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WHAT DO YOU THINK?

Send your letter to the editor to editor@peo.on.ca. If published, letters may be edited for length and clarity.

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BIG CHANGES ARE COMING. ARE YOU READY?

By Nicole Axworthy



Have you heard? In less than two months, PEO will be implementing a mandatory continuing professional development (CPD) program for its licence holders. The short video you saw pop up in front of this issue's cover page introduces you to the main components of the program. If you had previously participated in PEO's voluntary CPD program, which has been piloted since 2017, you will be familiar with the format. If you're just

finding out about this new requirement, now is the time to learn about what you'll need to do as of January 1, 2023.

We've covered this topic throughout this year as PEO has worked to transition its voluntary Professional Evaluation and Knowledge (PEAK) program into a mandatory one. In this issue, we share answers to some of your most-asked questions to help you better understand what you will be required to do, including what kind of CPD activities are admissible and how the program will be enforced (p. 15). We'll bring you more coverage in the next issue with several in-depth feature articles to further guide you.

The main goal behind the mandatory PEAK program is to protect the public interest by ensuring licence holders practise competently and ethically. This safety aspect is hinted at in one of our feature articles this issue, "Safety first: Engineering mass transit" (p. 28), in which Associate Editor Adam Sidsworth speaks with engineers involved in public transit projects across the province. The consensus: Public safety is key.

Indeed, this is the case in every sector of engineering. "It is interesting to note that engineering is the only profession where the primary responsibility is to the third party, the 'public,'" notes PEO's *Professional Engineering Practice* guideline.

Another feature article in this issue points to engineers' responsibility to the environment. In "Greener fuel: The promise of hydrogen" (p. 18), Associate Editor Marika Bigongiari discusses the potential—and the challenges—of this fuel source as the world moves to greener alternatives in transportation.

On a final note, there will be more changes coming to *Engineering Dimensions* as we grow along with PEO in its mission to become a more effective and modern regulator. Starting in 2023, we're shifting the frequency of the magazine to four issues per year, allowing us to provide superior content to you with a greater emphasis on quality over quantity. We hope you'll stay for the ride. **e**

LET US KNOW

To protect the public, PEO investigates all complaints about unlicensed individuals or companies, and unprofessional, inadequate or incompetent engineers. If you have concerns about the work of an engineer, fill out a Complaint Form found on PEO's website and email it to complaints@peo.on.ca. If you suspect a person or company is practising engineering without a licence, contact PEO's enforcement hotline at 800-339-3716, ext. 1444, or by email at enforcement@peo.on.ca.



MANDATORY CPD IS NOW A REALITY

By Nick Colucci, MBA, P.Eng., FEC



It's hard to believe that over six months have passed since I became the president and chair of PEO. A lot has happened: I got engaged, became a papa for the second time, travelled to France to ride in the Wounded Warriors Canada Battlefield Bike Ride and spent some time in Nova Scotia.

PEO Council has been equally busy, including celebrating our 100th anniversary as a regulator, adopting the Anti-Racism and Equity Code, moving forward with licensing renewal to meet the requirements of FARPACTA, taking the first steps to deal with affinity dollars and licence holder data sharing and approving the implementation of a mandatory continuing professional development (CPD) program.

It's been a long time coming, but CPD is finally upon us. Starting this January, PEO professional engineer and limited licence holders must complete an annual CPD program to maintain their licence—a regulatory best practice that's standard among most regulated professions in Ontario and all of our fellow engineering regulators across Canada. For full details on the program, visit our website.

WHAT MANDATORY CPD MEANS TO YOU

PEO has communicated this upcoming requirement to licence holders over the past year, but just to recap, the new mandatory CPD program is based on the voluntary Practice Evaluation and Knowledge (PEAK) program that PEO has piloted for more than five years.

The mandatory program, which will continue to be called PEAK, includes three annual components:

- A **Practice Evaluation** to evaluate your practice and determine your target CPD hours;
- A **Professional Practice Module** to learn about professional practices and regulatory processes; and
- A **CPD Report** to declare to PEO the professional development activities you have completed.

An individual who self-declares as practising professional engineering must complete all three elements of the PEAK program. An individual who either self-declares as not practising professional engineering or is not practising for other reasons must complete the first two elements of the program. Provisional and temporary licence holders, engineering interns and applicants are exempt from PEAK.

In some instances, a licence holder who is not currently practising and is not subject to any practice restrictions could complete the program as a practising licence holder by completing all three elements of the program.

Annual compliance audits and non-compliance sanctions will be introduced in 2024. PEO draws its authority to implement mandatory CPD from the incoming section 51.2 of Regulation 941 under the *Professional Engineers Act*, which takes effect on January 1, 2023, and sets out an annual requirement for continuing education and professional development for PEO licence holders.

Along with bringing PEO in line with the best practices of other professional regulators, the mandatory CPD program will promote continuous learning and help foster public confidence in the profession. Key to any self-regulating profession is an unwavering level of public trust, and I believe PEO's new program will provide further assurance to the public that Ontario engineers are committed to continuing education to enhance their practice. The primary goal of the program is to protect the public interest; and PEAK will help licence holders reduce their practice risks to the public through sustained competent and ethical practice supported by continuous professional learning.

The first two program components—the Practice Evaluation and Professional Practice Module—should take you a little over an hour to complete. And if you're a non-practising licence holder, you're done for the year. If you're a practising licence holder, you need to go a step further by completing a CPD Report declaring the various professional development activities—such as attending engineering seminars, reading technical articles and taking courses—you would normally undertake over a year to stay current in your practice.

It's a necessary step to help protect the public and the continuing privilege of self-regulation.

As we move into 2023, I'm looking forward to the next six months of my term and can't wait to see the amazing things we will accomplish together. **e**

MEANINGFUL ENGAGEMENT IS KEY TO BEING A MODERN REGULATOR

By Johnny Zuccon, P.Eng., FEC



Communication should always be a two-way street for a regulator. For PEO, this means ensuring we send clear messages about our expectations and requirements to those whom we govern and to our diverse group of stakeholders. Effective communication also requires us to be open to feedback and suggestions from those with expertise in our work and those affected by its outputs. We shouldn't just communicate to people; rather, we must do our best to engage appropriate stakeholders in our work to ensure the end product is credible and meaningful.

For these reasons, we are developing a more robust stakeholder engagement strategy. This approach will be critical as we consider and implement changes to our licensing system, driven by our ongoing transformation and amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA). Stakeholder engagement has already been a feature of our work related to continuing professional development (CPD) and will be even more valuable when we start to consider a future vision for the organization, tackling fundamental questions about why we issue licences and to whom, and what public protection truly demands from us.

MAJOR COMMUNICATION ON LICENSING

The FARPACTA amendments require regulators to justify Canadian experience requirements on the basis of health and safety issues unique to Canada, failing which they will be deemed inoperative after December 2023. More immediately, by July 1, 2023, PEO must be able to make a registration decision within 180 days of receiving a

complete application for 90 per cent of internationally trained applicants and 30 days for applicants already licensed in another Canadian jurisdiction. Consequently, PEO is shifting to a front-load application model where applicants apply for licensure only once their academic requirement and engineering work experience have been established.

