

# DISCIPLINE COMMITTEE (DIC)

## 2021 HUMAN RESOURCES PLAN

<b>Committee:</b> Discipline Committee		<b>Date Developed:</b> September 2020	
<b>Committee Review Date:</b> September 2020		<b>Date Council Approved:</b> November 20, 2020	
Categories	Currently in Place	Required in 12 Months ( <i>Identified "Gap" for each Core Competency</i> )	Required in 2 to 5 Years
<b>Core Competencies</b>	See Appendix A	See Appendix A	
<b>Committee Membership</b>	33 members	Maintain a roster of 30 active members appointed under sections 27(1)1, 2, 3 and 4.	Same as column to the left
<b>Broad Engagement</b>	<p>Elected Councillor: 1 s.27(1)1 of PEA</p> <p>LGA (P.Eng.) Councillor: 1 s.27(1)2i of PEA</p> <p>AG (P.Eng.) Members: 3 s.27(1)2ii of PEA</p> <p>LGA (Lay) Councillor: 1 s.27(1)3i of PEA</p> <p>Attorney General (AG) appointee (LL.B.): 6 s.27(1)3ii of PEA</p> <p>General Member: 21 s.27(1)4 of PEA</p>	<p>Improve diversity by having more female members appointed under under ss.27(1), 27(2)i and 27(2)ii of the PEA to serve on the committee.</p> <p>Increase the number of practising engineers.</p>	Same as column to the left
<b>Volunteer Development Plans</b>	<p><b><u>All Members</u></b></p> <p>Participate in panel hearings as determined by the Chair.</p> <p>Conduct pre-hearing conferences as Presiding Member.</p> <p>Participate in in-house and external training and professional development opportunities.</p> <p>Contribute to the Committee's achievement of its objectives.</p> <p><b><u>New Members:</u></b></p> <p>1. Attend a DIC meeting and a basic training session.</p>	<p><b><u>All Members</u></b></p> <p>Complete additional and ongoing training in adjudication.</p> <p>Complete Performance Evaluations of panel members to measure adequacy and effectiveness of training.</p> <p><b><u>New Members and New Decision Writers:</u></b></p> <p>Attend DIC meetings.</p> <p>Participate in two-day in house training.</p> <p>Observe one or more full hearings.</p>	Same as column to the left.

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	<p>2. Participate as a panel member at an uncontested hearing.</p> <p><b><u>New Decision Writers:</u></b></p> <p>3. Act as a panel decision writer. (Prerequisites: 1 and 2 above)</p> <p><b><u>Experienced Members:</u></b></p> <p>4. Participate as a panel member at contested hearings. (Prerequisites: 1 to 3 above)</p> <p>5. Participate on a subcommittee (Prerequisites: 1 to 4 above)</p> <p>6. Attend bi-annual refresher training.</p> <p>7. Present training material at a DIC meeting.</p> <p><b><u>New Panel Chairs:</u></b></p> <p>8. Attend panel chair training (Prerequisites: 1, 2 and 4)</p> <p>9. Serve as Panel Chair within 12 months after receiving the training. (Prerequisites: 1, 2, 4 and 8)</p> <p><b><u>New Pre-Hearing Presiding Members:</u></b></p> <p>10. Observe a pre-hearing conference before presiding over one. (Prerequisites: 1, 2 and 4)</p>	<p>Participate as a panel member in an uncontested hearing.</p> <p><b><u>New Panel Chairs and existing Panel Chairs:</u></b></p> <p>Obtain SOAR Certificate in Adjudication.</p> <p>Serve as Panel Chair within 12 months of SOAR Certification.</p> <p><b><u>New Pre-Hearing Presiding Members:</u></b></p> <p>Observe a pre-hearing conference before presiding over one.</p>	
<b>Continuous learning</b>	<p>Committee members are required to participate in two-day in-house training sessions every year. External training is also provided. A lessons learned session is conducted during every meeting of the Committee.</p>		
<b>Term of Office</b>	<p>Chair = 2 years      Vice Chair = 2 years      Members = no limit</p> <p>Given the DIC's legislated mandate, and its reliance on the experience and expertise of its members in carrying out its mandate, Council imposes no term limit on DIC membership.</p> <p>The Chair and Vice-Chair are elected for a two-year term at the November DIC meeting. To ensure continuity, it is desirable that the Vice-Chair move to the Chair's position once the Chair's term of service ends. Once the Chair and/or Vice-Chair have served their two year term for their respective positions, they are not eligible for re-election to those positions but they may continue to serve as DIC members.</p>		

