

Briefing Note – Confirmation

C-559-1.1

CONFIRMATION OF NOTICE AND QUORUM

Purpose: Secretariat to confirm notice and quorum of the meeting.

Prepared by: Eric Chor, Research Analyst

Briefing Note - Decision

APPROVAL OF AGENDA

Purpose: To approve the agenda for the meeting.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That:

- a) the agenda, as presented to the meeting at C-559-1.2, Appendix A be approved; and*
- b) the Chair be authorized to suspend the regular order of business.*

Prepared by: Eric Chor – Research Analyst

Appendices:

- Appendix A – 559th Council meeting agenda



C-559-1.2
Appendix A

Draft AGENDA

559th Meeting of the Council of Professional Engineers Ontario
Friday, September 22, 2023 / 8:30 am – 4:30 pm / Lunch 12:30 – 1:15 pm
In Person Meeting: PEO Offices, 40 Sheppard Avenue West, Toronto

Friday, September 22 – 8:30 am to 4:30 pm				
8:30 am	CALL TO ORDER – Formal Public Meeting Begins – Council Chambers			
	ACKNOWLEDGEMENT OF ATTENDEES (COUNCIL, STAFF AND GUESTS)			
1. <u>OPENING</u>		Spokesperson/ Moved by	Type	Time
1.1	CONFIRMATION OF NOTICE AND QUORUM	Secretariat	Confirmation	8:30
1.2	APPROVAL OF AGENDA	Chair	Confirmation	
1.3	DECLARATION OF CONFLICTS OF INTEREST: Disclosure of Councillor conflicts, if any	Chair	Exception	
2. <u>CONSENT AGENDA</u>		Spokesperson/ Moved by	Type	Time
Council members may request that an item be removed from the consent agenda for discussion.				
2.1	OPEN SESSION MINUTES – 558 COUNCIL MEETING	Chair	Decision	8:40
2.2	CONSULTING ENGINEER DESIGNATION APPLICATIONS	Councillor Kiguel	Decision	
2.3	CHANGES TO THE 2023 STATUTORY AND REGULATORY COMMITTEES' MEMBERSHIP LIST	A. Dixit VP, Corporate Operations & Digital Transformation	Information	
2.4	GOVERNANCE COMMITTEE REPORTS <ul style="list-style-type: none"> 2.4a Audit and Finance Committee (AFC) 2.4b Governance and Nominating Committee (GNC) 2.4c Human Resources and Compensation Committee (HRCC) 2.4d Regulatory Policy and Legislation Committee (RPLC) 	Committee Chairs	Information	
2.5	REGIONAL COUNCILLORS COMMITTEE (RCC) REPORT	Councillor Roberge	Information	
3. <u>EXECUTIVE REPORTS</u>		Spokesperson/	Type	Time

		Moved by		
3.1	PRESIDENT'S REPORT	Chair	Information	8:45
3.2	CEO/REGISTRAR'S REPORT	CEO/Registrar Quaglietta	Information	9:00
4. <u>GOVERNANCE COMMITTEE ITEMS</u>		Spokesperson/ Moved by	Type	Time
4.1	BUDGET PREVIEWS a) Draft 2024 Operating Budget b) Draft 2024 Capital Budget	Councillor Kirkby (AFC Chair)	Discussion	9:15
4.2	2024 AGM	Councillor MacFarlane (GNC Chair)	Decision	
4.3	RPLC WORK PLAN FOR 2023-2024	Councillor Hilborn (RPLC Chair)	Decision	
BREAK (10:30 – 10:40)				
4.4	MANDATORY CPD (PEAK): PROPOSED POLICY CHANGE	Councillor Hilborn (RPLC Chair)	Decision	10:40
5. <u>REGULATORY ITEMS</u>		Spokesperson/ Moved by	Type	Time
5.1	REPORT FROM TRIBUNALS	N. Brown Legal Counsel & Manager, Tribunals	Decision & Information	11:10
5.2	MOTION TO MOVE IN CAMERA	Chair	Decision	
6. <u>IN-CAMERA</u>		Spokesperson/ Moved by	Type	Time
6.1	DECLARATION OF CONFLICTS OF INTEREST	Chair	Exception	11:20
Business Arising				
6.2	INDEPENDENT COUNSEL FOR COUNCIL	Chair	Discussion	
Governance Committee Items				
6.3	REG. 941: PROPOSED CHANGES TO REMOVE THE CANADIAN EXPERIENCE REQUIREMENT	Councillor Hilborn (RPLC Chair)	Decision	
6.4	ELECTION OFFICIALS SUBCOMMITTEE REPORT o Appointment of Chief Elections Officer o Designation of Official Elections Agent	Councillor MacFarlane (GNC Chair)	Decision	
LUNCH (12:30 – 1:15)				
Regulatory Items				
6.5	APPOINTMENT OF DEPUTY REGISTRAR	Chair	Decision	1:15

6.6	CONSULTING ENGINEER DESIGNATION APPLICATIONS – ADDITIONAL INFORMATION IN FOLLOW UP TO C-558	Councillor Kiguel	Decision	
6.7	MOTION TO RETURN TO OPEN SESSION	Chair	Decision	
7. <u>GOVERNANCE COMMITTEE ITEMS (CONT'D)</u>		Spokesperson/ Moved by	Type	Time
7.1	PEO COUNCIL GOVERNANCE SCORECARD	Councillor MacFarlane (GNC Chair)	Decision	1:30
7.2	ADVISORY GROUP PROPOSAL	Councillor MacFarlane (GNC Chair)	Decision	
7.3	BRIEFING NOTE TEMPLATE	Councillor MacFarlane (GNC Chair)	Information	
7.4	DIRECTOR CONDUCT: GOOD PRACTICES REPORT	Councillor MacFarlane (GNC Chair)	Information	
8. <u>OTHER ITEMS</u>		Spokesperson/ Moved by	Type	Time
8.1	2024-2025 COUNCIL AND COMMITTEE CALENDAR	M. Solakhyan Director, Governance	Decision	2:20
8.2	STAFF REPORT ON MEMBER SUBMISSION TO 2023 AGM	M. Solakhyan Director, Governance	Information & Discussion	
8.3	ENGINEERS CANADA DIRECTORS REPORT	N. Hill President, Engineers Canada	Information	
8.4	NOTICE OF MOTION/COUNCILLOR ITEMS PROPOSED PURSUANT TO S.7.4 OF THE 2023-2024 SPECIAL RULES a) Reducing 4-Year Eng. Experience Time Requirement b) Explicitly List EDI with Admissions Guiding Principles c) Council Registry of Activities and Open Issues	Chair	Decision Decision Decision	
8.5	COUNCILLOR QUESTIONS	Chair	Discussion	
8.6	MOTION TO MOVE IN CAMERA	Chair	Decision	
<p style="text-align: center;">OPEN SESSION MEETING ENDS BREAK (3:30 – 3:35)</p>				

9. <u>IN-CAMERA</u>		Spokesperson/ Moved by	Type	Time
9.1	IN-CAMERA MINUTES – 554 and 558 COUNCIL MEETINGS	Chair	Decision	3:35
9.2	LEGAL UPDATE	D. Abrahams VP, Policy & Governance and Chief Legal Officer	Information	
9.3	COUNCILLOR ITEMS Generative discussion		Discussion	
BREAK (3:50-3:55)				
9.4	In-Camera Dialogue with CEO/Registrar		Discussion	3:55
9.5	In-Camera Dialogue without CEO/Registrar		Discussion	
9.6	PEO’S ANTI-WORKPLACE VIOLENCE AND HARASSMENT POLICY: Council to receive violations, if any	Chair	Exception	
ADJOURNMENT - COUNCIL MEETING ENDS AT 4:30 PM				
10. <u>NEXT MEETINGS</u>				
Council Meetings <ul style="list-style-type: none">○ November 17, 2023○ February 23, 2024○ April 5, 2024				
Governance Committee Meetings				
AFC October 16, 2023	GNC October 23, 2023	HRCC October 19, 2023	RPLC October 24, 2023	
<p>Please note that in order to streamline the agenda, additional material for each Council meeting is provided in the Resource Centre area of Diligent Boards (navigate to the folder “Reports” and the sub-folders therein for the applicable year and Council meeting). The additional material includes committee reports, statistics, governance committee minutes, and the Council Decision Log; and can be discussed at the meeting if a Councillor asks to address a specific item. Material submitted/anticipated as of September 8th are as follows:</p> <ul style="list-style-type: none">• AFC Approved Minutes<ul style="list-style-type: none">○ June 13, 2023• GNC Approved Minutes<ul style="list-style-type: none">○ June 9, 2023• Stats• Council Decision Log				

Councillor Code of Conduct

PEO expects all volunteers and members of Council to conduct themselves in a manner that honours PEO core values, reputation and in accordance with the applicable laws and regulations. At all times, PEO volunteers and members of Council are expected to:

- carry out duties and responsibilities in a competent, efficient and safe manner;
- comply with the mandatory training requirements including all training required under legislation;
- adhere to PEO policies, procedures and applicable legislation;
- neither use, nor allow the use of, PEO property, resources, information and/or funds other than for authorized purpose(s);
- maintain confidentiality of any information obtained as a result of volunteering with PEO, during volunteer service and after their volunteer commitment is over;
- observe safety procedures, including, but not limited to, keeping themselves and others safe at all times, notifying PEO about any potential or perceived hazards in the working environment; notifying PEO about any accident, incident or property damage, etc.

At all times, PEO volunteers and members of Council shall not:

- act in a way that may bring PEO into disrepute;
- create any liability for PEO without prior authorization;
- engage in any activity that may cause physical or mental harm to another person including but not limited to, verbal abuse, physical abuse, assault, harassment, bullying, etc.);
- engage in any activity that may damage PEO property;
- provide a false or misleading statement, declaration or claim, falsify or change any documents or records;

PEO volunteers and members of Council should avoid all situations in which their personal interests conflict or might conflict with their duties to the Association. They shall, at the first opportunity, disclose any real or perceived conflict of interest. The nature of this reported conflict must be properly documented in the Association's records.

[s. 3.1.8 of the Governance Manual]

Briefing Note – Exception

C-559-1.3

CONFLICTS OF INTEREST

Purpose: Councillors are requested to identify any potential conflicts of interest related to the open session Council agenda.

No motion required

Prepared by: Eric Chor, Research Analyst

Councillors are to declare and refrain from participating in any Council matters where they might have a real or perceived conflict of interest

The Council Chair is responsible for ruling on whether a conflict exists if there is a dispute.

The Councillor with a conflict of interest will be required to leave the Council meeting for the duration of the agenda item, including for any respective votes.

If a Councillor wishes guidance on how to identify any conflicts of interest, the following 9-minute video can be referred to:

https://www.youtube.com/watch?v=fiebnky_i6M

Attached is the link to the “Eliminating Bias in the Registration Process Policy” which references Conflict of Interest.

<https://www.peo.on.ca/sites/default/files/2021-03/policy-eliminating-bias.pdf>

CONSENT AGENDA

Purpose: To approve the items contained in the consent agenda

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That the consent agenda be approved.

Prepared by: Eric Chor, Research Analyst

Routine agenda items that may be approved without debate are included in a consent agenda and may be moved in a single motion. However, the minutes of the meeting will reflect each item as if it was dealt with separately. Including routine items on a consent agenda expedites the meeting.

Items included on the consent agenda may be removed and dealt with separately if they contain issues or matters that require review.

Please review the minutes ahead of time for errors or omissions and advise Secretariat at secretariat@peo.on.ca if there are any required revisions prior to the meeting so that the minutes, when presented, may be considered within the consent agenda.

The following items are contained in the consent agenda:

- 2.1 OPEN SESSION MINUTES – 558 COUNCIL MEETING
- 2.2 CONSULTING ENGINEER DESIGNATION APPLICATIONS
- 2.3 CHANGES TO THE 2023 STATUTORY AND REGULATORY COMMITTEES' MEMBERSHIP LIST
- 2.4 GOVERNANCE COMMITTEE REPORTS
 - Audit and Finance Committee (AFC)
 - Governance and Nominating Committee (GNC)
 - Human Resources and Compensation Committee (HRCC)
 - Regulatory Policy and Legislation Committee (RPLC)
- 2.5 REGIONAL COUNCILLORS COMMITTEE (RCC) REPORT

Briefing Note - Decision

C-559-2.1

OPEN SESSION MINUTES – 558th Council Meeting June 23, 2023

Purpose: To record that the minutes of the open session of the 558th meeting of Council accurately reflects the business transacted at that meeting.

Motion to consider: (requires a simple majority of votes cast to carry)

That the minutes of the 558th meeting of Council, held June 23, 2023, as presented to the meeting at C-559-2.1, Appendix A, accurately reflect the business transacted at that meeting.

Prepared by: Eric Chor, Research Analyst

1. Need for PEO Action

In accordance with best business practices, Council should record that minutes of an open session of a meeting of Council accurately reflect the business transacted at a meeting.

2. Current Policy

Chapter X Minutes, Section 211 Approval of minutes of previous meeting, of Nathan and Goldfarb's Company Meetings states under Comment that, "There does not appear to be any obligation to have minutes signed to be valid or approved, but it is considered good practice. The motion does not by itself ratify or adopt the business transacted; it merely approves the minutes."

3. Appendices

- Appendix A - Minutes – 558th Council open session meeting – June 23, 2023

MINUTES

The 558th MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was a hybrid meeting held at 40 Sheppard Avenue West, Toronto on Friday, June 23, 2023, at 8:30 a.m.

Present:

(In-Person) R. Fraser, P.Eng., President and Council Chair
G. Wowchuk, P.Eng., President-elect
L. Notash, P.Eng., Vice President – Appointed and Councillor-at-Large
V. Banday, P.Eng., Councillor-at-Large
L. Cutler, P.Eng., Lieutenant Governor-in-Council Appointee
D. Kiguel, P.Eng., East Central Region Councillor
T. Kirkby, P.Eng., Eastern Region Councillor
N. Lwin, P.Eng., East Central Region Councillor
S. MacFarlane, P.Eng., Western Region Councillor
P. Mandel, CPA, CBV, Lieutenant Governor-in-Council Appointee
G. Nikolov, P.Eng., Lieutenant Governor-in-Council Appointee
R. Panesar, P.Eng., West Central Region Councillor
L. Roberge, P.Eng., Northern Region Councillor
G. Schjerning, P.Eng., Councillor-at-Large
U. Senaratne, P.Eng., Lieutenant Governor-in-Council Appointee
P. Shankar, P.Eng., West Central Region Councillor
S. Sung, Lieutenant Governor-in-Council Appointee

Present

(Virtual): C. Chahine, P.Eng., Vice President – Elected
A. Arenja, P.Eng., Lieutenant Governor-in-Council Appointee
A. Dryland, CET, Lieutenant Governor-in-Council Appointee
V. Hilborn, P.Eng., Western Region Councillor
M. Liu, P. Eng., Eastern Region Councillor
D. Montgomery, P.Eng., Northern Region Councillor
S. Schelske, P.Eng., Lieutenant Governor-in-Council Appointee

Regrets: N. Colucci, P.Eng., Past President

Staff

(In-Person): J. Quaglietta, P.Eng., CEO/Registrar
D. Abrahams, Vice-President (VP), Policy & Governance and Chief Legal Officer
A. Dixit, P. Eng., VP, Corporate Operations and Digital Transformation
C. Mehta, Director, Finance
L. Papagni, Director, Investigations and Prosecution
K. Praljak, Director, Communications
D. Smith, Director, External Relations
M. Solakhyan, Director, Governance
J. Vera, Director, Licensing
M. Feres, Supervisor, Council Operations (Secretariat)
E. Chor, Research Analyst (Secretariat)
A. Anowar, Council and Committee Coordinator (Secretariat)

Staff

(Virtual): N. Axworthy, Editor, Engineering Dimensions

Guests

(In-Person): C. Bellini, P.Eng., PEO Director, Engineers Canada (at minute 12576)
H. Brown, Brown & Cohen
N. Hill, P.Eng., President, Board of Directors and PEO Director, Engineers Canada
J. Pappano, Parliamentary Services

Guests

(Virtual): C. Bellini, P.Eng., PEO Director, Engineers Canada (to minute 12574)

Council convened at 8:30 a.m. on Friday, June 23, 2023.

CALL TO ORDER

Notice having been given and a quorum being present, President Fraser called the meeting to order; welcomed Councillors, staff, and guests; and made procedural announcements related to the conduct of the meeting.

12564 – APPROVAL OF AGENDA

Moved by Councillor Nikolov, seconded by Councillor Kiguel:

That:

- a) The agenda, as presented to the meeting at C-558-1, Appendix A be approved as presented; and
- b) the Chair be authorized to suspend the regular order of business.

CARRIED
Recorded vote

For: 18

V. Bandy
C. Chahine
L. Cutler
A. Dryland
V. Hilborn
D. Kiguel
T. Kirkby
M. Liu
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
L. Roberge
G. Schjerner
U. Senaratne
P. Shankar
S. Sung
G. Wowchuk

Against: 0**Abstain: 0****No Vote/Abs: 6**

A. Arenja
N. Colucci
N. Lwin
D. Montgomery
R. Panesar
S. Schelske

12565 – DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest declared.

12566 – CONSENT AGENDA

Item 2.2, *Consulting Engineer Designation Applications* was removed from the consent agenda for separate discussion.

Moved by Councillor Panesar, seconded by Councillor Roberge:

That the consent agenda be approved, consisting of:

2.1 Open Session Minutes 556 & 557**2.3 Changes to 2023 Committees Statutory and Regulatory Committees List****2.4 Governance Committee Reports**

CARRIED
Recorded Vote

For: 21

A. Arenja
V. Banday
C. Chahine
L. Cutler
A. Dryland
V. Hilborn
D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
G. Schjerner
U. Senaratne
P. Shankar
G. Wowchuk

Against: 0**Abstain: 1**

S. Sung

No Vote/Abs: 2

N. Colucci
D. Montgomery

12567 – CONSULTING ENGINEER DESIGNATION APPLICATIONS

There was a discussion regarding the two applications in sections 3 and 4 of Appendix A of the briefing material which are not being recommended for approval. It was suggested that more information is needed regarding the policy rationale used to determine that they do not currently meet the requirement for designation with respect to being “primarily engaged”.

Moved by Councillor Banday, seconded by Councillor Mandel:

- 1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as set out in Appendix A, Section 1.**
- 2. That Council approve the applications for redesignation as Consulting Engineer as set out in Appendix A, Section 2.**
- 3. That the application for designation as a Consulting Engineer as presented to the meeting at C-558, Appendix A, Section 3 be deferred, pending further clarification.**
- 4. That the application for designation as a Consulting Engineer as presented to the meeting at C-558, Appendix A, Section 4 be deferred, pending further clarification.**
- 5. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-558, Appendix A, Section 5.**

CARRIED, AS AMENDED
Recorded vote

For: 22

A. Arenja
V. Banday
C. Chahine
L. Cutler
A. Dryland
V. Hilborn
D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
G. Schjerning
U. Senaratne
P. Shankar
S. Sung
G. Wowchuk

Against: 0

Abstain: 0

No Vote/Abs: 2

N. Colucci
D. Montgomery

[D. Montgomery joined the meeting at 8:56 a.m.]

12568 – PRESIDENT’S REPORT

President Fraser reviewed key activities which have taken place since taking office at the Annual General Meeting on April 29, including:

- Council Orientation on May 4.
- Council’ “kick-off” meeting for the term on May 5.
- Launch of the new licensing process on May 15, in compliance with the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA).
- Ontario Government’s May 23 announcement of the elimination of the requirement for applicants for licensure to have one year of Canadian engineering experience supervised by a P.Eng and its meaning in practical terms. President Fraser thanked Vice President Chahine for representing PEO at the press conference in which the announcement was made.
- Highlights of Engineers Canada’s Spring meetings and Annual Meeting of Members, May 23-27, including the presentation of the PEO President’s message. President Fraser thanked Councillor Kirkby for delivering the message on his behalf.
- Council’s June 1-2 workshop in which there were initial discussions regarding the development of a visioning process to help guide PEO in the decades to come as a regulator of professional engineering in Ontario. President Fraser announced that a Visioning Advisory Group comprised of multiple stakeholders will be established this summer.
- Mississauga Chapter’s licensing ceremony on June 12.
- Governance Committee’s “kick-off” meetings for the term on June 9 (GNC and RPLC) and 13 (AFC and HRCC).
- Executive Committee meeting on June 13, in which external communications was identified as a key area for improvement.
- A webinar on June 22 regarding the new licensing process in which there were roughly 6,000 participants and which resulted in over 2,500 questions for follow-up.
- Order of Honour (OOH) Awards ceremony on June 22.

Following the presentation, there was discussion of the importance of continuing to recognize the achievements and contributions of volunteers and licence holders at events such as licensing ceremonies and OOH Awards. Staff noted that a proposal is in development which will articulate a protocol for PEO officers and senior staff to visit Chapters for major events. The protocol will ensure there is fair and consistent coverage across all 36 Chapters. With respect to the OOH, staff noted that this award ceremony may be part of a larger volunteer-focused event currently being explored for 2024.

There was also a question regarding the Vision Advisory Group and whether it would work according to the Policy Development Framework, pending Council’s approval at this meeting. President Fraser noted that it is anticipated that the framework would apply when and if any of the working group’s outcomes/proposals are recommended to the RPLC for further advancement.

12569 – CEO/REGISTRAR’S REPORT

CEO/Registrar Quaglietta provided highlights of the CEO/Registrar’s Report. A summary is provided below.

- Participation in the North Bay Chapter’s Annual General Meeting (AGM) and Engineering Symposium on April 13 and 14; as well as highlights of other Chapters’ activities during the first five months of 2023.
- Highlights of PEO’s AGM on April 29, including opening remarks by Ontario’s Attorney General; reports on PEO events and achievements in the past year; and President Fraser’s oath of office and inaugural address.

- Attendance at the volunteer appreciation luncheon on May 9, held for PEO volunteers who had served on eight committees that were stood down in February 2023.
- Participation in Engineers Canada's Spring meetings and Annual Meeting of Members, May 23-27, to discuss the future of regulation in Canada. The event included an update on the 30x30 project, an initiative with the goal of increasing the proportion of newly licensed female-identifying engineers to 30% by 2030; and opportunities to learn about diversity, equity, inclusion, belonging, and accessibility (DEIBA) in workplaces and communities.
- Key data points and updates on areas of the business, including:
 - FARPACTA-compliant licensing application process;
 - continuing professional development or "PEAK";
 - status of the operational plan and associated projects/initiatives;
 - external relations and the framework being developed to support stakeholder engagement;
 - status of reviews conducted by the Academic Requirements Committee and Experience Requirements Committee;
 - remissions and resignations;
 - enhancements to the customer service model and processes;
 - ongoing efforts to operationalize the Anti-Racism and Equity Code;
 - information on phases 1 and 2 of the digital licence certificates rollout; and
 - revenues and expenses for the four months ended April 30, 2023.

[President-elect Wowchuk chaired minutes 12570 to 12573.]

12570 – APPROVAL OF HRCC WORK PLAN FOR 2023-2024

HRCC Chair, Councillor Roberge, presented the proposed 2023-2024 HRCC work plan including an overview of priority items and topics organized by committee meeting and the associated Council meeting date. It was noted that one of main responsibilities of the HRCC is to oversee the employment relationship with the CEO/Registrar, including the areas of goal-setting and performance evaluation.

Moved by Councillor Roberge, seconded by President Fraser:

That the Work Plan for the Human Resources and Compensation Committee, as submitted to the meeting at C-558-3.3, Appendix A, be approved.

CARRIED
Recorded vote

For: 20

A. Arenja
C. Chahine
L. Cutler
A. Dryland
R. Fraser
V. Hilborn
D. Kiguel
M. Liu
N. Lwin
S. MacFarlane
P. Mandel

Against: 0

Abstain: 0

No Vote/Abs: 5

V. Bandy
N. Colucci
T. Kirkby
R. Panesar
G. Schjerning

D. Montgomery
G. Nikolov
L. Notash
L. Roberge
S. Schelske
U. Senaratne
P. Shankar
S. Sung
G. Wowchuk

12571 – APPROVAL OF AFC WORK PLAN FOR 2023-2024

AFC Chair, Councillor Kirkby, presented the proposed 2023-2024 AFC work plan including an overview of priority items and topics organized by committee meeting and the associated Council meeting date. Areas of discussion are summarized below.

Work Plan Item “Approach to Expense Reimbursement Policy re Travel – OACETT as a Model”: The item name was discussed, including that it may be too restrictive and presupposes a solution. It was noted that as this item was discussed at the June 13 AFC meeting, it is now historical; therefore it is appropriate to keep the description unchanged, and re-visit the issue at a future AFC meeting.

Independent Legal Advice: A question was raised whether this issue should be included in the AFC work plan. It was noted that this is first a policy discussion for Council at another time and, pending the outcome, it may be a matter for the AFC with respect to funds/budget.

Moved by Councillor Kirkby, seconded by Councillor Mandel:

That the Work Plan for the Audit and Finance Committee, as submitted to the meeting at C-558-3.4, Appendix A, be approved.

CARRIED
Recorded vote

<u>For: 21</u>	<u>Against: 2</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 1</u>
A. Arenja	V. Banday		N. Colucci
C. Chahine	R. Panesar		
L. Cutler			
A. Dryland			
R. Fraser			
V. Hilborn			
D. Kiguel			
T. Kirkby			
M. Liu			
N. Lwin			
S. MacFarlane			
P. Mandel			
D. Montgomery			
G. Nikolov			

L. Notash
L. Roberge
S. Schelske
G. Schjerning
U. Senaratne
P. Shankar
S. Sung

12572 – APPROVAL OF GNC WORK PLAN FOR 2023-2024

GNC Chair, Councillor MacFarlane, presented the proposed 2023-2024 GNC work plan including an overview of priority items and topics organized by committee meeting and the associated Council meeting date. There was discussion regarding the importance of continuing to enhance and establish more systematic and consistent ways for governance committees to operate, including: i) development of work plans and other priority items; ii) accommodating active participation from non-committee member Councillors; and iii) communicating agendas more broadly ahead of meetings. There was a suggestion that the GNC consider these matters and make recommendations to Council as needed.

Moved by Councillor MacFarlane, seconded by Councillor Nikolov:

That the Work Plan for the Governance and Nominating Committee, as submitted to the meeting at C-558-3.5, Appendix A, be approved.

CARRIED
Recorded vote

For: 22

Against: 0

Abstain: 0

No Vote/Abs: 2

A. Arenja
V. Banday
C. Chahine
L. Cutler
A. Dryland
R. Fraser
V. Hilborn
D. Kiguel
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
D. Montgomery
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
G. Schjerning
U. Senaratne

N. Colucci
T. Kirkby

P. Shankar
S. Sung

12573 – RPLC WORK PLAN FOR 2023-2024

RPLC Chair, Councillor Hilborn, advised Council that the RPLC is still in the process of discussing its 2023-2024 work plan thus a recommendation is not yet ready for approval. It is anticipated that the RPLC will continue discussions at its August meeting and make a recommendation for Council's approval in September. It was noted by the committee chair that it appears that, as a norm, the RPLC may require two meetings to recommend a work plan, largely due to the non-cyclical nature of the items being considered.

[President Fraser resumed the role of Chair.]

12574 – APPROVAL OF ELECTION DOCUMENTS

PEO Council elections are held annually in accordance with sections 2 through 26 of Regulation 941 under the *Professional Engineers Act* (the General Regulation). Each year at its June meeting, Council approves the Voting Procedures, Election Publicity Procedures, and Nomination Forms for the following year's election. Once approved, these documents are amended where required, and incorporated into the 2024 Council Elections Guide. Additionally, Section 13 of the General Regulation requires Council to annually appoint a Regional Election and Search Committee (RESC) for each Region.

Council reviewed and considered draft versions of the procedures and forms for the 2024 election that the Governance and Nominating Committee (GNC) reviewed at its meeting of June 9, 2023. There was discussion regarding Section 26 of the *Election Publicity Procedures* at Appendix B, shown in ~~striketrough~~ text indicating a suggestion to remove the content.

~~26. Chapters may not endorse candidates, or expressly not endorse candidates, in print, on their websites or through their list servers, or at their membership meetings or activities during the voting period. Where published material does not comply with these procedures, the Chief Elections Officer will cause the offending material to be removed if agreement cannot be reached with the chapter within the time available.~~

The Chair proposed that a motion be approved by unanimous consent.

That the strike-out of section 26 on Election Publicity Procedures at C-558-3.7, Appendix B be removed and included in the approved document.

CARRIED
Unanimous consent

Council discussed the *Nomination Acceptance Forms* at Appendix D, in particular the recommendation that candidates complete the PEO mandatory compliance training by December 31, 2023.

Moved by Councillor MacFarlane, seconded by Vice President Notash:

That all Nomination Acceptance Forms at C-558-3.7 Appendix D, be amended to read:

I declare that I have read and understand the Code of Conduct for Councillors located at section 3.1.8 of the PEO Governance Manual and agree to act in accordance with it if elected.

I declare that I will complete the PEO mandatory compliance training if elected.

I have completed or will complete the “Board Basics” orientation by December 31, 2023.

CARRIED
Recorded vote

<u>For: 17</u>	<u>Against: 5</u>	<u>Abstain: 1</u>	<u>No Vote/Abs: 1</u>
A. Arenja	V. Banday	L. Notash	N. Colucci
C. Chahine	D. Kiguel		
L. Cutler	R. Panesar		
A. Dryland	L. Roberge		
V. Hilborn	G. Wowchuk		
T. Kirkby			
M. Liu			
N. Lwin			
S. MacFarlane			
P. Mandel			
D. Montgomery			
G. Nikolov			
S. Schelske			
G. Schjerning			
U. Senaratne			
P. Shankar			
S. Sung			

Council discussed Section 27 of the *Election Publicity Procedures* at Appendix B, shown in strikethrough text indicating a suggestion to remove the content.

~~27. Councillors may use their positions to encourage candidates to stand for PEO office and members to participate in the election process but may not endorse candidates for PEO election.~~

Highlights of the discussion include:

- Importance of neutrality and setting the conditions, to the extent possible, for a “level playing field” with no distinctions or differentiation among candidates.
- Importance of voters deciding who to vote for based upon their own research and understanding of candidates.
- Importance of the role of the respective Regional Election and Search Committees chairs, themselves Councillors, to encourage at least two licence holders in their respective region to seek nomination. If there is a preferred candidate this can serve as a hindrance or disincentive to fulfil this legislated responsibility.
- Councillors already unofficially endorse candidates, evidenced in social media posts, for example, and the removal of the prohibition will allow this practice to take place in a transparent manner.
- The current prohibition is not enforceable and does not have any associated consequences or sanctions.
- Endorsements may have a favourable, unfavourable, or neutral impact on a candidacy.

Moved by Councillor Kiguel, seconded by Councillor Roberge:

That the strike-out text in Section 27 of the Election Publicity Procedures at C-558-3.7, Appendix B, be removed and included in the approved document.

DEFEATED
Recorded vote

<u>For: 10</u>	<u>Against: 11</u>	<u>Abstain: 1</u>	<u>No Vote/Abs: 2</u>
L. Cutler	A. Arenja	V. Banday	N. Colucci
A. Dryland	C. Chahine		D. Montgomery
V. Hilborn	T. Kirkby		
D. Kiguel	M. Liu		
R. Panesar	N. Lwin		
L. Roberge	S. MacFarlane		
S. Schelske	P. Mandel		
G. Schjerner	G. Nikolov		
U. Senaratne	L. Notash		
S. Sung	P. Shankar		
	G. Wowchuk		

Council discussed the necessary updates to references in the *Nomination and Voting Procedures* at Appendix A that are a consequence of the amendment made to the *Nomination Acceptance Forms*.

The Chair proposed that a motion be approved by unanimous consent.

That changes to the Nomination Form be reflected in Procedures 11 and 12 of the Nomination and Voting Procedures in C-558-3.7, App A; and that these changes be made by the CEO/Registrar.

CARRIED
Unanimous consent

It was noted that there is no current enforcement mechanism with respect to the mandatory training requirement referenced on the *Nomination Acceptance Form*. Council discussed the available options for response if a successful candidate refused to complete the training, including censure by Council. It was also noted that this issue should be considered in the context of an item already on the GNC work plan, "*Director Conduct Common Practices – Recommendation Report*", which addresses director conduct.

Council then voted on the original motion, subject to the three amendments approved and referenced above.

Moved by Councillor MacFarlane, seconded by Councillor Shankar:

That Council, with respect to the 2024 Council election:

- a) **approve the 2024 Nomination and Voting Procedures, as presented to the meeting at C-558-3.7, Appendix A, subject to required changes as a consequence of amendments to Appendix D;**
- b) **approve the 2024 Election Publicity Procedures, as amended at C-558-3.7, Appendix B;**
- c) **approve the 2024 Nomination Form as presented to the meeting at C-558-3.7, Appendix C;**

- d) approve the 2024 Nomination Acceptance Forms for President-Elect, Vice President, Councillor-at-Large, and Regional Councillor as amended at C-558-3.7, Appendix D;
- e) appoint the Regional Election and Search Committees (RESC) for each Region;
- f) appoint the Junior Regional Councillor in each Region (Nanda Lwin, P.Eng., Michelle Liu, P.Eng., Luc Roberge, P.Eng., Ravinder Panesar, P.Eng., Susan MacFarlane, P.Eng.) as Chair of the RESC for their Region.

CARRIED, AS AMENDED
Recorded vote

<u>For: 21</u>	<u>Against: 0</u>	<u>Abstain: 2</u>	<u>No Vote/Abs: 1</u>
A. Arenja		V. Banday	N. Colucci
C. Chahine		D. Kiguel	
L. Cutler			
A. Dryland			
V. Hilborn			
T. Kirkby			
M. Liu			
N. Lwin			
S. MacFarlane			
P. Mandel			
D. Montgomery			
G. Nikolov			
L. Notash			
R. Panesar			
L. Roberge			
S. Schelske			
G. Schjerning			
U. Senaratne			
P. Shankar			
S. Sung			
G. Wowchuk			

[D. Montgomery signed off at 10:40 a.m.]

12575 – CENTRAL ELECTION AND SEARCH COMMITTEE (CESC) MATTERS

Section 12(1) of Regulation 941 requires that Council appoint a Central Election and Search Committee (CESC) each year, to be composed of (a) the penultimate past-president; (b) the immediate past-president; (c) the president; and (d) two or more other Members.

The penultimate past-president, immediate past-president, and president members of the CESC met on June 6, 2023 and agreed that the two principal criteria in assessing the applications are election experience and networking experience. There was also discussion regarding the number of candidates to recommend for appointment, and in this regard, there was agreement that proposing up to four candidates would have the benefit of a CESC with greater independence from Council since the committee would be composed of as many or more non-councillor members than the three offices named in Regulation 941. It was also agreed that

recommendations resulting from the discussion should be reviewed by the Governance and Nominating Committee (GNC), which in turn should finalize and bring forward the official appointment recommendations to Council as part of its mandated nominations responsibility.

On June 9, 2023, the GNC met to review the candidate application packages and consider the recommendations, which were accepted for advancement to Council for approval.

Moved by Councillor MacFarlane, seconded by Councillor Nikolov:

That:

a) Isidro Buquiron, P.Eng., Giuseppe (Joseph) Facca, P.Eng., Suresh Khanal, P.Eng., and Mostafa Khosravvelhossaini, P.Eng. be appointed as the additional members to the 2023-2024 Central Election and Search Committee;

b) the 2022-2023 Central Election and Search Committee be stood down with thanks at the close of this Council meeting; and

c) the 2023-2024 Central Election and Search Committee be constituted at the close of this Council meeting.

**CARRIED
Recorded vote**

For: 21

A. Arenja
C. Chahine
L. Cutler
A. Dryland
R. Fraser
V. Hilborn
D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
G. Schjerning
U. Senaratne
P. Shankar
S. Sung

Against: 0

Abstain: 2

V. Banday
G. Wowchuk

No Vote/Abs: 2

N. Colucci
D. Montgomery

12576 – COUNCIL’S ENDORSEMENT OF THE SUBCOMMITTEE TO SELECT AND RECOMMEND ELECTION OFFICIALS

Section 11.1 of Regulation 941 under the *Professional Engineers Act* requires that PEO Council appoint a Chief Elections Officer each year to oversee the nomination and election of members to Council. Council is also permitted by Regulation 941, Section 19(1) to designate an agent to administer voting in Council elections, referred to at PEO as the “Official Elections Agent.” Both election official roles are filled on the basis of three-year terms, and both are currently vacant. Historically, Council appoints PEO’s Chief Elections Officer and designates an Official Elections Agent at its September meeting to ensure there are officials in place for the beginning of an election cycle.

