
November 1, 2021

The Honourable Doug Downey
Attorney General of Ontario
Ministry of the Attorney General

Dear Attorney General Downey:

As president and chair of Professional Engineers Ontario (PEO), I would like to briefly update you on some major operational, organizational and governance initiatives to which PEO's Council is committed. All of this is in fulfillment of our mandate under section 2 of the Professional Engineers Act. This section compels us to regulate the practice of professional engineering and govern the engineering profession in a manner that protects and serves the public interest.

You will have received recent correspondence from two major engineering stakeholder organizations. Those organizations have offered their comments and suggestions on the role and performance of PEO. We are aware of their comments. A number refer to areas where, as you know, PEO is already actively engaged in efforts to modernize our approach to professional regulation. We intend to do so within the context of the powers and obligations conferred by our existing legislation. PEO is not proposing any amendments to the legislation at this time. We are of course open to having those discussions with you and your Ministry in the future, especially if the work we are doing to improve our ability to regulate effectively also points to the need for specific legislative changes.

You may recall that in 2018-2019 PEO underwent an extensive external regulatory performance review. The review carefully examined several important aspects of our work, applying principles of "right touch regulation." It was very helpful in identifying various areas where we could be more efficient, more transparent and more objective in making regulatory determinations. In the fall of 2019, Council approved an action plan to address many of the issues that emerged from the external regulatory performance review. In particular, the action plan instructed our CEO/registrar to prioritize stabilization of the licensing function within the context of the current legislative scheme. Some significant process improvement in this area has already been noted, despite the pandemic. Staff are also working to improve timelines and advance the digitization of our applications process. In addition, noting the recommendation for "psychometrically balanced" objective testing criteria, PEO has now adopted the multiple-choice National Professional Practice Examination, to replace the more subjective exam that was previously utilized. As well, PEO is committed to implementing a mandatory continuing professional development program, based on the existing voluntary Practice Evaluation and Knowledge (PEAK) program, by the beginning of 2023.

The action plan also called for a longer-term review of some of our academic and admission processes and criteria. These include, of course, the existing 12-month Canadian experience requirement for licensure. Canadian experience forms part of a four-year overall work experience requirement embedded in Regulation 941 under our Act. Our staff have already begun to explore the basis for experience requirements, how they serve to protect the public, and how they might be modified to ensure that there is a proper balance between interests of applicants for engineering licensure (including those who are foreign trained) and public safety. Hence, I am pleased to say the recent tabling of legislation (Bill 27) that would

amend the Fair Access to Regulated Professions and Controlled Trades Act (FARPACTA) fits well in terms of our own policy agenda. Our staff look forward to working with your colleagues at the Ministry of Labour, Training and Skills Development, as well as with the Fairness Commissioner, in the development of regulations to provide detail in respect of the FARPACTA amendments once they are passed.

Again, as per the action plan, PEO Council has also approved an activity filter, which we have used to delineate between activities (and associated outputs) that are regulatory, those that are related to our governance and those that serve neither function. Following the advice of the external regulatory performance review, we have conducted a preliminary evaluation of whether activities are “fit and necessary” for a regulatory or governance purpose. Our Council is now at the stage where we are looking more closely at activities which do not serve regulatory or governance functions and yet do provide a means for professional engineers to engage with their regulator. Meaningful, informed stakeholder participation remains a key priority for PEO, at all levels of our organization.

PEO is also undergoing organizational change, beginning with the creation of a new executive leadership team. Organizational renewal will enable the CEO/registrar to deliver more effectively on the various tasks assigned to him under the Act and by Council. In addition, PEO is in the second year of a two-year governance “roadmap.” This roadmap has already solidified Council’s role and function as a direction and control board, and has resulted in the creation of four new governance committees to support that function. Once completed, the roadmap will result in an approach to regulatory governance that is fully consistent with that of a modern, enlightened and responsive self-regulator.

I am excited to be involved with PEO at a time of significant operational, organizational and governance change. All these changes are intended to enhance our ability to regulate in the public interest, as our statute requires. I invite your comments and questions, and I also look forward to discussing our work with you in person, in the not-too-distant future.

Sincerely,



Christian Bellini, P.Eng., FEC
President and Chair

cc: Johnny Zuccon, CEO/Registrar, Professional Engineers Ontario
Candace Whitney, Counsel, Ministry of the Attorney General
Sheryl Cameron, Counsel, Ministry of the Attorney General