While the purpose and scope of licensure is unchanged, changes to the licensing system will be substantial and will significantly impact many of PEO's programs and stakeholders. For example:

- Engineering graduates will no longer be able to apply to PEO until they have obtained their 48 months of experience;
- A six-month timeline for licensure decisions will make the engineering intern (EIT) program impractical to continue; however, existing EITs will remain in the program as long as they meet the requirements;
- The provisional licence, which PEO introduced for applicants who meet all qualifications for licensure except the Canadian experience component, will be effectively discontinued; and
- PEO will be considering a competency-based assessment for the experience component.

PEO remains committed to engaging all relevant stakeholders as we explore licensing options.

MANDATORY CPD IN 2023

Similarly, staff have been working diligently to communicate details of the impending requirement for licence holders to annually participate in CPD to maintain their licence. The mandatory version of our Practice Evaluation and Knowledge (PEAK) program comes into effect on January 1, 2023.

Our webpage www.peopeak.ca provides all the details on how licence holders can meet these new requirements, including a new explanatory video on the PEAK program. Preparations are also underway to stage an online public presentation that will provide an opportunity for licence holders to have their questions on the program answered.

PEO ADOPTS A NEW DATA PROTECTION POLICY

Lastly, Council approved a data protection policy that provides further security of the personal data PEO collects from various stakeholders, including applicants for licensure, licence holders and complainants. The policy stipulates that PEO shares personal information only for regulatory purposes or when required by law. However, we currently share some information with the Ontario Society of Professional Engineers and the Ontario Professional Engineers Foundation for Education only when provided with expressed consent. Additionally, PEO shares basic information with Engineers Canada. At Council's direction, I will be meeting with the impacted parties to examine these existing data-sharing activities to ensure they comply with our new policy.

As we progress with these initiatives, I encourage our stakeholders to follow all PEO communication channels in the coming months to stay current on the latest developments. Your comments and questions are always welcome via engagement@peo.on.ca. [e](#)

PEO TO INTRODUCE NEW DIGITAL LICENCE

PEO is introducing a new digital licence certificate to complement the existing paper version, giving licence holders more options to display and share their professional licence.

By Adam Sidsworth



In a bid to further digitize its operations, PEO will soon introduce a new digital licence certificate that will be provided in conjunction with the existing paper licence.

The digital licence, which is encrypted, secure and unforgeable, will give licence holders more options to display and share their licence. Notably licence holders will be able to:

- Have direct access and ownership of their digital licence certificate, including where and how they store it and with whom they share it;
- Easily and securely share their digital licence across online channels like social media, email, websites and text messages; and
- Display their digital licence to members of the public—allowing anyone to validate a PEO licence's authenticity with just one click.

Digital licences will help make the licence holder registration process more efficient by expediting the delivery of licence certificates. Nevertheless, PEO will continue to deliver paper licences in addition to the digital licence, and PEO chapters will still be able to continue presenting a paper licence to those new practitioners who choose to participate in a licence presentation ceremony. Additionally, all existing licence holders will receive a digital version of their licence when they renew their licences.

EMBRACING NEW TECHNOLOGY

PEO's digital licence is being delivered by Accredible, a G2 digital credential management software company with offices in California and the United Kingdom. In addition to PEO, Accredible has 1700 clients in several sectors, including product and professional training, higher education, learning experience platforms, corporate platforms and awarding bodies. Among its clients are Google Cloud, IEEE, Toyota and Johns Hopkins University.

Some of the benefits of Accredible's digital certificates are that they are designed to be shared, including on social media; have the option of automatic expiration and renewal dates; and be verifiable and secure, with

bank-level encryption and blockchain logging. This means the digital certificate cannot be faked and is able to display the licence holder's most up-to-date information.

DIGITAL LICENCES ARE PART OF PEO'S MODERNIZATION

PEO's decision to offer a digital licence comes as it continues its efforts to embrace modern digital technology and is the latest in many digital projects over the past three years, including:

- The adoption of the digital National Professional Practice Exam as part of PEO's licensing process;
- PEO's adoption of the Notarius digital signature, which allows licence holders to digitally seal engineering documents;
- The ongoing Information Discovery and Digitization Capability project, which is converting 21,000 paper licence applications into useable digital information accessible from PEO's licence holder database;
- The transition of *Engineering Dimensions* to an exclusively digital magazine;
- PEO's transition to email-only correspondence with licence holders; and
- The introduction of an online P.Eng. application system, which will eventually entirely phase out PEO's paper- and email-based application processes.

The adoption of a digital licence is not new to engineering regulators in Canada—the engineering and geoscience regulator in Newfoundland and Labrador has already embraced digital licences, and New Brunswick's engineering and geoscience regulator is exploring offering a digital licence.

BITS & PIECES



The Ontario Line is a 15.6-kilometre stand-alone rapid transit line that will connect the Ontario Science Centre to Exhibition/Ontario Place in Toronto, ON. Over half of the route is planned to run underground through new tunnels, with the remainder running along elevated and at-grade rail corridor sections of track. Fifteen stations are proposed, with numerous connections to the broader transit network, including GO Transit rail services, the Toronto Transit Commission's subway Lines 1 and 2, the future Line 5 (Eglinton Crosstown LRT), as well as numerous bus and streetcar routes. Photo: Lord of the Wings

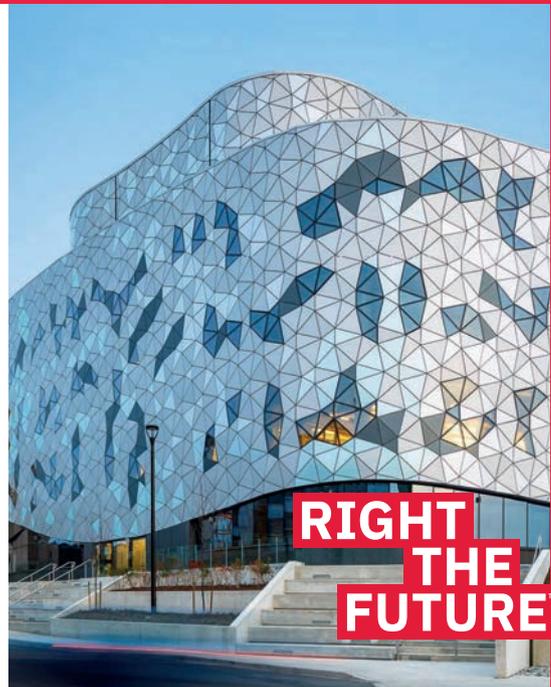
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FAIRNESS COMMISSIONER HIGHLIGHTS IMPORTANCE OF FARPACTA

Ontario's fairness commissioner attended PEO Council's September meeting, where he spoke about the amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act* that affect PEO's licensing process.

By Adam Sidsworth

At Council's September meeting, Ontario's fairness commissioner spoke with councillors about the importance of meeting the new requirements under the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA) that affect PEO's licensing process.