The actions proposed for Council’s consideration stem from the GNC’s ongoing work to reform the Council election process and support Council in the selection and appointment of election officials.

Council discussed an amendment that was presented regarding the composition of the Subcommittee vis-à-vis elected and appointed Councillors. Highlights of the discussion include:

- Elected Councillors are impacted by matters concerning elections and may be more familiar with or attuned to pertinent historical issues than appointed Councillors;
- Importance of a Council which functions without drawing distinction between elected and appointed Councillors as it pertains to their duties and obligations; and
- Keeping real or perceived conflict of interest top of mind when stipulating which Councillors are eligible to serve in certain capacities.

Moved by Councillor Banday, seconded by Vice President Notash:

That the Subcommittee Terms and Procedure, under C-558-3.9, Appendix D, under *Composition*, be amended to read:

“The Subcommittee will be composed of 5 Council members, selected and appointed by Council. A majority of the subcommittee shall be elected Councillors.”

DEFEATED
Recorded vote

<u>For: 7</u>	<u>Against: 13</u>	<u>Abstain: 2</u>	<u>No Vote/Abs: 2</u>
V. Banday	A. Arenja	G. Nikolov	N. Colucci
C. Chahine	L. Cutler	R. Panesar	D. Montgomery
D. Kiguel	A. Dryland		
T. Kirkby	V. Hilborn		
L. Notash	M. Liu		
G. Schjerning	N. Lwin		
G. Wowchuk	S. MacFarlane		
	P. Mandel		
	L. Roberge		
	S. Schelske		
	U. Senaratne		
	P. Shankar		
	S. Sung		

The Chair asked for volunteers from the floor and the following five (5) Councillors expressed interest in being appointed to the Subcommittee: Vajahat Banday, Vicki Hilborn, Nanda Lwin, Luc Roberge, and Glen Schjerning.

The Chair proposed that a motion be approved by unanimous consent.

That the names Vajahat Banday, Vicki Hilborn, Nanda Lwin, Luc Roberge, and Glen Schjerner be considered added in the placeholder section of the motion at C-558-3.9, Appendix D.

CARRIED

Unanimous consent

Council then voted on the main motion.

Moved by Councillor MacFarlane, seconded by Councillor Senaratne:

That:

1. Council approve the Chief Elections Officer role description and Oath of Office, as presented to the meeting at C-558-3.9, Appendix A and Appendix B;

2. That Council approve the Official Elections Agent security requirements, as presented to the meeting at C-558-3.9, Appendix C;

3. That the Governance and Nominating Committee's Election Officials Subcommittee be composed of Council members Vajahat Banday, Vicki Hilborn, Nanda Lwin, Luc Roberge, and Glen Schjerner, appointed in accordance with the terms and procedures presented to the meeting at C-558-3.9, Appendix D.

CARRIED

Recorded vote

For: 21

A. Arenja
V. Banday
C. Chahine
L. Cutler
A. Dryland
R. Fraser
D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
L. Roberge
S. Schelske
G. Schjerner
U. Senaratne
P. Shankar
S. Sung
G. Wowchuk

Against: 0

Abstain: 1

V. Hilborn

No Vote/Abs: 3

N. Colucci
D. Montgomery
R. Panesar

[M. Liu signed off at 12:20 p.m.]

[President-elect Wowchuk chaired minute 12577]

12577 – APPROVAL OF POLICY DEVELOPMENT FRAMEWORK

A presentation was made to Council regarding the establishment of a consistent, coherent, integrated policy framework and guiding principles to be able to develop, implement, monitor, and evaluate policies driven by various internal and external priorities. The proposed framework commits PEO to meeting mandatory principles, introduces a mandatory policy impact analysis tool, and identifies other tools and mechanisms. Its key principles were highlighted, including: i) proportionality; ii) evidence-informed decision-making; iii) participation and engagement; iv) equity and inclusivity; and v) transparency and accountability.

In addition, it was highlighted that the framework introduces policy impact analysis for all regulatory proposals and initiatives that are likely to have significant impacts, and where PEO has a choice of policy options; and to this end, a Policy Impact Analysis tool is used to demonstrate that the principles are being met in practice. The key elements of the tool were reviewed, including: i) identifying risks of harm to the public interest mandate and assessing potential costs and benefits; ii) being based on all available evidence and expertise, and evaluating all potential alternative solutions; iii) being developed transparently in consultation with stakeholders; iv) being in compliance with the commitments PEO made under the Anti-Racism and Equity Code; and v) having results explained and clearly communicated.

Moved by President Fraser, seconded by Vice President Notash:

That the Policy Development Framework be amended to reflect that both policy impact analysis and the Policy Impact Analysis Tool will be expected, but not required, of all PEO regulatory policy initiatives.

CARRIED
Recorded vote

<u>For: 18</u>	<u>Against: 3</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 3</u>
V. Banday	A. Arenja		N. Colucci
C. Chahine	V. Hilborn		M. Liu
L. Cutler	S. Sung		D. Montgomery
A. Dryland			
R. Fraser			
D. Kiguel			
T. Kirkby			
N. Lwin			
S. MacFarlane			
P. Mandel			
G. Nikolov			
L. Notash			
R. Panesar			
L. Roberge			
S. Schelske			
G. Schjerning			
U. Senaratne			
P. Shankar			

Moved by Councillor Hilborn, seconded by Councillor Sung:

That Council adopts the Policy Development Framework as amended.

CARRIED
Recorded vote

For: 21 **Against: 0** **Abstain: 0** **No Vote/Abs: 3**

A. Arenja
V. Banday
C. Chahine
L. Cutler
A. Dryland
R. Fraser
V. Hilborn
D. Kiguel
T. Kirkby
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
G. Schjerner
U. Senaratne
P. Shankar
S. Sung

N. Colucci
M. Liu
D. Montgomery

[President Fraser resumed the role of Chair.]

12578 – NOTICE OF MOTION/COUNCILLOR ITEMS

No items were identified.

12579 – ENGINEERS CANADA DIRECTORS REPORT

Nancy Hill, Engineers Canada (EC) Board of Directors President for 2023-2024, provided an update on Engineers Canada's strategic priorities and departmental activities for the period March to April 2023, including:

- Investigating and validating the purpose and scope of accreditation;
- Strengthening collaboration and harmonization, with references to the valuable insight gained in past and future 2023 consultations with Canadian engineering regulators;
- Accelerating the 30x30 initiative, with particular focus on engaging with employers;
- Reinforcing trust and the value of licensure; and
- Highlighting the activities of the Accreditation and Qualifications Boards.

There were questions and discussion related to EC's sources of revenue and it was noted that in general these come from both regulators' contributions and affinity programs. Further, N. Hill noted that more details can be found on the EC website and that the next report to PEO Council will include budget highlights.

There was also discussion regarding EC term limits and its communication efforts with the engineering industry on a wider array of topics beyond the 30x30 initiative, such as the value of licensure and harmonization.

12580 – GENERATIVE DISCUSSION: LICENSING

Council received an update on the FARPACTA-compliant application for licensure process, including:

- Sharp decrease in applications starting on May 15, 2023 due to the "front-end loading" effect of FARPACTA requirements; and
- Meeting the 10-day required response time in all eleven (11) paid applicants in the new process as of June 21.

There was discussion regarding the Registrar's authority to issue a *Notice of Proposal to Refuse to Issue a Licence* (NoP) as an option for a registration decision; a hearing with the Registration Committee as an option available to the applicant in receipt of an NoP, for a new examination of qualifications; and the prescribed circumstances in which these actions can occur.

12581 – COUNCILLOR QUESTIONS

There were responses and discussion related to Councillors' questions and comments, including the following areas:

International Women in Engineering Day (INWED)

INWED was recognized as a day to celebrate the important contributions that women and gender-diverse engineers make in their communities.

Licensure Application Data

There was a request for data regarding the number of applications since May 15, 2023, organized by percentage of those in the CEAB category and the percentage from outside of Canada as well as a comparison with previous years. Staff indicated that this information will be provided in the relevant reporting for the next scheduled Council meeting on September 22.

Chair Training

There was a suggestion that governance committee chairs and those thinking of chairing in the future consider opportunities for training and development to help establish a consistent approach to the conduct of governance committee meetings.

Organizational Chart

A request was made to provide Council with a more detailed organizational chart including incumbent information. Staff noted the request for consideration. It was also noted that to promote streamlined communications, Councillors should route matters of an administrative nature through the Secretariat team, and more substantive or sensitive matters through the CEO/Registrar's office, the Chief Legal Officer, or the Director, Governance.

Notices of Motion

The following topics were raised during this portion of the meeting and were identified as Notices of Motion:

1. Consider reducing the time aspect of the experience requirement for licensure to less than four years.
(Submitted by Vice President Notash)

It was noted that this item likely will be part and parcel of the RPLC work plan this Fall. As noted earlier, it is anticipated that Council will consider the RPLC work plan for approval at the next Council meeting on September 22, 2023.

2. Review the term limits for elected Councillors.
(Submitted by Councillor Bandy)

12582 – MOTION TO MOVE IN CAMERA

Moved by Councillor Roberge, seconded by Councillor Panesar:

That Council move in camera at 2:50 p.m.

CARRIED
Recorded vote

For: 20

A. Arenja
V. Bandy
C. Chahine
L. Cutler
A. Dryland
V. Hilborn
D. Kiguel
T. Kirkby
N. Lwin
S. MacFarlane
P. Mandel
G. Nikolov
L. Notash
L. Roberge
S. Schelske
G. Schjerner
U. Senaratne
P. Shankar
S. Sung
G. Wowchuk

Against: 0**Abstain: 0****No Vote/Absent: 4**

N. Colucci
M. Liu
D. Montgomery
R. Panesar

These minutes consist of 19 pages and minutes 12564 to 12582 inclusive.

R. Fraser, P.Eng., Chair

M. Solakhyan, Director, Governance

CONSULTING ENGINEER DESIGNATION APPLICATIONS

Purpose: Pursuant to subsection 61(2) of Regulation 941 under the *Professional Engineers Act*, the Consulting Engineer Designation Committee (CEDC) may make recommendations to Council in respect of all matters relating to application for designation as a consulting engineer. The CEDC makes the following recommendations.

Motion for Council to consider: (requires a simple majority of votes cast to carry)

- 1. That Council approve the exemption from examinations and the applications for designation as Consulting Engineer as set out in Appendix A, Section 1.**
- 2. That Council approve the applications for redesignation as Consulting Engineer as set out in Appendix A, Section 2.**
- 3. That Council grant permission to use the title “Consulting Engineers” (or variations thereof) to the firms as presented to the meeting at C-559, Appendix A, Section 5.**

Prepared by: Ian Daniels, P.Eng., Registration Officer; and Imelda Suarez, Staff Support

Moved by: Nick Colucci, FEC, MBA, P. Eng., Past President

1. Need for PEO Action

Pursuant to subsection 61(2) of Regulation 941, the Consulting Engineer Designation Committee may make recommendations to Council on all matters related to the designation, as described in the Regulation. Decisions are made by Council itself.

Council is asked to accept the recommendations of the Consulting Engineer Designation Committee (CEDC) as set out above.

Examinations

With respect to initial applications for designation, clause 56(1)(d) of the Regulation refers to a requirement for applicants to pass examinations prescribed by Council or to have been exempted from such exams. There are currently no examinations set for this purpose. The request to exempt from examinations is hence a formality required by the wording of the Regulation.

The Regulation does not reference any examination requirement for redesignation as a consulting engineer.

Designation Requirements

Subsection 56(1) of the Regulation sets out the criteria for an applicant's initial designation as a consulting engineer. Failure to meet one or more of these criteria are grounds for denying the application.

The designation or redesignation expires five years from the date it is issued and the criteria for redesignation are set out in subsection 57(2) of the Regulation. Failure to meet one or more of the criteria are grounds for denying the application for redesignation.

Permission to Use the Title

Section 68 of the Regulation sets out the conditions for granting permission for a holder of a certificate of authorization to use the title "consulting engineer" or an approved variation in its business style. Failure to meet the conditions is a basis for denying a request for permission to use the title in connection with the applicant's Certificate of Authorization.

2. Next Steps (if motion approved)

The applicants will be informed by the CEO/Registrar of Council's decision, in accordance with section 58 of the Regulation.

3. Peer Review & Process Followed

Process Followed	All applications were reviewed by PEO staff, the Regional Subcommittees of CEDC and later approved by CEDC on August 24, 2023.
Council Identified Review	Not applicable. Required by Regulation.
Actual Motion Review	As stated under above process.

4. Appendices

- Appendix A – Report of the Consulting Engineer Designation Committee
- Appendix B – Legal Implications

To the 559th Meeting of the Council of
Professional Engineers Ontario

REPORT OF THE CONSULTING ENGINEER DESIGNATION COMMITTEE

Chair: Adrian Pierorazio, P.Eng.

- 1. The Committee has reviewed the following applications for DESIGNATION and recommends to Council that these 8 applicants be exempted from examinations pursuant to Section 56(2) of O.Reg.941 and that they be considered for DESIGNATION AS CONSULTING ENGINEER, having met the requirements pursuant to Section 56(1) of O.Reg.941:**

#	P.Eng.	Company Name	Address	Licence #
1.1	Briegmann, Malgorzata	BA Consulting Group Ltd.	300-45 St Clair Ave W, Toronto ON, M4V 1K9	100009843
1.2	Brost, Thorsten	Quasar Consulting Group	250 Rowntree Dairy Rd, Woodbridge ON, L4L 9J7	90302811
1.3	Eze, Obinna	Ostan Engineering Inc.	326-1505 Laperriere Ave, Ottawa ON, K1T 7T1	100195546
1.4	Iorio, David	Counterpoint Engineering Inc.	100-8395 Jane St, Vaughan ON, L4K 5Y2	100173373
1.5	Kulendran, Sam	J.E. Coulter Associates Limited	211-1210 Sheppard Ave E, North York ON, M2K 1E3	100195127
1.6	Mady, Rabia	GHD Limited	455 Phillip St, Waterloo ON, N2L 3C2	100203860
1.7	Parsiavash, Reza	Sepco Engineering Inc.	305-330 Highway 7 East, Richmond Hill ON, L4B 3P8	100506684
1.8	Uwimana, Geoffrey	Peto MacCallum Ltd.	165 Cartwright Ave, Toronto ON, M6A 1V5	90411232

2. The Committee has reviewed the following applications for **REDESIGNATION** and recommends to Council that these **25** applicants be granted **REDESIGNATION AS CONSULTING ENGINEER**, having met the requirements pursuant to Section 57(2) of O.Reg.941:

#	P.Eng.	Company Name	Address	Licence #
2.1	Barr, Sharon	Vanderwesten & Rutherford Associates	1130 Morrison Dr, Ottawa ON, K2H 9N6	90277633
2.2	Bassingthwaite, Mark	Resilient Consulting Corporation	PO Box 643, Whitby ON, L1N 5V3	100106723
2.3	Darveau, Peter	Hexagon Technology Inc.	1016 Skyvalley Cres, Oakville ON, L6M 3L2	100154829
2.4	Eleid, Ray	Solucore Inc.	29-5160 Explorer Dr, Mississauga ON, L4W 4T7	90374117
2.5	Fleming, Kevin	Stantec Consulting Ltd	100-300 Hagey Blvd, Waterloo ON, N2L 0A4	90393828
2.6	Gebara, Ajwad	Nadine International Inc.	2325 Skymark Ave, Mississauga ON, L4W 5A9	15736507
2.7	Hendy, Gary	GAMAN Consutants Inc.	7 Pinsent Crt, Barrie ON	19256502
2.8	Ho, Gordon	EXP Services Inc.	110-220 Commerce Valley Dr W, Markham ON, L3T 0A8	90508060
2.9	Ibrahim, Khaled	K I B Consultants Inc	8 Tyne Court, Kanata ON, K2K 3H7	90429887
2.10	Ju, Yongping	SEBS Engineering Inc.	151 Bathgate Dr, Scarborough ON, M1C 1T6	100067506
2.11	Kashif, Syed	Prime Design Consultants Inc.	37 Trailrider Drive, Brampton ON, L6P 4J9	100078478
2.12	Knezeh, Tony	Peto MacCallum Ltd.	165 Cartwright Ave, Toronto ON, M6A 1V5	90552506
2.13	Koniaris, Efthymios	Q'Pit Inc	819 Blackburn Mews, Kingston ON, K7P 2N6	100046258
2.14	Mann, James	Mann Engineering	3200 Dufferin St, 18-B, Toronto ON, M6A 3B2	28914208
2.15	Mantecon, Antonio	Mantecon Partners Inc.	15 Foundry St, Dundas ON, L9H 2V6	28980407
2.16	McCuaig, Jeffrey	Gerrits Engineering Ltd.	222 Mapleview Dr W, Barrie ON, L4N 9E7	100064895
2.17	Montgomery, Thomas	CIMA Canada Inc.	500-5935 Airport Rd, Mississauga ON, L4V 1W5	32388506
2.18	Mudhar, Manohar	Mott MacDonald	400-154 Wellington St W, Toronto ON, M5J 1H8	90284118
2.19	Musleh, Abeer	Musleh, Abeer	1118-8 Nahani Way, Mississauga ON, L4Z 4J8	100136401
2.20	Orbegozo, Mario	Aviat Networks Inc.	302 Town Centre Blvd, Markham ON, L3R 0E8	100037650
2.21	Peralta, Antonio	N.J. Peralta Engineering Ltd.	45 Division St N, Kingsville ON, N9Y 1E1	100138683

2.22	Peters, Douglas	Quartek Group Inc.	89-91 St. Paul St, St Catharines ON, L2R 3M3	36374403
2.23	Richman, Russell	Russell Richman Consulting Ltd.	27 Withrow Ave, Toronto ON, M4K 1C8	100044474
2.24	Sharma, Brijmohan	2369088 Ontario Inc.	414-23 Westmore Dr, Toronto ON, M9K 3Y7	100057946
2.25	Swing, Steven	NRG Consultants Inc.	2 Cabriolet Cres, Ancaster ON, L9K 1K6	45248119

3. The Committee recommends to Council that the following **2 FIRMS** be granted **PERMISSION TO USE THE TITLE “CONSULTING ENGINEERS”** (or variations thereof), having met the requirements pursuant to Section 68 of O.Reg.941:

#	Company Name	Address	Designated Consulting Engineer(s)
3.1	BeStru Engineering Incorporated	212 Romain Cres, Oakville ON, L6H 5A4	Farzad Rouhani, P.Eng.
3.2	Mesauga Inc.	23 Orlando Dr, St Catharines ON, L2N 6V5	Sarang Amirsadri, P.Eng.

Legal Implications/Authority

1. Pursuant to Section 56(2), Council has the authority to exempt an applicant from any of the examinations required by section 56(1) to be taken by an applicant for a Consulting Engineer Designation if Council is satisfied that the applicant has appropriate qualifications.

Pursuant to Section 56(1) Council **shall** designate as a Consulting Engineer every applicant for the Designation who meets the requirements set out in Section 56(1)(a-d). As a result, there does not appear to be any discretion for Council to refuse applicants who meet the requirements.

2. Pursuant to Section 57(2) Council **shall** redesignate as a consulting engineer every applicant who meets the requirements of section 57(2) (a-c). As a result, there does not appear to be any discretion for Council to refuse applicants who meet the requirements.

Briefing Note – Information

C-559-2.3

CHANGES TO THE 2023 COMMITTEES MEMBERSHIP LISTS

Purpose: To inform Council of changes to the committee membership lists since the last meeting.

Prepared by: Aaron Fleishman, Office Assistant

Moved by:

1. Information

Appendix A is presented for information only and outlines changes to the *Committees Membership Lists*.

2. Next Steps

The *2023 Committees Membership Lists* will be updated accordingly. Resigned members will receive digital *Certificates of Appreciation* in accordance with the protocol.

3. Appendices

Appendix A – Changes to the *Committees Membership Lists*.

**Changes to the 2023 PEO Statutory and Regulatory Committees and
Task Forces Membership Roster**

**C-559-2.3
Appendix A**

559th Council Meeting

New Members:

First/Last Name	Service Dates	Committee / Task Force
Farzad Ragegani P. Eng.	July 1 st , 2023 – June 30 th 2026	CEQB
Isidro Buquiron P. Eng.	June 23 rd , 2023 – AGM 2024	CESC
Joseph Facca P. Eng.	June 23 rd , 2023 – AGM 2024	CESC
Suresh Khanal P. Eng.	June 23 rd , 2023 – AGM 2024	CESC
Mostafa Khosravvelhossaini, P. Eng.	June 23 rd , 2023 – AGM 2024	CESC
Councillor Kiguel (chair)	2023-AGM 2024	<i>RCC East Central Regional Congress Committee</i>
Councillor Lwin (vice chair)	2023-AGM 2024	<i>RCC East Central Regional Congress Committee</i>
Councillor Kirkby (chair)	2023-AGM 2024	<i>RCC Eastern Regional Congress Committee</i>
Councillor Liu (vice chair)	2023-AGM 2024	<i>RCC Eastern Regional Congress Committee</i>
Councillor Dana Montgomery (chair)	2023-AGM 2024	<i>RCC Northern Regional Congress Committee</i>
Councillor Shankar (chair)	2023-AGM 2024	<i>RCC West Central Regional Congress Committee</i>
Councillor Panesar (vice chair)	2023-AGM 2024	<i>RCC West Central Regional Congress Committee</i>
Councillor Hilborn (chair)	2023-AGM 2024	<i>RCC Western Regional Congress Committee</i>
Councillor Lwin (chair)	2023-AGM 2024	<i>RCC East Central Regional Election and Search Committee</i>
Councillor Liu (chair)	2023-AGM 2024	<i>RCC Eastern Regional Election and Search Committee</i>
Councillor Roberge (chair)	2023-AGM 2024	<i>RCC Northern Regional Election and Search Committee</i>
Councillor Panesar (chair)	2023-AGM 2024	<i>RCC West Central Regional Election and Search Committee</i>

Re-appointments:

First/Last Name	Service Dates	Committee / Task Force
Jeffery Lee (Chair)	2021 – AGM 2024	GLC
Asif Khan	2020 - AGM 2024	GLC
Tracy Garner	2022 - AGM 2024	GLC
Councillor Roberge (chair)	2020 - AGM 2023	RCC Northern Regional Congress Committee
Councillor MacFarlane (vice chair)	2021 - AGM 2023	RCC Western Regional Congress Committee

**Changes to the 2023 PEO Statutory and Regulatory Committees and
Task Forces Membership Roster**

559th Council Meeting

First/Last Name	Service Dates	Committee / Task Force
Councillor MacFarlane (chair)	2021 - AGM 2023	RCC Western Regional Election and Search Committee

Committee and Task Force Resignations/Retirements:

First/Last Name	Service Dates	Committee / Task Force
David Moncur	2002 – June 2023	COC
Tim Kirkby	June 2019 – OACETT AGM 2022	OACETT
Duncan Blachford	2012 - 2023	ERC
Sat Sharma	2015 - 2023	ERC
Councillor Chahine (vice chair)	2021 – AGM 2023	RCC East Central Regional Congress Committee
Councillor Chiddle (chair)	2020 – AGM 2023	RCC Eastern Regional Congress Committee
Councillor Walker (vice chair)	2019 – AGM 2023	RCC Eastern Regional Congress Committee
Councillor Chisholm (vice chair)	2021 - AGM 2023	RCC West Central Regional Congress Committee
Councillor Chahine (chair)	2021 - AGM 2023	RCC East Central Regional Election and Search Committee
Councillor Walker (chair)	2019 - AGM 2023	RCC Eastern Regional Election and Search Committee
Councillor Chisholm (chair)	2021 - AGM 2023	RCC Western Regional Election and Search Committee

GOVERNANCE COMMITTEE REPORTS

Purpose: To inform Council of the recent activities of the four governance committees.

No motion required.

Prepared by: Eric Chor, Research Analyst

The Governance Committee reports are attached as appendices to this Briefing Note.

Appendices:

- A: Audit and Finance Committee (AFC)
- B: Governance and Nominating Committee (GNC)
- C: Human Resources and Compensation Committee (HRCC)
- D: Regulatory Policy and Legislation Committee (RPLC)

**Audit and Finance Committee (AFC)
Summary Report to Council
September 22, 2023**

C-559-2.4
Appendix A

Committee Meeting Date	Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
Aug 23, 2023	Review of 2024 Draft Operating and Capital Budgets	Committee reviewed, asked questions, and requested additional information with respect to aspects of the draft operating and capital budgets – revenues, expenses, variance analysis.	PEO Staff	For Council feedback at 09/22/2023 meeting. Approval at 11/17/2023 Council meeting.	Continue
	Review of Financial Statements (@June 30, 2023)	Review of Statements: Financial Position Projection, Projected Cash Flows, Revenues & Expenses, Balance Sheet, and Income Statement Variance Analysis.	Staff	Ongoing activity	Continue
	Updates: Financial Risks; Investments; and Pension Plan	Committee received updates on and discussed financial risks, investments, and the pension plan.	Staff	Ongoing activities	Continue
	Approach to Expense Reimbursement Policy	Committee reviewed and discussed examples of expense categories and allowances from two organizations (PIPSC and OACETT)	N/A	N/A	Complete

Next Committee Meeting: October 16, 2023

¹ Green=Complete; Blue=Continue; Yellow=Modify; Red=Discontinue

Governance and Nominating Committee (GNC)
Summary Report to Council
September 22, 2023

C-559-2.4
Appendix B

Committee Meeting Date: August 29, 2023

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
2024 Annual General Meeting (AGM)	Committee reviewed 8 years of historical data and other information related to AGM conducted both in-person and virtually. Committee requested that staff research costs related to hybrid option as part of the consideration for deciding format of 2024 AGM.	Staff	Review and approval at Council's 09/22/2023 meeting	Continue
Director Conduct: Good Practices Report	Committee received a report on a holistic review that has been conducted of good practices in governance controls vis-à-vis expectations for director conduct, forms of misconduct and options available to a regulatory board to address director misconduct. Presentation provided overview of background/context, process followed, and report findings. Committee agreed that Council should receive report to determine next steps, if any.	Staff	Review at Council's 09/22/2023 meeting	Continue
Budget for Professional Development for Councillors	Committee discussed funds anticipated to be allocated in the 2024 budget for Councillor training and declined to provide specific advice to the AFC regarding allocation between individual and group training. Suggestions discussed in preparation for update of <i>Councillor Training Protocol</i> for 2024.	N/A	N/A	Complete
Nomination Process for PEO Representatives on Engineers Canada Board	Committee reviewed a revised process for nominating PEO Representatives on Engineers Canada Board. Committee agreed to recommend for Council approval, subject to feedback from Engineers Canada (EC).	Staff	Following EC feedback, further review at GNC's 10/23/2023 meeting	Continue
Advisory Group Proposal	Committee reviewed a proposal for Strategic Stakeholder Advisory Group to fulfil the March 2023 Council motion that directed staff to "develop one or more Advisory Groups to replace the Licensing, Enforcement, and Professional Standards Committees..."; and for the Licensing Committee, Enforcement Committee and	Staff	Review and approval at Council's 09/22/2023 meeting	Continue

¹ Green=Complete; Blue=Continue; Yellow=Modify; Red=Discontinue

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
	Professional Standards Committee be stood down, effective Dec 31, 2023. Discussed potential for more than one advisory group, maintaining expertise, and level of involvement. Committee agreed to recommend for Council consideration.			
Governance Scorecard	Committee reviewed and provided feedback on a scorecard of quantitative indicators developed to support governance oversight of PEO operations. Committee agreed to recommend for Council consideration.	Staff	Review and approval at Council's 09/22/2023 meeting	Continue
Special Rules Review	Committee discussed structure aspect of Special Rules review authorized by Council in May 2023. Committee agreed to recommend amendment to by-law to allow Special Rules to remain effective until duly rescinded or amended.	Staff	Review and approval at Council's 11/17/2023 meeting	Continue
Election Process Review: Guidelines and Principles for Ethical Conduct	Committee reviewed guidelines developed for staff conduct during Council elections. No similar document recommended for Council member and volunteer conduct at this time.	Staff	Guidelines circulated to staff	Complete
Election Process Review: Voter Turnout Analysis and Elections Communications Strategy	Committee reviewed data regarding voter turnout in PEO elections; and received information on PEO's 2024 Elections Communications Plan.	N/A	N/A	Complete
Briefing Note Template	Committee reviewed and provided feedback on a proposed revised Briefing Note template aimed at ensuring that materials support transparent and evidence-based decision-making.	Staff	Receive Council feedback at 09/22/2023 meeting and going forward, as template begins to be used in practice	Continue
Election Officials Subcommittee Report	Committee received the Election Officials Subcommittee Report and agreed with the recommendations for the appointments of the Chief Elections Officer and the Official Elections Agent.	Staff	Review and approval at Council's 09/22/2023 meeting	Continue

Next Committee Meeting: October 23, 2023

**Human Resources and Compensation Committee (HRCC)
Summary Report to Council
September 22, 2023**

C-559-2.4
Appendix C

Committee Meeting Date	Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
Aug 30, 2023 Meeting - Cancelled	Workplace Anti-Violence and Harassment Policy (as it relates to PEO volunteers)	Item still in development and was not ready for Committee consideration. Status of HRCC Work Plan remains current. This item also appears on the work plan for the Oct 19 meeting.	PEO Staff	Oct 19 HRCC meeting	Continue

Next Committee Meeting: October 19, 2023

¹ Green=Complete; Blue=Continue; Yellow=Modify; Red=Discontinue

**Regulatory Policy and Legislation Committee (RPLC)
Summary Report to Council
September 22, 2023**

C-559-2.4
Appendix D

Committee Meeting Date: August 25, 2023¹

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ²
Regulation 941: Proposed Changes to Remove the Canadian Experience Requirement	Committee reviewed the proposed regulation to ensure that the changes match Council's policy direction to remove the Canadian Experience Requirement for Licensure to comply with FARPACTA, effective December 2, 2023. Proposed regulation removes references to a licensing requirement for work experience supervised by a person licensed to practice in Canada, in four different sections of the regulation.	Staff	Review and approval at Council's 09/22/2023 meeting	Continue
Mandatory CPD (PEAK): Proposed Policy Change	Committee reviewed a briefing note and associated Policy Impact Analysis (PIA) related to a proposed exemption to the mandatory continuing professional development program (known formally as the Professional Evaluation and Knowledge program, or PEAK) starting in 2024 for those on fee remission, most of whom are already retired from the practice of professional engineering. Committee also discussed the need for a broader review of PEAK and the survey of licence holders currently underway.	Staff	Review and approval at Council's 09/22/2023 meeting	Continue
Acoustical Engineering Service in Land Use Planning Guideline	Committee reviewed a proposed revised <i>Acoustical Engineering Service in Land Use Planning</i> Guideline. Suggestion made to include a summary document related to consultation comments. Committee agreed this item should be deferred to the next RPLC meeting, pending additional information.	Staff	Review and consider recommendation at RPLC's 10/24/2023 meeting	Continue
Professional Standards and Practice Guidelines – Schedule Review	Committee reviewed a prioritized schedule for ensuring that all PEO Practice guidelines and standards are up to date through review and or/update.	N/A	N/A	Complete

¹ Committee met without quorum

² Green=Complete; Blue=Continue; Yellow=Modify; Red=Discontinue

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ²
RPLC Work Plan for 2023-2024	Committee reviewed a revised draft work plan and agreed that the document should be considered for approval by Council	Staff	Review and approval at Council's 09/22/2023 meeting	Continue
Future Direction of the Engineering Intern Program (EIT)	Committee was updated on staff policy development work for identifying and addressing issues resulting from the suspension of the EIT program for new applicants. Process is at the information-gathering stage.	Staff	RPLC will be kept apprised and given the opportunity to comment as the policy development work on this topic proceeds	Continue
PEO Admissions: Guiding Principles	<p>Committee reviewed background information on PEO's admissions guiding principles in relation to FARPACTA.</p> <p>Committee discussed the recently approved licensing admissions process developed this year to comply with FARPACTA requirements and noted the importance of operating by guiding principles; addressing risks and consequences of the new licensing admissions process; and reflecting on a system for continuous improvement and development of solutions.</p>	Staff	Future RPLC discussion to consider as part of continuous improvement vis-à-vis FARPACTA compliance	Continue

Next Committee Meeting: October 24, 2023

Briefing Note – Information

C-559-2.5

REGIONAL COUNCILLORS COMMITTEE (RCC) REPORT

Purpose: To inform Council of the recent activities of the Regional Councillors Committee.

No motion required.

Prepared by: Eric Chor, Research Analyst

The RCC Report is attached as an appendix to this Briefing Note.

Appendix A: Regional Councillors Committee Summary Report

Regional Councillors Committee (RCC)

Summary Report to Council

September 22, 2023

1. Committee Meeting Date: July 29 & September 6, 2023

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
Chapter By-laws and Rules	Committee discussed the connection between chapter operations and By-laws and agreed that a holistic approach is necessary for assessing By-law No.1 and chapter by-laws.	Staff	RCC will work with staff on a briefing note for GNC requesting a review of PEO By-law No.1, to consider the elimination of individual chapter by-laws, and the incorporation of chapter policies and procedures and checklists within an updated chapters manual.	Continue
Chapter method of payment	Committee discussed potential risks, possible options and ongoing gaps in chapter payment operations.	Staff	Finance to review chapter payments and make a recommendation regarding the use of payment methods.	Continue
Sponsorship	Real or perceived conflicts of interest and risk to the organization must be considered. PEO funding is available for chapter events and chapters should not accept outside sponsorship.	Staff	Finance will develop a staff recommendation and will keep RCC apprised of the review.	Continue
Chapter Mission and Vision	RCC will focus on updating chapter operations; it's possible that an outcome of this process will be a refined version of the 'essential purposes' of the chapter system.	Chapter Manual Task Force	TF to develop work plan and start consultations.	Continue

¹ Green=Complete; Blue=Continue; Yellow=Modify; Red=Discontinue

Item/Topic	Discussion Summary	Assigned to	Next Steps	Status ¹
RCC Scholarship	<p>Committee discussed the requests they have received to consider an increased scholarship amount, and to permit more than one scholarship per chapter.</p> <p>RCC considered raising the value available for each chapter, but the resolution was that this change was not appropriate for 2024.</p> <p>The committee was not in agreement regarding how many scholarships should be available and requested further research.</p>	Staff	Environmental scan of regulator scholarships	Continue
Chapter Manual Task Force	As per the Chapters Risk Assessment, RCC established a task force for chapter consultations on best practices for an updated chapter operations manual.	N/A	TF to develop work plan and start consultations.	Continue
Dormant Chapters	Committee continued to review guidelines for chapter dormancy. Regional congresses discussed revival of 2005 Chapter Boundary Task Force.	Staff	Final draft of policy to be reviewed by RCC.	Continue
Chapter Leaders Conference 2023	Committee confirmed 2 delegates per chapter for CLC 2023; and to not cover additional expenses for delegate partners.	Staff	Staff to circulate event invitation to chapter volunteers	Complete
Chapter and RCC Mileage	Committee confirmed that all reasonable chapter volunteer mileage and transportation expenses performed on behalf of the chapter are eligible for reimbursement.	Staff	Staff to confirm updated guideline.	Complete
Council Election Travel	RCC confirmed the 2024 Council Election Candidate Allowance model.	Staff	Incorporate into 2024 Elections Guide.	Complete
RCC Consultation on PEO AGM 2024	There is support for a hybrid format for the 2024 PEO AGM, but await more information pending discussion at the upcoming Council meeting.	N/A	Share RCC perspective at Sept Council meeting.	Complete
Regional Open Issues	See next table			

2. Regional Open Issues

Item/Topic	Regional Open Issue	Assigned to	RCC Update	Status ²
Licensing	Western WRC moves that RCC investigate the licensing process of closing applications 90 days after the NPPE pass letter, specifically with regard to applications belonging to those who have paid for EIT status and are in good standing order, such that that these applications and EIT statuses should remain active and not closed; and also to ensure communications are improved such that EITs are contacted about their application prior to closure.	RCC	Licensing is a core role for PEO. RCC supports the need for a clear process for applicant communications. This feedback will be summarized for Council in the RCC report.	Remain Open
	Western WRC moves that RCC support the recommendation to Licensing that PEO notify applicants of major decisions, such as closing a file, using a second method of communication, such as registered mail; and provide a minimum of 90 days to respond.	RCC	Licensing is a core role for PEO. RCC supports the need for a clear process for applicant communications. This feedback will be summarized for Council in the RCC report.	Remain Open
	Western WRC moves that RCC support an effort to ensure contact information is correct for all licence holders and EITs.	RCC	RCC will bring this forward in the RCC report, as an ongoing concern from the Region. They also understand that each licence holder is responsible for updating contact information.	Recommend Close
Regulatory seminars	East Central ECRC moves that RCC recommend to CEO/Registrar the need for staff-led regulatory seminars, to be conducted at the chapter level.	RCC	RCC did not discuss however this will be included in the RCC report.	Remain Open

² Green=Recommend Close; Blue=Remain Open



Item/Topic	Regional Open Issue	Assigned to	RCC Update	Status ²
<p>EIT Program</p> <p>Chapter leaders continue to raise concerns regarding the loss of chapter membership and engaged volunteers, the impact on employers and job progression, and the loss of connection with those seeking licensure. RCC registered this feedback and committed to sharing it with Council.</p>	<p>Eastern</p> <p>ERC moves that due to the current change within the registration protocols for PEO which include the suspension of the Engineer-In-Training (EIT) program, that the seven (7) chapters of the Eastern Region hold meetings both in-person and virtually, to develop a program that provides assistance to prospective members of the profession (ie those working towards achieving forty-eight (48) months of relevant experience).</p>	RCC	RCC registers this motion. They understand that an EIT review is currently underway and are in support of a full evaluation.	Recommend Close
	<p>East Central</p> <p>ECRC moves that RCC request a formalized consultation process in the discussion on the future of the EIT program.</p>	RCC	RCC registers this motion. They understand that an EIT review is currently underway and are in support of a full evaluation.	Recommend Close.
Treasurers	<p>Eastern</p> <p>ERC moves that whereas PEO HQ has adopted a centralized banking system in 2019 that is fully administered under the PEO CFO such that Chapters no longer manage accounts, process payments or issue payments; whereas financial reporting to Chapters is in the form of a summary that contains deductions from Chapter accounts outside Chapter Business Plan activity; whereas PEO HQ receives claims, processes claims, makes payment directly to individuals/companies/providers, records payments, and provides monthly statements; that the position and past by-law role of Treasurer should be removed from Chapter constitutions/by-laws as it is redundant and causes double tabulation and reporting with inherent errors; that this issue will be deferred until such time that Council has confirmed the role of chapters with regard to the future of PEO.</p>	RCC	RCC understands that there is a role for chapter treasurers, as confirmed by the recent introduction of Certify approvals at the chapter level.	Recommend Close
Stakeholder Engagement	<p>Northern</p> <p>NRC moves to request that RCC brings a message to Council to suggest that PEO re-engage with inperson/hybrid events to inspire and re-invigorate volunteers to better network and be actively involved in our profession; such as the Order of Honour, Chapter Leaders Conference and PEO's AGM.</p>	RCC	RCC registers this motion and will share the request with Council in the RCC report.	Recommend Close

Briefing Note – Information

C-559-3.1

PRESIDENT'S REPORT

Purpose: To inform Council of the recent activities of the President.