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### APPENDIX A

#### 1. Key Objectives and Core Competencies (as per the Work Plan)

List Top 3-5 Committee Work Plan Outcomes:	List Core Competencies for Each Work Plan Outcome:
<p>Hear and decide matters impartially and expeditiously and issue legally correct decisions. (Panel Members)</p>	<ul style="list-style-type: none"> <li>a. Knowledge of the applicable sections of the <i>Professional Engineers Act</i> and its Regulations, the <i>Statutory Powers Procedure Act</i>, the DIC Rules of Procedure and the DIC Handbook:               <ul style="list-style-type: none"> <li>i. Panel Chair – Expert Knowledge</li> <li>ii. Experienced Members – Comprehensive Knowledge</li> <li>iii. New Members – Comprehensive Knowledge</li> </ul> </li> <li>b. Ability to contribute to the panel's deliberations by understanding the legal arguments presented, weighing evidence properly, finding facts, and making legally correct decisions that are fair and reasonable and that apply the law to the facts and evidence. (all panel members).</li> <li>c. Be impartial, committed and professional. Judicial Temperament. (all panel members).</li> <li>d. Ability to write Decisions and Reasons (Decision Writers).</li> <li>e. Ability to conduct a hearing, including involving the ILC where appropriate (Panel Chair).</li> <li>f. Have the time required to sit on panels (all panel members).</li> <li>g. Familiarity with the DIC's jurisprudence, court decisions on the DIC's decisions (judicial reviews and appeals) and administrative law developments. (Panel Chair and experienced members).</li> </ul>
<p>Set hearings (Chair, DIC)</p>	<ul style="list-style-type: none"> <li>a. Ability to obtain mutually available dates from the parties, appoint a panel and issue the Notice of Hearing within the prescribed statutory time.</li> <li>b. Experience conducting a pre-hearing conference.</li> </ul>
<p>Develop Committee Members (Chair, Vice-Chair, DIC)</p>	<ul style="list-style-type: none"> <li>a. Identify training requirements and resources.</li> <li>b. Organize training sessions.</li> <li>c. Conduct training sessions.</li> </ul>

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List Top 3-5 Committee Work Plan Outcomes:	List Core Competencies for Each Work Plan Outcome:
Develop Committee's Policies and Procedures (Chair, Vice-Chair)	<ul style="list-style-type: none"> <li>a. Ensure adequate and appropriate policies are in place for the Committee's work.</li> <li>b. Update the Committee's Rules and Handbook by clarifying and simplifying both.</li> </ul>

### 2. Competency Gaps and Action Plan

List top 2 - 3 core competencies missing from the current Committee (knowledge, skills, abilities)	List specific gaps for each core competency	Briefly state how you will close each gap  [i.e.: development plan for current member(s); request for additional volunteer resources]	Resources Needed	Target Date for Completion
Improved Adjudication Skills	<p><b>All DIC members</b> need ongoing annual training because there are not enough hearings per year to give all members hearing experience annually. Areas to be covered include: understanding allegations and issues, jurisdiction, statutory duties and powers, how to deal with evidence, fact finding, assessing costs etc.)</p> <p>Also, the <b>Panel Chairs</b> need additional training on how to run hearings, particularly, hearings with self-represented members which are generally more challenging to manage.</p>	<p>Ongoing annual in-house training and external training as appropriate that focuses on adjudication.</p> <p>Require members to observe hearings.</p> <p>Specialized adjudication training for Chairs. Also, debrief sessions with ILC after each hearing has concluded, so that ILC can discuss with the Panel Chair and the panel members aspects of the hearing process and how to improve the conduct of the hearing going forward.</p>	<p>A budget that allows for significant training and use of ILC as a training resource when needed.</p> <p>Annual two-day in-house training at a minimum.</p>	Immediately and ongoing.

### 3. Comments

The process and rules for the approval of training cost requests is not clear. Nor is the current training budget for the DIC clear as certain training requests were denied in 2020. More transparency on the training budget would be helpful and appreciated.