Irwin Glasberg, LLB, addressed councillors' questions about the amendments to FARPACTA, which PEO and other Ontario professional regulators are required to comply with throughout 2023. The FARPACTA amendments, ushered in by the *Working for Workers Act, 2021*, will require PEO to, among other things, remove its 12-month Canadian work experience requirement as part of its licensing process unless it obtains an exemption for public health and safety reasons, make a decision on most applications for licensure from internationally trained candidates within six months of receiving a completed application and have protocols in place for the processing of applications in the event of public emergencies such as another COVID-like lockdown.

During the meeting, Glasberg also praised PEO's 2021 adoption of its Anti-Racism and Equity (ARE) Code as an example of an Ontario regulator taking a lead in its fairness and equality obligations.

"You have a new case management system," noted Glasberg of PEO's new developments. "You developed your diversity and anti-racism code. I feel that you're moving in the right direction, and I encourage you to continue those efforts."

PEO introduced its ARE Code in the spring of 2022 to ensure it is meeting its fairness, human rights and public-interest obligations under the law (see "Council approves Anti-Racism and Equity Code" *Engineering Dimensions*, May/June 2022, p. 60). The code, which consists of eight principles, requires PEO to achieve equity and foster inclusivity in its regulatory functions, embed a human rights culture throughout the organization and functions and create and improve measures to address racism and discrimination complaints.

Glasberg noted that the Office of the Fairness Commissioner is planning an upcoming webinar on equity and diversity, at which it has invited PEO to be a keynote speaker.

HELPING INTERNATIONALLY TRAINED PROFESSIONALS BECOME LICENSED

Glasberg focused his address to Council on contextualizing the recent FARPACTA amendments, noting that migrants to Canada experience silo-based immigration, registration and employment policies where the accountable parties do not sufficiently collaborate to help internationally trained professionals become employed in Canada in their chosen professions. Glasberg commented particularly on the many Ontario regulators that currently have Canadian work experience as part of their licensing requirements.

"The concern is that the data shows internationally trained professionals have difficulty in meeting the requirement because of

Fairness Commissioner Irwin Glasberg, LLB, addressed Council on September 23.
Photo: Irwin Glasberg



employment barriers," Glasberg said. "It's the last mile. And after all the time and energy that immigrants have put into the process, to get cut off at the eleventh hour many would argue is [unfair and a waste of talent]."

Glasberg encourages regulators to develop alternative solutions to Canadian work experience, such as proficiency testing and provisional licensing. But, notably, Glasberg would prefer that the registration process starts before the prospective applicant moves to Canada. "I am very much in favour of the Australian model, where the applicant does a lot of work before they enter Canada," Glasberg said. "We agree it's a tragedy where someone pulls up roots in their home country, comes in perhaps with not the best set of qualifications [that may be lacking] and is confronted with a long list of conditions and courses, and at the end of the day, that person's dreams may not be fulfilled. The ability to have honest conversations with applicants early in the process is very important."

REDUCING PEO'S APPLICATION PROCESSING TIME

With a mandated time limit to make a decision on the majority of applications as of July 2023, PEO will need to amend how it processes applications. PEO's multi-component requirements for licensure include educational and work experience components, along with the passing of the National Professional Practice Exam. Currently, potential applicants for licensure can submit an application even if they have not completed certain components, making it difficult to meet the mandated time for issuing a registration decision.

With stakeholder input, the Regulatory Policy and Legislation Committee is exploring ways to ensure most requirements are satisfied by applicants before a completed application is accepted. Formal policy and regulatory changes will be considered by Council as needed, but many changes are operational under the authority of the CEO/registrar.

ENGINEERING REGULATORS ISSUE JOINT STATEMENT ON RESTRICTED SOFTWARE ENGINEERING TITLES

Canada's 12 provincial and territorial engineering regulators and Engineers Canada issued a joint statement reiterating the importance of protecting title rights for computer and software engineering.

By Adam Sidsworth



In an act of solidarity, the registrars of Canada's 12 engineering regulators have issued a joint statement with Engineers Canada (EC) to remind Canadians that using computer and software engineering and other IT-related titles with the word "engineer" is restricted to those with an engineering licence from at least one of Canada's engineering regulators.

"Use of 'software engineer,' 'computer engineer' and related titles that prefix 'engineer' with IT-related disciplines and practices is prohibited in all provinces and territories in Canada unless the individual is licensed as an engineer by the applicable provincial or territorial engineering regulator," the July 19 joint statement reads, further noting an engineering licence is required for professional software engineering in every Canadian jurisdiction except Quebec—although Quebec still requires an individual to have an engineering licence to have access to software engineering title rights. "Courts have frequently ordered removal of the term 'engineer' from job titles and required corresponding revision of online websites and social media," the statement continues. "In many cases, individuals have also been fined in relation to their misuse of title."

PEO CEO/Registrar Johnny Zuccon, P.Eng., FEC, who co-signed the joint statement, told *Engineering Dimensions*: "We are a society dependent on information technology now more than ever, and PEO needs to be vigilant with respect to illegal use of job titles such as 'computer engineer' and 'software engineer.' We take this joint initiative with the other engineering regulators as an enforcement opportunity to educate tech companies within Ontario while at the same time protecting the 'engineer' title. Our goal is to continue with our outreach efforts to educate our peers in the tech industry on the importance and value of seeking licensure."

The creation of the joint statement was initiated by Engineers Canada, the national engineering organization whose membership is composed of Canada's provincial and territorial engineering regulators. The statement was spurred in part to alleviate misunderstandings: "There is considerable confusion and misuse of title in the IT and high-tech fields," notes Engineers Canada CEO Gerard

McDonald, P.Eng. "It is important to protect title rights for all engineers. Failure to do so leads to confusion in the public as to who is entitled to practise engineering in a particular discipline and what protections there might be for illegal, incompetent or unethical practice."

McDonald adds that staff from all regulators collaborate under Engineers Canada's Software Engineering Collaboration Group to enable a consistent regulatory approach across Canada, and the Canadian Engineering Qualifications Board consulted with the engineering regulators to develop a national paper on the scope and depth of the software engineering discipline.

PEO ACTIVELY PROTECTS TITLE RIGHTS

PEO has long recognized that software engineering lies within the definition of engineering under the *Professional Engineers Act* (PEA), where, since 1999, the field has been recognized as a distinct engineering discipline. It was because of the recommendation of PEO's Engineering Disciplines Task Group in May 1999 that Council recognized that a specialty of engineering exists with an emphasis on software design and that some professional engineers were already practising within the specialty of software engineering (see "The road to software engineering regulation," *Engineering Dimensions*, September/October 2011, p. 34). By September 1999, Council announced that PEO would begin licensing software engineers, and the first three Ontario universities to offer undergraduate degrees in software engineering graduated their first students in 2001. (Those programs were accredited by the Canadian Engineering Accreditation Board the same year.)

By December 1999, Council had issued practice statements on software engineering, including one on computer-assisted design and embedded software, stating that "licensed professional engineers using software in the design process for a device or structure the design of which constitutes the practice of professional engineering must either use software approved by a licensed professional engineer or verify that the software used produced acceptable results." Council further refined the definition in 2008.