Motion(s) to consider:

none required

President Fraser will provide a report on his recent PEO activities at the meeting.

Briefing Note – Information

C-559-3.2

CEO/REGISTRAR'S REPORT

Purpose: To present the CEO/Registrar's Report.

No motion required.

The CEO/Registrar's report is attached as Appendix A.



Professional Engineers
Ontario

CEO/ REGISTRAR UPDATE

C-559-3.2
Appendix A

SEPTEMBER 22, 2023

CEO/REGISTRAR UPDATE



I would like to welcome everybody back to PEO after a summer of vacations. I hope that you all had time to restore, relax and recharge and to enjoy the summer weather outdoors with family and friends. Although most, if not all, staff took a break, throughout the organization we have been busy delivering PEO's core operational mandate of regulating professional engineering in Ontario while connecting with stakeholders and preparing key items for Council's consideration.

NEW MERIT-BASED COMPENSATION

PEO recently introduced a new approach and process for staff performance management. The new approach ties merit increases to employees' accomplishment of set goals that are aligned to the 2023-2025 Strategic Plan. Staff draw their corporate and departmental objectives from the *2023 Operational Plan*, which can be found on page 7 of my CEO/registrar's report. This document, which we introduced to Council in March, is our way of tracking progress against goals in the 2023-2025 Strategic Plan.

TOWN HALL

On June 14, PEO staff participated in a Town Hall, which coincided with PEO's 101st anniversary. Regular Town Halls provide an effective means of sharing information across the organization, as well as an invaluable opportunity for staff to engage with one another. After the Town Hall, PEO held its annual summer staff social event. PEO has come a long way since its inception in the 1920s, and it was a pleasure to join my colleagues in a dialogue on PEO's continued journey of modernization and transformation in its second century.



CEO/Registrar Quaglietta and staff celebrate at Jack Astor's after the Town Hall.



CEO/Registrar Jennifer Quaglietta (left) leads a Q and A with Councillor Michelle Liu (right) during a Coffee Chat with PEO staff on June 27.



Councillor Michelle Liu took the opportunity to chat with PEO staff after her Q and A with CEO/Registrar Jennifer Quaglietta. PEO staff were impressed by their insights into 2SLGBTQ+ diversity in engineering.

EQUITY, DIVERSITY AND INCLUSION

PEO is committed to its Anti-Racism and Equity (ARE) Code. The ARE Code was approved by Council in April 2022, when the Anti-Racism and Anti-Discrimination Exploratory Working Group (AREWG) delivered recommendations in line with its mandate. The ARE Code will initially prioritize the most marginalized communities, which include Black, Indigenous and other racialized populations.

PEO has retained Indigenous and Community Engagement (ICE) Inc. to work collaboratively with the AREWG and staff to lead PEO's Indigenous initiative and engagement activities. ICE will be initiating outreach with various organizations beginning this month.

From a regulatory standpoint, PEO remains dedicated to ensuring its licensure process reflects its equity, diversity and inclusion commitments. Efforts to hire a specialized staff lead in this area have been prioritized and are ongoing.

The ARE Code also compels PEO to focus on developing strategies to counter any systemic discrimination impacting persons based on gender identity—including female, two-spirit, intersex, transgender and gender-variant persons.

In this spirit, we were very pleased to welcome Eastern Region Councillor Michelle Liu, MSc, JD, P.Eng., LEED-GA, to PEO's head office on June 27 for a Coffee Chat with staff. Michelle also serves on the Ontario Society of Professional Engineers' Equity, Diversity and Inclusion Task Force. They are committed to promoting equity diversity and inclusion, particularly for the 2SLGBTQ+ sector, in the engineering profession.

Michelle and their partner, Ally Kennington, EIT, [were profiled](#) in *Engineering Dimensions* last year, when they co-founded and -fund an engineering award for undergraduate engineering students at their alma mater, the University of Waterloo, to promote the inclusion of 2SLGBTQ+ people in engineering. It was fitting that our Coffee Chat took place just days after the Pride Parade, itself the culmination of a month-long celebration of diversity in sexual orientation and gender expression.

INCREASING THE REPRESENTATION OF WOMEN LICENSED BY PEO

PEO, along with all provincial and territorial engineering regulators, is a participant in the Engineers Canada-led 30 by 30 initiative, which aims to ensure that by 2030, 30 per cent of newly licensed engineers are women. In 2022, 20.5 per cent of newly licensed engineers who obtained licensure in Ontario identified as women.



In June 2021, Council authorized experts from the University of Toronto's Rotman School of Management to conduct a gender audit study of PEO's licensure process and internal operations. In September 2022, the experts, Sonia Kang, PhD, and Joyce He, PhD, now with the Anderson School of Management at the University of California, Los Angeles, updated PEO and its 30 by 30 stakeholders on their preliminary findings, following the analysis of 100,000 applications for licensure with PEO. Their initial findings revealed that although women are as successful as men at completing their academic requirements for licensure and typically successfully complete the National Professional Practice Exam, they are less likely to complete the experience component of licensure. Of note, this initial analysis was drawn from PEO's legacy licensing system, when applicants could apply prior to obtaining the requisite 48 months of engineering experience.

The experts are currently entering the second phase of PEO's gender audit study, which commenced this month. In this phase, they will conduct interviews with past, current and potential applicants for licensure. The first wave of interviews is planned to take place in late September and will target those who recently obtained their licence or who are currently in the licensing process under the legacy licensing model. The goal is to develop a deeper understanding of the preliminary findings from the first phase of the research study. Interview questions will focus on activities related to satisfying the experience requirement and feedback related to the new FARPACTA-compliant licensure model. A second wave of interviews is planned to take place in November, and interview questions will focus on goals and plans to become licensed and barriers encountered during the process.

FARPACTA UPDATE

FARPACTA-driven changes to the licensing process mean that only those who have met academic and experience requirements should be applying for licensure. The automated FARPACTA-compliant process launched on June 26, 2023, ahead of the July 1, 2023, deadline. On July 31, 2023, PEO had its first paid applicant in the automated FARPACTA-compliant process and approximately 2000 draft applications. For all applications received to date, PEO was able to meet the 10-day deadline to acknowledge receipt of a complete application.

INVENTORY MANAGEMENT PLAN

Although the new FARPACTA-compliant licensing process is designed to benefit new applicants, PEO must process and consider the licensing applications of those who had applied before the recent changes took effect. The goal is to ensure that people already in the process benefit as much as possible from the revised approach. We also wish to avoid unduly prejudicing earlier applicants as a result of our process changes for new applicants. In August, staff met with Office of Fairness Commissioner (OFC) staff to present PEO's Inventory Management Plan. The OFC expressed support for the plan, which is consistent with the OFC's guiding principles.

MANDATORY CONTINUING PROFESSIONAL DEVELOPMENT (PEAK PROGRAM) UPDATE

As Council is aware, a new continuing professional development (CPD) requirement for licence holders took effect on January 1, 2023. This requirement is being implemented through a mandatory version of the Practice Evaluation and Knowledge program (PEAK). PEAK is mandatory but will not be issued in 2023. Administrative suspensions will be enforceable no sooner than 2024, and only after high compliance targets have been satisfied. Further updates will be provided as the approach to administrative suspensions is developed.

LATEST PEAK STATISTICS

Analysis of PEAK participation data indicates that 59 per cent of licence holders are practising, 25 per cent are not practising and 16 per cent have not yet declared their practice status. As of August 20, 2023, 72 per cent of licence holders have completed their first two PEAK elements, and an additional 6 per cent are still working towards completing both elements. This amounts to a program uptake of 78 per cent. The remaining 22 per cent have not yet started their PEAK elements this year. Incidentally, 10 per cent of

licence holders who were assigned a CPD reporting requirement have already completed their goal hours ahead of the December 31, 2023, deadline.

Of the 22 per cent of licence holders required to complete PEAK who have not yet started the program, one third are fee remission registrants, who pay a reduced licence fee and have already declared they are not practising and do not intend to engage in professional practice. Ninety per cent of fee remission registrants are enrolled under the “retired” category. The remaining two thirds pay the full licence fee and could have a status of either practising or not practising.

NOTE: Reminder emails were sent on August 24, 2023, to licence holders who have not started PEAK this year and to licence holders who only partially completed their first two PEAK elements, which were due on Jan 30. Another reminder, about the third PEAK element, which is due on Dec 31, 2023, is scheduled to be sent this autumn.

INDIVIDUALS WHO	AT THE END OF JANUARY 31, 2023	AT THE END OF AUGUST 20, 2023
Complied so far by completing their first two PEAK elements	59% 67%	72% 78%
Are working towards compliance (started PEAK but not yet completed their first two elements)	8%	6%
Have not yet started PEAK this year	33%	22%
Already completed their CPD Report (if this element applies)	not available	10%

Figure 1: 2023 PEAK completions up to August 20

COMMUNICATION

A comprehensive communication campaign is being developed for roll out later this year. It will reinforce to licence holders CPD requirements. It will also keep them apprised of the latest program rules and PEAK features and it will alert licence holders to enforcement measures that PEO could implement as early as 2024. A wide range of platforms will be used to help people understand and comply with the PEAK mandatory CPD program.

PEAK USER SUPPORT

PEO continues to assist licence holders to complete their PEAK requirements quickly and easily. These user supports are available across a variety of formats to cater to the wide range of individual preferences, including phone and email support, the new Help and FAQs in the PEO portal, and a dedicated webpage with all the latest PEAK program information (peopeak.ca). Moreover, the updated PEAK applicability chart succinctly explains how licence holders are required to complete the program annually based on their individual circumstances.

STAKEHOLDER ENGAGEMENT

Earlier this year, a survey was distributed to licence holders about current and future PEAK program features and considerations. This stakeholder engagement exercise was conducted between August 8 and September 8, 2023, through an online consultation survey. The results of the 2022 and 2023 surveys are publicly available on the PEAK web page.

LICENCE STATUS TERMINOLOGY

In 2023, the description of licence holder status, both in the directory and for PEAK, uses the terms “permitted to practise” and “not permitted to practise.” Based in part on licence holder feedback, PEO undertook a review to identify alternate status labels that would be accurate, respectful and informative and could be implemented this year. As a result, PEO will be updating the licence status terminology to “eligible to practise” and “not currently eligible to practise.” We will be implementing a dedicated communications initiative to explain the new terms and what they mean from a PEAK standpoint. This is an iterative measure. Over the next few years, PEO will engage in a comprehensive review of licence status terminology and licence classes. The goal in relation to PEAK is for CPD requirements to become easier to correlate to specific and clearly described licence statuses, ideally in our by-laws and/or regulations.

EXEMPTIONS (RETIREES)

Council is being asked at its September 2023 meeting to consider granting a total PEAK exemption for about 13,000 licence holders who are enrolled in fee remission, 97 per cent of whom are retirees. An explanation of the reasoning behind this recommendation is found in the pertinent briefing note, which was also considered by the Regulatory Policy and Legislation Committee in August.

MORE CPD ACTIVITIES WILL BE ADMISSIBLE

Our goal, through continuous improvement, is to make CPD requirements for licence holders more relevant and achievable as possible. Accordingly, we are developing an additional set of criteria to give licence holders more options to meet CPD reporting requirements. The aim is to allow licence holders to declare some supplementary CPD activities in addition to the priority CPD activities.



STRATEGIC PLAN

PEO's 2023–2025 Strategic Plan includes the four goals of modernizing processes, improving governance, optimizing organizational performance and collaborating with stakeholders. In support of this strategic plan, 23 initiatives are planned and underway for 2023. As of September 2023, nine initiatives in the 2023 operational plan

have been completed, and an additional eight are more than half completed against the planned deliverables for this year. Development and budgeting for the 2024 operational plan is underway and will continue into the fall.

OPERATIONAL PLAN STATUS REPORT AS OF SEPTEMBER 2023

Goals	Sub Goals	Activities	Status			
			NYS	< half	> half	Done
1. Improve licensing processes	1.1 Create fair, transparent, accessible and efficient application process	1.1.0 Present FARPACTA policy/approach				
		1.1.1 FARPACTA tech solution - Phase 1 & 2				
		1.1.2 FARPACTA process				
		1.1.3 Change management and communications				
		1.1.4 Measure FARPACTA compliance				
	1.2 Review licensing processes; implement changes	1.2.1 Implement mandatory CPD - Phase 1 (roll out, reminders)				
	1.3. Ensure licensing reflects EDI values	1.3.1 EDI - Phase 1 (audit, supports)				
2. Optimize organizational performance	2.1 Update/develop standards, guidelines	2.1.1 Establish policy development framework/process				
		2.2.1 Digital transformation roadmap				
	2.2. Ensure adequate IT; data collection & management	2.2.2 Data governance model				
		2.3.1 Organizational EDI strategy				
	2.3 Review/Improve comms & business processes; ensure EDI values reflected	2.3.2 HR high performance team roadmap				
		2.3.3 Modernize payroll processes				
		2.3.4 Communications strategy (value, EDI)				
		2.3.5 Modernize budget processes				
		2.3.6 Review financial controls				
		2.3.7 Develop Customer Service Model				
		3.1.1 Review/revise board manual				
3. Implement governance improvement program	3.1 Ensure councillor & ELT orientation	3.2.1 Strategic plan reporting				
	3.2 Ensure committee/council evidence for decision-making	3.2.2 RM framework				
		4.1.1 Establish Visioning taskforce, workplan				
4. Refresh vision; ensure stakeholders see PEO value	4.1 Dialogue with members & stakeholders	4.1.2 Council engagement session				
		4.1.3 Stakeholder engagement session(s)				

Figure 2: Operational status report as of September 2023

ERC REVIEWS

As of early August 2023, an average of 56 assessments per month were held in the last six months. If the Experience Requirements Committee continues at its current rate of assessments, it will take approximately 12 months to work through the projected accumulation of files.

Both the ARC and the ERC support the statutory decision-making role of the Registrar, and I applaud and thank the members of these committees, as well as the staff who assist with their work, for their commitment and flexibility.

ARC REVIEWS

The ARC's assessment queue presently includes over 2400 applications, and the committee has reviewed over 1400 files between January and August 2023. Staff and volunteers on the Academic Requirements Committee continue to collaborate to manage the surge in new application files requiring assessment, which occurred before the May 15, 2023, deadline to apply in the legacy process and the July 28, 2023, deadline to submit payment. The accumulation of applications requiring academic assessment as of mid-August is over 2000 files.

FINANCE

	2023 Actual	2022 Actual	Variance
TOTAL REVENUES	\$18,429,528	\$14,552,620	\$3,876,908
Operations expenses	\$14,248,295	\$12,048,145	-\$2,200,150
Special project exp	\$1,223,955	\$1,419,537	\$195,582
TOTAL EXPENSES	\$15,472,250	\$13,467,682	-\$2,004,568
Excess of Rev over Exp	\$2,957,278	\$1,084,938	\$1,872,340

Figure 3: Revenues and expenses as of June 30, 2023

	2023 Actual	2022 Actual	Variance
Cash	\$9,187,097	\$6,206,324	\$2,980,773
Other current assets	\$797,825	\$688,791	\$109,034
Marketable securities	\$27,904,860	\$26,362,081	\$1,542,779
Capital assets	\$27,810,665	\$29,029,318	-\$1,218,653
Total assets	\$65,700,447	\$62,286,514	\$3,413,933
Current liabilities	\$15,277,421	\$14,652,954	-\$624,467
Long term debt	-	\$907,302	\$907,302
Employee future benefits	\$13,260,100	\$11,153,600	-\$2,106,500
Net assets	\$37,162,926	\$35,572,658	-\$1,590,268
Total liabilities & net assets	\$65,700,447	\$62,286,514	\$3,413,933

Figure 4: Assets and liabilities as of June 30, 2023

For the six months ending June 30, 2023, revenues earned were \$18.4 million, and expenses incurred were \$15.5 million, resulting in an excess of revenue over expenses of approximately \$3.0 million, as shown in Figure 3. An approximate \$3.9 million increase in revenues in comparison to the prior year actuals for the same period is largely attributable to a higher-than-expected investment income, an increase in P. Eng applications and registration and exams fees. Revenues were also boosted by PEO's share of Engineers Canada's affinity program revenues, which Council has agreed to start receiving from this year onwards.

Regarding expenses, there were \$15.5 million in total expenses for the six months ending June 30, 2023, versus a spend of \$13.5 million during the same period in the prior year. The increase in

expenses is mainly due to higher spend on staff salaries and benefits, legal (corporate, prosecution and tribunal) expenses, contract staff and chapters.

Figure 4 shows cash reserves of approximately \$9.2 million and an investment portfolio of \$27.9 million as of June 30, 2023, in comparison to cash reserves of \$6.2 million and an investment portfolio of \$26.4 million, respectively as of June 30, 2022.

REMISSIONS AND RESIGNATIONS

The data in Figures 5 and 6 show the monthly breakdown of the number of members seeking fee remission in 2023 and 2022, respectively. In 2023, the average monthly number of members seeking remissions as of June 30, 2023, is 244 in comparison to 229 for 2022.

As can be seen in Figures 5 and 6, there has been a monthly average of 236 resignations in 2023 versus 113 resignations in 2022. However, overall, the number of P.Engs as of June 30, 2023, increased by 150 to 87,149 members in comparison to 86,999 members as of June 30, 2022.

Remission Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total	Monthly Ave.
Parental leave	22	14	11	16	18	10							91	15
Postgraduate	4	4	9	9	8	2							36	6
Unemployment	134	78	121	126	128	83							670	112
Temporary health	4	1	3	4	4	5							21	4
Permanent health	9	7	4	6	3	2							31	5
Retired	133	118	99	68	110	88							616	103
Total	306	222	247	229	271	190							1465	244
Cumm. Total	306	528	775	1004	1275	1465								
Resignations	362	226	188	268	180	190							1414	236

Figure 5: Remissions and resignations stats for 2023

Remission Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total	Monthly Ave.
Parental leave	14	10	20	13	21	13	8	17	15	10	18	12	171	14
Postgraduate	7	8	5	12	14	4	6	2	8	13	6	3	88	7
Unemployment	161	106	146	142	113	107	104	129	109	124	116	83	1440	120
Temporary health	7	4	3	5	5	7	4	0	2	1	2	5	45	4
Permanent health	2	1	9	4	3	1	2	9	3	3	5	3	45	4
Retired	84	99	88	51	80	76	47	93	90	56	93	101	958	80
Total	275	228	271	227	236	208	171	250	227	207	240	207	2747	229
Cumm. Total	275	503	774	1001	1237	1445	1616	1866	2093	2300	2540	2747		
Resignations	111	79	90	79	108	95	77	110	141	84	159	222	1355	113

Figure 6: Remission and resignation stats for 2022

CUSTOMER SERVICE

We are committed to improving how we interact with our licence and certificate holders and how quickly and effectively we respond to their questions and concerns. The Customer Service team was established earlier this year to tackle PEAK and technical concerns regarding the PEO portal as well as to support the launch of multi-factor authentication. The team is now adeptly addressing general FARPACTA and legacy application queries. We have also been meticulously tracking various metrics relating to query management and operations. The insights garnered from this comprehensive dataset will be pivotal in fulfilling our commitment to continuous improvement in customer service.

From July 17, 2023, to August 17, 2023, the customer service representatives resolved 89.8 percent of the emails they received and 63.4 percent of the phone calls they received. Technical issues motivate the biggest number of emails received—more than 70 per cent—while the most received subject on calls is about requirements for the new licensing process. Expect forthcoming updates as we continue our journey towards establishing the benchmark for customer service excellence.

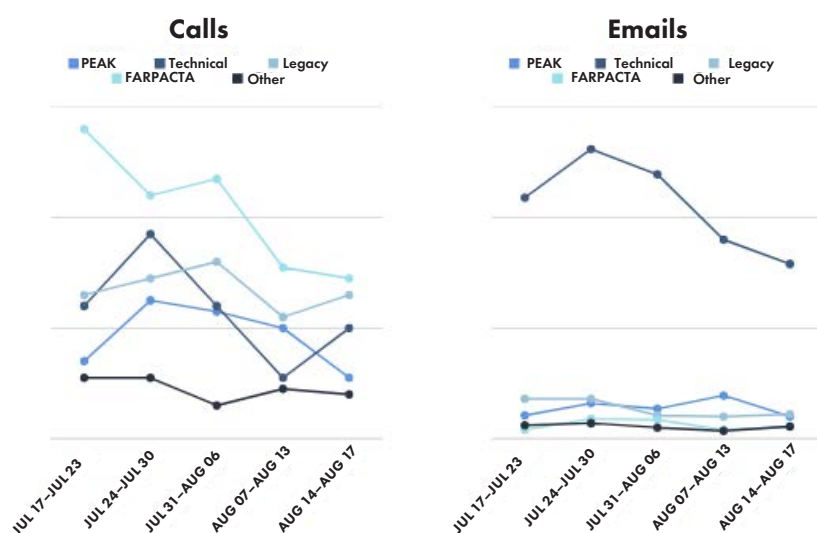


Figure 10: Weekly progress of calls and emails to customer service, weeks 23—32

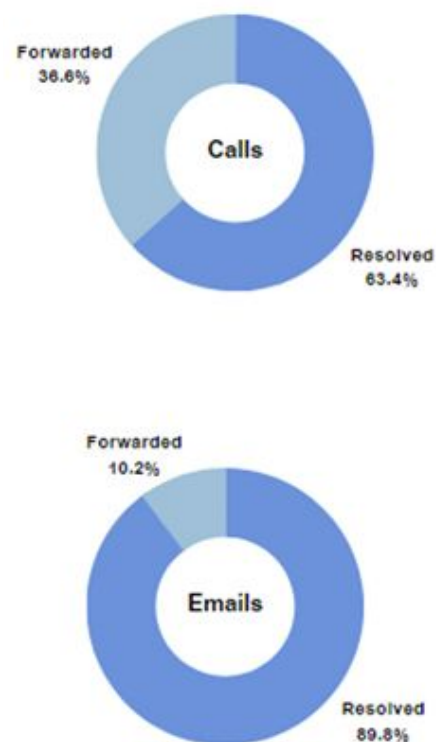


Figure 11: Total times for calls and emails by inquiry categories

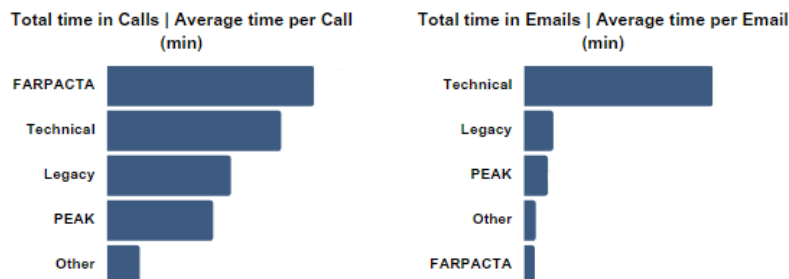


Figure 12: Resolution of calls and emails to customer service

CHAPTER OFFICE

As of August 31, 2023, PEO chapters have hosted 160 events. In total, Eastern Region hosted 15 events, East Central Region hosted 58 events, Northern Region hosted 18 events, Western Region hosted 28 events and West Central Region hosted 41 events.

As of mid-August, 9200 event tickets had been processed. Event highlights include:



Chapter events will culminate in the Chapter Leaders Conference, which will be held in conjunction with the Government Liaison Program Fall Training session in November. Over the coming months, PEO's leadership team is committed to attending as many key chapter and regional events as possible. We consider this an important part of our stakeholder engagement strategy, and we look forward to obtaining valuable insight and feedback from licence holders, EITs and applicants involved at the chapter level.

HYBRID 2.0 PROJECT

In April 2023, PEO launched a design initiative to evolve our hybrid-work practices in a way that is more agile, principle-based and innovative. Incorporating staff feedback and relevant best practice standards, a working group was formed to utilize the design-thinking framework to generate creative ideas and solution prototypes. PEO has embraced design thinking as a method to foster innovative improvements. This project exemplified our staff's commitment to innovation and experimentation. We look forward to using design thinking and other modern approaches to bolster capacity and agility within staff to meet our organizational needs and regulatory objectives.

LICENSING DASHBOARD PROJECT



PEO is committed to continuously improving our decision-making processes by embracing innovative design methods to advance the use of data and informatics. In the fall, PEO will be launching a licensing operations dashboard, which will enhance PEO's capacity to manage and model data using an interactive and visual tool. The dashboard will provide immediate data for review and insights to support quality decision making while facilitating ongoing reporting needs, particularly FARPACTA compliance.

The dashboard supports PEO's strategic goal of optimizing organizational performance. It also supports and promotes the needs of licence holders, applicants and the public by identifying continuous improvement opportunities.

Briefing Note – Information

C-559-4.1(a)

2024 DRAFT OPERATING BUDGET

Purpose: To review the draft 2024 operating budget

No motion required

Prepared by Chetan Mehta – Director, Finance

1. Need for PEO Action

In accordance with the Council approved PEO business planning cycle, the draft operating budget (Appendix A) is being presented to Council for review and input. Council's feedback at this meeting will be incorporated into the final draft of the 2024 operating budget which will be presented at the November 2023 meeting to Council for approval. The key highlights of the 2024 draft operating budget are summarized below in Table 1.

Total revenues in 2024 are budgeted at \$34.6m and total expenses to sustain regular day to day or core operations are budgeted at \$34.5m, resulting in an excess of revenues over expenses of \$183k. In addition to these expenses, an additional spend of \$746k is budgeted for special projects and Council initiatives, resulting in an excess of expenses over revenues of \$563k. Details of the 2024 budget can be seen in Appendix A. Spend data on 2024 Strategic plan projects is in the process of being compiled and will be provided in time for the November Council meeting.

Table 1 – Summary of key financials

	2024 Budget	2023 Forecast	2023 Budget
Revenue	\$34,636,846	\$35,738,393	\$32,043,319
Expenses - core operations	\$34,453,636	\$29,765,187	\$30,521,660
Spend on projects and Council initiatives	\$746,425	\$3,310,900	\$5,083,048
Strategic plan projects ⁽¹⁾	-	\$1,265,130	-
Excess of revenue over expenses	(\$563,215)	\$1,397,176	(\$3,561,389)
Cash & Mkt Securities	\$35,907,383	\$36,190,381	\$30,709,674

⁽¹⁾ 2024 Strategic plan project data is in the process of being compiled and will be provided at the November Council meeting.

Revenue

The 2024 budgeted revenue is expected to be \$34.6m, representing a decrease of \$1.1m or 3% over the 2023 forecasted revenue. The main factor contributing to the fall in revenues is a decrease of \$1.6m or 16% in Application, registration and other fees resulting from an expected fall of over 50% in the number of applications in 2024 (2,800 in 2024 vs 6,400 in 2023); and a fall in the number of EITs (10,100 in 2024 vs 15,500 in 2023). This is due to the FARPACTA (Fair Access to Regulated Professions and Compulsory Trades Act) legislation, which requires PEO to make changes to its licensure process, whereby, effective July 1, 2023, applications must meet certain experience and academic criteria (such as having 48 months of engineering experience; passing the NPPE, etc.) before these can be accepted for further processing. In addition, a fall of \$446k or 18% in 40 Sheppard revenues is expected due to the likelihood of a tenant occupying approx. 19,000 sq ft not renewing their lease which is up for renewal in 2024.

This fall in revenue is partially offset by:

- An increase of \$801k or 70% in the sponsorship revenue for PEO related to the insurance affinity agreement between Engg. Canada and MMI (Meloche Monnex Inc.)
- An increase of \$102k or 0.5% in P.Eng. revenues.
- An increase of \$19k or 10% in Chapters revenues.

Expenses

The 2024 budgeted expenses for regular operations are expected to be \$34.5 m vs \$29.8m in 2023 which represents an increase of \$4.7m or 16% over 2023 forecasted expenses. In addition to overall inflationary pressures, the key reasons contributing to the increase are:

- An increase in employee Salaries and benefits and retiree and staff future benefits of \$3m over the 2023 forecast due to an increase in headcount and a merit increase of 4% in FY 2024. These merit increases are per the recommendations of an external consultant. The FT headcount in 2024 is expected to be 142 vs a forecasted headcount of 133 in 2023. The budgeted headcount in FY 2023 is 136.
- An increase of \$506k or 33% in spend for Computers and Telephones for various software service contract renewals; software application license costs; leasing expenses for hardware such as computers, monitors, and peripherals for vacancies and net-new positions, etc. These costs also include funding for various new initiatives such as an emergency broadcast and notification system, meeting room reservation functionality and Zoom licenses for external broadcasts and webinars.
- An increase of \$449k or 91% for Consultants for services such as the Council workshop, HR matters, IT security, and investment management., etc.
- An increase of \$325k or 89% for Volunteer business expenses on meals, mileage, accommodation and travel related spend due to an increase in-person meetings for various committees, events, etc.
- An increase of \$303k or 18% for Purchased services largely due to costs for catering, event meals, accommodation, audio visual equipment, and travel related expenses for various in-person events such as the Volunteer Symposium, Council workshop, Regional Congresses, Chapter Leaders Conference, etc. In addition, higher costs for the Elections Officer and

exams (both NPPE and Technical) are expected. The current spend figures assume that the 2024 AGM will be a fully virtual event.

The above increases are partially offset by:

- Reduction of \$224k or 22% for the spend on Engineers Canada due to a lower assessment rate per member. The rate per member for FY 2024 is \$8 vs \$10.21 in FY 2023.
- Reduction of \$48k or 11% in the spend on Professional development.

2. Background

The Audit and Finance Committee (AFC) met on June 13, 2023, to review and provide feedback on the budget assumptions for the 2024 operating and capital budgets, after which the senior management team and staff began work on the budgets. A draft copy of the 2024 operating and capital budgets with the 2023 forecast was completed in August and distributed to the AFC prior to its meeting on August 23, 2023. During this meeting, the AFC met with the CEO/Registrar, the Director of Finance, and other staff to review the first draft of the budgets. Key highlights of the operating and capital budget were presented and questions from the committee members were answered by staff. After feedback from the AFC, suggestions for managing the budget deficit have been made and the current version of the budgets are being presented to Council for feedback.

