



MINUTES

The 559th MEETING of the COUNCIL of PROFESSIONAL ENGINEERS ONTARIO (PEO) was a hybrid meeting held at 40 Sheppard Avenue West, Toronto on Friday, September 22, 2023, at 8:30 a.m.

Present:

(In-Person)

R. Fraser, P.Eng., President and Council Chair
N. Colucci, P.Eng., Past President
C. Chahine, P.Eng., Vice President – Elected
L. Notash, P.Eng., Vice President – Appointed and Councillor-at-Large
A. Arenja, P.Eng., Lieutenant Governor-in-Council Appointee
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
M. Liu, P. Eng., Eastern Region Councillor
N. Lwin, P.Eng., East Central Region Councillor
P. Mandel, CPA, CBV, Lieutenant Governor-in-Council Appointee *[until 2:10 p.m.]*
G. Nikolov, P.Eng., Lieutenant Governor-in-Council Appointee
R. Panesar, P.Eng., West Central Region Councillor
L. Roberge, P.Eng., Northern Region Councillor
S. Schelske, P.Eng., Lieutenant Governor-in-Council Appointee
G. Schjerning, P.Eng., Councillor-at-Large
U. Senaratne, P.Eng., Lieutenant Governor-in-Council Appointee
S. Sung, Lieutenant Governor-in-Council Appointee

Present

(Virtual):

G. Wowchuk, P.Eng., President-elect
A. Dryland, CET, Lieutenant Governor-in-Council Appointee
V. Hilborn, P.Eng., Western Region Councillor *[signed off at 5:00 p.m.]*
S. MacFarlane, P.Eng., Western Region Councillor
P. Mandel, CPA, CBV, Lieutenant Governor-in-Council Appointee *[from 2:50 p.m.]*
D. Montgomery, P.Eng., Northern Region Councillor
P. Shankar, P.Eng., West Central Region Councillor *[signed off at 2:10 p.m.]*

Regrets:

None

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
D. Sikkema, Chief People Officer *[left at 12:00 p.m.]*
C. Mehta, Director, Finance *[left at 12:00 p.m.]*
M. Solakhyan, Director, Governance
M. Feres, Supervisor, Council Operations (Secretariat)
E. Chor, Research Analyst (Secretariat)

Staff

(Virtual):

A. Kwiatkowski, Director, Digital Transformation and IT *[signed off at 12:00 p.m.]*
K. Praljak, Director, Communications *[signed off at 12:00 p.m.]*
J. Vera, Director, Licensing *[signed off at 12:00 p.m.]*



J. Max, Manager, Policy *[signed off at 12:00 p.m.]*
M. Soepiter, Controller *[signed off at 10:20 a.m.]*
A. Anowar, Council and Committee Coordinator (Secretariat)
N. Axworthy, Editor, Engineering Dimensions *[signed off at 12:00 p.m.]*

Guests

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

Guests

(Virtual): S. Ausma, P.Eng., Member, Board of Directors, Ontario Society of Professional Engineers (OSPE)
J. Mendel, Interim Compliance Analyst, Office of the Fairness Commissioner
A. Viola, P.Eng., Incoming VP, Regulatory Operations

Council convened at 8:30 a.m. on Friday, September 22, 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.

12584 – APPROVAL OF AGENDA

Council discussed the following proposed amendments to the agenda:

- 2.5 Regional Councillors Committee (RCC) Report be moved out of Consent Agenda for individual discussion
- 4.3 RPLC Work Plan be moved to Consent Agenda
- 6.2 Independent Counsel for Council be moved to after 6.4 Election Officials Subcommittee Report

Moved by Councillor Arenja, seconded by Councillor Nikolov:

That:

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

CARRIED
Recorded vote

<u>For: 22</u>	<u>Against:0</u>	<u>Abstain:0</u>	<u>No Vote/Abs:2</u>
A. Arenja			G. Schjerning
V. Banday			S. Sung
C. Chahine			
N. Colucci			
L. Cutler			
A. Dryland			
V. Hilborn			



D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
D. Montgomery
G. Nikolov
L. Notash
R. Panesar
L. Roberge
S. Schelske
U. Senaratne
P. Shankar
G. Wowchuk

12585 – DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest declared.