PEO considers non-licensed use of "software engineer" or any variant thereof a contravention of the PEA. Specifically, to fall under the practice of professional engineering, software engineering must:

- Be used in a product that already falls within the practice of engineering (such as elevator controls, nuclear reactor controls and medical equipment such as gamma-ray cameras);
- Involve the use of software that poses a risk to life, property or to the public welfare and the environment; and
- Use the design or analysis that requires the application of engineering principles (such as engineering calculations) within the program, meet the requirement of engineering practice (such as a fail-safe system) or require the application of engineering principles in its development.

Further information on licence application requirements for those intending to practise software engineering can be found on PEO's website.

PEO's enforcement team actively investigates potential misuse of engineering title rights, including for "software engineer." To report a possible unlicensed individual or firm misusing engineering title rights or practising engineering in Ontario without a licence or certificate of authorization, please contact PEO's enforcement team at 800-339-3716, ext. 1444 or email them at enforcement@peo.on.ca.

PEO HEARS UPDATE ON LICENSING PROCESS GENDER AUDIT

University of Toronto researchers share preliminary findings of a study exploring potential unconscious gender biases in PEO's licensing process.

By Adam Sidsworth



During PEO's annual 30 by 30 check-in on September 29, regulatory and industry leaders in the 30 by 30 movement were updated on an ongoing study exploring potential unconscious gender biases in PEO's licensing process and internal operations.

The 30 by 30 initiative, led by Engineers Canada, aims to have women represent 30 per cent of newly licensed engineers across the country by 2030. As part of PEO's efforts towards this goal, in June 2021 Council engaged two experts in gender and organizational bias to conduct a gender equality audit of the regulator's licensing process (see In Council, *Engineering Dimensions*, July/August 2021, p. 23).

At the September check-in, Joyce He, PhD, assistant professor of management and organizations at the University of California's Anderson School of Management; and Sonia Kang, PhD, Canada research chair in identity, diversity and inclusion and associate professor of organizational behaviour and human resource management at the

University of Toronto, updated PEO on their preliminary findings after examining more than 100,000 applications for PEO licensure. Their initial findings indicate that although women are as successful as men in the academic and National Professional Practice Exam components for licensure, women are less likely to complete the experience component portion of the licensure process.

"If you look at an overall picture, women are less likely than men to complete the licensure process, especially young women," observed He, who also noted that women applicants with degrees that are not accredited by the Canadian Engineering Accreditation Board are even less likely to complete the application process. With the experience component a potential bottleneck for women applicants for licensure, He and Kang indicated that they may need to interview PEO applicants in depth to further understand the differences between the genders. Final results of the audit will be shared when they become available.

WOMEN ENGINEER NUMBERS SLOW TO GROW

The audit comes at a crucial time in PEO's 30 by 30 work. Although the real numbers and proportion of women licensed have grown since 2018, growth has stagnated. (PEO initially endorsed 30 by 30 in 2017.) The percentage of women applicants applying for PEO licensure has decreased slightly from 19.4 per cent in 2018 to 18.6 per cent in 2021, while the percentage of applicants who are women and successfully obtained their PEO licence increased from 17.8 per cent to 20.7 per cent in the same period. And, notably, the percentage of female engineering interns increased incrementally from 21.5 percent to 22.1 per cent in the same period.

In December 2021, Council stood down its 30 by 30 Task Force, and its related work was subsequently operationalized through a newly created external relations function. The objectives of this new department align with the regulator's overall commitment to facilitate meaningful dialogue with key stakeholders to ensure PEO delivers well-considered and credible regulatory outcomes. Engagement in the 30 by 30 initiative continues through staff- and chapter-led awareness sessions with employers across the province to pro-

mote becoming a 30 by 30 champion. Employers seeking more information on this initiative can contact PEO at engagement@peo.on.ca.

INAUGURAL 30 BY 30 NATIONAL CONFERENCE

At PEO's 30 by 30 check-in, Engineers Canada announced that it will host its inaugural national 30 by 30 conference in Halifax, NS, in the spring of 2023 during its annual spring meetings and meeting of members.

"The decision to have the national conference next year in Halifax on May 24 was made during Engineers Canada's board meetings, which wrapped up today," announced Jeanette Southwood, P.Eng., FEC, Engineers Canada's vice president, corporate affairs and strategic partnerships. "That particular day will be in the midst of our spring meetings, which includes all of our national groups. We want to make sure we have a national perspective as we go into the conference. And that was the feeling of the [Engineers Canada] board and all of the regulator CEOs to bring to our spring meetings, and that will be the intent going forward."

Southwood was joined at PEO's 30 by 30 check-in by Yasemin Tanaçan-Blacklock, Engineers Canada's advisor, equity and belonging, who added that there was a proportionate decrease among licensed woman-identifying engineers across Canada in 2021, particularly among internationally trained engineering applicants. However, some engineering regulators have already reached the 30 per cent threshold of woman-identifying newly licensed engineers—notably the Newfoundland and Labrador engineering and geoscience regulator.

Nationally, engineering in Canada has reached the 20 by 20 mark, with women representing 20.6 per cent of newly licensed engineers in 2020. Engineers Canada remains committed to continuing the 30 by 30 movement, with Tanaçan-Blacklock also calling attention to Engineers Canada's 2022–2024 strategic plan: "It includes a strategic priority for 30 by 30, called 'Accelerate 30 by 30.' It includes new work streams and tactics as we work on 30 by 30."

ENGINEERS CANADA PROTECTS THE TERM "ENGINEERING" IN TRADEMARK CASE

Canada's national engineering organization won a trademark case against a German company seeking to use the word "engineering" in its slogan.

By Adam Sidsworth



Engineers Canada (EC) won a trademark case against a German company seeking to use the word "engineering" in its slogan in Canada. In June, the Trademarks Opposition Board ruled in favour of EC's opposition to an application by Germany-based conglomerate ThyssenKrupp AG, which wanted to register its trademark "Engineering tomorrow. Together." in Canada. The case is an example of the engineering organization's work to preserve and protect engineering terms and titles.

EC took action against the trademark proposed by ThyssenKrupp AG in Canada because the firm engages in many services that likely involve engineering and the work of engineers, even though the company is not registered in any Canadian jurisdiction to provide engineering services and does not employ any Canadian-licensed engineers. According to the company's website, ThyssenKrupp AG operates internationally and produces technology-based solutions for future customer and market requirements. The company has over 100,000 employees in 56 countries and makes products in automotive, construction and infrastructure, energy infrastructure and distribution, aerospace, mechanical and plant engineering and other sectors.

"We oppose trademark applications if we find they may be clearly descriptive, deceptively misdescriptive or nondistinctive—basically if we think the public might be misled in some way," says Evelyn Spence, LLB, general counsel and corporate security for Engineers Canada.

ENGINEERING SLOGAN MISLEADS THE PUBLIC

When EC discovers a trademark application that includes a protected engineering term such as "engineering," "engineer," "professional engineer," "P.Eng.," or their French equivalents, EC will undergo an investigation to find out if the company employs professional engineers or holds a certificate of

authorization to offer engineering services in a jurisdiction in Canada. If the company does not, EC will oppose the trademark, particularly if it finds the public might be misled.