3. Appendices

- **Appendix A**
 - 2024 Draft Operating Budget & Projected Financial Statements from 2024 to 2028
- **Appendix B**
 - 2024 Budget Assumptions

Professional Engineers Ontario - DRAFT 2024 OPERATING BUDGET

Variance Analysis - 2024 Budget Vs 2023 Forecast

DRAFT - presented to AFC meeting on Aug 23, 2023

C-559-4.1(a)
Appendix A

REF. NO	DESCRIPTION	2024 Bud		2023 Fcst		2023 Bud		2022 Act		Variances			
		2024 Bud Vs 2023 Fcst		2023 Fcst Vs 2023 Bud									
		\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
		(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)				
1	P. Eng Revenue	20,521,567		20,419,470		20,571,765		20,283,903		102,097	0.5%	(152,295)	(0.7)%
2	Appln, regn, exam and other fees	8,630,357		10,211,631		8,456,221		10,348,205		(1,581,274)	(15.5)%	1,755,410	20.8%
3	40 Sheppard Revenue	2,058,461		2,504,430		2,620,583		2,413,344		(445,969)	(17.8)%	(116,153)	(4.4)%
4	Affinity Revenue	1,941,596		1,140,378		-		-		801,218	70.3%	1,140,378	0.0%
5	Investment income	1,200,000		1,200,000		210,000		(586,793)		-	-	990,000	471.4%
6	Chapter revenues	221,865		202,484		85,000		134,816		19,381	9.6%	117,484	138.2%
7	Advertising income	63,000		60,000		99,750		77,922		3,000	5.0%	(39,750)	(39.8)%
	TOTAL REVENUE	34,636,846		35,738,393		32,043,319		32,671,397		(1,101,547)	(3.1)%	3,695,074	11.5%
	EXPENSES - CORE OPERATIONS												
8	Salaries and benefits / Retiree and staff future benefits	18,542,167		15,456,003		16,669,269		14,339,854		(3,086,164)	(20.0)%	1,213,266	7.3%
9	40 Sheppard expenses	2,143,641		2,172,821		2,132,732		2,088,204		29,180	1.3%	(40,089)	(1.9)%
10	Purchased services	2,010,237		1,707,051		1,946,946		1,621,870		(303,187)	(17.8)%	239,895	12.3%
11	Computers and telephone	2,050,289		1,544,310		1,550,043		1,515,378		(505,979)	(32.8)%	5,733	0.4%
12	Legal (Corporate, Prosecution & Tribunal)	1,422,747		1,372,325		855,308		1,370,014		(50,422)	(3.7)%	(517,017)	(60.4)%
13	Chapters	1,312,234		1,239,000		1,242,000		817,519		(73,234)	(5.9)%	3,000	0.2%
14	Contract staff	1,085,144		1,106,799		796,836		795,590		21,655	2.0%	(309,963)	(38.9)%
15	Consultants	940,981		492,273		413,432		497,067		(448,709)	(91.2)%	(78,841)	(19.1)%
16	Occupancy costs	868,974		866,751		913,895		767,868		(2,222)	(0.3)%	47,144	5.2%
17	Transaction fees	865,775		828,719		838,990		770,104		(37,056)	(4.5)%	10,271	1.2%
18	Engineers Canada	809,976		1,033,732		1,086,750		1,013,057		223,756	21.6%	53,018	4.9%
19	Volunteer expenses	690,830		365,892		435,352		200,400		(324,938)	(88.8)%	69,460	16.0%
20	Amortization	456,865		468,285		473,040		575,522		11,420	2.4%	4,755	1.0%
21	Professional development	374,896		423,135		471,563		79,044		48,239	11.4%	48,428	10.3%
22	Insurance	184,875		176,248		176,651		166,296		(8,627)	(4.9)%	403	0.2%
23	Postage and courier	132,352		158,554		132,595		272,014		26,203	16.5%	(25,959)	(19.6)%
24	Recognition, grants and awards	183,192		122,993		121,776		56,653		(60,199)	(48.9)%	(1,217)	(1.0)%
25	Advertising	147,500		42,500		58,200		38,390		(105,000)	(247.1)%	15,700	27.0%
26	Staff expenses	93,505		65,709		85,250		54,031		(27,796)	(42.3)%	19,541	22.9%
27	Office supplies	74,109		62,517		66,032		47,929		(11,591)	(18.5)%	3,515	5.3%
28	Printing & photocopying	63,348		59,570		55,000		50,218		(3,778)	(6.3)%	(4,570)	(8.3)%
	TOTAL EXPENSES - CORE OPERATIONS	34,453,636		29,765,187		30,521,660		27,137,022		(4,688,449)	(15.8)%	756,473	2.5%
	EXCESS OF REVENUE OVER EXPENSES BEFORE UNDERNOTED	183,210		5,973,206		1,521,659		5,534,375		(5,789,997)	(96.9)%	4,451,547	292.5%
	EXPENSES - NON CORE OPERATIONS												
29	Projects and Council initiatives (Note 1)	746,425		3,310,900		5,083,048		3,463,329		2,564,475	77.5%	1,772,148	34.9%
30	Strategic Plan Project (Note 2)			1,265,130		-		-		1,265,130	100.0%	(1,265,130)	0.0%
	EXCESS OF REVENUE OVER EXPENSES	(563,215)		1,397,176		(3,561,389)		2,071,046		(1,960,392)	(140.3)%	4,958,565	(139.2)%

Note 1: Details on special project is on Page 7

Note 2: 2024 Strategic Plan data is in the process of being compiled and the final estimated spend data will be provided once available

Professional Engineers Ontario - DRAFT 2023 OPERATING BUDGET

Variance Analysis - 2024 Budget Vs 2023 Forecast

DRAFT - presented to AFC meeting on Aug 23, 2023

Ref. No.	Variance Explanation
1	Increase of 0.5% in P.Eng revenues due to the expected growth in membership. In 2024, PEO is expected to have 87,917 vs 87,593 members in 2023.
2	Decrease is largely due to the expected fall in applications, and EIT (Engineers in Training) revenues due to FARPACTA (Fair Access to Regulated Professions and Compulsory Trades Act), which is effective July 1, 2023. FARPACTA requires PEO to make changes to its licensure process, where unlike in the past, effective July 1, 2023, all applicants need to meet certain experience and academic criteria (such as having 48 months of engg. experience; passing the NPPE, etc.) before their applications can be accepted for further processing. As a result, the number of applications which can be accepted for subsequent processing is expected to fall by over 50% from 6,400 in 2023 to 2,800 applications in 2024. The number of EIT is expected to fall as well from 15,500 in 2023 to 10,100 in 2024.
3	Decrease in 40 Sheppard revenues as one of our tenants whose lease expires in March 2024, may not renew, which is likely to lead to an additional 19,000 sq ft or 18% in vacancy.
4	Expected affinity revenue from TD Meloche.
5	Expected investment income.
6	Expected revenues from Chapters operations.
7	A slight increase in advertising revenue due to the expected improvement in market conditions.
8	Increase in Salaries and benefits due to the recruitment of additional FT staff and a 4% merit increase in 2024. The merit increase is based on the recommendations of an external consultant. The total expected FT staff in 2024 is 142 vs forecasted headcount of 133 in 2023. The budgeted headcount for FY 2023 is 136.
9	Lower 40 Sheppard expenses due to lower spend on mortgage interest.
10	Increase in spend on Purchased services largely due to higher costs for catering, accommodation, audio visual expenses, etc. for various in-person events / meetings such as the Volunteer Symposium, Council workshop, Chapters Leader Conference, Regional Congresses. In addition, there is an increase in the cost for an Elections Officer, technical exams and NPPE exams, etc. The current spend figure, pending Council decision on an in-person AGM, assumes a fully virtual AGM for FY 2024.
11	Higher costs for Computers and telephones due to increase in spend on IT equipment and hardware, costs for secure online platform, costs for various service maintenance contracts for software support, network security, etc.
12	Slight increase in Legal (corporate, prosecution and tribunal) expenses largely due to an increase in costs for independent legal counsel for discipline, and complaints investigations.
13	Slightly higher spend for Chapters in 2024 due to costs for various Chapter activities.
14	Spend on Contract staff in 2024 to support Licensing, ITS, and Project Management Office department needs.
15	Expenses for Consultants include spend on consultants for Council workshop, human resources, IT initiatives such as security consultant to sustain and support operations, investment management, etc.
16	Slight increase in Occupancy costs due to increase in operating costs.
17	Transaction fees are higher due to an increase in the volume of online payments resulting in higher credit card commissions and related transaction costs. Currently over 90% payments are via credit card and this trend is expected to continue. In addition, transaction costs for the payroll system are expected to increase along with slightly higher costs for bank service fees.
18	The Engineers Canada assessment rate is expected to fall to \$8 per member in 2024 from \$10.21 per member in 2023.
19	Higher Volunteer expenses for travel, accommodation, mileage, and air/train fare, registrations etc. for in-person attendance at various committee meetings and events, which are expected to increase as the situation with the pandemic improves.
20	A decrease in Amortization costs due to reduced spend on new capital projects and the continued amortization of spend on capital items such as furniture, IT and telecon equipment, etc. which were purchased in prior years.
21	Expected spend on Professional Development in 2024.
22	Increase in Insurance costs due to higher premiums for property, errors & omissions/directors & officers, and cyber liability insurance.
23	Lower Postage and courier costs in 2024 due to expected reduction in the volume of paper based correspondence.
24	Higher spend on Recognition, grants and awards in 2024 for events and PR items for staff and volunteers.
25	Increase in advertising due to expected higher recruitment advertisement and corporate communications in 2024 compare to 2023.
26	Increased spend on Staff business expenses related to travel for in-person attendance at various events, meetings.

Professional Engineers Ontario
Statement of financial position projection
for the years ending December 31 - DRAFT

DRAFT - presented to AFC meeting on Aug 23, 2023

	2023	2024	2025	2026	2027	2028
	FORECAST	BUDGET	PROJECTION	PROJECTION	PROJECTION	PROJECTION
ASSETS						
CURRENT						
Cash	9,072,791	9,072,791	9,072,791	9,072,791	9,072,791	9,072,791
Marketable securities at fair value	27,117,590	26,834,592	27,728,864	28,658,916	29,625,730	30,630,323
Cash & marketable securities	36,190,381	35,907,383	36,801,655	37,731,706	38,698,521	39,703,114
Accounts receivable	1,012,188	1,012,188	1,012,188	1,012,188	1,012,188	1,012,188
Prepaid expenses, deposits & other assets	472,747	446,601	411,217	378,958	351,074	328,574
	37,675,316	37,366,172	38,225,060	39,122,852	40,061,783	41,043,876
Capital assets	27,309,208	26,692,232	26,090,474	25,456,554	24,789,110	24,086,715
	64,984,523	64,058,404	64,315,533	64,579,406	64,850,892	65,130,591
LIABILITIES						
CURRENT						
Accounts payable and accrued liabilities	3,589,143	3,589,143	3,589,143	3,589,143	3,589,143	3,589,143
Fees in advance and deposits	12,169,554	12,169,554	12,169,554	12,169,554	12,169,554	12,169,554
Current portion of long term debt	362,904	-	-	-	-	-
	16,121,601	15,758,697	15,758,697	15,758,697	15,758,697	15,758,697
LONG TERM						
Long term debt	-	-	-	-	-	-
Employee future benefits	13,260,100	13,260,100	13,260,100	13,260,100	13,260,100	13,260,100
	13,260,100	13,260,100	13,260,100	13,260,100	13,260,100	13,260,100
Net Assets	35,602,822	35,039,607	35,296,736	35,560,609	35,832,095	36,111,794
	64,984,523	64,058,404	64,315,533	64,579,406	64,850,892	65,130,591

Professional Engineers Ontario
Statement of projected cash flows
for the years ending December 31

DRAFT - presented to AFC meeting on Aug 23, 2023

	2023	2024	2025	2026	2027	2028
<u>Operating</u>	FORECAST	BUDGET	PROJECTION	PROJECTION	PROJECTION	PROJECTION
Excess (deficit) of revenue over expenses - operation:	1,397,176	(563,215)	257,129	263,873	271,486	279,699
Add (deduct) items not affecting cash						
Amortization	1,312,481	1,320,903	1,351,758	1,383,920	1,417,444	1,452,394
Amortization - other assets (leasing)	64,671	26,146	35,384	32,259	27,884	22,500
Total Operating	2,774,329	783,833	1,644,272	1,680,052	1,716,814	1,754,593
<u>Financing</u>						
Repayment of mortgage	(1,088,796)	(362,904)	-	-	-	-
Total Financing	(1,088,796)	(362,904)	-	-	-	-
<u>Investing</u>						
<i>Additions to Capital Assets:</i>						
Additions to Building	(158,088)	(663,927)	(700,000)	(700,000)	(700,000)	(700,000)
Additions to other Capital Assets (F&F, IT, Phone, AV, etc.)	(40,000)	(40,000)	(50,000)	(50,000)	(50,000)	(50,000)
Total Investing	(198,088)	(703,927)	(750,000)	(750,000)	(750,000)	(750,000)
Net Cash Increase/(Decrease) during the year	1,487,445	(282,998)	894,272	930,052	966,814	1,004,593
Cash, beginning of year	7,585,346	9,072,791	8,789,793	9,684,065	10,614,116	11,580,931
Cash, end of year	9,072,791	8,789,793	9,684,065	10,614,116	11,580,931	12,585,524
Cash/Investments, end of year	36,190,381	35,907,383	36,801,655	37,731,706	38,698,521	39,703,114
Comprised of:						
Cash	9,072,791	9,072,791	9,072,791	9,072,791	9,072,791	9,072,791
Investments	27,117,590	26,834,592	27,728,864	28,658,916	29,625,730	30,630,323
	36,190,381	35,907,383	36,801,655	37,731,706	38,698,521	39,703,114

Professional Engineers Ontario
Statement of Projected revenues and expenses
for the years ending December 31 - DRAFT

DRAFT - presented to AFC meeting on Aug 23, 2023

	2023	2024	2025	2026	2027	2028
	FORECAST	BUDGET	PROJECTION	PROJECTION	PROJECTION	PROJECTION
REVENUE						
P. Eng Revenue	\$20,419,470	\$20,521,567	\$20,931,998	\$21,350,638	\$21,777,651	\$22,213,204
Appln, regn, exam and other fees	10,211,631	8,630,357	9,061,875	9,514,968	9,990,717	10,490,253
40 Sheppard Revenue	2,504,430	2,058,461	2,244,970	2,285,209	2,326,253	2,368,118
Investment income	1,200,000	1,200,000	1,224,000	1,248,480	1,273,450	1,298,919
Advertising income	60,000	63,000	63,473	63,949	64,428	64,911
Chapter revenues	202,484	221,865	226,302	230,828	235,445	240,154
Affinity Revenue	1,140,378	1,941,596	2,038,676	2,140,610	2,247,640	2,360,022
	\$35,738,393	\$34,636,846	\$35,791,294	\$36,834,682	\$37,915,584	\$39,035,580
EXPENSES						
Salaries and benefits / Retiree and staff future bene	15,456,003	18,542,167	18,913,010	19,291,271	19,677,096	20,070,638
40 Sheppard expenses	2,172,821	2,143,641	2,180,911	2,208,550	2,235,554	2,262,177
Purchased services	1,707,051	2,010,237	2,110,749	2,216,287	2,327,101	2,443,456
Amortization	468,285	456,865	479,708	503,693	528,878	555,322
Engineers Canada	1,033,732	809,976	850,475	892,999	937,648	984,531
Computers and telephone	1,544,310	2,050,289	2,152,804	2,260,444	2,373,466	2,492,139
Chapters	1,239,000	1,312,234	1,377,846	1,446,738	1,519,075	1,595,029
Occupancy costs	866,751	868,974	886,353	904,080	922,162	940,605
Legal (Corporate, Prosecution & Tribunal)	1,372,325	1,422,747	1,451,202	1,480,226	1,509,831	1,540,028
Transaction fees	828,719	865,775	909,063	954,516	1,002,242	1,052,354
Volunteer expenses	365,892	690,830	704,647	718,740	733,114	747,777
Contract staff	1,106,799	1,085,144	1,139,401	1,196,371	1,256,189	1,318,999
Postage and courier	158,554	132,352	138,969	145,918	153,214	160,874
Consultants	492,273	940,981	988,031	1,037,432	1,089,304	1,143,769
Recognition, grants and awards	122,993	183,192	192,351	201,969	212,067	222,671
Professional development	423,135	374,896	393,641	413,323	433,989	455,689
Office supplies	62,517	74,109	77,814	81,705	85,790	90,080
Insurance	176,248	184,875	194,118	203,824	214,016	224,716
Printing & photocopying	59,570	63,348	66,515	69,841	73,333	77,000
Staff expenses	65,709	93,505	98,181	103,090	108,244	113,656
Advertising	42,500	147,500	154,875	162,619	170,750	179,287
	29,765,187	34,453,636	35,460,664	36,493,635	37,563,064	38,670,796
EXCESS OF REVENUE OVER						
EXPENDITURE before undernoted	\$5,973,206	\$183,210	\$330,629	\$341,048	\$352,520	\$364,784
EXPENSES - NON CORE OPERATIONS	4,576,030	746,425	73,500	77,175	81,034	85,085
EXCESS OF REVENUE OVER						
EXPENDITURE	\$1,397,176	(\$563,215)	\$257,129	\$263,873	\$271,486	\$279,699

Professional Engineers Ontario
40 Sheppard Ave. - Statement of projected revenues and expenses
for the years ending December 31

DRAFT - presented to AFC meeting on Aug 23, 2023

Description	2023 FORECAST	2024 BUDGET	2025 PROJECTION	2026 PROJECTION	2027 PROJECTION	2028 PROJECTION
Rental income	838,286	635,283	797,989	813,948	830,227	846,832
Operating cost	1,804,750	1,658,002	1,691,162	1,724,986	1,759,485	1,794,675
Property tax	408,462	334,296	340,982	347,802	354,758	361,853
Parking income	155,400	132,300	132,300	132,300	132,300	132,300
Other space rent	98,061	100,720	100,720	100,720	100,720	100,720
TOTAL REVENUE	3,304,958	2,860,601	3,063,153	3,119,756	3,177,490	3,236,380
Less PEO Share of CAM & Tax	800,529	802,140	818,183	834,546	851,237	868,262
TOTAL REVENUE excl. PEO share of CAM & Tax	2,504,430	2,058,461	2,244,970	2,285,209	2,326,253	2,368,118
Utilities	443,485	448,497	457,467	466,616	475,948	485,467
Property taxes	441,198	454,440	463,529	472,799	482,255	491,900
Amortization	365,725	400,787	408,803	416,979	425,318	433,825
Payroll	147,818	157,080	160,221	163,426	166,694	170,028
Janitorial	247,123	246,730	251,665	256,698	261,832	267,068
Repairs and maintenance	192,844	197,989	201,949	205,988	210,108	214,310
Property management and advisory fees	107,087	85,811	85,811	85,811	85,811	85,811
Road and ground	15,722	16,588	16,920	17,258	17,603	17,955
Administration	20,394	45,664	46,577	47,509	48,459	49,428
Security	320,809	303,572	309,643	315,836	322,153	328,596
Insurance	37,869	38,836	39,613	40,405	41,213	42,037
TOTAL RECOVERABLE EXPENSES	2,340,075	2,395,993	2,442,197	2,489,325	2,537,395	2,586,427
Interest expense on note and loan payable	25,003	2,124	-	-	-	-
Amortization of building	388,296	388,296	388,293	388,293	388,293	388,293
Amortization of leasing costs	64,671	26,146	35,384	32,259	27,884	22,500
Amortization of non-recov cap	90,176	74,955	74,955	74,955	74,955	74,955
Other non-recoverable expenses	65,130	58,265	58,265	58,265	58,265	58,265
TOTAL OTHER EXPENSES	633,275	549,786	556,897	553,772	549,397	544,013
TOTAL EXPENSES	2,973,351	2,945,779	2,999,094	3,043,097	3,086,792	3,130,440
Less PEO Share of CAM & Tax	800,529	802,140	818,183	834,546	851,237	868,262
TOTAL EXPENSES excluding PEO share of CAM	2,172,822	2,143,639	2,180,911	2,208,550	2,235,554	2,262,177
NET INCOME	331,608	(\$85,178)	64,059	76,659	90,699	105,940

Professional Engineers Ontario

Council and Special Projects

DRAFT - presented to AFC meeting on Aug 23, 2023

S. No	Projects and Council initiatives	2023 Budget	2023 Forecast	2024	2025	2026
1	HR related expenses (Note 1)	\$850,000	\$800,000	\$500,000	-	-
2	Governance related expenses	\$50,000	\$38,500	\$40,425		
3	Anti-Racism WG	\$210,000	\$59,500	\$106,000	-	-
4	IDDC Project	\$536,936	\$510,667	-	-	-
5	Human Resources Information System	\$33,612	\$33,612	-	-	-
6	IT Related Initiaves	\$75,000	\$100,000	-	-	-
7	Transformation and Other Initiatives	\$192,500	\$174,287	-	-	-
8	Policy development initiatives	\$60,000	\$60,000	\$30,000	-	-
9	Councillor Training	\$75,000	\$40,000	\$70,000	\$73,500	\$77,175
10	FARPACTA (Note 2)	\$3,000,000	\$1,494,334	-	-	-
		\$5,083,048	\$3,310,900	\$746,425	\$73,500	\$77,175

Notes:

- 1 Spend includes costs for HR consultant and various other initiatives
- 2 Spend on FARPACTA includes costs for software, IT vendor costs, advisory services, training costs, etc

Professional Engineers Ontario

Strategic Plan Budget 2023

DRAFT - presented to AFC meeting on Aug 23, 2023

Goals	Sub Goals	Activities	2023
1. Improve licensing processes	1.2 Review licensing processes; implement changes	1.2.1 Implement mandatory CPD - Phase 1 (roll out, reminders)	\$140,500
		1.2.2 Implement mandatory CPD - Phase 2 (business rules, sanctions)	\$213,790
2. Optimize organizational performance	2.1 Update/develop standards, guidelines	2.1.1 Establish policy development framework/process	\$105,000
	2.2. Ensure adequate IT; data collection/mgt	2.2.1 Digital transformation roadmap	\$200,000
		2.2.2 Data governance model	\$100,000
	2.3 Review/improve comms & business processes; ensure reflects EDI values	2.3.1 Organizational EDI strategy	\$25,000
		2.3.5 Modernize budget processes	\$60,840
		2.3.7. Develop Customer Service Model	\$90,000
3. Implement governance improvement program	3.1 Ensure councillor & ELT orientation	3.1.1 Review/revise board manual	\$30,000
		3.1.2 Review/revise board orientation	\$10,000
	3.2 Ensure cttee/council evidence for decision-making	3.2.1 Strategic plan reporting	\$24,000
		3.2.2 RM framework	\$36,000
4. Refresh vision; ensure stakeholders see PEO value	4.1 Dialogue with members & stakeholders	4.1.1 Establish Visioning taskforce, workplan	\$50,000
		4.1.2 Council engagement session	\$50,000
		4.1.3 Stakeholder engagement session(s)	\$100,000
	4.2 Undertake research	4.2.1 Legislative/reg/legal review	\$30,000
Total			\$1,265,130



Professional Engineers Ontario

2024 Operating and Capital Budget Assumptions

For review/ approval by AFC

on June 13, 2023

2024 Budget Assumptions

This document presents key assumptions for revenues, operating expenses and capital expenses related to PEO's 2024 operating and capital budgets.

A. General Assumptions

It is assumed that in 2024, PEO will continue with a hybrid mode that allows for both working from home and the office. In line with previous years, Council-directed or special one-time projects will be funded from the cash surplus.

B. Capital Expenditure Assumptions

PEO's capital expenditures in 2024 are expected to be as indicated below:

Technology Projects

PEO has shifted from Capex to operating expenditures by transitioning to a digital/cloud first subscription-based model for services. In line with previous years, a majority of computer hardware will be leased. Increased use of consultants, contract staff, and FT staff will provide for the existing and new business requirements. A move to a risk-based approach to technology will require increased expenditures in security software and services.

With the to move to a hybrid workforce, PEO will continue to look at all existing business services to determine the required technology to support this new working style. Necessary investments to replace incompatible, ageing analog AV technology will be critical to a successful transformation will continue to be made. PEO will continue to improve the IT infrastructure, websites and overall cyber security posture. In addition, PEO is looking to upgrade phone systems to modernize and support a centralized customer service.

For a more proactive budgeting model, a 10% technology contingency will be added to the yearly technology budget to cover unexpected costs.

Building improvements - recoverable

Critical and key repairs and upgrades to common areas of the building per the recommendations by PEO's property manager shall be undertaken in 2024.

Facilities

Funding will be made available for workplace changes necessary to accommodate newly hired staff who prefer a return-to-work option.

C. Revenue Assumptions

Based on prior member statistics and current trends, the budget assumptions for the 2024 budget are:

1. Membership levels, fees, and dues

- All fees, including P.Eng. fees, EIT fees, application fees, registration fees, limited license fees and provisional license fees will continue to be billed per the current fee schedule in place.
- The impact of various regulatory changes such as mandatory CPD and FARPACTA will be factored in when arriving at budget estimates
- Net growth rate in the number of full-fee P.Eng. members is expected to be in the range of 0.5 to 2 per cent based on historical trends. It is expected that FARPACTA will result in a significant decline in the number of new applications since applicants will now need to apply after the four-year experience requirement is met.

2024 Budget Assumptions

- Net growth rate in the number of retirees and partial fee members is expected to be in the range of 1 per cent to 5 per cent based on historical trends. The impact of various regulatory changes such as mandatory CPD and FARPACTA will be factored in when arriving at budget estimates.
- Miscellaneous revenue from enforcement-related activities, regulatory recoveries, and administrative fees will be factored in the 2024 budget.

2. Investment income

PEO's fund manager does not predict returns over a twelve-month cycle. Given the expected return to normality in 2024, returns of around 3 per cent are expected. However, this figure could vary depending on unpredictable economic or geo-political developments.

3. Advertising income

Advertising revenue in 2024 is expected to be in the range of \$70k to \$80k. Ad revenue for the year ended December 31, 2022 was \$78k.

4. Rental income from 40 Sheppard

Rental income will depend on the renewal of leases by existing tenants and on whether current vacant space (approx. 3788 sq ft or 4%) is leased.

D. Expense Assumptions

1. Salaries

Additional information on the compensation philosophy will be provided once available.

2. Benefits

Benefits include health, vision, life and dental benefits. For the budget, a premium increase of 16 per cent higher than last year based on the information received from the benefits provider.

3. PEO pension plan

The pension plan contribution for 2024 will be based on the three-year mandatory funding valuation conducted by PEO's actuary. Based on the inputs provided, employer costs are projected to be no more 27.8 per cent of gross salary. GRRSP contributions will be up to a max 5 per cent of gross salary.

4. Statutory deductions

These include Canada Pension Plan (CPP), Employer Health Tax (EHT) and Employment Insurance (EI). For CPP contributions, effective January 1, 2024, both employees and employers, in addition to 5.95 per cent, will each contribute an additional 4 per cent on earnings above the first earnings ceiling (the YMPE - Yearly Maximum Pensionable Earnings), up to the amount of the second earnings ceiling (the YMPE). EHT is expected to remain unchanged at 1.95 per cent; and EI is expected to remain unchanged at 1.63 per cent.

5. Other assumptions

- The increase in spend for regular operations will be assumed to be at the forecasted inflation of 3 to 5 per cent and all programs will be subject to evaluation.

2024 Budget Assumptions

- Chapter spending may vary outside of the range of the forecasted inflation rate, depending on chapter business plans for 2024; in part related to changes to event sponsorship, and changes to hospitality and catering costs.
- The Engineers Canada assessment rate is expected to fall to approx. \$8 per member from the current rate \$10.21 per member.
- It is expected that the nature and volume of complaint, discipline, and enforcement files, as well as claims against PEO will remain consistent with previous years.

6. 40 Sheppard Expenses

Expenses include operating expenses (recoverable and non-recoverable) and financing expenses. Total recoverable tenant expenses are expected to increase by approximately 3 to 5 percent.

Briefing Note – Information

C-559-4.1(b)

2024 DRAFT CAPITAL BUDGET

Purpose: To review the 2024 draft capital budget.

No motion required

Prepared by: Chetan Mehta, Director - Finance

1. Status Update

In accordance with the Council approved PEO business planning cycle, the draft capital budget (Appendix A) is provided to Council for review and feedback.

Council's feedback will be incorporated in the final version of the 2024 draft capital budget which will be presented at the November 2023 meeting for approval.

The key highlights of the 2024 draft capital budget are summarized below. The total capital budget for 2024 is \$704k vs \$198k in FY 2023. It is comprised of the following parts:

- 1) Capital improvements to 40 Sheppard and tenant inducements - \$664k; and
- 2) Office furniture and misc. contingencies - \$40k

1) Capital improvements for 40 Sheppard

An amount of \$604k has been budgeted for capital improvements that are part of Common Area Maintenance (CAM) costs which are recoverable from tenants and recommended by AY (Avison & Young), PEO's property manager. These planned improvements in 2024 include:

- \$165k for parking garage repairs;
- \$138k for repairs to the planter box over the hydro vault;
- \$127k for a new access card system;
- \$72k for overhauling the Chiller; and
- \$55k for replacing the five heat pumps, etc.

A total amount of \$60k has been budgeted for leasehold improvements (or inducements) for the vacant space on the 2nd floor. Leasehold inducements are incentives for renovations which are provided to potential tenants for signing leases.

2) Facilities

The expenditures for 2024 are:

- \$40k for replacing old office furniture and for misc. contingencies.

The above figures will be revised and updated to include spend on other projects, including environmental initiatives which may be recommended by the new property manager.

2. Background

The Audit and Finance Committee (AFC) met on June 13, 2023 to review and provide feedback on the budget assumptions for the 2024 operating and capital budgets, after which the senior management team and staff began work on the budgets. A draft copy of the 2024 operating and capital budgets with the 2023 forecast was completed in Sept and distributed to the AFC prior to its meeting on Aug 23, 2023.

During this meeting, the AFC met with the CEO/Registrar, the Director of Finance and other staff to review the first draft of the budgets. Key highlights of the operating and capital budget were presented and questions from the committee members were answered by staff.

2. Appendices

- **Appendix A – 2024 Draft Capital Budget**

Professional Engineers Ontario

2024 Capital Budget

DRAFT - presented to AFC meeting on Aug 23, 2023

C-559-4.1(b)
Appendix A

S. No	Project	2023		2024
		Budget	Forecast	Budget
	40 Sheppard Ave - Recoverable expenses			
1	Cooling Tower Bearing/Drive Belt	9,600	-	-
2	Waterproof Transformer Vault - (North Planter)	40,000	-	137,500
3	Electrical Distibution	75,000	-	-
4	Window Replacement	20,000	-	-
5	Exterior Wall sealant Replacement	200,000	-	-
6	LED Lighting Retrofit	-	88,632	-
7	Parking Garage repair	-	9,631	165,000
8	New Card Access System	-	-	126,500
9	CO2 Sensors	-	-	31,002
10	Overhaul Chiller	-	-	71,500
11	5 Unit Heat Pump Replacement	-	-	55,000
12	ARC Flash Study	-	-	17,600
	TOTAL 40 Sheppard- Common Area	344,600	98,263	604,102
	40 Sheppard Ave - Non-Recoverable			
14	Tenant inducements for leasing space on 2nd Floor	59,825	59,825	59,825
	Total 40 Sheppard Ave - Non-Recoverable	59,825	59,825	59,825
	TOTAL 40 Sheppard recoverable expenses	404,425	158,088	663,927
	Hardware			
15	Server replacement	40,000	-	-
	Total Computer Hardware	40,000	-	-
	Facilities			
16	Office furniture and miscellaneous contingencies	40,000	40,000	40,000
	Total Facilities	40,000	40,000	40,000
	TOTAL Spend on Capital Assets	\$484,425	\$198,088	\$703,927

Briefing Note – Decision

2024 ANNUAL GENERAL MEETING

Purpose: To propose options for conducting the 2024 Annual General Meeting (AGM) and consider staff's recommendation to hold PEO's 2024 Annual General Meeting in a virtual format.

Motion to consider: (requires a simple majority of votes cast to carry)

That Council endorse a [virtual / in-person / or hybrid] format for PEO's 2024 Annual General Meeting.

Prepared by: Meg Feres – Manager, Council Operations

1. Need for PEO Action

In March 2020, public health restrictions came into effect due to the COVID-19 pandemic and in-person gatherings of more than a handful of people were curtailed. The AGM which followed on May 30, 2020 and all since then have been held in a listen-only virtual forum in which attendees could submit written questions or comments in real time. In spring 2022 as public health measures eased, PEO began to resume some Council and committee meetings in a hybrid format (meaning some participants are in-person and some are virtual) and this practice has continued to date. In light of the changed public health circumstances, it is an appropriate time to review and consider the forum for conducting the 2024 AGM.

In June 2023, staff requested information from other Canadian Engineering regulators as well as other regulatory bodies in Ontario regarding their AGMs. At its August 29, 2023 meeting, the Governance and Nominating Committee (GNC) reviewed the results of the environmental scan as well as 8 years of historical data and other information related to AGMs conducted both in-person and virtually. The Committee requested that staff research costs related to the hybrid option as a factor to consider when deciding on the format of the 2024 AGM.

1i: Environmental Scan

Sixteen (16) responses to the environmental scan were received and provided information including delivery forum, future plans for delivery, attendance data, in-person/virtual comparative costs, and other events held with the AGM or around the same time.

Two of the respondents noted that their organizations no longer hold AGMs. Of the remaining 14 responses, there was an even split: seven conduct AGMs in a "hybrid" forum and seven conduct AGMs virtually. Five of the seven respondents in the former category indicated that they plan to continue the hybrid forum in 2024 or beyond; and six of the seven holding AGMs virtually indicated that they plan to continue with this format.

A summary of benefits that were highlighted by respondents is outlined below by type of format.

Hybrid: AGMs are often accompanied by other events such as professional development conferences/symposia and awards/recognition ceremonies. Six of the seven respondents in this category cited the convenience of having these other events take place over the same period.

Virtual: The comparatively lower cost, and increased attendance and accessibility were cited as benefits by five of the seven respondents in this category.

1ii: PEO's Experience

Up until 2019, AGMs at PEO were held in-person and were accompanied by other events such as the Volunteer Leadership Conference and the Order of Honour awards. This forum provided the benefit of animated discussions, networking, and personal contact among members and councillors. However, it also meant a relatively high cost and space/venue limitations regarding attendance.

The benefits of a virtual AGM cited by some of the respondents in the environmental scan are borne out in the statistics from PEO's past eight AGM's which summarize comparative cost and attendance information. The data show that the in-person meetings were in the range of 5.5 to 6.8 times more expensive than virtual meetings; and virtual meetings garnered twice the attendance of those held in-person (refer to the first chart in section 2 for more information).

1iii: Future State Options

The preferred approach is to hold the AGM in a virtual forum which will yield certain benefits:

- **Lower Cost:** The data from the past several years show that the in-person meetings were in the range of 5.5 to 6.8 times more expensive than virtual meetings.
- **Increased Attendance:** The data from the past several years show that virtual meetings garnered twice the attendance of those held in-person.
- **Increased Accessibility and Inclusivity:** In a province as geographically large as Ontario with many remote areas, PEO licence holders who find it difficult, cost prohibitive, or otherwise cannot attend a meeting in-person, can more easily and cost-effectively participate in a virtual meeting. Further, in a virtual setting, these members can exercise their right to vote on relevant AGM items.
- **Increased Flexibility of Webinar Mode:** It is anticipated that future AGMs held virtually will be in a webinar mode, which can accommodate live video and audio from attendees and thus allow for greater participation and engagement during the "Question and Answer" portion of the AGM, for example. This is a change from previous virtual formats which were listen-only and allowed for written questions/comments only.

In August 2023, PEO's President-elect wrote to the CEO/Registrar and suggested that the 2024 AGM be held in Barrie, ON and that it be conducted in-person only with the capability to broadcast the proceedings. The benefits of animated discussions, networking, and personal contact among members and councillors were noted in making the case for the in-person format.

1iv: Other Considerations

Stakeholder Engagement Web Page: Licence holders and all PEO stakeholders are now being encouraged to submit their questions, concerns, and comments at any time via PEO's new stakeholder engagement web page and dedicated email address rather than solely through the limited opportunities available at the AGM. These new methods allow for licence holders to have more continuous, timely, effective, and arguably more inclusive engagement with PEO through its External Relations department. It also centralizes the input received for categorizing, prioritizing and forwarding to the appropriate decision makers as required.

Volunteer Symposium: No other events accompany the legally-required AGM when conducted virtually; it is a standalone business meeting. However, starting in 2024, there is the opportunity to hold a Volunteer Symposium which will provide valuable in-person opportunities for learning, engagement, and networking. It will be accompanied by the in-person Order of Honour Awards celebration. If approved in the 2024 budget, it will be an

event focused on recognizing extraordinary volunteers who support PEO's mandate and increasing volunteer engagement with the short- and longer-term priorities of the Association. Duration and other logistical matters are still being considered.

2. Financial Impact on PEO Budgets

2i: Historical Information – 2016 to 2023

Based on the financial statistics available for PEO AGMs conducted in the period 2016-2023, comparative average costs for each format are outlined below.

Number of Meetings	Average Number of Attendees	Average Cost: Virtual	Average Cost: In-Person	Comparative Ratio
All 8 Meetings	Virtual: 513 In-Person: 240	\$114,500/4 = \$28,625	\$618,000/4 = \$154,500	<ul style="list-style-type: none"> ○ In-person 5.5x more expensive than virtual ○ 2.1x higher attendance in a virtual forum
6 Meetings ¹	Virtual: 513 In-Person: 258	\$61,500/3 = \$20,500	\$419,000/3 = \$139,667	<ul style="list-style-type: none"> ○ In-person 6.8x more expensive than virtual ○ 2x higher attendance in a virtual forum

2ii: Estimated Costs for 2024

Potential service providers were contacted to request quotes. Five vendors responded. Assumptions and comparative estimated costs for each format are outlined below.

Assumptions

Virtual only:

- Number of attendees: 1000
- Webinar format: ability to have attendees ask live questions and receive live answers
- Voting capability

In-Person (assuming location in Greater Toronto Area):

- Number of attendees in person: 250
- Live broadcast for online viewing only
- Only licence holders in person would vote and ask questions

Hybrid:

- Number of attendees in person: 250
- Number of attendees virtually: 1000
- Voting capability for both virtual and in-person attendees
- Webinar format: ability to have both virtual and in-person attendees ask live questions

¹ The highest cost for each format is omitted to minimize skewed data. For the virtual meeting omitted, the higher than usual cost is due to additional rehearsals; for in-person, it is due to a venue outside of Toronto (Thunder Bay).