12586 – CONSENT AGENDA

Item 2.5, *Regional Councillors Committee (RCC) Report* was removed from the consent agenda for separate discussion.

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

That the consent agenda be approved, consisting of:

- 2.1 Open Session Minutes 558, June 23, 2023**
- 2.2 Consulting Engineer Designation Applications**
- 2.3 Changes to the 2023 Statutory and Regulatory Committees' Membership List**
- 2.4 Governance Committee Reports**
- 4.3 RPLC Work Plan for 2023-2024**

CARRIED
Unanimous consent

12587 – REGIONAL COUNCILLORS COMMITTEE REPORT

A report was presented to inform Council of the recent activities and discussions of the Regional Councillors Committee.

Council discussed aspects of the report including Chapter finances; sponsorship of Chapter events; logistical arrangements related to the November Chapter Leaders Conference and Government Liaison Program; and consultation on the format of the 2024 Annual General Meeting.

12588 – PRESIDENT'S REPORT

President Fraser reviewed key activities which have taken place since Council's June meeting, including:



- Attendance at P.Eng. Licensing Ceremonies
- Visit to Scarborough Chapter earlier in September; and
- Meetings of the governance committees

He also reported that later this month he has been invited to present on the topic “A Leadership Vision for the PEO” at the Toronto Engineering Club; and in early October will attend the Engineers Canada President’s Group meeting.

12589 – CEO/REGISTRAR’S REPORT

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

- Highlights of PEO’s June Town Hall, which coincided with the organization’s 101st anniversary.
- Summary of ongoing efforts and activities over the summer months to operationalize the Anti-Racism and Equity Code.
- Summary of ongoing efforts and activities to increase the representation of women licensed by PEO, including the 30x30 initiative and participation in the gender audit study undertaken by the University of Toronto’s Rotman School of Management.
- Key data points and updates on areas of the business, including:
 - FARPACTA-compliant licensing application process, including a summary of the new Inventory Management Plan;
 - continuing professional development or “PEAK”, and the latest efforts in the areas of communication, user support, stakeholder engagement, and the addition of more CPD-admissible activities;
 - status of the operational plan and associated projects/initiatives, including its impact on the new approach to staff performance management and merit-based compensation;
 - status of reviews conducted by the Academic Requirements Committee and Experience Requirements Committee;
 - remissions and resignations;
 - enhancements to the customer service model and processes;
 - information on the planned Fall rollout of the Licensing Dashboard of Data; and
 - revenues and expenses for the six months ended June 30, 2023.

Staff provided additional information and answered questions related to EDI activities; CPD requirements and statistics; CPD stakeholder engagement survey; remissions and resignations; customer service; and the merit-based compensation plan.

12590 – BUDGET PREVIEWS: DRAFT 2024 OPERATING AND CAPITAL BUDGETS

AFC Chair, Councillor Kirkby, noted that Council is asked to provide guidance to the AFC and staff to prepare a 2024 budget for Council’s approval at the November 17, 2023 meeting. He commented on the iterative and collaborative nature of the budgeting process and committee efforts over the summer months to develop draft operating and capital budgets. Staff presented contextual information to support a generative discussion, including:

- licence holder and inflation data for the past 10 years;
- data in comparison to other Canadian engineering regulators for licence holder fees and licence holder-staff ratio;



- 2024 budget projection of a deficit of approximately \$4.1m, due in large part to major one-time investments related to the Strategic Plan and digital modernization and transformation in support of core regulatory and legislative compliance activities, as well as building investments;
- Budget guiding principles to ensure delivery of core regulatory and governance mandate, maintain fiscal responsibility, and identify, assess, and manage risk; and
- Options for consideration to manage the projected deficit including short-term use of reserve funds, fee increases, and review of non-regulatory and non-governance activities.

Staff answered questions related to rates of inflation and premium increases related to benefits.

Council discussed a variety of budget considerations and issues related to covering a potential deficit, including:

- Use of cash reserves in light of several years of surplus and recognizing that the deficit projection is due in large part to major one-time investments, making 2024 a unique year of transition.
- Issues and factors related to fee increases such as value for money and indexing to rates of inflation.