In the case of ThyssenKrupp AG, the Trademarks Opposition Board sided with EC, finding that the word “engineering” was used in the trademark inaccurately, as it could have misled consumers, created confusion and misrepresented the engineering profession and work of engineers, particularly because the company is not registered to provide engineering services in any Canadian jurisdiction, nor does it employ Canadian professional engineers in the delivery of its services.

The Canadian Intellectual Property Office (CIPO), a special operating agency of Innovation, Science and Economic Development Canada, delivers intellectual property services in Canada, including the registration of trademarks, which are defined as a combination of letters, words, sounds or designs that distinguishes one company’s goods or services from those of others in the marketplace. Applications for trademarks are published by the CIPO in its *Trademarks Journal*, which is accessible to the public. Anyone can file a statement of opposition within two months of the initial publication of the registration of a trademark.

ENGINEERS CANADA PROTECTS ENGINEERING TITLES

EC has a team devoted to trademark cases and will regularly peruse the *Trademarks Journal* for trademarks that involve engineering. EC will file a statement of opposition should a trademark applicant not be registered with any provincial or territorial engineering regulator. “If an advertised trademark is close to any of the engineering designations, it will come up in our monthly scans of the *Trademarks Journal*,” notes Spence. “Thereafter, we do an assessment to determine whether the applied-for trademark meets our threshold.”

In cases where an individual applicant holds an engineering licence or a company holds a certificate of authorization or permit to practise in any Canadian jurisdiction, EC will typically enter into a settlement agreement with the applicant. “That agreement generally includes conditions that stipulate that the entity will cancel their trademark registration if they ever cease to be

authorized to provide engineering services in at least one Canadian jurisdiction and that the use of the trademark is limited to those jurisdictions where the entity is authorized to provide engineering services,” Spence explains.

Although Spence recognizes the importance of EC’s work in proactively enforcing trademark protection on behalf of the engineering regulators—EC itself owns over 40 trademarks, official marks and applications and monitors their use—Spence acknowledges the role of the individual regulators. “Our involvement is at the national level, where we try to coordinate and limit the number of trademarks that include an engineering designation and are misleading to the public,” says Spence. “We are well positioned to stop [organizations] from having their trademarks registered, but after that, it is up to the individual regulators, who then have to look to their legislation to prevent individuals and organizations from misusing engineering terms in their own jurisdictions.”

Although EC actively protects trademarks, official marks and applications on behalf of all Canadian engineering regulators, PEO protects title rights in Ontario. PEO’s enforcement team monitors the use of “engineer” or any variant of it by unlicensed individuals or organizations and actively initiates prosecution under PEO’s authority under the *Professional Engineers Act*.

BITS & PIECES



Rubberized asphalt, which was first developed to make road patches last longer, is now appreciated for other benefits, such as noise reduction. The rubber, which comes from shredded scrap tires, creates a porous and flexible road surface that disperses sound instead of reflecting it outwards. It’s also environmentally friendly, as it diverts thousands of tires from landfill for every mile. The pavement also enjoys 50 per cent greater longevity than regular asphalt, and a thinner application accommodates the same volume of traffic, making it more economical, too.

ANSWERING YOUR QUESTIONS ABOUT MANDATORY CPD

PEO's licence holders will soon participate in a mandatory continuing professional development program. We answer some of your biggest questions about your obligations as of January 1, 2023.

By Adam Sidsworth

Starting in January 2023, practitioners holding a P.Eng. or limited licence with PEO will need to participate in a mandatory annual continuing professional development (CPD) program to maintain their licence. All provincial and territorial engineering regulators in Canada have introduced mandatory CPD, which is part of the modern experience of being a licensed professional.

PEO has been working throughout 2022 to transition its current voluntary Practice Evaluation and Knowledge (PEAK) program—which many licence holders are already participating in—to a mandatory program. And while PEO has actively communicated about this transition over the past year, we continue to receive questions about licence holders' obligations, so we thought we would take this opportunity to help you understand what you will be required to do as of the new year.

What is the mandatory PEAK program?

PEAK is a CPD program that will be introduced based on PEO's existing voluntary PEAK program. PEAK was first introduced by PEO in 2017 to help licence holders track how they maintain and improve their engineering knowledge to practise professional engineering in a competent and ethical manner. Starting in January 2023, participation in PEAK will be necessary for all holders of a P.Eng. or limited licence to maintain and renew their licence.

Why is PEAK necessary?

Mandatory CPD has been cited as among the best practices for modern regulators. PEO is moving forward with it based on several external recommendations to implement mandatory CPD for engineers, including the 2014 report of the Elliot Lake Inquiry, which examined a fatal mall roof collapse; a 2019 coroner's inquest into the death of Scott Johnson at the Radiohead temporary stage collapse; and a 2019 external review of PEO's performance as Ontario's engineering regulator, which recommended mandatory CPD that is "proportionate and outcome focused and achievable by licensed engineers."

Section 51.2 of O.Reg 941 of the *Professional Engineers Act*, which stipulates the continuing education and professional development requirements for licence holders, was approved by the provincial cabinet in April 2022 and will take effect on January 1, 2023.

Who will have to complete PEAK?

All holders of a P.Eng. or limited licence—including those with a suspended P.Eng. or limited licence—will need to complete PEAK annually. Note that holders of a provisional licence or temporary licence are exempt from participating in PEAK. Engineering interns are also exempt from the program.

What are the components of PEAK?

PEAK will be composed of three segments: the **Practice Evaluation, Professional Practice Module** and **Continuing Professional Development Report**.

- The **Practice Evaluation** will be mandatory for all program participants. It will be composed of a practice declaration, where licence holders self-declare as either "practising" or "non-practising"; and a practice evaluation questionnaire for practising licence holders or a non-practising survey for non-practising licence holders. This element will be due on January 31 each year.
- The **Professional Practice Module** will be required by all program participants and due on January 31. This element will involve the completion of a self-paced learning module that covers topics including professional practice, engineering ethics and regulatory processes. Modules will also allow practitioners to update their skills and knowledge of other relevant topics such as equity, diversity and inclusion within the engineering profession and engineers' responsibility to the environment.
- The **Continuing Professional Development Report** will be required by practising licence holders and due on December 31. It involves reporting your CPD activities for the year. Each practitioner will be assigned a CPD target of between zero and 30 hours based on a risk-based review of their responses to the practice evaluation questionnaire.

What CPD activities are admissible towards my CPD target?

A CPD activity will be counted towards your CPD hours if it is not a part of your regular work activities and has engineering learning content that:

- Maintains your competency to practise professional engineering;
- Is directly related to your engineering practice area(s); and
- Is sufficiently technical or regulatory in nature.

PEAK will be flexible, meaning that all formats will be considered. You can choose activities that are easily available to you in your preferred learning format and price point—including free activities. Activities can be self-paced or led by an instructor; they can be virtual or in person; or they can be local or in another Canadian or international jurisdiction.

Will PEAK be enforced?