Estimated Costs

Expense Type	Virtual Only	In-Person Only	Hybrid	Comments
Audio Visual & Broadcasting/Livestream	\$8,385 - \$25,250	\$13,700 - \$23,316	\$18,538 - \$31,750	Range of costs based on 5 vendor estimates
Event Space/Facility Rental	n/a	\$2,000	\$2,000	
Event Refreshments	n/a	\$6,250	\$6,250	In-Person and Hybrid: based on 250 ppl x \$25
Accommodation (en route, pre and post AGM)	n/a	\$20,000	\$20,000	based on 50 ppl ² x \$200 x 2 nights (round trip)
Accommodation (during AGM)	n/a	\$10,000	\$10,000	based on 50 ppl x \$200 x 1 night)
Transportation	n/a	\$50,000	\$50,000	based on 2019 data + inflation
Meals (Individuals)	\$700	\$8,000	\$8,000	Virtual: based on 20 x \$35 (lunch for estimated 10 councillors and 10 staff) In-Person and Hybrid: based on 50 ppl x 80 meals x 2 days (round trip)
Estimated Total	\$9,085 - \$25,950	\$109,950 - \$119,566	\$114,788 - \$128,000	

3. Proposed Action / Recommendation

Staff recommendation is to deliver the 2024 AGM in a virtual format. The rationale for this recommendation include:

- significantly lower cost -- no venue rental, accommodation, or transportation costs;
- simplicity of a singular mode providing the same experience for all participants;
- increased attendance, accessibility, and inclusivity;
- opportunity to allocate funds to support and achieve the benefits of the in-person format for the Volunteer Symposium, including the Order of Honour Awards celebration; and
- opportunity for a webinar forum which will accommodate live member participation and engagement.

4. Next Steps

If motion approved: Staff will proceed to make logistical and other preparations for the 2024 AGM.

5. Process Followed

Process Followed	Staff prepared the briefing note and recommended the virtual format for delivering the 2024 AGM. GNC reviewed the matter on August 29, 2023 and requested more information on current estimated costs, including the hybrid option.
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6. Appendices – None

² Chapter leaders or other representatives

Briefing Note – Decision

C-559-4.3

APPROVAL OF RPLC WORK PLAN FOR 2023-2024

Purpose: To approve the 2023-2024 Work Plan for the Regulatory Policy and Legislation Committee.

Motion(s) to consider:

That the Work Plan for the Regulatory Policy and Legislation Committee, as submitted to the meeting at C-559-4.3, Appendix A, be approved.

At its kick-off meeting for the 2023-2024 term on June 9, 2023, the Regulatory Policy and Legislation Committee (RPLC) reviewed a draft work plan and discussed several revisions. It was agreed that staff would update the document and circulate via email to Committee members.

Between June 13-16, Committee members reviewed the revised document. By June 16, there were an insufficient number of votes in favour of recommending it to Council for approval.

On August 25, 2023, there was a meeting of the RPLC which did not have quorum. The members present reviewed a revised draft work plan and agreed that the document should be considered for approval by Council at its September 22, 2023 meeting. The updated document is provided at Appendix A.

Appendix:

App A – RPLC Draft Work Plan for 2023-2024

REGULATORY POLICY AND LEGISLATION COMMITTEE: 2023-2024 WORK PLAN

Under the governance model adopted by Council, all governance committees propose their annual work plans to Council for approval. A work plan is a living and flexible document intended to be a framework that guides the committee's activities. Throughout the year, there may be occasions where Council chooses to or must add, remove, or re-prioritize items and shift business focus based on changing priorities or unforeseen circumstances. Consequently, while respecting the firm deadlines imposed by any relevant legislative or strategic initiatives, it is understood that deadlines and deliverables require some leeway and flexibility to allow for committee feedback which may necessitate revisions at a later meeting.

Meeting 1 (Kick-off) Q2-2023 Date: June 9, 2023		
Items		Description
1.1	Review and Approve Annual Work Plan	Under the governance model, annual work plans are proposed to Council for approval at the beginning of the Council term. New items may be added to the work plan as directed by Council or driven by other priorities.
1.2	Review the Charter of the Regulatory Policy and Legislation Committee	Under the RPLC Charter, the committee must review the sufficiency of its mandate annually, or sooner if deemed necessary, and propose changes to the Governance and Nominating Committee for their review and onward recommendation to Council for approval.

Meeting 2 Q3-2023 Date: August 25, 2023		
Items		Description ¹
2.1	Removal of the Canadian Experience Requirement from the Regulation	As directed by Council, staff are working with the Ministry of the Attorney General to remove the Canadian experience requirement from the regulation. Update on this work (that may include the proposed draft of the regulation) will be provided to the RPLC.
2.2	Future direction of the Engineering Intern Program (EIT)	<p>This is work in progress starting with a consultation with those currently or previously in EIT program to extract purpose (benefits) of EIT program and determine how purpose might be served in the future (short, medium, and long term). Potential models and options to be researched.</p> <p>Policy options will be presented to RPLC as part of its workplan. Preferred option will be recommended to Council and will require further consultation / engagement with targeted stakeholders.</p> <p>Once a policy option is decided it will be analyzed further to determine mode of implementation – e.g., regulation change, Act change or simple operational approach.</p>
2.3	Acoustical Engineering Services in Land Use Planning Guideline	Review of the Acoustical guideline that was developed by the PSC Acoustical Subcommittee and bring a recommendation for approval to Council in September

¹ General description is provided for each policy project/initiative. Items to be added to individual meeting agendas will be determined before each meeting in consultation with the Committee Chair and will depend on discussions that will take place at each committee meeting.

2.4	Strategic Initiative 2.1: Professional Standards and Practice Guidelines: Guideline Review Schedule	Staff are in the process of mapping PEO's current guidelines to related engineering discipline(s) and external legislation. Staff are also using the available data on disciplines and areas of practice to identify potential volume of target audiences for each guideline. Once this work is complete, using data analysis all current guidelines will be prioritized and a review schedule determined to be reviewed by RPLC for feedback.
2.5	PEAK 2.0 Changes – Exemptions, etc.	Staff identifying directions for the next phase of PEAK starting in 2024, including possible exemptions
2.6	PEO Admissions: Guiding Principles	Generative discussion on the current guiding principles and their relevance in light of recent changes to the admissions process implemented to meet the requirements imposed by the Fair Access to Regulated Professions and Compulsory Trades Act (FARPACTA)

Meeting 3 Q4-2023 Date: October 24, 2023		
Items		Description
3.1	Evolutionary Improvements to Admissions: Canadian B. Tech Programs	<p>Staff identifying which such programs exist apart from McMaster and what if any elements they have in common and how they relate to the requirements in the regulation (“equivalent” to accredited programs).</p> <p>Engagement with programs and other relevant stakeholders will inform options to be considered by RPLC as part of its work plan.</p> <p>If decision is made to recognize other programs as equivalent, with or without confirmatory examinations, this would be by Council motion.</p>
3.2	Future direction of the Engineering Intern Program (EIT)	See description above.
3.3	Risk Management Plan	Review PEO’s risks related to regulatory policy and legislation and the steps taken by PEO to mitigate those risks. The overall direction/approach to risk is expected to be set by Council at its September meeting.
3.4	Emission Summary and Dispersion Model (ESDM) Guideline Conversion to Standard	Review recommendations made by the Professional Standards Committee on converting this guideline into a standard. The newly developed Policy Impact Assessment template will be used to conduct this analysis.
3.5	Municipal-related Engineering Services Guidelines (Land Development, Roads, Bridges and Associated Facilities, Municipalities) – Amalgamation/Revision	RPLC to review staff recommendations on possible amalgamation of three sector-related practice guidelines into one or more guidelines.

3.6	Discussion re the Current Experience Requirement & consequences of removal of the Canadian experience requirement from the Regulation	<p>Generative discussion on the current requirement that all applicants must demonstrate 48 months of experience in the practice of professional engineering. Any recommendation that may emerge will be brought to Council for direction setting.</p> <p>The March motion to eliminate Canadian experience requirement from the regulation includes commitment to further study to explore how we will measure impact, including what data need to be collected and analyzed. This is a multi-year exercise, with RPLC / Council oversight, that will include evaluation of effectiveness of the CBA model in ensuring requisite engineering competencies.</p>
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Meeting 4**Q1-2024****Date: January 30, 2024**

Items		Description
4.1	Evolutionary Improvements to Admissions: Confirmatory Exams- Exemptions and/or Reductions	<p>Staff identifying and analyzing relevant exam performance data and conducting qualitative research and analysis (that will include stakeholder engagement)</p> <p>Through data analysis identify possible exemption criteria and/or reduction in the number of confirmatory exams (currently four) that must be completed before an application can be submitted to PEO</p> <p>Engagement with relevant stakeholders, including the Academic Requirements Committee, will inform options to be considered by RPLC as part of its workplan.</p> <p>If a decision is made to apply exemption criteria/reduce the number of confirmatory exams, this would be by a Council motion.</p>
4.2	Evolutionary Improvements to Admissions: Canadian B. Tech programs	See description above
4.3	Future direction of the Engineering Intern Program (EIT)	See description above

Meeting 5 Q1-2024 Date: March 8, 2024		
Items		Description
5.1	Evolutionary Improvements to Admissions: Confirmatory Exams- Exemptions and/or Reductions	See description above
5.2	Evolutionary Improvements to Admissions: Canadian B. Tech programs	See description above
5.3	Future direction of the Engineering Intern Program (EIT)	See description above
5.4.	Any Items that May Arise from the “Visioning for Relevance” Initiative	<p>Visioning for relevance initiative is a key pillar in PEO’s 2023-2025 strategic plan:</p> <p>Refresh PEO’s vision to ensure all stakeholders see relevance and value in PEO. We will do this by:</p> <ul style="list-style-type: none"> – Facilitating meaningful dialogue with members and other stakeholders – Undertaking required research; and – Developing a proposed vision for consultation <p>The initiative will officially launch in June 2023 – any items of policy nature that may arise from this initiative will be brought to the RPLC.</p>

Meeting 6 (Close-off) Q2-2024 Date: April 18, 2024		
Items		Description
6.1	Any items carried over from previous meetings	To be determined
6.2	Review Policy Priorities for 2024-2025	To inform development of 2024-2025 work plan.

PEAK Changes – Exemptions for Licence Holders in the Fee Remission Program

Purpose: To propose an exemption to the mandatory continuing professional development program (known formally as the Professional Evaluation and Knowledge program, or PEAK) starting in 2024 for those on fee remission, most of whom are already retired from the practice of professional engineering.

Proposed Motion:

That Council approve exempting all Licence and Limited licence holders who qualify for fee remission from all annual continuing professional development requirements, effective January 2024.

Prepared by: Adam Waiser – Policy, Analyst, Policy & Governance and

Arden Heerah, P. Eng, Manager, Professional Development Initiatives, Policy & Governance

Moved by: Vicki Hilborn, P.Eng., Chair, RPLC

1. Need for PEO Action

As PEO makes operational changes to potentially start PEAK enforcement in 2024, staff are asking Council to make a policy change to automatically exempt all 13,000 fee remission enrollees (97% of whom are retired) from the entire PEAK program starting in 2024.

2. Key Considerations

See Appendix A (Policy Impact Assessment)

3. Next Steps

If approved by Council, the operational changes to exempt Fee Remission licence and limited licence holders from all PEAK requirements will be implemented for January 2024. Fee Remission Licence holders and limited licence holders will be notified of the changes prior to that time. Staff will monitor the impact of the fee remission exemption in 2024 and beyond.

4. Financial Impact on PEO Budgets (for five years)

If the exemption is approved, the aggregate revenue from fee remissions will likely remain stable. If the exemption is not approved, the potential impact of resignations from current Fee remission enrollees to avoid PEAK requirements could be a potential revenue drop of up to \$80 for every fee remission enrollee who resigns their license to avoid PEAK requirements. However, we do not have data to predict with more accuracy the likelihood of additional resignations.

5. Process Followed

April 8, 2022 – Council approved the following motion (in camera): “Subject to the approval of the Lieutenant Governor in Council, PEO Council approved the sealed amendments to Regulatory 941 to create a mandatory Continuing Professional Development (CPD) program based on PEAK.”

The Mandatory PEAK program was implemented on January 1, 2023. Staff have continued to refine the PEAK program throughout this year.

At its August 25, 2023 meeting, the Regulatory Policy and Legislation Committee (without quorum) reviewed the proposal to exempt licence holders and limited licence holders on Fee Remission from all annual CPD requirements, effective January 1, 2024. The committee also requested more information on return to practice and enforcement of non-practising licence holders, now included in Appendix A, Part 1.

6. Appendices

Appendix A – Policy Impact Assessment

POLICY IMPACT ANALYSIS (PIA) TOOL

Title of the Proposal: Exemption from Peak Requirements for Licence Holders on Fee Remission

PART 1: POLICY INITIATION

CONTEXT AND PROBLEM DEFINITION

- 1. Clearly identify and define the problem being addressed. Where did it originate? Whom does it potentially affect?**

The mandatory PEAK program was established and implemented at Council's direction according to section 51.2 of Regulation 941 for licence holders "to whom the program applies" as determined by Council. At this time, PEO has chosen to require PEAK participation for licence and limited licence holders (not provisional or temporary licence holders). As Council is aware, PEO is implementing the mandatory PEAK program incrementally, with enforcement measures like the administrative suspension of licences and the auditing of PEAK declarations starting as early as 2024.

Fee remission, which results in a 75% reduction in annual licence fees, is currently available to licence holders who are not practising and who apply for the reduction and sign a declaration that they are not practising on a temporary (unemployed, ill health, or parental/educational leave) or permanent (retired) basis.

Fee remission licence holders are currently required to complete the first two PEAK requirements (Practice Evaluation and the Professional Practice Module) but do not have to submit their annual CPD activity report.

To return to practice, they must exit fee remission and pay the balance of the annual renewal fee but are exempted from PEAK requirements in the returning year. License holders who, despite their declaration to the contrary, practise to any extent (even on a volunteer or occasional basis) while on fee remission may be subject to discipline for professional misconduct.

As PEO makes operational changes to potentially start PEAK enforcement in 2024, Council is asked to make a policy change to automatically exempt all 13,000 fee remission enrollees (97% of whom are retired) from the entire PEAK program starting in 2024.

- 2. Does PEO have jurisdiction to address this problem (cite section of Act and/or Regulations)? What other organizations (e.g. companies, governments) have shared responsibility for or an interest in this problem?**

PEO has jurisdiction over the PEAK program under section 7(1)27 of the [Act](#) and section 51.2 under [Regulation 941](#).

RISK IDENTIFICATION

1. Does this problem create a risk of harm? If yes, explain the risks. How do they arise?

(Regulation should not be used if there is no risk of harm)

There is a low risk to public safety from non-participation in PEAK from those enrolled in PEO's fee remission program as they are already prohibited from practising while under fee remission.

The risks of harm from this problem are more internal to PEO, namely the misallocation of PEO resources and the potential resignations of up to 13,000 retired license holders, who are currently required to participate in the first two PEAK elements, but who have expressed concern about their necessity to do so, especially the 5,500 (42 percent of the 13,000) who have not participated in PEAK to date.

In addition, starting in 2024, non-compliant fee remission licence holders (more likely among retired members facing personal or technological challenges) could be administratively suspended and may require PEAK program staff to devote additional resources to assist those who wish to have their suspensions lifted but need technical assistance. Administratively suspended members must continue to pay their annual licence fee to avoid cancellation of the licence for non-payment. A potential revenue reduction of \$80 could be incurred for every fee remission enrollee who resigns their licence to avoid completing mandatory PEAK requirements.

2. What are the possible outcomes or consequences of these risks? Explain the potential level of harm (quantify frequency and impact).

No public safety risks have been identified – please refer to Q3 above.

3. What information or data about the risk of harm are currently available? From what sources? Does any further information need to be gathered, and from whom?

As noted above there is a low risk to public safety from non-participation in PEAK from those enrolled in PEO's fee remission program. From a practical and "Right Touch Regulation" (proportionate risk) perspective, it makes sense for PEO to focus its resources on licence holders who are actively participating in the PEAK program, instead of expending them on holders who are not likely to participate due to retirement or otherwise being on fee remission. This allows for administrative simplicity and clarity for all licence holders.

Table 1 – Comparison of PEAK Participation Rates by Fee category as of July 31, 2023

Category	Participating in PEAK (%)	Not started PEAK (%)	Total
Full Fee-paying licence holders	58,700 (82%)	12,800 (18%)	71,500
Fee Remission licence holders	7,500 (58%)	5,500 (42%)	13,000
Total	66,200 (78%)	18,300 (22%)	84,500

Table 1 illustrates the different participation rates of full fee licence holders versus fee remission ones. Of the 22% of licence holders yet to participate, roughly 2/3 are full fee-paying licence holders and 1/3

are on Fee Remission. We can also see that Fee remission licence holders are 2.5 times more likely to have not started PEAK than full fee-paying licence holders (42% vs. 18%), and fee remission licence holders have a significantly lower PEAK participation rate (58% vs. 82%) than full fee-paying licence holders. While we do not know the reasons for licence holders' non-participation, 46.4% are over the age of 65, retired, or live outside of the province.

So far in 2023, 1,547 licence holders have resigned their licences, of whom 44% were on retired Fee Remission. It is important to note that the reasons for resignations are neither requested nor provided, but the number of resignations represents a 300% increase from the prior year's (2021) average monthly rate of resignations.

Most other Canadian jurisdictions do not require non-practising retirees to complete CPD requirements. British Columbia only added this exemption last year based on the belief that requiring CPD for non-practising registrants was outside their mandate to regulate the practice of professional engineering. Both BC and Saskatchewan, who exempt retirees over 65 but require retirees under 65 to specifically request a CPD exemption.

Many other jurisdictions also exempt registrants with the equivalent of fee remission. However, some only offer reduced CPD requirements for these registrants, some require a specific request for a CPD exemption and Newfoundland has the same CPD requirements for these registrants.

- 4. Are the identified risks currently managed or mitigated? How and by whom? To what extent (full/partial)? Will the risks of harm diminish if left unchecked?**
(If the risks are currently managed, regulation should not be used)

The risks of licence holders not practising professional engineering is currently mitigated through the Fee Remission program, whereby individuals must declare they are not practising and are prohibited in Regulation from practising.

- 5. Are there any alternatives to regulation that will mitigate identified risks? If alternatives exist, explain why they have not been pursued.**

As there are no public safety risks ensuing from Fee Remission licence holders, there is no need to consider alternatives.

PART 2: POLICY DEVELOPMENT

ANALYSIS REPORT

- 1. What research, stakeholder engagement, and analysis (data, legal, policy) was conducted, and what were the results?**
- This policy proposal reflects feedback received from retirees experiencing challenges in participating in PEAK this year.

- Extensive statistics about the relationship between fee remission and PEAK non-compliance were compiled. Research about the number of potential resignations and their financial impact were also compiled. (see Q5 of Part 1 for some of this information)
- Extensive stakeholder engagement was conducted during the PEAK development process.

2. What is the desired regulatory goal in addressing this problem?

To focus the PEO resources allocated to PEAK on those license holders who represent the greatest potential threat to public safety, to minimize the number of retired persons who choose to resign their license as a result of PEAK, and to achieve administrative simplicity.

3. Which regulatory options were considered? How would they mitigate the identified risks? (List all options and how they would mitigate the identified risks)

The only alternative option considered was the status quo, with administrative suspensions for fee remission license holders who fail to complete the PEAK program, leading to potential resignations.

PROPOSED RECOMMENDATION AND ASSESSMENT OF IMPACTS

4. Which policy option is recommended, and why?

An automatic exemption should be granted to licence holders on fee remission from all annual continuing professional development requirements, effective January 2024. This does not require any change to section 51.2 of Regulation 941. For rationale, please refer to Part 1.

5. Who is potentially impacted by the recommended policy? (e.g., practitioners, companies, clients, end users, suppliers)

The only individuals impacted by this policy proposal would be the 13,000 license holders on fee remission.

6. What are the impacts? (financial, administrative reporting, time delays, etc.)

Retired licence holders who are on fee remission would no longer have to complete the PEAK program. PEO would not have to devote resources to assisting with possible administrative suspensions.

7. What are the direct and indirect costs or administrative burdens for compliance for this recommendation? What enforcement is required to ensure compliance?

No additional costs or administrative burdens to note.

6. What are the potential consequences or impacts for other parties or organizations from regulatory changes?

(Identify if the initiative creates financial or other costs or imposes administrative burdens for licence holders or businesses and if such costs and burdens are commensurate with the objectives of the initiative or is the burden imposed by regulation greater than the benefits of regulation)

PEAK is administered exclusively by PEO. As such, no other organization should be affected by these regulatory changes.

7. Are there any areas of uncertainty that could impact the final decision?

(Areas of uncertainty must be discussed openly and assessed for their impact on the final decision)

No areas of uncertainty to note.

EQUITY IMPACT ASSESSMENT

8. Does the proposal seek to reduce disparities for equity seeking groups, including geographically diverse groups? If so, how?

Yes, this would exempt retirees and other temporary fee remission licence holders (due to ill health, employment, parental or post-secondary educational leave)

9. What are the anticipated positive outcomes for equity seeking groups?

Exemption from PEAK requirements to allow them to deal with the reason for their being on Fee Remission (particularly those temporarily so)

10. Could a disparate impact or other unintended consequence result from the proposal?

No

11. If yes, what steps are/will be taken to mitigate the disparate impact?

n/a

IMPLEMENTATION PLANNING

12. How and when will this proposal be implemented? (e.g., phased/all-at-once, supporting materials and tools, training)

This proposal will be implemented as soon as it is approved by Council. Implementation measures will focus on communications with license holders and administrative procedures to allow license holders to enter the fee remission program before their license renewal date.

13. What stakeholder communication will take place? To whom, and how?

Fee remission licence holders will be notified in advance of January 2024.

14. How will the success of the proposed recommendation be measured and evaluated?

- Monitor the rate of increase of applications for Fee Remission compared to natural rates of increase for retirement.
- Monitor the rate of Fee Remission licence holders who exit Fee Remission (temporary situations) to return to practice.

Tribunal Office Report – Activities of Tribunals

Purpose: To Update Council about the activities of the Tribunals Office and related Committees

For Information (Appendices A and B)

Motion for Decision (Appendix C) Appendix “C” includes a motion to appoint members to both the Discipline Committee and the Registration Committee and to confirm approval for recommendation of additional members for appointment by the Province.

MOTION: That Council adopt the appointments as set out in Appendix C - the Report on Tribunal Appointments, provided in the September 22, 2023 Briefing Note from Tribunals.

Prepared by: Nedra Brown, LL.B., Legal Counsel and Manager Tribunals

1. Status Update

Discipline Committee:

- The Discipline Committee worked for 18 months to write, edit and approve new rules while dealing with its ongoing tribunal work.
- The Committee has approved new members for re-appointment, is bidding farewell to a retiring member, and asking for new members to be approved for appointment by the Attorney General.

Registration Committee

- Is working on new rules and procedures and is establishing procedures for dealing with the increase in requests for a hearing de novo.
- The increase is related to the FARPACTA changes.

Complaints Review Councillor

- The Complaints Review Councillor has received multiple requests for review on the merits and cannot take action in these instances, where the CRC investigates, a report is filed for Council’s information.

Considerations

The Tribunals Office Committees do work that supports PEO’s regulatory mandate.

- The Committees and Tribunal staff have worked diligently to ensure that the candidates presented are appropriate for the position sought and they should be welcomed as returning and new PEO volunteers.

Key strategic issues

- Continuing to hear matters in a responsive and flexible manner taking into account the legal requirements and practical requirements.
- Meeting the FARPACTA increase in applicants asking for REC hearings.

Costs and Financial Impacts

- These committees and the matters they are responsible for are fully budgeted.

Engagement

Committee members are generally responsive to requests to sit on panel but the new members are needed.

Recommendation(s)

Appoint new members to the Discipline Committee

Appoint new members to the Registration Committee

- Some of the new REC members are current DIC members coming in to assist with the Registration Committees increased demand. Their participation as experienced adjudicators facilitates the integration of new members and ensures the increased demand for hearings can be met.

Appendices

Appendix A – Report on the work of the Discipline Committee (**information**)

Appendix B – Report on the work of the Registration Committee (**information**)

Appendix C – Report on Tribunal Appointments for all Committees (**decision**)

Rules of Procedure

The Discipline Committee has adopted [New Rules of Procedure](#) as of July 1, 2023. Please note that you can click on [“New Rules”](#) and access them as posted on the PEO website.

Decisions and Reasons published in the Gazette since the last meeting;

None have been published since the last meeting of Council.

It should be noted that in all matters that have been heard and decisions and reasons issued, the decision and reasons are published in the directory in accordance with s. 21(1)3.1. of the Professional Engineers Act, R.S.O. 1990, c. P. 28

Matters published on the directory since the last meeting of Council;

[PEO v. Edward J. Ulrich, P.Eng.](#)

[PEO v. Emad F.H. Assaad, P.Eng. and 1885219 Ontario Inc. o/a ASPA Engineering & Welding Solutions](#)

PEO v. Kazi A. Marouf, P.Eng. ([decision on the merits](#) and [decision on penalty](#))

[PEO v. Ludmila \(Lucy\) Shaw, P.Eng. and LKS Consulting Inc.](#)

Matters heard over the summer, decisions to be released:

NAME	HEARD
PEO v. Hafiz H. Ahmad, P.Eng. and Orbit Engineering Limited	April 24-28; May 15-17; 23-25; June 2, 5, 6; July 26, 27, 2023
PEO v. Derrick Clark, P.Eng.	August 16, 2023
PEO v. Trevor N. Sawchyn, P.Eng. and Silver Lining Engineers Inc.	August 23, 2023

The Registration Committee has received more requests for hearings 7 in 2023, than would normally be received in a year (usually 4-6 annually).

The Committee has been working diligently to increase its capacity in response to the FARPACTA amendments which have led to additional Notices of Proposal to Not Issue. The Notices of Proposal include an option for applicants to request a hearing within 30 days of receiving the Notice. The Committee anticipates that the number will continue to grow as the backlog of applicants is dealt with in accordance with the FARPACTA amendments to our legislation and our internal procedures to deal with these matters.

The Committee is prepared to deal with the increased demand and will keep Council apprised should any changes occur in this regard.

Rules of Procedure

The Registration Committee is working on new Rules of Procedure and are considering the efficacy of including some provisions for a hearing in writing where the applicant prefers and elects that option.

In lieu of CV's for new appointees, the Tribunals office offers a synopsis of the skills considered so that this may be made part of the Open meeting.

Candidates were examined by the Committee Chair and/or sub-committee members.
Requests for Re-Confirmation as members appointed by Council to be forwarded to the Attorney General for Approval.

Each of the individuals listed below have been previously approved by Council.

CRC

Fiona Wang, LL.B.

DIC

Eric Bruce, J.D.

Alisa Chaplick, LL.B.

Reena Goyal, J.D.

REC

Eric Bruce, J.D.

Alisa Chaplick, LL.B.

Appointments from DIC to REC

Each of these applicants is a long serving volunteer with PEO who has the skill as an adjudicator that will make the increased demand for REC hearings manageable for PEO.

James Amson, P.Eng.

John Tyrrell, P.Eng.

Michael Rosenblitt, P.Eng.

Michael Wesa, P.Eng.

Albert Sweetnam, P. Eng.

Tony Wing, P. Eng.

Gary Thompson, P.Eng.

Robert Willson, P.Eng.

Warren Turnbull, P.Eng.

New appointees

Each of these candidates for appointment to a committee has a minimum of 10 years experienced as a Professional Engineer, some adjudication or mediation experience and a willingness to serve as a member of the committee understanding that their time and expertise are critical to the work of PEO. Each has committed to attend the training and observe hearings.

To enable inclusion of this portion of the materials on the Open Agenda, none of the curriculum vitae are attached.

Each request for appointment is recommended by the Committee for Council's consideration.

The Committees considered Council's 30 by 30 commitment.

DIC

Corrine Dimnik, P.Eng.

Geoffrey Pond, P.Eng.

Gordon Ip, P.Eng.

Serge Robert, P.Eng.

Margaret (Peggy) Judge, P.Eng.

Tony Wing, P.Eng.

REC

Benjamin Coulson, P.Eng.

Daniel Gartenburg, P.Eng.

Maria Elena Flores, P.Eng.

Gerald R. Genge, P.Eng.

MOTION:

That Council adopt the appointments as set out in Appendix C - the Report on Tribunal Appointments, provided in the September 22, 2023 Briefing Note from Tribunals.

PEO Council Governance Scorecard

Purpose: To review and provide feedback on a scorecard of quantitative indicators developed to support governance oversight of PEO operations.

Motion(s) to consider: (requires a majority of votes cast to carry)

- That Council accepts a scorecard of quantitative indicators as presented to support governance oversight of PEO operations.

Prepared by: Arun Dixit – VP, Digital Transformation & Corporate Operations

1. Summary

In alignment with PEO's 2023-2025 Strategy, a draft scorecard of quantitative indicators has been developed and is presented for input from the Governance and Nominating Committee. The adoption of a Governance Scorecard aligns with PEO's strategic goal of implementing a continuous governance improvement program. The proposed scorecard promotes the adoption of specific indicators to support Council's use of evidence-based information in its decision-making processes.

2. Background

- Scorecards support strategic management and organizational oversight through a balanced set of indicators. These indicators provide a basis for ongoing reporting both to Council and to the CEO/Registrar and their leadership team.
- The concept of balanced scorecards was introduced in the 1990's and refer to a set of indicators representative of overall organizational health¹. Indicators reported on balanced scorecards are whole-system measures used to evaluate organizational performance and the outcomes of strategy.
- The proposed scorecard in Appendix A includes indicators aligning to PEO's functions of Regulatory Operations, Policy, Finance and Strategy and Organizational Culture and was developed with input from PEO staff and operations. The scorecard includes three components:
 - The Report, which is proposed to include the latest data for all scorecard indicators, compared against a target and threshold value to designate a status of Green, Yellow, or Red to each indicator's performance.
 - Definitions, which are proposed to include the reporting frequency, operational definition, and latest available status updates for each indicator.
 - A Framework, which shows the set of twelve scorecard indicators reported to Council and an additional twenty indicators reported to PEO's Executive Leadership Team.

¹ Source: The Balanced Scorecard – Measures that Drive Performance, Kaplan and Norton, 1992. Retrieved from: <https://hbr.org/1992/01/the-balanced-scorecard-measures-that-drive-performance-2>

3. Considerations

- The twelve indicators proposed for the Governance Scorecard are presented below. Additional information is provided in Appendix A.
 - **Regulatory Operations²**
 - Acknowledgment of Complete Applications Within Target
 - Registration Decisions Within Target
 - Transfer Applications Within Target
 - **Policy**
 - Mandatory PEAK Compliance Rate
 - 30x30 Licensure Rate
 - Updated Standards and Guidelines
 - **Finance and Strategy**
 - Year to Date Budget Variance
 - Days Cash on Hand
 - Strategic Initiative Completion
 - **Organizational Culture**
 - Employee Engagement
 - Staff Retention
 - Year-End Performance Review Completion

4. Costs and Financial Impact

- The Governance Scorecard will be updated by PEO staff through operational processes. As such, development of the Scorecard and its ongoing use are not expected to incur significant costs.

5. Recommendation

- That the Governance and Nominating Committee reviews the proposed scorecard and recommends its acceptance by Council at its September 2023 meeting.
- Once accepted by Council, CEO/Registrar will provide regular reports to Council as part of their CEO/Registrar report to Council.

6 Appendices

- Appendix A – *Draft PEO Council Governance Scorecard Template*

² Indicators within this category align with the compliance requirements under the Fair Access to Regulated Professions and Compulsory Trades Act (FARPACTA). Source: <https://www.peo.on.ca/apply/licensing-changes>

PROFESSIONAL ENGINEERS ONTARIO: COUNCIL GOVERNANCE SCORECARD (DRAFT FOR DISCUSSION)

Reporting Date: 29-Aug-23

Indicator	Reporting Frequency	Regulatory Operations	Policy	Finance & Strategy	Organizational Culture	Current	Prior	Desired Direction	Trend	Target	Threshold
Acknowledgment of Complete Applications Within Target (C), (F)	Quarterly	●				N/A	N/A	↑	↔	TBD	TBD
Registration Decisions Within Target (C), (F)	Quarterly	●				N/A	N/A	↑	↔	TBD	TBD
Transfer Applications Within Target (C), (F)	Quarterly	●				N/A	N/A	↑	↔	TBD	TBD
Mandatory PEAK Compliance Rate (C)	Annually		●			N/A	N/A	↑	↔	TBD	TBD
30x30 Licensure Rate (C)	Annually		●			N/A	N/A	↑	↔	TBD	TBD
Updated Standards and Guidelines (C)	Annually		●			N/A	N/A	↑	↔	TBD	TBD
Year to Date Budget Variance (C)	Quarterly			●		N/A	N/A	↓	↔	TBD	TBD
Days Cash on Hand (C)	Quarterly			●		N/A	N/A	↑	↔	TBD	TBD
Strategic Initiative Completion (C)	Annually			●		N/A	N/A	↑	↔	TBD	TBD
Employee Engagement (C)	Annually				●	N/A	N/A	↑	↔	TBD	TBD
Staff Turnover (C)	Annually				●	N/A	N/A	↓	↔	TBD	TBD
Year-End Performance Review Completion (C)	Annually				●	N/A	N/A	↑	↔	TBD	TBD

Notes

The purpose of this dashboard is to provide an "at-a-glance" view of progress against organizational performance and strategic goals.

Operational Definitions are provided on page 2.

A comprehensive indicator reporting table is provided on page 3.

Status Definitions

- Performance on target
- Performance slightly below target
- Performance significantly below target
- Not reportable in this quarter

PROFESSIONAL ENGINEERS ONTARIO: COUNCIL GOVERNANCE SCORECARD - OPERATIONAL DEFINITIONS AND STATUS UPDATES

Indicator	Reporting Frequency	Operational Definition	Status Update
Acknowledgment of Complete Applications Within Target (C), (F)	Quarterly	Number of received P. Eng. licence applications acknowledged as complete within 10 days divided by all P. Eng. licence applications received.	To be provided with first scorecard update.
Registration Decisions Within Target (C), (F)	Quarterly	Number of P. Eng. applicants for whom a decision to issue a licence or a decision to issue a notice of proposal to refuse to issue a licence is made within six months divided by all completed P. Eng. applications received.	To be provided with first scorecard update.
Transfer Applications Within Target (C), (F)	Quarterly	Number of P. Eng. transfer applications processed within 30 days divided by the total number of complete P. Eng. transfer applications received.	To be provided with first scorecard update.
Mandatory PEAK Compliance Rate (C)	Annually	Compliance rate, expressed as a percent, for mandatory PEAK elements.	To be provided with first scorecard update.
30x30 Licensure Rate (C)	Annually	The number of newly licenced female-identifying engineers divided by the total number of newly licenced engineers.	To be provided with first scorecard update.
Updated Standards and Guidelines (C)	Annually	The percent of standards, guidelines and policies reviewed within last five years.	To be provided with first scorecard update.
Year to Date Budget Variance (C)	Quarterly	The variation, in dollars, of the actual year-to-date revenues and spend compared to the year-to-date budget.	To be provided with first scorecard update.
Days Cash on Hand (C)	Quarterly	This indicator is calculated by first determining the total amount of unrestricted cash / cash equivalent funds available and dividing it by annual operating expenses minus depreciation expenses. This value is then divided by 365.	To be provided with first scorecard update.
Strategic Initiative Completion (C)	Annually	The total number of strategic initiatives completed by [end date] divided by the total number of strategic initiatives planned for the year.	To be provided with first scorecard update.
Employee Engagement (C)	Annually	The number of employees indicating Engagement with PEO, divided by the total number of responses received on the annual employee engagement survey.	To be provided with first scorecard update.
Staff Turnover (C)	Annually	The total number full-time employees leaving PEO by December 31st divided by the headcount as of January 1st.	To be provided with first scorecard update.
Year-End Performance Review Completion (C)	Annually	The number of performance management discussions completed by December 31 divided by the total number of eligible employees.	To be provided with first scorecard update.

Notes

* Indicators reported to Council are identified with a (C) label.

* Indicators required under FARPACTA legislation are identified with an (F) label.