Based on areas of discussion, staff will provide additional information for the AFC's consideration at its October meeting and for future budget cycles, including:

- Options regarding different ways to cover a budget shortfall such as fee increases, using cash reserves, and/or reducing or eliminating discretionary costs.
- Exploring the option to move to a single annual fee billing cycle.
- Linking multi-year strategic planning to multi-year budget planning.
- Impact of the suspension of the Engineering Intern program on revenues.

12591 – MANDATORY CPD (PEAK): PROPOSED POLICY CHANGE

RPLC Chair, Councillor Hilborn, outlined a proposal for 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. It was noted that this policy change would automatically exempt all 13,000 fee remission enrollees (97% of whom are retired from the practice of professional engineering) from the entire PEAK program starting in 2024. The rationale and risk analysis are outlined in the Policy Impact Analysis (PIA) provided to Council. It was noted that the policy proposed poses no increased risk in public safety because this cohort is already prohibited from practising.

Council discussed the timing of the policy change, roughly nine months after the introduction of mandatory continuing professional development (CPD). In response to questions related to lessons learned and the reason this cohort was not exempt at the start of mandatory CPD in 2023, staff noted the need to gather data regarding participation rates pre and post January 2023 and analyze feedback from licence holders. Further, it was noted that the PIA tool adopted by Council in June 2023 is intended to identify risks and strengthen policy proposals so that issues such as those in the CPD policy proposal can be addressed earlier in the process.

Moved by Councillor Hilborn, seconded by Past President Colucci:

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.

CARRIED
Recorded vote



For: 23 **Against: 0** **Abstain: 0** **No Vote/Abs: 1**

- A. Arenja
V. Banday
N. Colucci
L. Cutler
A. Dryland
V. Hilborn
D. Kiguel
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
- C. Chahine

12592 – 2024 ANNUAL GENERAL MEETING

A draft motion was presented, with an area left blank for Council’s consideration.

Moved by Past President Colucci, seconded by Councillor Arenja:

That Council endorse a [_____] format for PEO’s 2024 Annual General Meeting.

Council agreed with the parliamentarian’s recommendation to structure discussions to consider three options to complete the motion, and that voting would continue until one option receives a majority of the votes. It was agreed by consensus that the three options be considered in the following order:

1. In-Person
2. Hybrid (both in-person and virtual options)
3. Virtual

Council discussed the legal and business requirements for an Annual General Meeting (AGM); other reasons PEO has traditionally held an AGM, including to provide networking opportunities and ancillary events; the specific dynamics of each option; budget implications; and the importance of returning to in-person activities as the public health restrictions due to the COVID-19 pandemic are no longer in effect.



Vote #1: In-Person

That “in-person” be inserted as the choice of format for PEO’s 2024 Annual General Meeting.

DEFEATED
Recorded vote

<u>For: 5</u>	<u>Against: 19</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 0</u>
V. Banday	A. Arenja		
T. Kirkby	C. Chahine		
L. Notash	N. Colucci		
R. Panesar	L. Cutler		
P. Shankar	A. Dryland		
	V. Hilborn		
	D. Kiguel		
	M. Liu		
	N. Lwin		
	S. MacFarlane		
	P. Mandel		
	D. Montgomery		
	G. Nikolov		
	L. Roberge		
	S. Schelske		
	G. Schjerning		
	U. Senaratne		
	S. Sung		
	G. Wowchuk		

Vote #2: Hybrid

That “hybrid” be inserted as the choice of format for PEO’s 2024 Annual General Meeting.

CARRIED
Recorded vote

<u>For: 16</u>	<u>Against: 8</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 0</u>
V. Banday	A. Arenja		
C. Chahine	N. Colucci		
A. Dryland	L. Cutler		
D. Kiguel	V. Hilborn		
T. Kirkby	D. Montgomery		
M. Liu	G. Nikolov		
N. Lwin	U. Senaratne		
S. MacFarlane	S. Sung		
P. Mandel			
L. Notash			
R. Panesar			
L. Roberge			
S. Schelske			



G. Schjerner
P. Shankar
G. Wowchuk

Vote #3: Final Motion

That Council endorse a hybrid format for PEO’s 2024 Annual General Meeting.