PEO will actively audit and monitor the activities of PEAK participants to ensure they are completing the program correctly. Administrative licence



Mandatory continuing professional development is coming in 2023

PEO's current voluntary PEAK program is transitioning to a mandatory program that will begin in January 2023. The program is designed to help licence holders maintain their professional knowledge, skills and competence as engineers and is in keeping with PEO's regulatory, public protection mandate as set out in the *Professional Engineers Act*.

As of January 2023, all licence holders (both practising and non-practising) must comply with the program. More information can be found at www.peopeak.ca.

suspensions may be applied to those who are not complying with PEAK's requirements. For the first year of the program, PEO will work with licence holders to help them navigate the program. However, PEO will begin to actively audit and apply administrative suspensions beginning in 2024.

Where can I complete PEAK?

Starting in January 2023, PEAK elements can be conveniently completed through the online [PEO portal](#). As a licence holder, you should already have an account on the PEO portal, where you also pay your annual fees and update your personal and professional information. If you don't have an account, creating one is easy. The PEO portal will allow you to access and complete PEAK anytime, and it offers real-time tracking of your progress and updates your completion status.

How is PEO communicating PEAK to me?

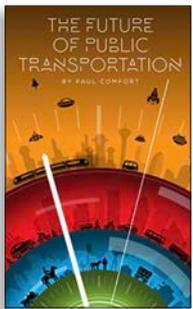
PEO is now sending all regulatory information to licence holders via email. However, the latest information about PEAK is also available on www.peopeak.ca.

Additionally, PEO conducted information sessions for licence holders, chapters and engineering employers throughout 2022 and will continue these information sessions in 2023. PEO will continue to assess PEAK during its first year and develop new guidance and support programs for licence holders as needed.

More questions? Contact the PEAK program team by email at peoPEAK@peo.on.ca. [e](#)

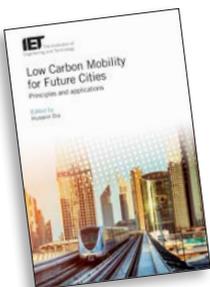
READ

The 2021–2026 World Outlook for Hydrogen Fuel Cells, by Philip M. Parker PhD, 2020: A study that covers the world outlook for hydrogen fuel cells across more than 190 countries, including comparative benchmarks such as estimates for latent demand, and the per cent share by country



The Future of Public Transportation, by Paul Comfort, 2020: An examination of the transformations coming this decade for cities and the public transportation systems that serve them, such as autonomous vehicles on regular bus routes

Low Carbon Mobility for Future Cities: Principles and applications, by Hussein Dia, PhD, CPeng (Australia), 2017: A look at how urban transport energy efficiency and environmental sustainability continue to present challenges for city leaders and policy think tanks, with urban transport energy consumption expected to double to meet demand in the world's future cities



The following events may have an in-person and/or online component. See individual websites for details.

ATTEND

NOVEMBER 25–27
International Signal Processing, Communications and Engineering Management Conference, Montreal, QC

NOVEMBER 26
International Conference on Electrical and Control Engineering, Toronto, ON

NOVEMBER 26
International Conference on Electrical, Electronics, Communication & Robotics Engineering, Toronto, ON

NOVEMBER 27–28
International Conference on Recent Advances in Medical Science, Ottawa, ON

NOVEMBER 29–30
International Conference on Civil and Environmental Engineering, Montreal, QC

NOVEMBER 29–DECEMBER 9
QCon (online only)

DECEMBER 19–21
International Conference on Science, Engineering and Technology, Toronto, ON

DECEMBER 20
International Conference on Automation Science and Engineering, Montreal, QC

DECEMBER 26
International Conference on Electronics Circuits and Systems, Toronto, ON

LISTEN

Transit Unplugged

A podcast with the inside scoop on the latest public transit news stories and the challenges and successes of top transit professionals from around the world

METROspectives

A podcast that discusses the latest topics impacting mobility, public transportation, the private motor-coach industry and more



Diverging Clear Podcast

A platform to discuss issues and policies surrounding transportation systems and the infrastructure needed to sustain them

Women Who Move Nations—The Public Transport Podcast

A podcast series featuring interviews with women public transport executives from around the world and their insights on issues impacting mobility today

WATCH

Everything About Toronto's MASSIVE Transit Transformation

A Toronto transportation planner outlines current major transportation projects underway in the city.

Hydrogen: Fuel of the future?

Hailed as a fuel of the future, hydrogen is clean, flexible and energy efficient—but it does not come without challenges.

The Future of Transportation

A look at the future of transportation, from autonomous vehicles to artificial intelligence



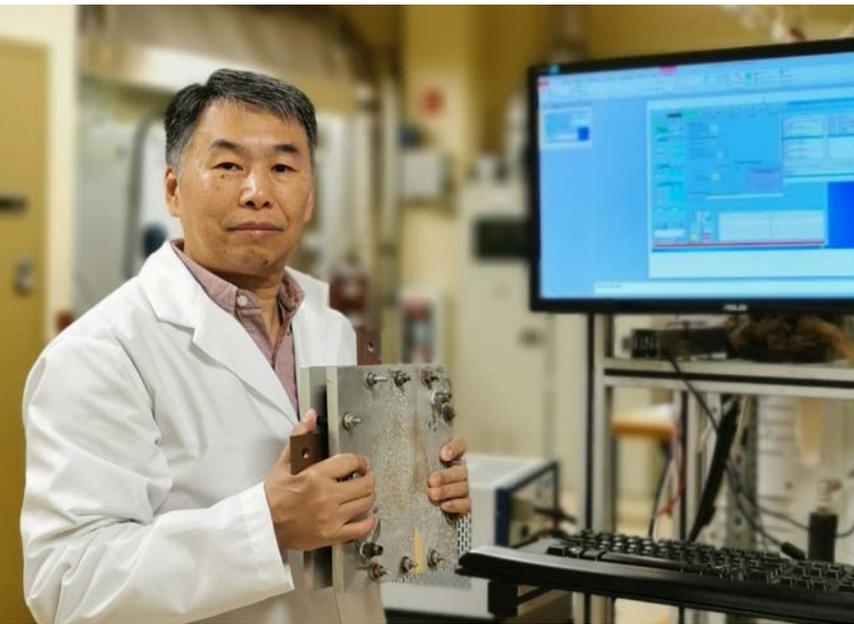
GREENER FUEL

The promise of hydrogen



Meeting climate targets will require transformative changes in the transport sector, and hydrogen fuel cells could play a significant role. In fact, hydrogen technologies figure prominently in Canada's net-zero goal and are set to be put to the test, starting with the City of Mississauga's public transit system, MiWay.

BY MARIKABIGONGIARI



Xianguo Li, PhD, P.Eng., works in the Fuel Cell and Green Energy Lab at the University of Waterloo. He's been emersed in fuel-cell research for more than two decades.
Photo: University of Waterloo

Hydrogen is the most abundant element in the universe and using it as fuel creates zero emissions. So, why hasn't hydrogen taken off as a green energy source? Despite representing approximately 75 per cent of the universe's mass, hydrogen rarely exists on Earth in its elemental form. Pure hydrogen must be produced from hydrogen compounds, such as water, and it is an energy-intensive process powered largely by fossil fuels or electricity. The only way to make green hydrogen is to produce it using sustainable energy, which presents challenges.