PROFESSIONAL ENGINEERS ONTARIO: GOVERNANCE SCORECARD - REPORTING FRAMEWORK

Indicator	Category	Reporting Channel	
		Council Governance Scorecard	PEO Leadership Team
Acknowledgment of Complete Applications Within Target (C), (F)	Regulatory Operations	✓	✓
Registration Decisions Within Target (C), (F)	Regulatory Operations	✓	✓
Transfer Applications Within Target (C), (F)	Regulatory Operations	✓	✓
Number of ARC Reviews	Regulatory Operations		✓
Number of ERC Reviews	Regulatory Operations		✓
Notices of Proposals Issued	Regulatory Operations		✓
Registrar's Certificates Initiated	Regulatory Operations		✓
Active Registrar's Investigations	Regulatory Operations		✓
Licences Issued by Type	Regulatory Operations		✓
Investigation Resolution Time	Regulatory Operations		✓
Investigations by Type	Regulatory Operations		✓
Complaint Resolution Time	Regulatory Operations		✓
Complaints by Priority Level	Regulatory Operations		✓
Mandatory PEAK Compliance Rate (C)	Policy	✓	✓
30x30 Licensure Rate (C)	Policy	✓	✓
Updated Standards and Guidelines (C)	Policy	✓	✓
Social media engagement	Policy		✓
Engineering Dimensions Readership	Policy		✓
EIT Reviews Completed	Policy		✓
Engineering Experience Presentations	Policy		✓
Year to Date Budget Variance (C)	Finance and Strategy	✓	✓
Days Cash on Hand (C)	Finance and Strategy	✓	✓
Strategic Initiative Completion (C)	Finance and Strategy	✓	✓
Current ratio	Finance and Strategy		✓
Operating Reserve	Finance and Strategy		✓
40 Sheppard Vacancy Rate	Finance and Strategy		✓
Customer Service Queries Received	Finance and Strategy		✓
Customer Service Response Time	Finance and Strategy		✓
Employee Engagement (C)	Organizational Culture	✓	✓
Staff Turnover (C)	Organizational Culture	✓	✓
Year-End Performance Review Completion (C)	Organizational Culture	✓	✓
Professional Development	Organizational Culture		✓
Count of Indicators		12	32

Notes

* Indicators reported to Council are identified with a (C) label.

* Indicators required under FARPACTA legislation are identified with an (F) label.

Briefing Note – Decision

ADVISORY GROUP TO REPLACE THE LICENSING, ENFORCEMENT, AND PROFESSIONAL STANDARDS COMMITTEES

Purpose:

To implement Council's directive to staff to "develop one or more Advisory Groups to replace the Licensing, Enforcement, and Professional Standards Committees...7." as directed at Council's March 2023 meeting.

Motion(s) to consider:

That, effective as of December 31, 2023, the Licensing Committee, Enforcement Committee and Professional Standards Committee be stood down with Council's thanks and appreciation to all current and previous members.

Prepared by: David Smith – Director, External Relations

1. Need for PEO Action

(a) Introduction

At its meeting in March 2023, Council passed a motion to "direct staff to develop one or more Advisory Groups to replace the Licensing, Enforcement, and Professional Standards Committees..."

This followed the adoption by Council in March 2021 of a series of governance directions to bring clarity to how PEO will use committees in its new governance system, including that PEO will use only the regulatory committees mandated by legislation, with mandates as per statute.

In August 2023, the GNC reviewed a recommendation from staff to create one advisory group—the Strategic Stakeholder Advisory Group (SSAG)—the Professional Standards Committee, the Licensing Committee and the Enforcement Committee. Its mandate will be to provide input, guidance and recommendations to staff as required on potential strategies and activities related to PEO's regulatory mandate and help to ensure that a diversity of stakeholder perspectives are taken into consideration when positions or initiatives are being considered.

Using only one advisory group, diverse in its composition, allows for PEO to have a singular, primary and centralized resource for all regulatory-related issues that require stakeholder engagement and that can support facilitating dialogue with other key stakeholders or external subject matter experts as required.

This approach aligns with Council's commitment to enhancing PEO's strategic capabilities through increased engagement with our stakeholders. The SSAG will serve as a key instrument in the development of a more comprehensive and far-reaching engagement process to support broader discussions and well-informed deliberations on significant regulatory issues.

2. Proposed Action / Recommendation

The Licensing Committee, Enforcement Committee and Professional Standards Committee be stood down, effective December 31, 2023, with Council's thanks and appreciation to all current and previous members.

3. Next steps

Members of the Licensing Committee, Enforcement Committee and Professional Standards Committee will be informed of Council's decision. Staff will create and oversee the Strategic Stakeholder Advisory Group according to the terms of reference provided in Appendix A.

4. Appendices

Appendix A: Terms of Reference – Strategic Stakeholder Advisory Group



Strategic Stakeholder Advisory Group

Terms of Reference

1. Purpose

PEO's Strategic Stakeholder Advisory Group (SSAG) provides input, guidance and recommendations to staff on potential strategies and activities related to PEO's regulatory mandate.

The SSAG also facilitates meaningful dialogue with members, other stakeholders and external resources, as required, and helps to ensure that a diversity of stakeholder perspectives is taken into consideration when positions or initiatives are being considered.

2. Functions and Deliverables

The SSAG will be called upon as required by the Director, External Relations, to provide input, guidance and recommendations on regulatory matters including, but not limited to:

- Professional practice
- Licensing and registration
- Continuing professional development
- Unlicensed practice
- Stakeholder engagement
- Communications
- General regulatory issues

Specific work may include:

- Reviewing and/or commenting on draft documents, reports, etc.
- Engaging subject matter experts as required
- Facilitating dialogue with key stakeholders
- Assisting with research initiatives
- Recommending and contributing to engagement initiatives, such as surveys, focus groups, webinars, etc.

Input may be provided during SSAG meetings and outside of meetings through email correspondence.

3. Composition

The SSAG will comprise 15 to 20 representatives from the greater engineering community—at least half of whom are licensed engineers in good standing with PEO—and will reflect the diversity of the profession and the province, including geography, race, gender, age, practice discipline.

4. Term of Appointment

All appointments are for one year and renewable twice.

5. Meetings and Procedures

The SSAG may meet in person or by video conference as determined required by the Director, External Relations.

In accordance with PEO's regulatory mandate and strategic priorities approved by Council, meeting agendas will be developed by the Director, External Relations, and will be provided in advance of the meeting.

SSAG members are expected to regularly attend meetings and review agenda materials prior to the meetings.

6. Budget/Expenses

Except as allocated in PEO's budget, the SSAG has no budget authority beyond reasonable expenses for travel or ancillary expenses as set out in the Expense Reimbursement Policy.

7. Review of Terms of Reference

PEO will review these Terms of Reference annually.

BRIEFING NOTE TEMPLATE MODERNIZATION

Purpose:

- To inform and seek the input of Council on efforts to modernize briefing notes at PEO to ensure that briefing materials support transparent and evidence-based decision-making.

Prepared by: Marina Solakhyan - Director, Governance

1. Background

Briefing notes are meant to convey information clearly and concisely. Their primary audience is often decision-makers. Because they are relied upon to make decisions, briefing notes must be reliable; that is, accurate and based in evidence. They must summarize contextual information, research, analysis, options, and recommendations. While primarily assisting committee and Council members in their work, briefing notes at PEO play an important role in ensuring transparency. They show the evidence base for decisions to stakeholders and the public.

To ensure ease of reference for end users, an organization should standardize its approach to briefing materials with a template and protocol. Well-constructed briefing notes can enhance engagement, productivity, and ensure informed decision-making.

2. Need for PEO Action

This update to briefing material at PEO arises out of strategic goal 3.2: to “[e]nsure committee/council evidence for decision-making.” Along with an updated template and protocol, there are three notable areas for improvement: i) communicating a public interest rationale; ii) linking the work to PEO’s strategic priorities/regulatory mandate; and iii) evolutionary improvement to “peer review”:

- I. Communicating a public interest rationale for Council decision-making is a governance standard required of many regulators¹: “Meeting materials for Council enable the public to clearly identify the public interest rationale and the evidence supporting a decision”.² Accounting for equity impacts and public benefit in Council decision-making is a good practice noted elsewhere.³ As PEO’s statutory mandate is to serve the public interest, it should adopt this practice.
- II. Regulators such as Engineers and Geoscientists BC link matters to the organization’s strategic plan in briefing notes. By stating a link to PEO’s strategic goals/regulatory mandate, briefing notes at PEO can show how the organization is fulfilling its objectives and adhering to its objects.
- III. In September 2009, Council adopted a “Peer-Review Guiding Principle” that stated that “[p]eer involvement is to be a systemic consideration at all levels of policy development and a systemic practice on all motions reaching Council for consideration.” The definition of the term “peer” ranged from the specific: “Committee of engineering volunteers” (in reference to a “Peer

¹ Since 2020, the Ministry of Health has required, through a College Performance Management Framework, that all health regulators be measured against standards related to how well they execute key statutory functions and serve the public interest.

² “Required Evidence” at 2.1 d of College Performance Management Framework.

³ See, for example: Ontario College of Social Workers and Social Service Workers Governance Report 2022, Harry Cayton & Deanna Williams, at pages 24 and 35.

Committee” in September 2008); to the general: “additional review beyond that of a committee” (in defining the term “Peer review” in February 2009).

As an imported term, “peer” has not gained currency in the nearly fifteen years since the adoption of the Peer-Review Guiding Principle. A more appropriate term for an organization like PEO is already in regular use in many facets of its work: stakeholder. “Stakeholder” encapsulates all those who have an interest in PEO and may have important contributions to make to policy development: the public, engineer volunteers, licence holders, government, other regulators, other engineering organizations, and so on. Most importantly, as an organization working in the public interest, PEO’s work must be transparent to the public, not just those with a specialized understanding of a term of art. “Stakeholder” is a more broadly used and understood term. Stakeholders can then be further defined with specific and understandable terms: “engineer volunteer,” “licence holder,” “Ministry,” etc.

A principle of PEO’s new Policy Development Framework is that it must be “participatory,” requiring stakeholder involvement as a systemic consideration and practice—it is the evolution of the “Peer-Review Guiding Principle.” Briefing notes are concise analytical summaries of information, such as the information found in the policy impact assessment tool, and the new template will highlight “stakeholder engagement” to ensure that the involvement of stakeholders is foreground in these high-level summaries to Council.

Proposed Action / Recommendation

An updated briefing note template and protocol are available at Appendix A. The updated PEO briefing notes will:

- 1) Be 1-2 pages long, 3 in exceptional cases where no additional attachments are provided;
- 2) Act as a high level ‘executive summary’ of the more detailed information found in policy briefs, memoranda, recommendation reports, stakeholder engagement results, submissions, and other documents that will be appended to the briefing note. The policy impact assessment tool for all policy proposals will provide detailed information;
- 3) Require a public interest rationale statement;
- 4) Require a stated link to the strategic plan or regulatory mandate;
- 5) Have a readable format and structure, including the following sections:
 - a. An introductory **digest** that gives readers the “bottom line” first;
 - b. **Background**: relevant authorities, policies, history, and context;
 - c. **Considerations**: risks, key strategic issues, costs and financial impact, etc.;
 - d. **Engagement**: how was/will stakeholder participation be used; and
 - e. **Options and Recommendation(s)**.
- 6) The protocol will cover file names, footnotes and references, ensuring consistent terminology, and any other issues that require attention.

3. Next Steps

- This template will be implemented for all Council and committee meetings moving forward.
- Other materials that will be appended to the briefing note will also be standardized.

5. Appendices

- Appendix A – Briefing Note Template

Information Note (or Discussion Note or Decision Note)

Purpose	Please include from which entity the note originates and to which it is directed in this section (i.e., staff, committee, or Council) <i>e.g., For staff to update GNC on the Special Rules review.</i> <i>e.g., For GNC to report to Council about its review of the PEO election process.</i>
Strategic/Regulatory Focus	<i>e.g., Governance improvement</i>
Motion	<i>Include the motion and the threshold of votes required for it to pass (i.e., simple majority, 2/3 of those voting, etc.). The motion should be in a form that can eventually be passed by Council, even if it first needs to be considered and recommended by a committee.</i>
Attachments	Attach relevant documentation, including longer materials that the note is summarizing or referencing. <i>Appendix A – e.g., Appendix A – Election Integrity Staff Report – January 2023</i>

Summary

- What is the bottom line? What is proposed?
e.g., Staff recommend amending the by-law to remove the annual adoption of the Special Rules.
e.g., In applying Elections Canada's Electoral Integrity Framework principles, GNC has 11 recommendations for enhancing integrity and confidence in PEO elections.

Public Interest Rationale

- How is this information connected to PEO's public interest mandate?

Background

- Sets the context for the note.
- The key is to not have too much detail. However, it should include:
 - Relevant authorities (legislation, regulations)
 - Relevant PEO bylaw, policies, practices
 - Relevant historical developments (internal and external to PEO)

Considerations

- Use subheadings to organize this section.
- Risks
 - Types of risk and to whom? *e.g., reputational risk to PEO if an issue is unaddressed.*
- Equity
 - Council and committees should take account of equity in their decision-making.
- Key strategic issues
- Costs and financial impacts
 - Focus on additional costs required to fund a decision or implied by an informational briefing note. Some briefing notes will address initiatives which are already fully budgeted and costed.

Stakeholder Engagement

- Evaluate how engagement and participation was or can be utilized here, internally and with stakeholders.

Type of Meeting – Date of Meeting

Options

- This section may not be necessary depending on the type of briefing note.
- If options are being presented, summarize with a table that indicates in a concise manner the risks/costs/benefits/advantages/pros/cons (whichever headings are relevant). Depending on the size and content, a table of options may be better suited as an appendix. Example:

	Option	Risks	Costs	Advantages
1	Do nothing	- reputational damage - potential of major legal liability if issue unaddressed	- no new costs	- status quo is currently working
2	Implement policy change	- key stakeholders may not 'buy in'	- substantially higher costs	- inclusive - opportunity for stakeholder engagement - mitigates reputational risk - minimizes legal liability once implemented

Recommendation(s)

- This section may not be necessary depending on the type of briefing note.

Prepared By:

Briefing Note Protocol

➤ Length

- Notes should be 1-2 pages long. They can be 3 in exceptional cases, for example where a decision is required, and no additional attachments are provided.

➤ Standardized file names

- File names should follow the same format and indicate whether it is a draft or final version, the committee's initials or "Council" depending on the audience, "BN" for briefing note, a short title about the content, and the date that the draft is being worked on or the date it is finalized. It should also indicate if it is presented in camera with the letters "IC." For example:
 - DRAFT_GNC_BN Election Reform_19 June 2023.
 - FINAL_GNC_BN Election Reform_IC_25 June 2023.

➤ Types of Notes

- **Information:** A briefing note for information is to inform a committee or Council about issues or activities. This item can include discussion and questions, but it will generally never return to that committee or Council.
- **Discussion:** A briefing note is for discussion when an item will eventually return to committee or Council for a decision. Committee or Council members are providing feedback and input, but the item is not ready to be brought forward for a decision.
- **Decision:** A briefing note for decision is putting information before a committee or Council for a decision. This type of note will include a motion in the 'digest' section.

➤ Consistency in terminology

- Use the term "licence holders" instead of "members."
- Use the language of "recommendation" when it is a committee decision, as committees make recommendations to Council. Council is the body that ultimately decides. Briefing notes for "Decision" for committees will be presenting recommendations to committees. Committees will 'decide' what to forward as recommendations to Council.

➤ Footnotes

- Use footnotes where appropriate to document sources or for information that can assist the reader. There is no required citation style, but please ensure the footnote includes the title of the source, the author(s) where relevant, website link if relevant, and specific details like page numbers and paragraph numbers. The goal is to assist the reader in quickly finding the source information that was referred to or relied on in the document. If a lot of information is being added as a footnote, ask whether it should be in the body of the note, or, whether it needs to be in the note at all.

➤ Subheadings and bullet points

- Make use of subheadings and bullet points to make the document more readable. Avoid overuse.

➤ **Be mindful of acronym use**

- Acronyms for Professional Engineers Ontario or committee names are acceptable.
- Do not use acronyms where it may be confusing (e.g., Chief Elections Officer should not be “CEO” as PEO has a Chief Executive Officer)

GOVERNANCE CONTROLS: GOOD PRACTICES REPORT

Purpose: To report on a holistic review that has been conducted of good practices in governance controls vis-à-vis expectations for director conduct, forms of misconduct and options available to a regulatory board to address director misconduct.

Proposed Motion:
N/A

Prepared by: Marina Solakhyan – Director, Governance

1. Background

In September 2022, Council approved a motion directing staff to conduct a holistic review of practices in governance controls related to expectations for director conduct, forms of misconduct, and options available to a regulatory board to address director misconduct.

This decision was initially spurred by Council’s review of gaps identified in the Anti-Violence and Harassment Policy. Specifically, the policy lacked both authority and enforcement mechanisms to deal with the conduct of a Council member. At that time, Council also recognized that its existing governance mechanisms provided no remedies to deal with conduct issues pertaining to Council members.

The September 2022 briefing note to Council highlighted several examples of Council requirements that had presented enforcement challenges. It recommended that staff conduct a holistic review of best practices in regulatory governance controls, including an environmental scan and literature review, considering practices at peer organizations in Ontario and other Canadian and international jurisdictions.

2. Overview of Good Governance Practices Review

In 2023, staff retained an external consultant, Will Morrison, to lead the governance controls practices review. Morrison is an Ontario-based lawyer and independent consultant who advises professional regulators on matters of policy, strategy, and governance. Prior to establishing his consulting business, Morrison spent 8 years working in progressively senior positions at the Law Society of Ontario.

Morrison was directed to consider each of the governance controls topics set out in the September 2022 Council materials. With staff input and direction, he has produced:

- a literature review of current research, commentary, and trends,
- an environmental scan reviewing the current practices of each province’s professional engineering regulator as well as leading regulators of other professions in Ontario and Canada; and
- a report outlining good practices for governance controls.

Findings

Research findings indicate that Canadian regulators now operate in an environment characterized by (a) increasing public scrutiny, (b) increasing government oversight, and (c) evolving expectations for boards of directors.

To effectively maintain the confidence of the public they serve, the professionals they regulate, and the governments from whom they enjoy the privilege of self-regulation, regulators should take proactive and continual steps to adapt to these conditions. Specifically, regulators should consider adopting strong governance controls, including high standards for director conduct, is crucial to achieving these goals.

When implementing these controls, clear criteria and processes should be explicitly stated wherever possible. Regulators should aim for transparency in their governance controls. This not only helps maintain trust and confidence in the regulator, but also helps a board make objective and impartial decisions with minimized risks of conflict, bias, or improper influence.

The report is attached to this briefing note as Appendix A.

3. Next Steps

After reviewing the results of the good practices review, Council may set further direction regarding next steps.

4. Financial Impact on PEO Budgets (for five years)

N/A

5. Appendices

Appendix A: Governance Controls: Good Practices Report

Governance Controls: Good Practices Report

Will Morrison – July 6, 2023

Table of Contents:

Introduction and Executive Summary	1
Outline of Good Governance Practices	2
Literature Review and Environmental Scan	5
Part 1 – General Considerations for Governance Controls	6
Part 2 – Director Conduct Controls	8
Part 3 – Governance Complaint Process	13
Part 4 – EGBC Profile	15

Introduction and Executive Summary:

Professional Engineers Ontario (“PEO”) is conducting a holistic review of good practices related to governance controls, particularly focused on director conduct. This report recommends good practices for two main topics:

1. Director conduct: expectations, forms of misconduct, and the circumstances by which elected directors can be disqualified or removed from sitting on the board; and
2. Procedures to be followed when there is an allegation about a director’s conduct.

These practices are supported by a literature review of current research, commentary and trends, as well as an environmental scan reviewing the current practices of each province’s professional engineering regulator as well as leading regulators of other professions in Ontario and Canada. In this report, the detailed literature review and environmental scan follow the outline of common practices.

Governance reform and modernization is a high-profile issue among Canadian regulators today. Many have recently conducted governance review initiatives or are currently engaged in them. This provides a good basis for observation and comparison with PEO, as well as for identifying good practices. Where regulators have carefully considered and implemented detailed governance controls, PEO can benefit from these examples.

Regulators today face increasing scrutiny from the public, from governments, and from the professionals they regulate. This scrutiny extends to their governance practices and has been a key force driving modernization initiatives in recent years. This report outlines common practices that can improve regulatory clarity and transparency, enhance governance effectiveness and accountability, and promote trust and confidence in the regulator.

Outline of Good Governance Practices:

General Considerations for Governance Controls

Canadian regulators now operate in an environment characterized by: (a) increasing public scrutiny, (b) increasing government oversight, and (c) evolving expectations for boards of directors. To effectively maintain the confidence of the public they serve, the professionals they regulate, and the governments from whom they enjoy the privilege of self-regulation, regulators should take proactive and continual steps to adapt to these conditions. Adopting strong governance controls, including high standards for director conduct, is crucial to achieving these goals.

When implementing these controls, clear criteria and processes should be explicitly stated wherever possible. Regulators should aim for transparency in their governance controls. This not only helps maintain trust and confidence in the regulator, but also helps a board make objective and impartial decisions with minimized risks of conflict, bias, or improper influence.

Director Conduct Controls

Regulators should establish clear, transparent, and enforceable director conduct controls, including codes of conduct and rules for disqualification and/or removal for cause. These measures support a board's effectiveness, integrity, and cohesion. They also promote accountability and confidence in the regulator.

It is a good practice to establish a code of conduct for directors that sets clear expectations of acceptable and unacceptable behaviour. The code of conduct should be publicly available, for transparency. For a code of conduct to be effective, it must include an ability to enforce consequences where a director has failed to comply with it. Regulators should expressly describe how compliance will be monitored and enforced, and how violations can be reported. They should also consider requiring all directors to sign the code of conduct as a condition of eligibility.

Some regulators opt to bolster the commitments to good governance from their directors with an oath of office. If an oath of office is used, it should be made mandatory for all directors before taking office, and should be made enforceable.

It is also a good practice to adopt clear and enforceable rules governing how elected directors can be disqualified and/or removed for cause. Regulators should facilitate elected directors being disqualified or removed in appropriate circumstances. This promotes public confidence and board effectiveness. One of a regulator's primary governance functions is to ensure their directors' compliance with fiduciary duties. This can be best accomplished when there is an enforceable mechanism to disqualify or remove any director whose conduct is seriously compromised.

Adopting such rules and processes helps ensure procedural fairness for all directors. By formalizing them in writing, boards can significantly reduce the risk of making arbitrary or selective decisions to sanction or remove individual directors, without sufficient transparency or accountability.

Regulators should establish both (a) criteria that trigger automatic disqualification (similar to, and ideally harmonized with, their election eligibility criteria), and (b) a process allowing the board to remove a

director who has failed to comply with the code of conduct or a similar governance control. The protocols for discretionary removal are discussed in more detail below.

Leading Canadian regulators specify grounds for disqualification/removal, which provide compelling examples. A range of possible grounds should be considered, but two stand out as the most standard and the most directly connected to the performance of governance duties:

- Contravening the code of conduct, oath of office, or other governance regulations or by-laws; and
- Being absent from a certain number (typically 3+) of consecutive board or committee meetings without cause or consent.

Governance Complaint Process – Separation from Professional Disciplinary Process

It is a good practice for regulators to establish formal protocols for investigating and resolving complaints about directors in their governance capacities (recommended features of this process are discussed in the next section). Regulators should avoid using their usual professional disciplinary process to address governance matters. The purposes of a professional disciplinary process, and the protocols by which it operates, are meaningfully different from those of a governance complaint process.

There are several reasons why allegations about a director's conduct related to their service on the board or committees are not well-suited to be addressed through a regulator's usual professional disciplinary process:

- The fiduciary duties legally owed by directors, and the related rules within by-laws and/or board codes of conduct that directors must adhere to in their governance work, are not designed to be aligned with the professional standards that licensed professionals must uphold in their practice. The mandate of a professional disciplinary process is to enforce those latter standards. That process has been developed specifically to achieve that mandate.
 - Where an issue arises with a director's conduct in the performance of their governance duties, that issue will usually not relate to the practice of their profession. This makes it more difficult to successfully prosecute such a complaint if it proceeds through the usual professional disciplinary process, and/or increases the legal risks of such a prosecution withstanding the appeal/review procedures legally available to subjects of professional disciplinary processes.
- There are significant differences in the consequences that are both legally available for, and appropriate for, breaches of professional standards versus governance-related misconduct. The usual professional disciplinary process is not designed to serve a board's governance and fiduciary interests in addressing and correcting governance-related problems. For example, it is not typically legally available for a regulator's tribunal or disciplinary committee to impose governance-related sanctions (e.g. ordering removal or suspension from the board, or requiring board training) in a case of professional misconduct. Nor is it typically available, outside of exceptionally egregious cases, for a regulator's tribunal or disciplinary committee to find professional misconduct based on a complaint that does not relate to a person's practice of their profession, or to impose meaningful penalties based on such a finding. If, on the other

hand, such findings were made, the risk that failing to comply as a director with the board's code of conduct could jeopardize one's professional status would likely deter people from putting themselves forward to serve on the board.

- For boards composed of both registrants of the profession and lay members, the professional disciplinary process would not be available to address governance-related complaints against the latter category of directors. Using that process would create a risk that the same conduct by a registrant director and a lay director could be investigated by different persons, using different procedures, applying different standards, and imposing different consequences. This could undermine a board's goals of effectiveness and accountability.
- The investigation and enforcement of professional complaints is typically a resource-intensive and time-consuming process. Expenses will especially be increased in cases where a professional complaint is made against a director, because in such cases it is more likely that independent, external counsel and/or investigators will need to be retained. A governance-related complaint typically can and should be resolved more expeditiously.
- Where an issue arises with a director that engages both their professional standards and their governance standards, a regulator is not precluded from pursuing both complaints processes, separately, in order to achieve all appropriate outcomes.

Governance Complaint Process - Features

A governance complaint process for investigating and resolving complaints about directors in their governance capacities should be in writing and made publicly available, for transparency. The written protocol should allow any person to initiate a complaint. It should also:

- explain the kinds of complaints or issues that the process is intended to address,
- identify the person(s) to whom complaints should be made, including contact information,
- clearly set out any steps that will be taken to investigate and adjudicate the complaint,
- establish who has the authority to adjudicate the complaint and impose sanctions,
- outline what sanctions are available,
- describe what constitutes appropriate grounds for removal, and
- identify any rights of appeal or review.

Such protocols are valuable to promote accountability and transparency. They also help ensure that governance sanctions cannot be arbitrarily or selectively threatened or imposed. By adopting a robust process for governance-related complaints with the features described above, regulators can ensure that the same fundamental principles and safeguards that are present in their professional disciplinary processes are also applied in this context (e.g. notice to the subject of the governance complaint, an opportunity to know the case against them, and an opportunity to respond to the complaint).

The board itself is the appropriate body for adjudicating any governance complaints. Either the board's chair or a delegated committee can be an appropriate authority responsible for investigating the complaint. In some circumstances, it may be appropriate for an independent, external investigator to be appointed to lead the investigation. However, it is not necessary to require independent investigation in all cases, and in any event the external investigator's role should be limited to making recommendations to the board.

With respect to sanctions, regulators should enable their boards to disqualify or remove a director for conduct reasons. As discussed above, this promotes public confidence and board effectiveness.

In designing a governance complaint process, regulators should also consider establishing separate protocols for resolving interpersonal conflicts between directors that do not involve allegations of misconduct, but nevertheless negatively affect the board's ability to carry out its work. Where such a dispute arises and does not involve any misconduct, boards should consider making mediation or other informal dispute resolution processes available. This can be valuable not only for improving board performance, but also for reducing instances of resorting to a resource-intensive "complaints" process in cases where no real misconduct is at issue and no sanction would be appropriate. In circumstances where there is both misconduct alleged and interpersonal conflict, the separate "conflict resolution" protocol could still proceed in tandem with the investigation and enforcement of a governance complaint, as appropriate.

Literature Review and Environmental Scan:

Methodology and Terminology

In conducting my literature review, I researched reports published by leading authorities on professional regulation, governments and regulators (including reports published as part of governance review or modernization projects).

For the environmental scans, I researched the professional engineering regulators in each Canadian province, as well as the regulators of a range of professions in Ontario (including two that are federal bodies regulating a profession across Canada). With the overall goal of examining a relevant and representative landscape for PEO, I selected some regulators on the basis of their status as respected, established organizations; others that are very new with structures that reflect modern governance practices; and still others that have recently conducted governance modernization initiatives. I reviewed these regulators' enabling legislation, regulations, by-laws, and policies, as necessary.

The environmental scan tables use abbreviations of these regulators. While the engineering regulators are likely familiar, the following are the full names of the other regulators:

- LSO: Law Society of Ontario
- OAA: Ontario Association of Architects
- CPSO: College of Physicians and Surgeons of Ontario
- CPO: College of Psychologists of Ontario
- CDTO: College of Dental Technologists of Ontario
- OCP: Ontario College of Pharmacists
- CNO: College of Nurses of Ontario
- OCT: Ontario College of Teachers
- HCRA: Home Construction Regulatory Authority (Ontario)
- CPATA: College of Patent Agents & Trademark Agents (federal)
- CICC: College of Immigration and Citizenship Consultants (federal)

Notes on terminology in this report:

- The organizations examined in this report are all regulators of professions, and all enjoy self-regulation (some to more limited degrees than others). When I refer to “regulators” throughout this report, I am only discussing those types of organizations (notwithstanding that there are other kinds of regulators besides self-regulating professional regulatory bodies).
- There is considerable variation in the names given to regulators’ boards (e.g. Council) and directors (e.g. Councillors). For ease of reference and comparison I will generally refer to all as “boards” and “directors”.
- There is also considerable variation in the terms used to describe a person who is licensed and permitted to practise their profession (e.g. licensees, registrants, licence holders, members, etc.). There are sometimes meaningful differences in what these terms mean for a person’s ability to practise their profession, but in this governance context the terms can be used interchangeably. For ease of reference and comparison I will generally refer to all as “registrants”.

Part 1 – General Considerations for Governance Controls:

Literature Review:

1. Regulators face increasing public and government scrutiny, including of their governance practices.

As a result of high-profile scandals, conflicts, and failures by regulators in recent years,¹ as well as evolving expectations of board governance more generally, there has been increasing scrutiny of regulators, and of the model of self-regulation. This has also resulted in governments increasing their oversight of regulators. Shifting societal expectations around equity, diversity, and inclusion – particularly at the boardroom level – have also contributed to scrutiny of regulators.²

Engineering regulators across Canada have seen the effects of these increases in public scrutiny and government oversight. A 2023 environmental scan prepared by Engineers Canada highlights the following trends that are increasingly being expected or imposed by governments:³

- Provincial fairness commissioners to oversee and standardize professional registration requirements;
- Umbrella legislation to standardize governance functions, complaints processes, and standards of practice and ethics across professions;
- Requirements for public representation on regulators’ boards;
- Evaluations of regulatory and governance effectiveness; and

¹ E.g. <https://www.theglobeandmail.com/news/british-columbia/college-of-dental-surgeons-of-british-columbia-tried-to-sweep-sexually-inappropriate-comments-under-the-rug-report-finds/article38253210/>; and <https://www.thestar.com/news/gta/2019/06/27/diversity-debate-draws-on-as-lawyers-wrangle-over-key-initiative.html>

² <https://engineerscanada.ca/news-and-events/news/volunteer-boards-and-self-regulating-professions>

³ <https://engineerscanada.ca/sites/default/files/2023-02/2025-27%20Environmental%20scan%20v2.pdf> at p. 16.

- Implementation of board competency profiles, effectiveness metrics, and public reporting requirements, to demonstrate competence and accountability.
2. Many Canadian regulators have recently conducted governance modernization initiatives, or are currently engaged in them.

Most of the regulators reviewed in this research have engaged in some form of governance review or modernization initiative within the past 5 years, and others are currently in progress. It is a clear and significant current trend among regulators to evaluate these issues. Regarding the specific topics covered in PEO's project, most regulators are arriving at similar conclusions, or are at least pointing in the same general direction.

Four rationales for governance renewal articulated by the Ontario College of Pharmacists ("OCP") reflect the general purposes of regulators when approaching these topics:

- Strengthening public confidence
- Acting proactively to reflect emerging best practices
- Aligning with ongoing work at other regulators
- Taking a leadership role in evolving the sector⁴

3. Clarity and transparency are important features of any governance controls.

A common theme that emerges from the many recommendations and commentaries described below is the value of clarity and transparency whenever a regulator adopts governance controls like election eligibility criteria or director removal criteria.

In 2014, the Organisation for Economic Co-operation and Development ("OECD") published a report titled, "The Governance of Regulators: Best Practice Principles for Regulatory Policy."⁵ Although the OECD's focus was on a broader category of regulators than just self-regulating professions, certain key principles are relevant to this project. In particular, one of the report's "principles for maintaining trust" was that "the criteria for appointing members of a regulator's governing body, and the grounds and process for terminating their appointments, should be explicitly stated in legislation."⁶ The report recommended that regulators adopt provisions for maintaining trust because "a high degree of regulatory integrity helps achieve decision making which is objective, impartial, consistent, and avoids the risks of conflict, bias, or improper influence."⁷

⁴ <https://www.ocpinfo.com/about/key-initiatives/governance-renewal/>

⁵ https://read.oecd-ilibrary.org/governance/the-governance-of-regulators_9789264209015-en#page1

⁶ *Ibid.* at p. 48.

⁷ *Ibid.* at p. 49.

Part 2 – Director Conduct Controls:

Literature Review:

4. Regulators should establish clear and enforceable director conduct controls, including a code of conduct.

Leading authorities consistently recommend that regulators implement clear, enforceable, and transparent codes of conduct for directors.

In 2014, the International Council of Nurses published its influential “Regulatory Board Governance Toolkit,” authored by Jean Barry.⁸ In her report, Barry states, “It is good practice to establish and enforce clearly articulated Codes of Conduct and Conflict of Interest policies for Board members for a number of reasons. Board members when performing their roles must act in the public interest at all times versus the professional or personal interest. In addition, Board members engage in challenging and often contentious decision making in Board meetings. Therefore clear guidelines about acceptable and unacceptable behaviour and practices are useful to have in place.”⁹

Barry describes codes of conduct as “key documents in relation to ensuring the efficiency, integrity and transparency of the Board and in promoting a high functioning Board.”¹⁰ She also recommends, “It may be useful to have Board members sign that they agree to uphold the Code of Conduct and Conflict of Interest Policy.”¹¹ In highlighting a number of common elements of codes of conduct, Barry notes that they usually address “repercussions for breaches of the Code which could include up to suspension or removal from the Board.”

In its 2020 publication, “Governance for Regulators,” Steinecke Maciura LeBlanc discusses the importance of directors of public interest regulators demonstrating a high level of integrity.¹² The authors state, “Appropriate conduct must be exhibited both while performing duties on behalf of the regulator and while engaging in personal activities. Unbecoming conduct can indicate that the Board or committee member is unsuitable to hold their position with the regulator.”

Harry Cayton conducted a governance review of the Law Society of British Columbia in 2021. In his report, Cayton emphasized the key role that director conduct plays in achieving good governance, stating, “The true key to successful governance is not rules and procedures but personal values and behaviour, although of course rules are necessary to govern those whose behaviour does not reflect proper values.”¹³ He also offered the following observation: “Being a professional person requires self-discipline. Regulators expect those they regulate to behave to the highest standards both professionally

⁸ https://www.icn.ch/sites/default/files/inline-files/2014_Regulatory_Board_Governance_Toolkit.pdf

⁹ *Ibid.* at p. 43.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² <https://www.sml-law.com/wp-content/uploads/2020/07/Governance-for-Regulators.pdf> at p. 18.

¹³ <https://www.lawsociety.bc.ca/Website/media/Shared/docs/about/GovernanceReview-2021.pdf> at p. 12. The same paragraph appears in a 2022 governance review report authored by Harry Cayton and Deanna Williams for the OCSWSSW: <https://www.ocswssw.org/wp-content/uploads/OCSWSSW-governance-report.pdf> at s. 4.18.

and personally. Why should they have respect for their regulator if its board members do not themselves observe the same high standards?”¹⁴

Regarding director conduct controls, Cayton stated, “Most regulatory boards have (and all should have) a Code of Conduct for members. That code of conduct must be adhered to by members individually and enforced by members collectively.”¹⁵

In a primer on non-profit board member codes of conduct and ethics, BoardSource endorses the use of these controls, stating: “Although a code of ethics by itself cannot prevent wrongdoing, it conveys a strong message both internally and externally about the culture and work of the organization.”¹⁶ The authors also provide the following practical tip: “As a way to stress the importance of the code, some organizations request a signature from board and staff members as a sign of understanding and acceptance of the standards.”¹⁷

Similarly, a 2021 article published by BoardEffect describes it as “crucial” for any non-profit organization’s board to establish a code of conduct.¹⁸ Benefits described include guiding better behaviour and decision-making, ensuring accountability, and expressing commitments to ethics and transparency. Regarding designing an effective code of conduct, the author states, “All board members should be clear on how to report violations. Your policy should designate at least two people that are available to receive reports of violations.”