**CARRIED
Recorded vote**

<u>For: 19</u>	<u>Against: 5</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 0</u>
V. Banday	A. Arenja		
C. Chahine	N. Colucci		
L. Cutler	G. Nikolov		
A. Dryland	U. Senaratne		
V. Hilborn	S. Sung		
D. Kiguel			
T. Kirkby			
M. Liu			
N. Lwin			
S. MacFarlane			
P. Mandel			
D. Montgomery			
L. Notash			
R. Panesar			
L. Roberge			
S. Schelske			
G. Schjerner			
P. Shankar			
G. Wowchuk			

12593 – MOTION TO MOVE IN CAMERA

Moved by Past President Colucci, seconded by Councillor Schelske:

That Council move in camera at 12:00 p.m.

**CARRIED
Recorded vote**

<u>For: 24</u>	<u>Against: 0</u>	<u>Abstain: 0</u>	<u>No Vote/Abs: 0</u>
A. Arenja			
V. Banday			
C. Chahine			
N. Colucci			
L. Cutler			
A. Dryland			



V. Hilborn
D. Kiguel
T. Kirkby
M. Liu
N. Lwin
S. MacFarlane
P. Mandel
D. Montgomery
G. Nikolov
L. Notash
R. Panesar
L. Roberge
U. Senaratne
S. Schelske
G. Schjerner
P. Shankar
S. Sung
G. Wowchuk

[All staff, guests, and observers left the meeting at 12:00 p.m. except J. Quaglietta]

[Council returned to open session at 3:50 p.m.]

12594 – 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 June to August 2023, including updates on:

- EC's strategic priorities, specifically:
 - Investigate and validate the purpose and scope of accreditation
 - Strengthen collaboration and harmonization,
 - Accelerate 30 by 30
 - Reinforce trust and the value of licensure
- Accreditation Board (CEAB) activities, in particular the development of a framework that incorporates graduates of both Canadian and non-Canadian engineering programs
- Qualification Board (CEQB) activities, in particular its work to develop a new Guideline on fitness to practice
- Regulatory Affairs
- Public Affairs and Government Relations
- National Admissions Officials Group, in particular its work on time-based experience requirements for licensure
- Development of EC's new strategic plan

President Hill noted that Engineers Canada and the other Canadian engineering regulators look forward to continued communication from PEO regarding the suspension of its EIT program.

President Hill responded to questions relating to:



- EC’s voting members, noting that these are each of the 13 engineering regulators across Canada’s provinces and territories;
- CEQB efforts on the issue of Fitness to Practice, noting a health-related example raised in recent discussions at a CEQB meeting; and
- removal of Canadian experience requirements and its impact on interprovincial mobility, noting there have been no concerns raised in this regard and that jurisdictions are beginning to examine qualitative measures more than quantitative ones such as number of years.

12595 – REPORT FROM TRIBUNALS

Council received an update about the activities of the Tribunals Office, related Committees (Discipline – DIC and Registration-REC), and the Complaints Review Councillor. In addition, Council considered requests to appoint members to both the Discipline Committee and the Registration Committee and to recommend additional members for appointment by the Province.

In response to a question regarding appointments from the DIC to REC and the requisite knowledge and qualifications needed, staff noted that each of the applicants is a long serving volunteer with PEO who has transferable skills as an adjudicator that will help address the increased demand for REC hearings.

Moved by Past President Colucci, seconded by Vice President Chahine:

That Council adopt the appointments as set out in C-559-5.1, Appendix C - the Report on Tribunal Appointments, provided in the September 22, 2023 Briefing Note from Tribunals.

CARRIED
Recorded vote

<u>For: 18</u>	<u>Against: 1</u>	<u>Abstain: 4</u>	<u>No Vote/Abs: 1</u>
A. Arenja	V. Banday	D. Kiguel	P. Shankar
C. Chahine		M. Liu	
N. Colucci		D. Montgomery	
L. Cutler		L. Notash	
A. Dryland			
V. Hilborn			
T. Kirkby			
N. Lwin			
S. MacFarlane			
P. Mandel			
G. Nikolov			
R. Panesar			
L. Roberge			
S. Schelske			
G. Schjerning			
U. Senaratne			
S. Sung			
G. Wowchuk			



12596 – MOTION TO DEFER CERTAIN ITEMS

The Chair suggested that Council consider deferring some of the remaining agenda items.