And yet hydrogen fuel cells offer clear advantages over electric batteries, particularly for long-haul transport like aviation. However, governments around the world—increasingly motivated to embrace greener energy alternatives to combat climate change—are putting strategies in place to support research and development aimed at making hydrogen production more cost-effective and efficient, as well as improving the vehicles and processes that use hydrogen. Canada, a world leader in hydrogen production, is putting a targeted effort into this, particularly in the transport sector with programs like MiWay's trial of hydrogen fuel cell electric buses (FCEBs)—electric vehicles that use compressed hydrogen as a fuel source.

WHY GREEN ENERGY MATTERS

The need for green fuel alternatives has never been greater. According to a recent report by the Intergovernmental Panel on Climate Change (IPCC), between 2010 and 2019, average annual global greenhouse gas (GHG) emissions were at their highest levels in human history. In 2019, direct GHG emissions from the transport sector accounted for 23 per cent of global energy-related CO₂ emissions, of which 70 per cent came from road vehicles. Although the rate of emissions growth has slowed—evidence that climate action is making a positive impact—the IPCC warns that without immediate and deep emissions reductions across all sectors, limiting global warming to 1.5 C above pre-industrial levels to avoid the worst climate impacts will be beyond reach.

The IPCC says change must involve a substantial reduction in fossil fuel use; widespread electrification; improved energy efficiency; and the use of alternative fuels, such as hydrogen. Major initiatives in areas such as the Europe Union (EU) and Canada, which are aiming for net zero by 2050, could see hydrogen play a pivotal role in the transport sector's mitigation efforts—particularly in the aviation and public transit sectors.

THE HYDROGEN FUEL CELL ADVANTAGE

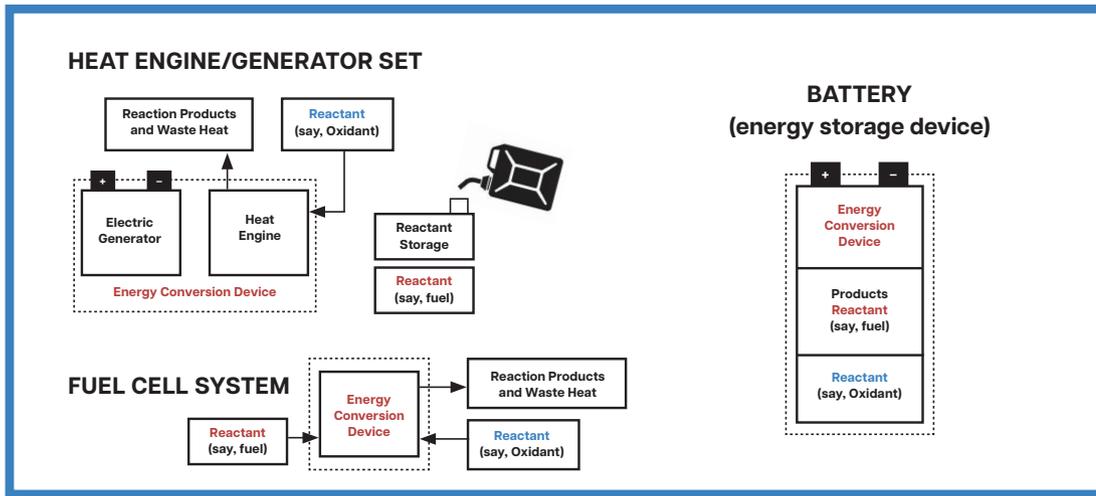
Xianguo Li, PhD, P.Eng., has been emersed in fuel cell research for over two decades. Li is a mechanical and mechatronics engineering professor at the University of Waterloo and director of the Fuel Cell and Green Energy Lab, where he's working on a four-year, \$1.9 million project to develop low-cost, durable hydrogen fuel cells to power vehicles. "We are working with major industry partners to develop fuel cell technology for a variety of applications, including automotive and aviation applications," explains Li, much of whose work is kept confidential to protect trade secrets.

A fuel cell is a device that converts chemical energy into electric energy. During a series of chemical reactions, hydrogen is split into protons and a current of electrons and then combined with oxygen to produce water. The electrons form the electric current, which powers the batteries and ultimately the vehicle. While both hydrogen fuel cell and electric battery technologies enjoy clean emissions, Li points out the myriad advantages fuel cells have over electric for applications in the transport sector, and a bonus, of sorts: "For hydrogen fuel cells, the only emission is pure water—cleaner than the tap water in Ontario homes—and can be collected for drinking purposes," observes Li.

And as far as driving range is concerned, fuel cells have electric batteries beat. In fact, in 2021, the Toyota Mirai officially set the Guinness World Records title for the longest distance by a hydrogen fuel cell electric vehicle without refueling, travelling 1,360 kilometres on a single fill of hydrogen during a roundtrip tour of southern California. This is particularly significant for long-haul travel. Additionally, the waste heat from the fuel cell reaction can be utilized for heating and cooling purposes. "In contrast, battery electric cars have difficulty heating and cooling—which substantially reduces driving range because of the limited energy in the battery," explains Li. And while fuel cells perform well in both cold and hot temperatures—of particular interest in an all-season climate like Ontario—batteries operate within a narrow temperature range and struggle to hold a charge in cold weather.

FUEL CELLS FOR THE LONG HAUL

Given the suitability of hydrogen fuel cells for long distance compared to their battery-operated cousins, Li highlights the importance of the technology for



A comparison of battery electric vehicles and hydrogen fuel cell electric vehicles
Photo: University of Waterloo

sustainable aviation. In the EU, the development of hydrogen-fuel-cell-powered commercial airplanes has begun. “Carbon dioxide, nitrogen oxide, soot particulates, water vapor, etc., from combustion jet engines are emitted at high altitude,” explains Li. “Their total combined effect on global climate change is two to four times greater than the impact from carbon dioxide emissions alone at ground level.”

Indeed, the EU claims that if the global aviation industry was a country, it would rank in the top 10 emitters. To mitigate this problem, the European Green Deal aims for net carbon neutrality for the aviation sector by 2050. “The transportation sector has been the hardest to decarbonize; and aviation is the hardest of the hardest,” observes Li. “If the EU’s program succeeds, it will change the aviation industry significantly.”

ARE FUEL CELLS SAFE?

It may surprise some to hear that hydrogen fuel cell vehicles enjoy safe operation, Hindenburg references aside. Although hydrogen gas is highly flammable, it’s also very light, and any amount that escapes would immediately travel high up in the atmosphere. Additionally, a fuel cell is not provided hydrogen and air (reactant) if the vehicle is not being driven—similar to how a combustion engine operates. “By comparison, a battery is a safety hazard and fire risk, because both reactants are always present with the energy conversion device, and electric energy along with waste heat is always produced, even when the car is not being driven,” explains Li. If waste heat accumulates inside the battery, it can lead to thermal runaway, fire or even explosion.