As part of its 2018 governance review, the OCT’s review report recommended that it adopt a written code of conduct for its directors, officers, and employees.¹⁹ The report stated, “The code should constitute written standards that are reasonably designed to promote integrity and to deter wrongdoing. The board should monitor compliance with the code.” In a later section outlining best practices for accountability and compliance, the report recommends publicly disclosing any director code of conduct and how the board monitors compliance with it, as well as describing any other steps the board takes to encourage and promote a culture of ethical business conduct.²⁰

5. Regulators should consider requiring directors to take an oath of office.

Some regulators use an oath of office to generate accountable commitments from directors. If an oath of office is used, authorities recommend that it be made mandatory for all directors before taking office, and that its execution be linked to an enforcement mechanism that could result in disqualification.

¹⁴ *Ibid.* at p. 13.

¹⁵ *Ibid.* at p. 12.

¹⁶ <https://www.clth.ca/wp-content/uploads/2019/10/5-Code-of-Conduct-Ethics.pdf>

¹⁷ *Ibid.*

¹⁸ <https://www.boardeffect.com/blog/code-of-conduct-for-board-members/>

¹⁹ <https://www.oct.ca/-/media/PDF/Governance%20Review%20Report/Governance%20Review%20Report.pdf> at p. 76.

²⁰ *Ibid.* at p. 134.

In 2018, EGBC retained the UK-based Professional Standards Authority to review its legislation and governance.²¹ The authors observed that some EGBC directors had declined to swear or affirm its oath of office, and that the (legally unenforceable) code of conduct only stated that taking the oath was “expected” of all directors.²² Although remarking that they knew of no evidence that directors who fail to take an oath are more likely to act improperly, they nevertheless recommended making it mandatory and bolstering its enforceability, to improve regulatory effectiveness in the public interest.²³

BC’s *Professional Governance Act*, enacted in 2018, requires all elected and appointed directors to take and sign, by oath or solemn affirmation, an oath office before taking office.²⁴

6. Regulators should adopt clear and enforceable rules for elected directors to be disqualified and/or removed for cause.

Leading authorities recommend that regulators develop clear and enforceable rules governing how elected directors can be disqualified and/or removed for cause. Generally, there are two pathways to removal: automatic disqualification via pre-established criteria, and discretionary governance sanctions taken by the board in response to a director’s non-compliance with a code of conduct or a similar governance control.

The OECD’s 2014 report, “The Governance of Regulators: Best Practice Principles for Regulatory Policy,” outlined several best practices regarding director termination/removal provisions.²⁵ The report stated that these policies should be clearly legislated, should outline what constitutes appropriate grounds for removal, and should include the process for removal and any rights of review. It highlighted the risk in permitting removals to be arbitrary. It also listed a number of common grounds for director removal.

In its 2018 review of EGBC’s legislation and governance, the Professional Standards Authority observed that, at that time (like PEO currently), EGBC had provisions in place for a director to be replaced in the event of death, resignation, or incapacity, but no ability to remove a director on any other grounds, such as misconduct.²⁶ The authors commented that it would be in the interest of public protection and good governance to adopt a fair and transparent process for taking action in the event of director conduct that falls short of standards.²⁷

²¹ [https://www.professionalstandards.org.uk/docs/default-source/publications/international-reports/review-of-the-legislation-and-governance-for-engineers-and-geoscientists-in-british-columbia-\(june-2018\).pdf?sfvrsn=b2d7220_9](https://www.professionalstandards.org.uk/docs/default-source/publications/international-reports/review-of-the-legislation-and-governance-for-engineers-and-geoscientists-in-british-columbia-(june-2018).pdf?sfvrsn=b2d7220_9)

²² *Ibid.* at s. 3.63.

²³ *Ibid.*

²⁴ <https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/18047#section28> at s. 28.

²⁵ https://read.oecd-ilibrary.org/governance/the-governance-of-regulators_9789264209015-en#page62 at p. 62.

²⁶ [https://www.professionalstandards.org.uk/docs/default-source/publications/international-reports/review-of-the-legislation-and-governance-for-engineers-and-geoscientists-in-british-columbia-\(june-2018\).pdf?sfvrsn=b2d7220_9](https://www.professionalstandards.org.uk/docs/default-source/publications/international-reports/review-of-the-legislation-and-governance-for-engineers-and-geoscientists-in-british-columbia-(june-2018).pdf?sfvrsn=b2d7220_9) at s. 3.60.

²⁷ *Ibid.*

The authors noted that EGBC had a code of conduct in place which set standards for directors, but that it was not effectively enforceable. In the event of breaches, it simply stated an expectation that a director “is expected to resign.” However, there was no legal mechanism to enforce their removal.²⁸

As part of its 2018 governance review, the OCT’s review report recommended establishing a policy whereby a director may be removed for cause.²⁹ The report also commented positively on a policy already set out in the OCT’s regulations that disqualified directors in certain circumstances.³⁰

In its 2020 publication, “Governance for Regulators,” Steinecke Maciura LeBlanc observes, “It is impossible to identify every type of conduct unbecoming that could cause challenges to the Board or committee member’s continued service with the regulator. However, some examples are often provided in the regulator’s policies.”³¹ The authors note that director codes of conduct (along with organizational discrimination and harassment policies) can be used to address this.

BC’s *Professional Governance Act*, enacted in 2018, establishes criteria for the disqualification and termination of directors.³² These include where a director (a) contravenes a term of their oath of office, (b) contravenes legislation, rules, or by-laws, (c) becomes bankrupt, or (d) is removed by a two-thirds vote of the board based on sufficiently serious circumstances.

7. Regulatory and criminal findings of guilt can trigger removal, and pending charges can trigger a temporary leave of absence.

Some regulators require directors who are the subject of pending criminal charges or regulatory investigations to suspend their participation in board activities pending the resolution of their matter. There is some commentary regarding this practice.

In its 2020 publication, “Governance for Regulators,” Steinecke Maciura LeBlanc discusses “conduct unbecoming” policies for directors.³³ The authors state, “Criminal or regulatory charges or findings can result in a Board or committee member being unable to continue with their duties,” and that a finding of professional misconduct by the regulator itself “will generally result in the Board or committee member being removed from their position.”

In the authors’ view, even if a criminal charge or regulatory complaint remains pending, there may still be a valid basis for a director to take a leave of absence from their duties, or even to be asked to resign if the concerns are serious or have already been screened. With respect to pending criminal charges, there is reputational risk to the regulator, and in the case of professional disciplinary matters, the

²⁸ *Ibid.* at s. 3.61.

²⁹ <https://www.oct.ca/-/media/PDF/Governance%20Review%20Report/Governance%20Review%20Report.pdf> at p. 77.

³⁰ <https://www.oct.ca/-/media/PDF/Governance%20Review%20Report/Governance%20Review%20Report.pdf> at p. 103.

³¹ <https://www.sml-law.com/wp-content/uploads/2020/07/Governance-for-Regulators.pdf> at p. 18.

³² <https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/18047#section30> at s. 30.

³³ <https://www.sml-law.com/wp-content/uploads/2020/07/Governance-for-Regulators.pdf> at p. 18.

authors state, “It is very important that there be no perception of the Board or committee member receiving special treatment or interfering in any way with the investigation.”³⁴

Environmental Scan:

Most engineering regulators and other leading regulators have established director conduct controls that include both automatic qualification criteria and a process by which elected directors can be removed for cause (or, in many cases, can also be subject to lesser sanctions). Related to these controls, most engineering regulators and all other leading regulators profiled have enforceable codes of conduct that apply to their directors.

The attached Table 3.1 charts the director conduct controls used by engineering regulators across Canada for their elected directors.

The attached Table 3.2 charts the director conduct controls used by other leading regulators in Ontario and Canada.

Where automatic disqualification is available, common grounds include:

- Contravening the code of conduct, oath of office, or other governance regulations or by-laws;
- Failing to maintain registration in good standing, including becoming suspended;
- Being found to have engaged in professional misconduct or unskilled practice;
- Being found to lack capacity, either by the regulator or by another court;
- Being found guilty of a criminal offence or contravention of other legislation;
- Being absent from a certain number (typically 3+) of consecutive board or committee meetings without cause or consent; and
- Failing to maintain the residency requirements for election eligibility.

With respect to codes of conduct, these are typically made enforceable by connecting them to a legal mechanism in the regulator’s regulations or by-laws that can result in consequences. In some cases, regulators also bolster enforceability by requiring a candidate to sign the code of conduct, and/or to swear or take an oath of office that includes compliance with it.

Most regulators establish the ability for directors to be removed for cause, through their regulations or by-laws.

In comparison to the other regulators profiled in both tables, PEO has notably fewer controls in place to address director conduct issues. Regarding PEO’s code of conduct specifically, in comparison to most other regulators it lacks discussion of certain topics, lacks detail and supportive examples, and lacks enforceability.

As a final observation, the culture and expectations among other leading regulators of documented standards and processes on these issues, and transparency around them, appears to generally exceed those of engineering regulators nationally. The engineering regulators’ director conduct controls and processes, if documented at all, are generally less robust than those of the other regulators profiled. In

³⁴ *Ibid.* at p. 18.

cases where there is missing publicly available information, given the clear correlation between transparent practices and robust processes, it is likely fair to assume that this documentation, if it does exist internally, does not reflect robust, effective, and modern governance practices.

Part 3 – Governance Complaint Process:

Literature Review:

8. Most regulators and authorities strongly discourage using a regulator’s professional disciplinary process to address governance matters.

All regulators administer complaints/disciplinary processes for their registrants. Where those registrants also serve as elected directors of the regulator, however, and an issue has been raised about the director regarding their governance capacity (as opposed to their practising capacity), most regulators and authorities strongly discourage using the ordinary disciplinary process to address the issue.³⁵

A 2023 article by Julie Maciura examines this issue, and outlines the considerations for and against using the disciplinary process to address governance matters.³⁶ Maciura notes that the ordinary disciplinary process has a different mandate than a governance complaint process, and that the latter is preferable because it can better address the issues and is less prone to misuse.

9. Regulators should adopt clear, formal processes for investigating and resolving complaints about directors in their governance capacities.

As discussed above, the OECD’s 2014 report, “The Governance of Regulators: Best Practice Principles for Regulatory Policy,” recommended that director removals should be subject to a clearly defined process with any rights of review identified.³⁷

As part of the OCT’s 2018 governance review, its review report notes with approval that the OCT has protocols in place to deal with directors’ code of conduct breaches formally and with detailed complaint and resolution processes, including disclosures.³⁸

10. There is limited analysis or commentary about the processes regulators should follow in investigating and adjudicating governance-related complaints about their directors.

Beyond the limited exceptions described above, it is difficult to find literature discussing the good practices in establishing a formal process for investigating and adjudicating governance-related

³⁵ <https://mcusercontent.com/db475f28cdc526ee1d03afcbe/files/2e5210d4-3d83-82ae-0366-9b0674bc0a9c/Greyar276.pdf>

³⁶ <https://mcusercontent.com/db475f28cdc526ee1d03afcbe/files/2e5210d4-3d83-82ae-0366-9b0674bc0a9c/Greyar276.pdf>

³⁷ https://read.oecd-ilibrary.org/governance/the-governance-of-regulators_9789264209015-en#page62 at p. 62.

³⁸ <https://www.oct.ca/-/media/PDF/Governance%20Review%20Report/Governance%20Review%20Report.pdf> at p. 134.

complaints that are made against directors. For example, I was unable to identify whether/why it might or might not be a “good practice” for a regulator to establish a specific committee from among the board to investigate these matters, or to appoint an independent, external investigator. Although there may be general corporate governance resources which address these issues, there is little analysis available that is specific to the unique circumstances of regulators that elect professional members as directors.

Environmental Scan:

Most engineering regulators and other leading regulators have established formal, written processes for investigating and adjudicating complaints made against directors in their governance capacities. It is common for these processes to include potential escalation to a hearing before the full board, with the potential consequence of removal from the board.

The attached Table 4.1 charts the governance complaint processes used by engineering regulators across Canada for their elected directors.

The attached Table 4.2 charts the governance complaint processes used by other leading regulators in Ontario and Canada.

Although not captured in these tables, it is important to note that none of the regulators profiled here allow governance-related complaints against their elected directors to be investigated or adjudicated through their usual complaints process for regulatory matters involving their registrants. In addition, where their governance complaint processes provide for sanctions to be imposed, those sanctions pertain to the director’s governance capacity. They do not impose regulatory sanctions on an elected director through these processes.

Of course, there will be rare cases where a complaint made through a governance complaint process is in fact more related to an elected director’s conduct as a registrant practising their profession than it is to their conduct as a director. In those cases, the initial screening processes used by regulators (there is a range of initial screeners, from the CEO or registrar, to a designated committee, to the board chair or president) can assess and direct the complaint appropriately at an early stage.

Complaint processes typically involve multiple stages of investigation and escalation before there is adjudication. The people or committees responsible for investigating and escalating at those earlier stages range widely between different regulators.

Some regulators’ policies make the appointment of an independent, external investigator available either as of right, by request, or at the board’s discretion. (It is possible that some of the regulators whose policies do not explicitly mention the availability of independent investigation may nevertheless use it.) In all cases profiled here, an independent investigator’s capacity is limited to making recommendations. The ultimate adjudicator of the matter is always the board, or in rarer cases a representative or committee of the board.

Where removal for cause is available, it typically requires a two-thirds vote of the board. The most common ground for removal for cause is a determination that the director has failed to comply with the code of conduct, oath of office, or other governance regulations or by-laws, or has in another way fallen

short of their duties as a director. In some cases, the regulator's process requires the board to make a determination about removal based on the kinds of criteria listed above that result in automatic disqualification by other regulators.

Other sanctions besides removal are sometimes explicitly provided for in the written process. These can include: cautions, reprimands, training or coaching requirements, apology requirements, or revocation of certain privileges or responsibilities. Written processes will often give a board leeway to impose any sanction that it deems appropriate.

PEO's lack of any formal process for addressing these kinds of complaints is out of step with most other regulators profiled here.

As a final observation, it is sometimes the case that a board can experience interpersonal conflicts between directors which do not involve allegations of misconduct, but nevertheless negatively affect the board's ability to carry out its work. Some non-profit boards adopt "conflict resolution" protocols to help resolve these situations.³⁹ Among Canadian regulators, such protocols are not common; however, several specify that their governance complaints process can encompass any "disputes between directors that interfere with the ability of the board to carry out its duties."⁴⁰ Where an interpersonal dispute does not involve any misconduct, boards can make mediation or other informal dispute resolution processes available. This can be valuable not only for improving board performance, but also for reducing instances of resorting to a resource-intensive "complaints" process in cases where no real misconduct is at issue and no sanction would be appropriate.

Part 4 – EGBC Profile:

Among leading Canadian regulators that have conducted governance review initiatives, no two are exactly alike when it comes to governance controls. However, as a modern engineering regulator in a larger Canadian province, which commissioned a legislation and governance review in 2018, Engineers and Geoscientists British Columbia ("EGBC") provides one helpful model to explore in greater detail.

The following profile describes the key features of EGBC's governance controls.

Election Eligibility

EGBC is governed by a board composed of elected registrants and government appointees. The election is conducted with a merit-based nomination process, which is overseen by a Nomination Committee.⁴¹ The mandate of the Nomination Committee is "to seek and select a list of candidates that they believe best demonstrate the qualities needed for strong leadership of the organization and is diverse and reflective of the organization's registrant-base." The Nomination Committee is composed of six

³⁹ See, for example: <https://www.governinggood.ca/wp-content/uploads/2021/03/Conflict-and-Complaint-Resolution.pdf>

⁴⁰ <https://www.hcraontario.ca/Administrative%20Agreement%20Jan%2029%202021.pdf>

⁴¹ <https://www.egbc.ca/About/Governance/Board-Election>

members who are appointed by EGBC's board, and must include the immediate past president and at least 1 lay person.

The Nomination Committee develops a candidate selection framework, which is informed by a gap analysis (a review of the skills and experience of incumbent board members), prioritization of desired skills, competencies, and experience for prospective nominees, and diversity considerations. Candidates are selected by the Nomination Committee through a process that involves an application form, an assessment of their skills and competencies, and an interview. The Nomination Committee considers candidates' demonstrated skills in leadership, financial literacy, risk management, human resources, regulatory understanding, governance, and technical proficiency.

Candidates must also respond to conflict-of-interest and disclosure questions, and must provide a CV and three references.

Among other information, the application form asks a series of questions related to "good character". For example, "Generally, are you aware of any facts or matters which, if publicly disclosed, could cause Engineers and Geoscientists BC embarrassment or hinder your performance of your duties as a Board Member?"

Upon completion of its assessment process, the Nomination Committee selects which candidates will be eligible for election to the open board positions.

With this robust discretionary nomination process in place, EGBC has relatively few criteria that make a person automatically ineligible for election. However, candidates must be registered and in good standing with EGBC, and there are term limits.

Director Conduct Controls

EGBC maintains a code of conduct for its directors.⁴² The code contains an acknowledgment and disclosure statement that must be signed annually by each director.

EGBC's enabling legislation also requires all directors to take an oath of office, which if contravened can result in removal from the board. In addition, directors can be removed if they contravene a provision of EGBC's enabling legislation, its regulations, rules, or by-laws, or other legislation, or if they become bankrupt.

In each of these instances, the sanction of removal must be approved by a vote of at least 2/3s of the board, based on the circumstances being "sufficiently serious" to justify removal.

Alternative sanctions available where a director has been found to have breached the code of conduct include an oral or written reprimand, a request that the director complete additional education/training, a request that the director take appropriate corrective action, or a request that the director resign voluntarily.

⁴² <https://www.egbc.ca/getmedia/1ae45747-c45d-4d32-b9bd-1f4b9612d899/CO-21-67-Code-of-Conduct-for-Councillors.pdf.aspx>

In addition, the code of conduct states that a director who has been found guilty in a discipline hearing through EGBC's professional complaints process is expected to resign.

Governance Complaint Process

EGBC's code of conduct for directors sets out the protocols where misconduct or a breach of the code is alleged.⁴³ It identifies that written complaints should be made to the board's president. The president will review the concern and conduct initial inquiries, and will determine whether any further action is required.

The president may decide to refer the complaint to a sub-committee of the board for further inquiry. At that point, the director who is the subject of the complaint (a) must refrain from participating in all board deliberations until the complaint is resolved, and (b) is given a reasonable opportunity to respond to the allegations and to present information to the sub-committee. The president and/or the sub-committee may also refer the matter to an independent investigator to conduct an independent investigation and make recommendations.

The president and/or the sub-committee will then determine whether the director has breached the code. If so, they have a range of possible sanctions available, as discussed above. If removal from the board is sought as a sanction, a resolution must be brought before the full board.

⁴³ <https://www.egbc.ca/getmedia/1ae45747-c45d-4d32-b9bd-1f4b9612d899/CO-21-67-Code-of-Conduct-for-Councillors.pdf.aspx> at p. 7.

Table 3.1 - Director Conduct Controls – Engineering Regulators

Regulator	Are there criteria for automatic disqualification?	Is there a code of conduct?	If so, is it enforceable?	Is director removal for cause available?	If so, are specific grounds for removal for cause articulated?
PEO	No	Yes	No	No	n/a
EGBC	Yes	Yes	Yes	Yes	Yes
APEGA	No	No	No	Yes	Yes
APEGS	Yes	Yes	Yes	Yes	Yes
EGM	No	Yes	Yes	Yes	Yes
OIQ	Yes	Yes	?	?	?
APEGNB	Yes	?	?	?	?
ENS	Yes	?	?	?	?
EPEI	Yes	?	?	?	?
PEGNL	No	Yes	Yes	Unclear - “censure” is the only described consequence of non-compliance	?

Explanatory Notes:

In the case of the OIQ, relevant information was not available in English.

In the cases of APEGNB, ENS, and EPEI, their by-laws identify certain circumstances where a director must be disqualified, but otherwise there is no publicly available information about their director conduct controls (if any).

Table 3.2 - Director Conduct Controls – Other Regulators

Regulator	Are there criteria for automatic disqualification?	Is there a code of conduct?	Is the code of conduct enforceable?	Is director removal for cause available?	Are specific grounds for removal articulated?
LSO	No	Yes	Yes	No	n/a
OAA	Yes	Yes	Yes	Yes	Yes
CPSO	Yes	Yes	Yes	Yes	Yes
CPO	Yes	Yes	Yes	No	n/a
CDTO	Yes	Yes	Yes	Yes	Yes
OCP	Yes	Yes	Yes	Yes	Yes
CNO	Yes	Yes	Yes	Yes	Yes
OCT	Yes	Yes	Yes	Yes	Yes
HCRA	Yes	Yes	Yes	Yes	Yes
CPATA	Yes	Yes	Yes	Yes	Yes
CICC	Yes	Yes	Yes	Yes	Yes

Table 4.1 - Governance Complaint Process – Engineering Regulators

Regulator	Is there a formal process for complaints about directors?	Is an independent investigation available?	Who is the ultimate decision-maker?	Is removal available through this process?	Are other available sanctions besides removal identified?
PEO	No	n/a	n/a	n/a	n/a
EGBC	Yes	Yes, at the discretion of the directors	Board or its chair or a subcommittee	Yes (only by vote of board)	Yes
APEGA	Yes	No	Board	Yes	No
APEGS	No	n/a	Board	Yes	n/a
EGM	Yes	Yes, at the request of the complainant or the subject	Board	Yes	No
OIQ	?	?	?	?	?
APEGNB	?	?	?	?	?
ENS	?	?	?	?	?
EPEI	?	?	?	?	?
PEGNL	Yes	No	Board	Unclear - “censure” is the only described sanction available	?

Explanatory Notes:

In the case of the OIQ, relevant information was not available in English.

In the cases of APEGNB, ENS, and EPEI, there is no publicly available information about whether any process exists for addressing complaints about directors.

Table 4.2 - Governance Complaint Process – Other Regulators

Regulator	Is there a formal process for complaints about directors?	Is an independent investigation available?	Who is the ultimate decision-maker?	Is removal available through this process?	Are other available sanctions besides removal identified?
LSO	Yes	Yes, at the discretion of the board's chair	Board	No	Yes
OAA	No	n/a	n/a	n/a	n/a
CPSO	Yes	No	Board	Yes	No
CPO	Yes	No	Board's Executive Committee	No	Yes
CDTO	Yes	No	Board	Yes	Yes
OCP	Yes	Yes, in all cases that advance past a certain stage	Board	Yes	Yes
CNO	Yes	No	Board	Yes	Yes
OCT	Yes	No	Board's Adjudicative Body of Chairs	Yes	Yes
HCRA	Yes	Yes, at the discretion of the board	Board	Yes	Yes
CPATA	Yes	Yes, at the discretion of the board	Board	Yes	Yes
CICC	Yes	No	Board	Yes	Yes

Briefing Note – Decision

2024-2025 CALENDAR OF COUNCIL AND GOVERNANCE COMMITTEE MEETINGS AND EVENTS

Purpose: To propose a 2024-2025 calendar of PEO Council and governance committee meetings and other events.

Motion to consider: (requires a simple majority of votes cast to carry)

That Council approves the *Proposed 2024-2025 Calendar of Council and Governance Committee Meetings and Events*, included at C-559-8.1, Appendix A.

Prepared by: Meg Feres – Manager, Council Operations

1. Need for PEO Action

At its March 31, 2023 in camera meeting, Council received a report from the CEO/Registrar concerning the calendar of meetings and events for the 2023-2024 and 2024-2025 terms. The relevant excerpt from the meeting minutes is indented below.

12548 i) – CEO/Registrar’s Report – Operational Effectiveness

CEO/Registrar Quaglietta provided the following report:

1. Current process:
 - a. In the past, Council set its meeting dates first and then the committee dates were set after the May meeting after all committee appointments have been made. Depending on the year, additional council events were scheduled (e.g., May 4 council orientation/training for the 2023/2024 council was scheduled in March).
 - b. This resulted in last minute scheduling and lack of clarity as to what council events will happen in each council term. This also meant that those standing for election do not generally know how much time they need to commit to PEO Council activities and what those are.
2. A more operationally effective process was proposed, moving forward:
 - i. The proposed calendar of all council and committee meetings, including other council related events (e.g., AGM, Council workshop and orientation) will be presented to council and posted to the website at least 6 months prior to the start of the new council term. For example, the calendar for the 2024/2025 council term will be brought to council in September 2023.
 - ii. Once committee appointments are made (at the inaugural meeting of council which normally take place in May) and it becomes clear that there will be no quorum at a committee meeting, the date can be changed (via doodle poll)
 - iii. The 2024/2025 council calendar will be proposed to council in September 2023. It will be posted to the PEO website.

No objections were noted with respect to the scheduling approach outlined above.

2. Key Considerations

- Reasonable spacing between meetings and events, statutory and other holidays/events, and proximity to long weekends were considered when selecting proposed dates.
- Further, it is proposed that meetings be scheduled during regular business hours to comply with PEO's *Right to Disconnect Policy*, which supports each employee in disconnecting from work outside of their normal working hours, subject to reasonable exceptions.
- Meetings and events will be re-scheduled if it becomes apparent that quorum will not be reached.

3. Calendar Overview

The table below provides an overview of key dates being proposed. Details are set out at **Appendix A**.

Governance Committee Meetings	Corresponding Council Meeting	Council Orientation	Council Workshop	Annual General Meeting
April 15-18, 2024 ¹	May 3, 2024 (Kick-off)	May 2, 2024	May 30 & 31, 2024	April 25 or 26, 2025 ²
June 3-5, 2024	June 21, 2024			
September 10-12, 2024	September 27, 2024			
November 12-14, 2024	November 29, 2024			
February 4-6, 2025	February 21, 2025			
March 7-20, 2025	April 4, 2025 (Close-off)			
April 15-17, 2025	May 2, 2025 (Kick-off)			

4. Proposed Action / Recommendation

Council is requested to consider the motion on page 1 of this briefing note.

5. Next Steps

If the motion is approved, the 2024/2025 Council Calendar will be posted to the PEO website and the Resource section of Diligent Boards. In addition, it will be made available to candidates in the 2024 election.

6. Process Followed

Process Followed	- The proposal was discussed and agreed to at the March 2023 Council meeting.
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7. Appendices

- Appendix A: *Proposed 2024-2025 Calendar of Council and Governance Committee Meetings and Events*

¹ These meetings have already been scheduled as part of the 2023-2024 calendar.

² Date to be determined.

C-559-8.1
Appendix A



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www.peo.on.ca

Proposed 2024-2025 Calendar of Council and Governance Committee Meetings and Events

AFC=Audit & Finance Committee; GNC=Governance & Nominating Committee;
HRCC=Human Resources & Compensation Committee; RPLC=Regulatory Policy & Legislation Committee

Committees & Council	May 2024	June 2024	Jul/Aug 2024	September 2024	October 2024	November 2024
AFC Meetings		Kick-off: June 4 1:00-4:00 pm		Sep 12 1:00-4:00 pm		Nov 12 1:00-4:00 pm
GNC Meetings		Kick-off: June 3 9:00 am-12:00 pm		Sep 10 1:00-4:00 pm		Nov 13 9:00 am-12:00 pm
HRCC Meetings		Kick-off: June 5 9:00-10:30 am		Sep 10 9:00-10:30 am		Nov 14 9:00-10:30 am
RPLC Meetings		Kick-off: June 3 1:00-4:00 pm		Sep 11 9:00 am-12:00 pm		Nov 12 9:00 am-12:00 pm
Council Meetings	Kick-off May 3, 8:30 am	June 21, 8:30 am		Sep 27, 8:30 am		Nov 29, 8:30 am
Other Meetings/Events	Council Orientation May 2 Council Workshop May 30 & 31				Volunteer Symposium (TBC)	

Committees & Council	December 2024	January 2025	February 2025	March 2025	April 2025	May 2025
AFC Meetings			N/A	Mar 20 1:00-4:00 pm	Apr 16 9:00 am-12:00 pm	
GNC Meetings			Feb 4 1:00-4:00 pm	Mar 24 9:00 am-12:00 pm	Apr 15 1:00-4:00 pm	
HRCC Meetings			Feb 5 9:00-10:30 am	Mar 7 9:00-10:30 am	Apr 15 9:00-10:30 am	
RPLC Meetings			Feb 6 9:00 am-12:00 pm	Mar 18 9:00 am-12:00 pm	Apr 17 9:00 am-12:00 pm	
Council Meetings			Feb 21, 8:30 am		Transition/ Close-off April 4, 8:30 am	2025-2026 Kick-off May 2, 8:30 am

For Council Consideration: September 22, 2023

C-559-8.1
Appendix A



Professional Engineers
Ontario

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Committees & Council	December 2024	January 2025	February 2025	March 2025	April 2025	May 2025
Other Meetings/Events					AGM Apr 25 or 26 (TBD)	Council Orientation May 1 Council Workshop May 29 & 30

DRAFT

Briefing Note – Discussion

C-559-8.2

STAFF RESPONSE TO MEMBER SUBMISSION RECEIVED AT THE 2023 ANNUAL GENERAL MEETING

Purpose: To provide a staff report to Council on the member submission received at the 2023 AGM, as required by the *Guide for Member Submissions at the Annual General Meeting*.

Prepared by: Marina Solakhyan – Director, Governance

1. Need for PEO Action

At the 2023 PEO Annual General Meeting held on April 29, 2023, in accordance with Council policy, and as permitted by the by-laws, members were invited to make submissions on issues related to governance, regulatory policy and other activities of the Association. All submissions were accepted for consideration by Council as presented, and members in attendance were invited to review and submit their comments and questions. One member submission was received.

Legal Context

As a matter of law (see especially section 3 of the *Professional Engineers Act*), PEO's Council is the "governing body and board of directors of the Association and shall manage and administer its affairs". Council also has the statutory obligation under ss.3(8) and (8.1) of the *Act* to appoint a Registrar (currently the CEO/Registrar) who is responsible for the administration of the Association and has certain other powers conferred by the legislation.

It is important to note that the *Act* does not give either direct or delegated authority to licence holders to manage or administer the affairs of PEO. Licence holder input is important to the work of a self-regulating body. However, motions made at the AGM, while informative, bind neither Council nor the CEO/Registrar. That said, the policy approved by Council in March 2020 does require staff to provide a report to Council following the AGM with respect to the motions that have been passed, to assess lawfulness and feasibility in light of Council's current work and other declared priorities.

2. Proposed Action / Recommendation

Issues raised in the member submission are already being considered as part of committee workplans for 2023/2024. Staff's analysis and proposed response is set out below.

Member Submission: Response to Councillor Motion Made Under the Special Rules

That,

- 1. The Council motion in question be formally retracted;***
- 2. Council release a formal statement rejecting the inclusion of misinformation in its business;***
- 3. Councillors be required to engage with governance education and/or obtain governance designations prior to participating in Council business;***
- 4. Future potential councillors receive communication prior to elections regarding desired qualifications and required duties and in the lead up to elections members should be notified in writing of candidate status with PEO (e.g. practising status, disciplinary history, etc.) and any potential conflict of interest.***

This submission was made in response to a motion, "Repealing the *Entering PEO Office Protocols*," directly added to the March 2023 Council agenda by a Councillor under rule 7.4 of Council's Special Rules

559th Meeting of Council - September 22, 2023

of Order (Special Rules). Rule 7.4 was adopted by Council in May 2022 and allows a member of Council to add an item to the meeting agenda by submitting it to the Secretariat at least two weeks prior to the meeting. The Special Rules are adopted annually by Council to supplement or supersede its parliamentary authority. At the March 31, 2023 meeting of Council, Council voted to remove the motion in question from the agenda.

Governance Process

The concern in the member submission regarding misinformation in Council business points to a larger structural issue regarding the process by which matters come before Council.

In November 2020, Council adopted the following governance directions:

- “1. Council will be a governing-type board:
 - a. Council will primarily direct (set strategic vision and direction) and control (monitor and evaluate actual results to gain confidence PEO is moving in the direction set), delegating substantive operations to staff supported by committees as appropriate.
 - b. Submissions from Members, Councillors or others will first be referred to the responsible committee or staff for review and input before coming to Council with any recommendation for a decision (the originator will be consulted as needed by the committee or staff, and be advised of any disposition).”

Council endorsed the principle that the task of developing solutions and recommendations would be delegated to professional staff, while Council would provide higher level direction and control (through its governance committees). As approved by Council, all regulatory and governance items must be first dealt with by the four governance committees before reaching Council. This is to ensure that Council decisions are based on a proper evidentiary and analytical foundation. Staff are expected to provide the necessary evidence to governance committees and Council, and if a committee or Council require further information, staff should be directed to complete the necessary work before a decision can be made. In short, information should be evidence-based and vetted before it reaches Council.

In the case of the motion at issue, its addition to the Council agenda via rule 7.4 resulted in a circumvention of the triaging and vetting process described above.

The Governance and Nominating Committee (GNC) has been tasked with a review of the Special Rules, and staff will recommend that rule 7.4 be replaced with a process for Councillor submissions that aligns with the governance process established by Council.

Governance Education and Other Matters

Other concerns raised in the member submission are being addressed. Councillors already undergo a “Board Basics” governance education training program, and for the upcoming 2024 election, candidates for Council will have to complete the program in advance of the election. Additionally, when accepting their nomination, candidates must acknowledge they have read the Councillor Code of Conduct and familiarized themselves with the role and responsibilities of the office for which they are standing. As part of PEO’s ongoing election reform, GNC has recommended that narrow eligibility criteria be developed for prospective candidates.

Briefing Note – Information

C-559-8.3

ENGINEERS CANADA DIRECTORS REPORT

Purpose: To provide an update on the activities of Engineers Canada.

An update on the Engineers Canada activities is provided in Appendices A (English version) and B (version française).

Appendices:

Appendix A – Director’s Update (English)

Appendix B – Director’s Update (Français)

**Engineers Canada director update
June-August 2023**

Engineers Canada Board

In June, Engineers Canada held its 2023 Board Strategic Workshop in Niagara-on-the-Lake, ON. The Board confirmed the appointment of members to its committees and task forces. The newly established Finance, Audit, and Risk Committee (FAR) and Governance committees, and the Board's task forces held their first meetings of the year, while the Canadian Engineering Board (CEAB) and Canadian Engineering Accreditation Qualifications Board (CEQB) hosted an onboarding session. The Board also engaged in a team-building activity, a strategic workshop, and a facilitated session to discuss the Board self-assessment results.

The FAR Committee met virtually on August 11th, to review the Q2 financial statements, investment performance report, and corporate risk registers. They also discussed Board policy 7.1, *Board, committee, and other volunteer expenses*, and were presented with the first draft of the 2024 budget and proposed per capita assessment fee for 2026, which will be presented to the Board for information at its October meeting.

Strategic Priority 1.1: Investigate and Validate the Purpose and Scope of Accreditation

Throughout the summer, members of the Academic Requirement and Purpose of Accreditation Task Forces, as part of Futures of Engineering Accreditation (SP1.1), met to develop their framework for a new purpose of accreditation and a national academic requirement for licensure.

The group worked asynchronously and together over the summer to develop these ideas for consultation and co-design with the regulators in October and November. The volunteer task forces foresee the creation of a national academic requirement for licensure that is a profile of competencies with levels of achievement defined for graduates, newly licensed engineers, and for mature professionals. They have also developed options for an updated purpose of accreditation.

In consultations this fall, regulators, the CEAB, the CEQB, and Engineering Deans Canada will be invited to build on the concepts and help create the final version of a competency profile and a purpose of accreditation.

Strategic Priority 1.2: Strengthen collaboration and harmonization

In July and August, the Collaboration Task Force met to review the proposed approach for the national consultation with the Board and all regulator CEOs and presidents at the October board meeting. The purpose of this national consultation is to give regulators the opportunity to hear from each other, and to co-create a mandate for Engineers Canada and a commitment for regulators regarding collaboration and harmonization. Summaries of the regional consultations that preceded this were also distributed to regulators and the Board in late July.

SP2.1: Accelerate 30 by 30

The 2024 30 by 30 in-person conference will be held on Wednesday, May 22, in Winnipeg in conjunction with Engineers Canada's Spring Meetings and in collaboration with Engineers Geoscientists Winnipeg.

In advance of International Women in Engineering Day (INWED) on June 23, Engineers Canada moderated a virtual panel on “Welcoming Women to the Profession” at the virtual Canadian Consulting Engineer’s ADVANCE Women in Engineering summit. The summit also included a keynote by former Engineers Canada President Catherine Karakatsanis.

