85,648	85,798	85,951	85,976	86,177	86,425	86,675	86,541	86,667	0	0	86,667
Membership Licence													
Initial Applications	552	497	208	2	0	316	995	836	838	889			5,133
Applications Approved for FCP	0	0	0	0	0	0	0	0	0	0			0
Female Members on													
Register - Beginning	10,026	10,066	10,125	10,169	10,201	10,208	10,257	10,312	10,365	10,388			10,388
New Female Engineers	40	59	44	32	7	49	55	53	23	23			23
Total Female Engineers	10,066	10,125	10,169	10,201	10,208	10,257	10,312	10,365	10,388	10,411	0	0	10,411

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

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Recorded													
Beginning of Month	14,686	14,635	14,553	14,737	14,645	14,684	14,590	14,476	13,966	13,853			14,686
New Recordings	322	192	223	36	31	24	134	186	226	202			1,576
New Recordings-FCP	1	1	0	2	0	1	0	0	0	0			5
Reinstatements	40	44	18	1	8	5	6	8	18	12			160
P. Eng. Approvals	(173)	(152)	0	(128)	0	(116)	(237)	(148)	(162)	(169)			(1,285)
Resignations/Deletions	(130)	(39)	(57)	(3)	0	(8)	(17)	(6)	(12)	(4)			(276)
Lapse/Non Payment	(111)	(128)	0	0	0	0	0	(550)	(183)	(113)			(1,085)
Deceased	0	0	0	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	13,853	13,781	0	0	13,781
Female Recording on Register													
Beginning	3,186	3,174	3,162	3,197	3,181	3,192	3,168	3,168	3,027	3,025			3,186
New Female Recordings	(12)	(12)	35	(16)	11	(24)	0	(141)	(2)	1			(160)
Total Female Recordings	3,174	3,162	3,197	3,181	3,192	3,168	3,168	3,027	3,025	3,026	0	0	3,026

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

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	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	5,853	5,786			5,861
Temporary	29	29	28	28	28	28	28	28	25	24			29
Sub Total	5,890	5,895	5,939	5,941	5,936	5,954	5,973	5,938	5,878	5,810	0	0	5,890
New Certificates Issued													
Regular	52	53	10	0	24	59	58	48	58	65			427
Temporary	0	1	0	0	0	0	0	2	0	2			5
Sub Total	52	54	10	0	24	59	58	50	58	67	0	0	432
Reinstatements													
Regular	2	0	1	0	1	0	0	3	10	2			19
Temporary	0	0	0	0	0	0	0		0	0			0
Sub Total	2	0	1	0	1	0	0	3	0	2	0	0	19
Deletions													
Closed	(47)	(8)	(8)	(5)	(7)	(40)	(93)	(108)	(135)	(59)			(510)
Suspended, Revoked and other	(2)	0	(1)	0	0	0	0	0					(3)
Temporary	0	(2)	0	0	0	0	0	(5)	(1)	(3)			(11)
Sub Total	(49)	(10)	(9)	(5)	(7)	(40)	(93)	(113)	(136)	(62)	0	0	(524)
Total Ending													
Regular	5,866	5,911	5,913	5,908	5,926	5,945	5,910	5,853	5,786	5,794	0	0	5,926
Temporary	29	28	28	28	28	28	28	25	24	23	0	0	28
	5,895	5,939	5,941	5,936	5,954	5,973	5,938	5,878	5,810	5,817	0	0	5,954

**PROFESSIONAL ENGINEERS ONTARIO
CONSULTANTS - STATISTICS
2020**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Consultants													
Beginning of Period	964	960	957	957	958	960	959	967	964	943			964
New Designations	0	0	0	2	2	0	10	1	0	6			21
Reinstatements	0	0	0	0	0	0	0	0	0				0
Deletions	(4)	(3)	0	(1)	0	(1)	(2)	(4)	(21)	(3)			(39)
Total Ending	960	957	957	958	960	959	967	964	943	946	0	0	946

**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	838
OCTOBER	206	257	253	263	282	396	419	428	372	469	540	646	568	648	566	664	672	603	889
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	5,133
MONTHLY AVERAGE	258	288	321	279	281	324	368	342	347	392	421	475	437	486	511	513	556	521	513
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	5,133

