



**Professional Engineers
Ontario**

Guide for Member Submissions at the Annual General Meeting

March 2020

1.0 Authority for Members Submissions at the Annual General Meeting

By-Law No. 1, section 17 states that an annual general meeting of the association “shall be for the purpose of laying before the members the report of the Council and committees of the Association and of informing members of matters relating to the affairs of the Association and for the purpose of ascertaining the views of the members present at the meeting on such matters...”

The prescribed agenda of the AGM is set out in section 22 of the by-law, and includes, among other things, “such other business, if any, as may properly come before the meeting.” Typically this includes members’ submissions.

Pursuant to subsection 3(1) of the *Professional Engineers Act*, Council has the lawful authority to manage and administer the affairs of the Association. Hence members’ submissions, while informative and helpful, are non-binding on Council.

2.0 Process for Making Submissions at the AGM

2.1 Notice of Meeting

Pursuant to section 20 of the By-Law, the CEO/Registrar is required to give a minimum of 10 days and maximum 90 days advance notice of the time, place, and purpose of the annual meeting or any other general meeting of the members of the Association. Typically, notice is given well in advance of the 10 day minimum..

2.2 Notice of Submissions

So that time can be allocated appropriately, member submissions, including supporting background information, as needed, must be provided in writing to the CEO/Registrar at least 10 business days prior to the AGM. The names of two members are required for each submission. A template for a member submission is provided as Appendix A to this document.

Submissions that are not provided in writing before the deadline will not be considered at the AGM.

2.3 Posting and Distribution of Submissions

All submissions received by the deadline will be posted on PEO's website within two days following the deadline. In addition, copies of the submissions will be included in the AGM delegate packages. This will ensure that members attending the AGM will have sufficient time to review and prepare to ask questions about or debate the submission.

2.4 Allocation of Time for Submissions

The time permitted for presentation and discussion of submissions will be decided by the Chair of the AGM, depending on the total number of submissions and the time available at the AGM, as well as a reasonable estimate of how much time should be allocated to each submission. Members making submissions will be advised of the time allocated to them before the meeting begins. One of the two members supporting the submission may make an opening statement, for up to 10 minutes, and may make closing remarks for up to 2 minutes. Members in attendance at the AGM may ask questions or make comments of up to two minutes each. Where questions are asked, at the chair's discretion the members supporting the submission may respond succinctly.

After each submission has been presented and/or discussed, a vote of members will help inform Council on the level of support for the submission amongst those present at the AGM. Council reserves the right to consider any submission, even if it does not receive majority support at the AGM.

Process for Dealing with Submissions After the AGM

3.1 Council's Role

For each submission that receives majority support from those in attendance at the AGM:

- Staff under the direction of the CEO/Registrar will prepare a brief report to Council related to the submission, proposing whatever action staff feel is warranted
- Council will consider the submission and the staff report as soon as practicable and will take whatever action or make whatever decision Council believes is warranted
- Council will consult members, including the members responsible for the submission, as Council deems appropriate or as staff recommend.
- Council is not bound to adopt or vote formally on any submission.
- The outcome of Council's consideration of the submission will be communicated directly to the members making the submission.
- Council will report to members generally on the progress of, and where applicable, the outcome of its review of member submissions not later than six (6) months following the AGM.

For submissions that do not receive majority support at the AGM, Council may choose to consider the submission regardless, and if so will direct the staff review described below, as appropriate.

3.2 Staff Report

The staff report will:

- Identify whether the proposed action is lawful under the current legislative scheme
- Apply the Activity Filter approved by Council in November 2019 to assist in determining if the activity and its associated output is Regulatory, Governance or Neither.
- Consider the relationship to any Strategic Plan currently in force
- Outline potential financial, operational or resource considerations involved in adopting the proposed action
- Identify any public interest considerations related to the submission
- Conduct an environmental scan as needed
- Consider best practices at similar organizations, as applicable
- Include any other factual information that will assist Council
- Recommend a proposed course of action and/or options for Council's consideration, based on PEO's mandate, workload and other stated priorities

APPENDIX A

TEMPLATE FOR MEMBERS' SUBMISSIONS AT PEO AGM

INSTRUCTIONS

All submissions must be typed and in proper form to be considered at the AGM. Please complete this template to the best of your ability, and as applicable to your particular submission. Please send the completed submission and any attachments electronically to the CEO/Registrar, c/o agmsubmissions@peo.on.ca, at least ten (10) days prior to the AGM.

In preparing a submission, depending on the purpose of the submission, you may find it helpful to refer to the following:

- *Professional Engineers Act*, R.S.O. 1990, c.P.28, and in particular ss.2(3) (“principal object”), 2(4) (“additional objects”), 7 (power to make regulations), 8 (power to make by-laws), 12 (licensing requirement, i.e., related to professional engineering, as well as exceptions thereto), plus other sections of the *Act* as applicable.

<https://www.ontario.ca/laws/statute/90p28>

- Regulation 941 under the *Professional Engineers Act*. See in particular the requirements for licensure in section 33, and the definition of professional misconduct in s.72(2)

<https://www.ontario.ca/laws/regulation/900941>

- Regulation 260/08 under the *Professional Engineers Act* (“Performance Standards”).
- *By-law No. 1, “relating to the administrative and domestic affairs of the Association of Professional Engineers of Ontario”*

https://www.peo.on.ca/sites/default/files/2020-01/ByLaw_No1_Sept2019.pdf

- PEO’s most recent strategic plan

<https://www.peo.on.ca/about-peo/what-peo/strategic-plan/2018-2020-strategic-plan> [NB after 2020 check website to see if the plan has been revised]

INFORMATION TO BE PROVIDED, AS APPLICABLE (Please note, this form is fillable electronically. Please download, fill out, save the document and email to: agmsubmissions@peo.on.ca)

1. Title of Submission

2. Please briefly describe the issue, problem, risk or gap that this submission addresses.

3. Please summarize the action that you are requesting from Council and how it will address the issue, problem, risk or gap stated above.

4. Please cite and briefly summarize any research that supports the proposed action.

5. As applicable please describe how the proposed action will contribute to serving and protecting the public interest as it pertains to the regulation of professional engineering and the engineering profession.

6. Please identify any legal considerations (eg., the need for changes to the statute, regulation, by-laws etc.) that may affect Council's ability to implement the proposed action.

7. Please identify any considerations that are relevant to the timing (or urgency) of the proposed action.

8. Please provide any other information that you feel will assist members of the AGM and Council in understanding your submission, in particular your proposed action.

9. Please list any attachments to this document.

Member #1 (name/signature):

Peter M DeVita,



Member #2 (name/signature):

Roger Jones, P.Eng, MBA, FEC

Roger Jones, P.Eng, MBA, FEC (May 3, 2021 11:23 EDT)

Date:

05/02/2021

**PLEASE FORWARD THE COMPLETED SUBMISSION ELECTRONICALLY,
WITH ANY ATTACHMENTS**

TO:

CEO/REGISTRAR, c/o AGMSUBMISSIONS@PEO.ON.CA

AT LEAST TEN (10) DAYS PRIOR TO THE ANNUAL GENERAL MEETING