Moved by Councillor Kirkby, seconded by Councillor Notash:

That all items in Section 7 and all items in Section 8 be deferred to the November 17, 2023 Council meeting, except:

- **8.3 (Engineers Canada Directors Report, delivered earlier in meeting)**
- **8.4a) Reducing 4-year Eng. Experience Time Requirement**

Council discussed items from sections 7 and 8 of the agenda that could be deferred to another meeting. November 16 was proposed as a possible new date for a Council meeting at which the deferred items would be addressed.

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

That “next meeting” replace “November 17, 2023” in the original motion.

CARRIED
Unanimous consent

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

That the next meeting of Council be noted as November 16, 2023, subject to confirmation of quorum.

CARRIED
Unanimous consent

Council then voted on the original motion, as amended.

That all items in Section 7 and all items in Section 8 be deferred to the next Council meeting, except:

- **8.3 (Engineers Canada Directors Report, delivered earlier in meeting)**
- **8.4a) Reducing 4-year Eng. Experience Time Requirement**

CARRIED
Recorded vote

For: 19 Against: 4 Abstain: 0 No Vote/Abs: 1

V. Bandy	A. Arenja	P. Shankar
C. Chahine	L. Cutler	
N. Colucci	G. Nikolov	
A. Dryland	S. Sung	
V. Hilborn		
D. Kiguel		
T. Kirkby		
M. Liu		
N. Lwin		
S. MacFarlane		
P. Mandel		
D. Montgomery		
L. Notash		



R. Panesar
L. Roberge
S. Schelske
G. Schjerning
U. Senaratne
G. Wowchuk

[Vice President Chahine chaired minute 12597.]

12597 – REDUCING 4-YEAR ENGINEERING EXPERIENCE TIME REQUIREMENT

Council considered a proposal related to an experience requirements pathway in parallel with the Competency Based Assessment (CBA), including a consideration to reduce the 4-year experience requirement.

A summary of Council’s discussion is outlined below.

- It is reasonable to consider what value there may be to re-introduce an apprentice/intern pathway to fulfilling engineering experience requirements, in parallel with the CBA approach.
- Council must consider that the proposed November 2023 timeline for a plan is a relatively short timeframe given that staff resources are already committed to other policy initiatives. A direction to examine a parallel pathway sends mixed, if not contradictory, messages with respect to this next phase of the new licensure system.
- The proposal refers to developing a plan to document this matter as an open and active issue, and it need not significantly infringe on other initiatives.

Moved by President Fraser, seconded by Councillor Kiguel:

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.**

CARRIED
Recorded vote

<u>For: 15</u>	<u>Against: 8</u>	<u>Abstain: 0</u>	<u>No Vote/Abs:1</u>
V. Banday	A. Arenja		P. Shankar
L. Cutler	N. Colucci		
A. Dryland	V. Hilborn		
R. Fraser	M. Liu		
D. Kiguel	S. MacFarlane		
T. Kirkby	D. Montgomery		
N. Lwin	G. Nikolov		
P. Mandel	U. Senaratne		
L. Notash			
R. Panesar			
L. Roberge			



S. Schelske
G. Schjernerjng
S. Sung
G. Wowchuk

[President Fraser resumed the role of Chair.]

12598 – APPOINTMENT OF DEPUTY REGISTRAR

This in-camera item was moved into open session.

Council was asked to consider appointing a Deputy Registrar to ensure continuity of statutory functions in the event that the CEO/Registrar is unavailable or incapacitated. Council discussed the experience and qualifications of the proposed candidate.

Council discussed the recruitment process for the Deputy Registrar position.

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

That Americo Viola, P.Eng., be appointed Deputy Registrar, effective September 25, 2023, until such time as Council appoints a successor, and that the temporary appointment of Arun Dixit, P.Eng. as Interim Deputy Registrar be ended, with PEO's gratitude for his additional service, effective the same date; and

That this decision be moved out of in-camera into open session in order to permit a public announcement.

**CARRIED
Unanimous consent**

12599 – MOTION TO MOVE IN CAMERA

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

That Council move in camera at 5:10 p.m.

**CARRIED
Unanimous consent**

[All staff, guests, and observers left the meeting at 5:10 p.m. except J. Quaglietta]

Council adjourned at 7:00 p.m. The in-camera session will continue on September 28, 2023 at 5:30 p.m.

These minutes consist of 13 pages and minutes 12584 to 12599 inclusive.

“Roydon Fraser”

R. Fraser, P.Eng., Chair