In August, Engineers Canada released a [Request for Proposal for a National Research Strategy](#) for SP2.1.

Also in August, Engineers Canada presented on equity, diversity and inclusion, including 30 by 30, at Concordia University’s virtual Women in Engineering – Career Launch Experience (WIE-CLE). WIE-CLE was created by Concordia’s Gina Cody School of Engineering to support women engineering students in building a successful and sustainable career in industry. Employers at the virtual session included: Airbus; Air Canada Vacations; Bombardier; BRP (Bombardier Recreational Products); CAE; Nestlé Health Science; Pratt & Whitney Canada; and VuWall.

SP2.2: Reinforce trust and the value of licensure

In July, Engineers Canada met with the SP2.2 Regulators Advisory Group with a focus on our Building Tomorrows campaign and the engineering graduate outreach component of the project. The meeting included a status update, a debrief of the outcomes of the Spring segment, opportunities for optimization for the fall segment, and the future steps. The campaign website, including the ads and videos created for the campaign, is at the following link: [Canada's Engineers: Building Tomorrows](#) and [Les ingénieurs du Canada : Construire l’avenir](#).

Accreditation Board (CEAB)

Accreditation team members represented Engineers Canada at the 2023 Canadian Engineering Education Association (CEEAA-ACEG) conference in Kelowna. The conference theme was ‘Engagement and Impact’ and it featured workshops and technical sessions on engineering education pedagogy, emerging technologies, social and ethical issues, leadership, and assessment and feedback. They hosted a booth promoting Engineers Canada’s initiatives including 30 by 30 and the Futures of Engineering Accreditation programs and connected with engineering faculty from across the country.

The team implementing Tandem, Engineers Canada’s new data management system for accreditation, are moving closer to implementing the system in the fall of 2023 for programs receiving a visit in the 2024/2025 cycle. Volunteers from HEIs and from the CEAB have completed extensive testing. The results of this testing have been largely positive and identified issues have been prioritized by staff who continue to work with our vendor to resolve them. The team is developing training materials (including user guides and pre-recorded training modules) to support institutions, volunteers, and internal staff transition to the new system. Preparations are underway to migrate data from existing sources to Tandem. This project seeks to modernize the accreditation process by reducing data entry efforts by institutions, increasing collaboration between visiting team members, and providing a more stable, user-friendly interface with which to work for all.

In August, the CEAB concluded their 2023 CEAB Vice-Chair election process and declared Ray G. Gosine, B.Eng., Ph.D., FCAE, FEC, P.Eng. the elected candidate. Pending Board approval in December, Ray will serve as CEAB Vice-Chair from July 1, 2024 to June 30, 2025. They also approved revisions to the visiting team report template, new detailed role descriptions for visiting team members, provided input on

revisions to the CEAB's Accountability in Accreditation evaluation framework, and endorsed the transition to Tandem.

CEAB's Accountability in Accreditation Committee has analyzed feedback on the accreditation system provided by stakeholders and will provide recommendations to the CEAB that respond to the feedback. Their 2023 report will be delivered to the CEAB in September and a verbal summary provided to the Board in October.

There was a reminder that 2022-2023 Engineers Canada Board Directors are invited to provide feedback on the accreditation system through the Accountability in Accreditation program.

Qualifications Board (CEQB)

In June, the CEQB Practice Committee met to review revisions to the Guideline on code of ethics and Guideline on conflict of interest. Revisions were focused on improving clarity and aligning the national guideline with developments at the regulator-level since the last review.

On July 14th, the CEQB's Syllabus Committee met to review and approve revisions to the Industrial engineering syllabus, with the revised document distributed for consultation this summer. At the meeting, the committee discussed several issues raised at the April CEQB meeting, including the question of how best to maintain syllabus topics for advanced areas that are covered in multiple disciplines. The committee will meet later this summer to finalize draft reviews of the Petroleum and Building engineering syllabi.

On July 18th, the CEQB met virtually to advance several work plan items: The revised Guideline on conflict of interest (draft approved for regulator consultation); the revised Guideline on code of ethics (draft approved for regulator consultation); a new Guideline on fitness to practice (general direction approved for regulator consultation); and the revisions to the Industrial engineering syllabus. Consultations close on September 18.

In addition, the CEQB approved the 2024 Work Plan Priorities which will be presented to the Engineers Canada Board at the fall meeting for review, with final Board approval targeted for December.

The CEQB Practice Committee met on August 9 to review and approve the new draft Guideline on duty to report. The document is planned for CEQB approval in September, following which it will go for regulator consultation.

Belonging and Engagement

Engineers Canada participated in the second of the virtual Let's Talk Careers winner celebrations. Engineers Canada has partnered with Let's Talk Science, Skills/Compétences Canada, and ChatterHigh on the Let's Talk Careers Competition, an opportunity for high school students to explore careers through fun and interactive competitions, held twice annually. This work furthers our Core purpose 8 (CP8): Fostering recognition of the value of the profession and sparking an interest in the next generation of engineers.

In August, Engineers Canada also met with the Canadian Institute of Planners (CIP) and the Canadian Society of Landscape Architects (CSLA). On the agenda were equity, diversity, and inclusion (EDI) in the

professions; and truth and reconciliation. This work furthers our Core purpose 9 (CP9): Promote diversity and inclusion in the profession that reflects Canadian society.

Regulatory affairs

In June, both [CPA Ontario](#) and [CPA Quebec](#) gave notice that they intend to withdraw from [CPA Canada](#). There are many issues at play: a lack of transparency at the national level; the provincial/territorial regulators' desire to have a larger say in the setting of key standards; a frustration with a governance review that has taken over five years; and a disagreement and competition regarding who offers professional development courses (and reaps the financial benefit of selling them).

Engineers and Geoscientists BC announced that they would be initiating the creation of an independent advocacy body for engineering and geoscience in British Columbia. They also indicated they would be eliminating certain other programs that no longer fit within their regulatory mandate.

Engineers Canada published its most recent regulatory research paper on Energy Engineering. The paper was sent directly to regulators. Thanks to our regulator advisory group and our consultants at the Canadian Academy of Engineering for all their work on this paper. For more information about the paper, contact our Manager, Regulatory Research and International Mobility, Kyle Smith.

Public Affairs and Government Relations

As part of Engineer Canada's work on Core purpose 5 (CP5): Advocating to the federal government, our Public Affairs and Government Relations team shared the following four National Position Statements (NPSs) for consultation:

- Licensing requirements for engineering positions in the federal public service (New)
- Building Resilient and Sustainable Infrastructure: The Critical Role of Engineers in Addressing Canada's Infrastructure Challenges (Update)
- Addressing the Infrastructure Gap: Bridging Inequities in Indigenous Reserves and Remote Indigenous Communities (Update)
- Immigration and Recognition of Foreign Qualifications: The Role of Engineering Regulators in Canada (Update)

Additionally, Engineers Canada participated in Public Services and Procurement Canada's (PSPC) Federal Industry Real Property Advisory Council meeting. The meeting focused on PSPC's public consultation for Policy Notification-48R2 (Official Languages). PSPC will distribute the draft PN-48R2 to stakeholders for review, aiming to address document translation impacts, enhance stakeholder participation, and strengthen our bilingual procurement process. The consultation is expected to take place in late summer or early fall 2023, with a feedback period of 60-70 days after the draft policy becomes public. Following the consultation, PSPC will analyze the feedback and finalize the policy by early 2024. Engineer Canada's Public Affairs and Government Relations team will circulate our initial draft response for review and feedback as part of our consultation process.

In late June, the Government of Canada introduced their [Tech Talent Strategy](#), intended to attract talent to meet the ongoing needs of in-demand jobs. The strategy focuses on additions and improvements to programs offered by Immigration, Refugees, and Citizenship Canada (IRCC). A near-term change of note

for regulators is that effective July 16, 2023, holders of H-1B specialty occupation visas and their accompanying immediate family members will be eligible to apply under a streamlined work permit process. The measure will remain in effect for one year or until IRCC receives 10,000 applications.

The Western Premiers released a [joint communiqué](#) about their most recent meeting. We were pleased to see that many of their priorities are aligned with work that we're doing, like: SP1.1 - labour mobility and immigration (a national academic requirement for licensure); SP1.2 - collaboration and regulatory harmonization; and CP5 - our advocacy positions on infrastructure, climate, sustainable development, and energy.

In July, Prime Minister Justin Trudeau announced a significant Cabinet shuffle, emphasizing a stronger focus on the economy and housing. Notably, engineer Omar Alghabra has chosen to step aside from his Cabinet position. As part of our work, Engineers Canada will extend congratulatory letters to the newly appointed ministers who will play a crucial role in influencing our diverse portfolios.

Finally, Engineers Canada submitted its recommendations to the House of Commons Standing Committee on Finance regarding the Pre-Budget Consultations in Advance of the 2024 Federal Budget.

National Admissions Officials Group

The National Admissions Officials Group's Time-Based Experience Requirements sub-group met over the summer to continue their discussion about this aspect of the licensure process (currently four years of experience is required in most provinces and territories, with Quebec using two years and Manitoba not having a time-based requirement). The group reviewed the practices of other countries as they explore our requirement, why it exists, and how to be prepared for changes to it (in case governments or other stakeholders seek to modify it).

Recent Events

In June, Engineers Canada staff participated in a volunteer day for Ottawa Community Housing (OCH). OCH provides approximately 15,000 homes to 32,000 tenants, including seniors, parents, children, couples, singles, and persons with special needs within many communities across the City of Ottawa. The day was a success for both the staff and OCH.

Our thoughts and prayers go out to NWT Board member Sudhir Jha and our colleagues at NAPEG and their families, all of whom have had to evacuate from Yellowknife as a result of the encroaching wildfires. We understand APEGA has lent a helping hand to NAPEG staff by setting up offices for them in Edmonton for the duration of their evacuation.

**Compte rendu à l'intention des administrateurs et administratrices d'Ingénieurs Canada
De juin à août 2023**

Conseil d'Ingénieurs Canada

En juin, le conseil d'Ingénieurs Canada a tenu son atelier stratégique 2023 à Niagara-on-the-Lake, en Ontario. Le conseil a confirmé la nomination des membres à ses comités et groupes de travail. Le nouveau Comité des finances, d'audit et de gestion des risques (FAGR) et le nouveau Comité sur la gouvernance, ainsi que les groupes de travail du conseil, ont tenu leurs premières réunions de l'année, tandis que le Bureau canadien d'agrément des programmes de génie (BCAPG) et le Bureau canadien des conditions d'admission en génie (BCCAG) ont organisé une séance d'orientation. Le conseil a également participé à une activité de renforcement d'équipe et à un atelier stratégique, et animé une séance de discussion sur les résultats de l'autoévaluation du conseil.

Le Comité FAGR s'est réuni virtuellement le 11 août pour examiner les états financiers du TR2, le rapport sur le rendement des investissements et les registres des risques de l'organisation. Les membres ont également discuté de la Politique du conseil 7.1. *Dépenses du conseil, des comités et d'autres bénévoles*, et ont pris connaissance de la première ébauche du budget de 2024 et de la cotisation par personne proposée pour 2026, qui seront présentés au conseil pour information lors de sa réunion d'octobre.

Priorité stratégique 1.1 : Examiner et valider le but et la portée de l'agrément

Tout au long de l'été, les membres des groupes de travail sur l'exigence de formation et le but de l'agrément se sont réunis dans le cadre du projet Avenir de l'agrément en génie (Priorité stratégique 1.1) pour mettre au point leur cadre pour un nouveau but de l'agrément et une exigence nationale de formation pour l'obtention du permis d'exercice.

Les groupes ont travaillé de manière asynchrone et en collaboration synchronisée au cours de l'été afin de développer leurs idées aux fins de consultation et de conception conjointe avec les organismes de réglementation en octobre et en novembre. Les groupes de travail bénévoles prévoient la création d'une exigence nationale de formation pour l'obtention du permis d'exercice qui constitue un profil de compétences comprenant des niveaux de réalisation définis pour les diplômés, les ingénieurs nouvellement titulaires et les professionnels d'expérience. Ils ont également mis au point des options pour une mise à jour du but de l'agrément.

Lors des consultations qui auront lieu cet automne, le BCAPG, le BCCAG et Doyennes et doyens d'ingénierie Canada seront invités à développer les concepts et à contribuer à la création de la version définitive d'un profil de compétences et d'un but de l'agrément.

Priorité stratégique 1.2 : Renforcer la collaboration et l'harmonisation

En juillet et en août, le Groupe de travail sur la collaboration s'est réuni pour examiner l'approche proposée pour la consultation nationale auprès du conseil et des chefs de la direction et des présidents de tous les organismes de réglementation lors de la réunion du conseil en octobre. Cette consultation nationale a pour objectif de donner aux organismes de réglementation l'occasion d'échanger, de faire le point et de définir conjointement le mandat d'Ingénieurs Canada et l'engagement des organismes de réglementation en ce qui concerne la collaboration et l'harmonisation. Des résumés des consultations

régionales qui ont eu lieu avant cette consultation nationale ont également été distribués aux organismes de réglementation et au conseil à la fin de juillet.

PS2.1 : Accélérer l'initiative 30 en 30

La Conférence 30 en 30 d'Ingénieurs Canada de 2024 aura lieu en personne le mercredi 22 mai 2024 à Winnipeg, au Manitoba, en marge des réunions de printemps d'Ingénieurs Canada et en collaboration avec Engineers Geoscientists Manitoba.

En prévision de la Journée internationale des femmes en génie (INWED) qui a eu lieu le 23 juin, Ingénieurs Canada a animé une table ronde virtuelle sur le thème « Accueillir les femmes dans la profession » lors du sommet virtuel ADVANCE Women in Engineering organisé par Canadian Consulting Engineer. Le sommet comprenait également une allocution prononcée par Catherine Karakatsanis ancienne présidente d'Ingénieurs Canada.

En août, Ingénieurs Canada a publié une [Demande de propositions pour l'élaboration d'une Stratégie de recherche nationale](#) pour la Priorité stratégique 2.1.

En août également, Ingénieurs Canada a donné une présentation sur son travail en matière d'équité, de diversité et d'inclusion, y compris l'initiative 30 en 30, à l'événement virtuel de Femmes en ingénierie - expérience de lancement de carrière (FEI-ELC) de l'Université Concordia. Le programme FEI-ELC a été créé par l'École de génie et d'informatique Gina-Cody pour aider les étudiantes en génie à se construire une carrière réussie et durable dans l'industrie. Parmi les employeurs présents à la séance virtuelle, mentionnons : Airbus, Vacances Air Canada, Bombardier, BRP (Bombardier Produits récréatifs), l'Académie canadienne du génie (ACG), Nestlé Health Science, Pratt & Whitney Canada, et VuWall.

PS2.2 : Renforcer la confiance et la valeur du permis d'exercice

En juillet, Ingénieurs Canada a rencontré le Groupe consultatif des organismes de réglementation pour discuter principalement de la campagne « Construire l'avenir » et de la composante du projet portant sur le rayonnement auprès des diplômés en génie. Les points abordés comprenaient un rapport de situation, un bilan des résultats de la campagne menée au printemps, les possibilités d'optimisation pour la campagne de l'automne, et les prochaines étapes. Le site Web de la campagne, y compris les publicités et les vidéos créées dans le cadre de cette campagne, se trouve ici : [Les ingénieurs du Canada : Construire l'avenir](#) (en français) et [Canada's Engineers : Building Tomorrows](#) (en anglais).

Bureau canadien d'agrément des programmes de génie (BCAPG)

Des membres de l'équipe d'agrément ont représenté Ingénieurs Canada à la conférence 2023 de l'Association canadienne de l'éducation en génie (CEEA-ACEG) à Kelowna. La conférence avait pour thème « Engagement et impact » et proposait des ateliers et des séances techniques sur la pédagogie de la formation en génie, les technologies émergentes, les questions sociales et éthiques, le leadership, ainsi que l'évaluation et la rétroaction. L'équipe a tenu un stand pour promouvoir les initiatives d'Ingénieurs Canada, notamment l'initiative 30 en 30 et le programme Avenir de l'agrément en génie, où elle a pu entrer en contact avec des enseignants en génie de partout au pays.

L'équipe chargée de la mise en œuvre de Tandem, le nouveau système de gestion des données pour l'agrément d'Ingénieurs Canada, se rapproche de la mise en œuvre du système à l'automne 2023 pour

les programmes qui feront l'objet d'une visite au cours du cycle 2024-2025. Des bénévoles des EES et du BCAPG ont effectué des tests approfondis. Les résultats de ces tests ont été largement positifs et les problèmes identifiés ont été classés par ordre de priorité par le personnel qui continue à travailler avec notre fournisseur pour les résoudre. L'équipe est en train d'élaborer du matériel de formation (notamment des guides d'utilisation et des modules de formation préenregistrés) pour aider les établissements, les bénévoles et le personnel interne à passer au nouveau système. Des préparatifs sont en cours pour migrer les données des sources existantes vers Tandem. Ce projet vise à moderniser le processus d'agrément en réduisant les efforts de saisie des données par les établissements, en améliorant la collaboration entre les membres des équipes de visiteurs et en fournissant une interface plus stable et plus conviviale pour tous les intervenants.

En août, le BCAPG a conclu le processus d'élection de son vice-président pour 2023 et a déclaré Ray G. Gosine, B.Eng., Ph.D., FCAE, FEC, P.Eng. le candidat élu. Sous réserve de l'approbation du conseil en décembre, Ray occupera le poste de vice-président du BCAPG du 1^{er} juillet 2024 au 30 juin 2025. Le BCAPG a également approuvé les révisions du modèle de rapport de l'équipe de visiteurs, ainsi que les nouvelles descriptions détaillées des rôles des membres des équipes de visiteurs, a donné son avis sur les révisions du cadre d'évaluation de la responsabilité en matière d'agrément du BCAPG et a appuyé la transition vers Tandem.

Le Comité sur la responsabilité en matière d'agrément du BCAPG a analysé les commentaires sur le système d'agrément fourni par les parties prenantes et formulera des recommandations au BCAPG en réponse à ces commentaires. Le rapport de 2023 sera remis au BCAPG en septembre et un résumé verbal sera présenté au conseil en octobre.

On a rappelé aux membres du conseil 2022-2023 d'Ingénieurs Canada qu'ils étaient invités à faire part de leurs commentaires sur le système d'agrément dans le cadre du programme Responsabilité en matière d'agrément.

Bureau canadien des conditions d'admission en génie (BCCAG)

En juin, le Comité sur l'exercice de la profession du BCCAG s'est réuni pour examiner les révisions du Guide sur le code de déontologie et du Guide sur les conflits d'intérêts. Les révisions visent à améliorer la clarté des guides nationaux et leur alignement sur les faits nouveaux survenus chez les organismes de réglementation depuis la dernière révision.

Le 14 juillet, le Comité des programmes d'examens du BCCAG s'est réuni pour examiner et approuver les révisions du programme de génie industriel. Le document révisé a été distribué cet été pour consultation. Au cours de cette réunion, le comité a discuté de plusieurs questions soulevées lors de la réunion d'avril du BCCAG, notamment la meilleure façon de tenir à jour les sujets de programmes d'examens dans les domaines avancés qui sont couverts dans de multiples disciplines. Le comité se réunira plus tard cet été pour finaliser les révisions préliminaires des programmes d'examens de génie pétrolier et de génie du bâtiment.

Le 18 juillet, le BCCAG s'est réuni virtuellement pour faire avancer plusieurs éléments de son plan de travail, à savoir : la version révisée du Guide sur les conflits d'intérêts (l'ébauche a été approuvée pour consultation auprès des organismes de réglementation); la version révisée du Guide sur le code de déontologie (l'ébauche a été approuvée pour consultation auprès des organismes de réglementation);

un nouveau Guide sur l'aptitude à l'exercice (l'orientation générale a été approuvée pour consultation auprès des organismes de réglementation); et des révisions du programme d'examens de génie industriel. Les consultations se terminent le 18 septembre.

En outre, le BCCAG a approuvé les priorités de son plan de travail pour 2024, qui seront présentées pour examen au conseil d'Ingénieurs Canada lors de la réunion d'automne, l'approbation finale du conseil étant prévue pour le mois de décembre.

Le Comité sur l'exercice de la profession du BCCAG s'est réuni le 9 août pour examiner et approuver l'ébauche du nouveau Guide sur le devoir de dénoncer les actes répréhensibles. Le document devrait être approuvé par le BCCAG en septembre, après quoi il sera soumis à la consultation des organismes de réglementation.

Appartenance et Engagement

Ingénieurs Canada a participé à la deuxième séance de célébrations virtuelles des gagnants de la compétition Parlons carrières. Ingénieurs Canada s'est associé à Parlons sciences, à Skills/Compétences Canada et à ChatterHigh dans le cadre du concours Parlons carrières!, une occasion pour les élèves du secondaire d'explorer les carrières par le biais d'un concours amusant et interactif, organisé deux fois par année. Ce travail fait avancer notre Objectif fondamental 8 (OF8) : Favoriser la reconnaissance de la valeur de la profession et susciter l'intérêt de la prochaine génération de professionnels.

En août, Ingénieurs Canada a également rencontré des représentants de l'Institut canadien des urbanistes (ICU) et de l'Association des architectes paysagistes du Canada (AAPC) pour discuter d'équité, de diversité et d'inclusion (EDI) dans les professions, ainsi que des efforts de vérité et de réconciliation. Ce travail fait avancer notre Objectif fondamental 9 (OF9) : Promouvoir au sein de la profession une diversité et une inclusion qui reflètent celles de la société canadienne.

Affaires réglementaires

En juin, [CPA Ontario](#) et [CPA Québec](#) ont tous deux annoncé leur intention de mettre fin à leur relation officielle avec [CPA Canada](#). Plusieurs problèmes sont en jeu, notamment : un manque de transparence au niveau national; le désir des organismes de réglementation provinciaux et territoriaux d'avoir davantage leur mot à dire dans la définition des normes essentielles; une frustration à l'égard d'un examen de la gouvernance qui a duré plus de cinq ans; et un désaccord et une concurrence quant à savoir qui offre les cours de développement professionnel (et tire profit de leur vente).

Engineers and Geoscientists BC a annoncé qu'il entreprendrait la création d'un organisme indépendant chargé de défendre les intérêts des ingénieurs et des géoscientifiques en Colombie-Britannique. L'organisme de réglementation a également indiqué qu'il éliminerait certains autres programmes qui ne correspondent plus à son mandat.

Ingénieurs Canada a publié son plus récent document de recherche réglementaire sur le génie énergétique. Ce document a été envoyé directement aux organismes de réglementation. Merci à notre Groupe consultatif des organismes de réglementation et nos consultants de l'Académie canadienne du génie pour leur collaboration à l'élaboration de ce document. Pour plus d'informations sur ce document, veuillez contacter notre gestionnaire, Recherche réglementaire et Mobilité internationale, Kyle Smith.

Affaires publiques et relations gouvernementales

Dans le cadre du travail d'Ingénieurs Canada au titre de l'Objectif fondamental 5 (OF5) : Faire valoir les intérêts de la profession auprès du gouvernement fédéral, notre équipe des Affaires publiques et des Relations gouvernementales a soumis à la consultation les quatre énoncés de principe nationaux (EPN) suivants :

- Exigences en matière de permis d'exercice pour les postes d'ingénieurs dans la fonction publique fédérale (nouvel ÉPN)
- Bâtir des infrastructures résilientes et durables : le rôle essentiel des ingénieurs pour relever les défis du Canada en matière d'infrastructures (EPN mis à jour)
- Combler les lacunes en matière d'infrastructures : surmonter les inégalités dans les réserves autochtones et les collectivités autochtones éloignées (EPN mis à jour)
- Immigration et reconnaissance des titres de compétences étrangers : le rôle des organismes de réglementation du génie au Canada (EPN mis à jour)

De plus, Ingénieurs Canada a assisté à la réunion du Conseil consultatif sur les biens immobiliers du gouvernement fédéral de Services publics et Approvisionnement Canada (SPAC). La réunion a surtout porté sur la consultation publique de SPAC concernant l'Avis relatif aux politiques 48R2 (langues officielles). SPAC distribuera l'ébauche de l'AP-48R2 aux parties prenantes pour examen, dans le but d'aborder les impacts de la traduction des documents, d'améliorer la participation des parties prenantes et de renforcer le processus bilingue de passation de marchés. La consultation devrait se tenir à la fin de l'été ou au début de l'automne 2023, avec une période de rétroaction de 60 à 70 jours après la publication de l'ébauche de politique. Après la consultation, SPAC analysera les commentaires reçus et finalisera la politique d'ici le début de 2024. L'équipe des Affaires publiques et des Relations gouvernementales diffusera notre réponse préliminaire pour examen et commentaires dans le cadre de notre processus de consultation.

À la fin de juin, le gouvernement du Canada a présenté sa nouvelle [Stratégie pour les talents technologiques](#), qui vise à attirer des personnes de talent pour répondre aux besoins constants dans ce secteur à forte demande. La stratégie est axée sur des ajouts et des améliorations aux programmes offerts par Immigration, Réfugiés et Citoyenneté Canada (IRCC). Les organismes de réglementation devraient prendre note du changement suivant, qui s'appliquera à court terme : à compter du 16 juillet 2023, les titulaires d'un visa de profession spécialisée H-1B et les membres de leur famille immédiate qui les accompagnent pourront présenter une demande dans le cadre d'un processus simplifié d'attribution de permis de travail. Cette mesure demeurera en vigueur pendant un an, ou jusqu'à ce qu'IRCC reçoive 10 000 demandes.

Les premiers ministres de l'Ouest ont publié un [communiqué conjoint](#) sur leur plus récente conférence. Nous avons été heureux de constater que bon nombre de leurs priorités sont en phase avec notre travail, par exemple : la PS1.1 – mobilité de la main-d'œuvre et immigration (une exigence nationale de formation pour l'obtention du permis d'exercice); la PS1.2 – collaboration et harmonisation réglementaire, et l'OF5 – nos positions en matière d'infrastructures, de climat, de développement durable et d'énergie.

En juillet, le premier ministre Justin Trudeau a annoncé un important remaniement ministériel, mettant davantage l'accent sur l'économie et le logement. Mentionnons que l'ingénieur Omar Alghabra a choisi de quitter son poste au sein du cabinet. Dans le cadre de notre travail, Ingénieurs Canada enverra des lettres de félicitations aux ministres nouvellement nommés qui joueront un rôle crucial en influençant nos divers portefeuilles.

Enfin, Ingénieurs Canada a soumis ses recommandations contenues dans le Mémoire pour les consultations prébudgétaires en vue du budget de 2024 au Comité permanent des finances de la Chambre des communes

Groupe national des responsables de l'admission

Le sous-groupe Exigences en matière d'expérience basée sur la durée du Groupe national des responsables de l'admission s'est réuni cet été pour poursuivre ses discussions sur cet aspect du processus d'attribution du permis d'exercice (la plupart des provinces et territoires exigent actuellement quatre années d'expérience, le Québec en exige deux et le Manitoba n'a pas d'exigence basée sur la durée). Le groupe a examiné les pratiques d'autres pays afin de mieux cerner notre exigence, sa raison d'être et la façon de se préparer à la modifier (au cas où les gouvernements ou d'autres parties prenantes chercheraient à le faire).

Événements récents

En juin, le personnel d'Ingénieurs Canada a participé à une journée de bénévolat pour la Société Logement communautaire d'Ottawa (LCO). LCO fournit environ 15 000 logements à 32 000 locataires, dont des personnes âgées, des parents, des enfants, des couples, des célibataires et des personnes ayant des besoins particuliers dans de nombreuses communautés de la ville d'Ottawa. La journée a été couronnée de succès, à la fois pour le personnel d'IC et pour LCO.

Nos pensées et nos prières vont à Sudhir Jha, représentant des Territoires du Nord-Ouest au sein du conseil, et à nos collègues de la NAPEG, ainsi qu'à leurs familles, qui ont tous dû évacuer Yellowknife en raison de la progression des feux de forêt. Nous savons que l'APEGA a prêté main-forte au personnel de la NAPEG en mettant à leur disposition des bureaux à Edmonton pour la durée de leur évacuation.

NOTICE OF MOTION/COUNCILLOR ITEMS PROPOSED PURSUANT TO S.7.4 OF THE 2022-2023 SPECIAL RULES

Purpose: Decision of three submitted Councillor items.

Prepared by: Eric Chor, Research Analyst

Decision of items submitted:

- a) Reducing the Engineering Experience 4-year Time Requirement
- b) Explicitly List Equity, Diversity, and Inclusivity (ED) Alongside PEO's Other Explicitly Listed Admissions Guiding Principles
- c) Council Registry of Activities and Open Issues

Briefing Note – Decision

C-559-8.4(a)

REDUCING THE ENGINEERING EXPERIENCE 4-YEAR TIME REQUIREMENT

Purpose: To consider parallel experience requirements to Competency Based Assessment (CBA) including a consideration of reducing the 4-year experience requirement.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That RPLC provide Council with a plan at the November 2023 meeting of Council, that includes a timeline and a plan for involving ERC experience requirement experts, to

(a) consider introducing an apprentice/intern pathway to engineering experience as an alternative to CBA; and

(b) consider reducing the 4-year experience requirement for all experience pathways to licensure.

Prepared by: Roydon Fraser, P.Eng., Ph.D., FEC, President

Moved by: Roydon Fraser, P.Eng., Ph.D., FEC, President

1. Need for PEO Action

- FARPACTA required changes to PEO's admissions processes were made quickly in the sense that the changes were made within the framework of existing legislation to ensure the requirements of FARPACTA were met within the FARPACTA specified timeframe. That is, Act and Regulation changes generally take longer than the time available to re-design PEO's admissions processes to be FARPACTA compliant.
- To meet the FARPACTA requirement to eliminate the 1-year of Canadian experience barrier to licensure, PEO introduced CBA.
- The elimination of the 1-year Canadian experience was done to remove a barrier to admissions primarily for immigrant engineers. This was a matter of fairness. The prior apprenticeship/intern approach to engineering experience, however, was not in question. What was in question was the pathway that qualified for apprentice/intern experience. Given the very very long successful, public protecting, history of the apprentice/intern approach to engineering experience it is reasonable to now consider what value there may be to re-introduce an apprentice/intern pathway to fulfilling engineering experience requirements but now in parallel to CBA.
- The 4-year engineering experience requirement was introduced in the late 1990s supported by various promises including a promise of intermobility with U.S. State Regulators. Given this and possibly other promises have not materialized, there may be arguments for returning to a 2-year apprentice-based experience requirement, or some other time frame other than 4-years.

Proposed Action / Recommendation

- Have RPLC report back to Council at the November 2023 Council meeting on a plan to have considered the following:

- (a) introducing an apprentice/intern pathway to engineering experience as an alternative to CBA; and
- (b) reducing the 4-year experience requirement for all experience pathways to licensure.

Note it is not being asked that the plan timeline be in the 2023-24 Council workplan year though a possibility.

2. Next Steps (if motion approved)

- Proceed with work on having RPLC provide a plan for the November 2023 Council meeting.

5. Financial Impact on PEO Budgets (for five years)

- No significant financial impact. Should be accomplished within RPLC existing budget. This is not to say this motion's recommended plan will not involve a significant budget, but any plan budget will be part of the recommendation plan and is therefore not part of this motion.

6. Peer Review & Process Followed

Councillor generated motion.

Full Peer and Stakeholder review is part of the process starting with this motion going to RPLC and then in possible work outcome from the RPLC recommendation. This further process includes completion of the Policy Impact Analysis (PIA) Tool.

7. Appendices

None

Briefing Note – Decision

C-559-8.4(b)

EXPLICITLY LIST EQUITY, DIVERSITY, AND INCLUSIVITY (EDI) ALONGSIDE PEO'S OTHER EXPLICITLY LISTED ADMISSIONS GUIDING PRINCIPLES

Purpose: To increase visibility of PEO's commitment to EDI and update listed Admissions Guiding Principles.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That the fairness principles of equity, diversity, and inclusivity (EDI) be added as explicit Admissions Guiding Principles.

Prepared by: Roydon Fraser, P.Eng., Ph.D., FEC, President

Moved by: Roydon Fraser, P.Eng., Ph.D., FEC, President

1. Need for PEO Action

- This motion is consistent with PEO's Anti-Racism and Equity Code "Principle 2: Regulatory processes. PEO commits to steadfast and continuous improvements that achieve equity and foster inclusivity in all its regulatory processes, with priority focus on licensing, complaints, and discipline processes." (<https://peo.on.ca/sites/default/files/2022-04/ARECODE.pdf>).
- This motion is also consistent with PEO's 2023-2025 Strategic Plan, "Goal 1: Improving PEO's licensing processes, without compromising public safety; Subgoal: Ensuring all licensing activities reflect the values of equity, diversity and inclusion." (<https://peo.on.ca/sites/default/files/2022-09/PEO-SP2023-25.pdf>).
- However, a review of PEO's explicit Admissions Guiding Principles reveals that the EDI principles to date have not been explicitly included in PEO's Admissions Guiding Principles. Given the recent admissions process changes due to FARPACTA, and given the very active RPLC workplan centered on admissions in 2023-24, it is important that EDI be explicit Admissions Guiding Principles to ensure they are explicitly considered as criteria for any future admissions process changes, one of the main purposes of having explicit Admissions Guiding Principles. This explicit nature strengthens the ability of PEO to meet its EDI commitments.

2. Proposed Action / Recommendation

- RPLC to provide Council with an updated set of PEO Admissions Guiding Principles that includes EDI as part of their 2023-24 workplan.

3. Next Steps (if motion approved)

- Add EDI to explicit PEO Admissions Guiding Principles.

4. Financial Impact on PEO Budgets (for five years)

- No significant financial impact. Current RPLC budget sufficient. Once EDI is explicitly considered as Admissions Guiding Principles there could be changes to PEO's admissions processes that could have financial impact in the future.

5. Peer Review & Process Followed

- Councillor generated motion.
- Full Peer and Stakeholder review is part of the process starting with this motion going to RPLC. This further process includes completion of the Policy Impact Analysis (PIA) Tool.

6. Appendices

None

Briefing Note – Decision

C-559-8.4(c)

COUNCIL REGISTRY OF ACTIVITIES AND OPEN ISSUES

Purpose: To assist Council in remembering, prioritizing, and monitoring activities, issues, and future work.

Motion(s) to consider: (requires a simple majority of votes cast to carry)

That GNC provide Council with a plan for developing and maintaining a Council Registry of Activities and Open Issues for the November 2023 meeting of Council.

Prepared by: Roydon Fraser, P.Eng., Ph.D., FEC, President

Moved by: Roydon Fraser, P.Eng., Ph.D., FEC, President

1. Need for PEO Action

- The idea of a Council Registry is modelled after the Chapter demonstrated successful utility of an Open Issues Registry or Log that is reviewed at every Chapter Regional Congress. It is envisioned the Council Registry would operate similarly.
- Currently there exists a Council Decision Log, but no log of activities, open issues, and future considerations.
- The Registry would improve near term corporate memory for the benefit of Councillors.
- PEO Council has a history of forgetting good ideas and suggestions that do not fit into current work plans but are worthy of consideration in future work plans.
- A registry would assist Council to stay on top of important activities and open issues, to provide a convenient summary of issues for prioritization consideration, and to provide a parking lot for future work items that might otherwise be forgotten.

2. Proposed Action / Recommendation

- GNC to provide Council with a plan for developing and maintaining a Council Registry of Activities and Open Issues for the November 2023 meeting of Council.

3. Next Steps (if motion approved)

- Create a Council Registry of Outstanding Activities and Issues.

4. Financial Impact on PEO Budgets (for five years)

- No significant financial impact. Current GNC budget should be sufficient and ongoing cost of maintaining the registry is anticipated to be small and within Council's operation budget. There is no cost for an item to be in the registry, and any costs associated with acting on items in the registry must be costed out and approved separate from this motion.

5. Peer Review & Process Followed

- Councillor generated motion.
- Full Peer and Stakeholder review is part of the process starting with this motion going to GNC. This further process includes completion of the Policy Impact Analysis (PIA) Tool.

6. Appendices

None

Briefing Note – Discussion

C-559-8.5

COUNCILLOR QUESTIONS

Purpose: To field questions from Council at the end of the Open session.

No motion required.

Prepared by: Eric Chor, Research Analyst