



# Minutes

## PROFESSIONAL STANDARDS COMMITTEE MEETING

Tuesday, October 6, 2020

(Meeting held via Zoom)

### Members:

Fanny Wong, P. Eng. (Chair)

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

Dale Kerr, P. Eng.

James Lowe, P. Eng.

Lisa MacCumber, P. Eng. (Council Liaison)

Peter Rüsçh, P. Eng.

Donna Serrati, P. Eng.

### Staff:

José Vera, P. Eng.

Jennifer Whang, P. Eng.

### Regrets:

Roger Jones, P. Eng.

## 1. OPENING OF MEETING

The Chair called the meeting to order at 6:00 p.m., with seven 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: N. Kennedy**

**Seconded by: P. Rüsçh**

**CARRIED**

## 2. MINUTES OF PREVIOUS MEETING AND ISSUES ARISING FROM MEETING

### 2.1 Approval of Minutes of September 1, 2020 Meeting

A motion was made to approve the Minutes of the September 1, 2020 meeting as written.

**Moved by: L. MacCumber      Seconded by: J. Lowe      CARRIED**

### 2.2 Action Items of September 1, 2020 Meeting

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

- Use of Seal Performance Standard: To date, no comments have been received from the Legislation Committee regarding the memo prepared by the Chair of the PSC.
- Coordinating Licenced Professional Subcommittee: Staff sent a reminder to the engineer members of the subcommittee to submit their comments on the draft Practice Bulletin; however, no comments have been received to date.
- Professional Engineering Practice Guideline: Some sections of the draft guideline are being revised according to the comments received. Council Liaison L. MacCumber recommended that staff look at some recent Discipline cases regarding part-time entrepreneurship.
- Remote Site Reviews: This item is discussed under Item 4.4.
- Systems Engineering Filter: Work is in progress by a PSC member and staff on developing a decision matrix document on this subject.

### 2.3 PSC 2021 H.R. and Work Plans

#### 2.3.1 PSC 2021 H.R. Plan

A motion was made to approve the PSC 2021 H.R. Plan.

**Moved by: J. Lowe      Seconded by: N. Kennedy      CARRIED**

#### 2.3.2 PSC 2021 Work Plan

There was a brief discussion regarding the numbers used in the Performance Metrics section in the 2021 Work Plan. The PSC members

and staff commented that it was necessary to keep the numbers realistic and to not set the target too high so that it would be difficult to reach the annual target.

Council Liaison L. MacCumber commented that, if more resources are required to fulfill the regulatory mandate, staff should advise PEO's senior management.

A PSC member proposed a potential solution to this issue, that many of the old guidelines could be refreshed without having to rewrite them in order to increase productivity and efficiency.

A motion was made to approve the PSC 2021 Work Plan.

**Moved by: N. Kennedy Seconded by: P. Rüsç CARRIED**

### **3. GUIDELINES**

#### **3.1 Guideline for Performance Audits and Reserve Fund Studies for Condominiums**

The subcommittee met on September 16, 2020 and will next meet on October 13, 2020.

There was a discussion on whether a PEO position was required on Reserve Fund Studies.

Staff provided the following excerpt from a legal opinion received: "It will be a disaster if Professional Engineers are not involved in the reserve fund studies for buildings with high risk elements."

Council Liaison L. MacCumber commented that this issue ~~is~~ related to the Regulations that need to be changed, and that she would discuss further with PEO Senior Management.

A PSC member commented that a Reserve Fund Study that requires engineering input, analysis or opinion could be divided amongst a team of two or more people, with one team member being an engineer who undertakes the engineering components of the study, and the non-engineering portion of the study could be done by others.

The main objective to prevent someone who has a lack of adequate training from working on Reserve Fund Studies. In addition, based on the legal opinion provided to PEO, if any engineering input is required in the report, it must be

done by an appropriate qualified engineer. This means that Reserve Fund Studies are not necessarily solely to be done by an engineer, depending on the content of the work or report.

A PSC member mentioned the requirement for a Structural Condition Assessment guideline that could be related to the topic discussed above, and suggested that staff follow up with the Ministry of Municipal Affairs.

Staff advised that the Ministry of Municipal Affairs is currently working on aligning the Ontario Building Code with the National Building Code and will look into the structural condition assessment afterwards.

**Action:** Staff to follow up with the Ministry of Municipal Affairs on the status of mandatory structural condition assessments.

### **3.2 Use of Seal Performance Standard**

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

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

Council Liaison L. MacCumber advised that Council passed a motion to allow use of the Notarius digital seal so that the licenced professional engineers in Ontario could use Notarius as a voluntary option and, should a member's seal be cancelled, the Notarius seal would be cancelled as well.

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

A meeting has been scheduled for October 15, 2020 to review the comments received from the public consultation.

### **3.4 Coordinating Licensed Professional Joint Subcommittee**

The engineer members of the subcommittee met on July 15, 2020 to review a draft of the Practice Bulletin. A subsequent meeting was held on September 29, 2020.

A draft of the Practice Bulletin was sent to the PSC members for review and comments.

**Action:** Staff to send a copy of the latest version of the draft Coordinating Licenced Professional Practice Bulletin to the PSC members, along

with a reminder to review and provide their comments.

### **3.5 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 of the guideline. A second meeting will be scheduled for late October 2020.

### **3.6 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.

**Action:** Staff to send a copy of the latest draft guideline to the PSC members for their final review and feedback.

### **3.7 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**

- An update was provided on Council’s approval of use of the Notarius digital seal.
- The PSC members were advised of the governance roadmap, as well as the goals, roles and responsibilities of the work in the next two years which were being discussed at Council meetings.

### **4.2 PSC New Members**

Staff asked each of the subcommittee Chairs if there was a member of their respective subcommittee that had potential to volunteer on the PSC.

Some PSC members provided the names of potential PSC member candidates, and staff advised them to submit the CV’s of interested candidates to staff.

#### **4.3 City of Ottawa - Building Code Interpretation**

A City of Ottawa Building Official sent a request that practitioners be informed regarding interpretation of Building Code requirements pertaining to structural engineers.

A PSC member suggested to have a practice article published in *“Engineering Dimensions”* regarding this matter, providing the background and technical information. Staff shared the *“Engineering Dimensions”* production schedule with the PSC members and advised that this article could be prepared for the January 2021 edition. The article will be also forwarded to Engineers, Architects and Building Officials (EABO) for their review and input.

#### **4.4 Practice Issues Involving COVID-19**

There was a brief discussion on whether the remote supervision of engineers was an issue that would require guidance. The PSC members commented that each office needs to implement their own remote working protocols for employees; hence, any guidelines or articles on this topic would not be necessary.

#### **4.5 Systems Engineering Filter**

A PSC member and staff are developing a decision matrix document on this subject.

### **5. ADJOURNMENT AND NEXT MEETING**

The next meeting is scheduled for November 10, 2020.

The meeting adjourned at 7:25 p.m.