A fuel-cell-powered car carries two items onboard—fuel and fuel cell—while the other two items of reaction, oxidant (air) and reaction product, are not stored onboard. Instead, they are taken from the ambient atmosphere directly. This gives fuel cells high energy and power density, with sufficient driving range and energy available (such as waste heat) for heating and cooling purposes to boot. Contrarily, a battery electric car carries four items onboard: two reactants, the energy conversion device and the reaction product. As a result, batteries are bulkier and heavier, which limits driving range. The range of battery-operated vehicles is also compromised because of its sensitivity to temperature. “Battery optimal operation temperature is in the range of 25 C to 30 C—well, 20 C to 35C if we want to stretch a bit,” says Li, “beyond which, battery capacity reduces substantially while degradation accelerates and reduces the battery operational lifetime significantly.”

NEW TECHNOLOGY COMES WITH CHALLENGES

The advantages of hydrogen fuel cells are clear, but there are also barriers preventing the technology from going mainstream. Li points to several, including the need for further R&D to improve the technology’s performance and lifetime; to adapt the entire manufacturing chain for the raw materials, parts, devices and system integration; for skilled technical personnel for manufacturing,

maintenance and repair; and for necessary infrastructure, including hydrogen refuelling stations, safety standards and code enforcement and certification.

Price is another barrier. Although Toyota makes a reasonably priced hydrogen fuel cell car—the second-generation Mirai, introduced in 2022, has a starting MSRP of \$54,990—Li notes consumer demand is for affordable cars that have higher performance, a longer operational lifespan and convenient refuelling and maintenance. “General consumers need easy and inexpensive operation and maintenance, such as having many hydrogen refuelling stations nearby and car garages with skilled technicians in the vicinity for maintenance and repair needs,” explains Li. Currently, in Canada, just two provinces—Quebec and British Columbia—have hydrogen refuelling stations in place to serve vehicles, and only a handful of car makers offer hydrogen-fuelled vehicles. And without policy instruments, such as subsidies, he explains, new technology takes time to expand in the marketplace.

MIWAY PUTS HYDROGEN TO THE TEST

With Canada’s own net-zero aspirations, the Canadian and Ontario governments have developed strategies that showcase the expectation that hydrogen will play a key role alongside electrification in the transition to zero-emissions light-duty vehicles—all while creating jobs, growing the economy and protecting the environment. Canada is also expected to be a major exporter of hydrogen and hydrogen technologies. In the meantime, hydrogen fuel cells are being put to the test, including a unique hydrogen-fuel-cell-powered bus trial in Mississauga, ON.

Transit accounts for approximately 70 per cent of Mississauga’s GHG emissions, and the City of Mississauga Climate Change Action Plan aims to reduce GHG emissions by 80 per cent by 2050. That means the city needs a viable plan to replace approximately 475 diesel buses with zero-emissions buses. To find alternatives, MiWay—Ontario’s third largest municipal public transit system—is taking part in the Pan-Canadian Hydrogen Fuel Cell Electric Bus Demonstration and Integration Trial, Canada’s first FCEB project.

It’s a multi-year initiative that will deploy Canadian-developed hydrogen technology across the transit value



MiWay will soon be trialling 10 New Flyer Xcelsior CHARGE FC hydrogen fuel cell buses as part of the city's transit emissions reduction efforts. Photo: NFI Group Inc

In 2021, the Toyota Mirai set the Guinness World Records title for the longest distance by a hydrogen fuel cell electric vehicle without refuelling, achieving an unprecedented 1,360 km driven on one complete fill of hydrogen. Photo: Toyota Canada

chain. Although initial discussions and the inception of the hydrogen FCEB program began in 2017, the following year saw the cancellation of Ontario's cap and trade program, the main funding source for the project. This stalled it until 2020, when it was revived with the help of the project partners, and the city hopes to secure funding by the end of 2022. Once funding is secured, the implementation phase of bus purchasing and installation of fuelling infrastructure will commence.

Ten 40-foot hydrogen FCEBs made by New Flyer are expected to be deployed. "Hydrogen FCEBs can reduce emissions by up to 90 per cent compared to existing diesel buses," observes Darren Ridings, MiWay's senior manager, transit vehicle maintenance. "This would be the first set of FCEBs in Ontario, a first-of-its-kind demonstration that will facilitate the reduction of GHGs through the adoption of innovative FCEB technology, demonstrate its feasibility in Ontario and integrate the use of hydrogen in the transit and local energy system."

The hydrogen FCEB concept appears more beneficial than the battery-electric bus (BEB) alternative for several reasons, beginning with energy needs. MiWay doesn't have the energy requirements or space for additional infrastructure for BEBs in place at its garages, meaning depot charging would be a challenge. "We would need to install substations to augment additional energy requirements," explains Ridings. Range anxiety is another concern, and according to testing performed by the Altoona Bus Research and Testing Center, FCEBs demonstrated a performance range of 322 to 504 kilometres for various duty cycles—a significantly higher range than most of the currently available BEBs.

Fuelling strategy is also an issue, another area where FCEBs shine: The refuelling process of FCEBs takes six to 10 minutes, and their fuelling infrastructure is somewhat like that of compressed natural gas and diesel. "The longer ranges and shorter refuelling times make FCEBs attractive," adds Ridings. However, although FCEBs enjoy a wide operating range across temperatures of -30 C to +50 C, MiWay understands they will need to be plugged in to avoid fuel cell stacks freezing during the colder months.

The program's performance will be evaluated using a variety of methods. For example, MiWay will gather data analytics through telematics and data loggers installed on each bus. "This will capture hundreds of different data



signals from the buses, including, but not limited to, low and high voltage accessories, power train, electric heating and energy consumption," observes Ridings. MiWay will retain the Canadian Urban Transit Research & Innovation Consortium (CUTRIC) for the first few years of the project to lead the empirical analysis and program management. They also plan to share the information and data gathered via channels that include CUTRIC, Ontario Public Transit Association, Canadian Urban Transit Association and directly with neighbouring transit agencies considering implementing the technology within their own fleets or to use as a benchmark to understand the viability of competing zero-emission technologies.

If all goes well, the wider transportation sector will witness the experience of handling FCEBs in a cold climate. MiWay is confident the technology will perform as intended and plans to use it long-term if it performs well. "We also know deploying a 10-bus trial will provide valuable lessons learned along the way," says Ridings. **e**



Using hydrogen as a fuel source is not a new idea. The invention of the first fuel cell in the mid-19th century is largely attributed to Welsh scientist Sir William Grove. Knowing water could be split into hydrogen and oxygen via electrolysis—by sending an electric current through it—Grove correctly hypothesized that by reversing the procedure, electricity and water could be produced.

SUMMARY OF DECISION AND REASONS

In the matter of a hearing under the *Professional Engineers Act*, R.S.O. 1990, c. P.28, and in the matter of a complaint regarding the conduct of LI HANG WANG, P.ENG., a member of the Association of Professional Engineers of Ontario, and LHW ENGINEERING LTD, a holder of a certificate of authorization.

The panel of the Discipline Committee met to hear this matter on September 20, 2022, by means of an online video conference platform that was open to observers from the public. All participants in the proceedings attended via videoconference, including counsel for the Association of Professional Engineers of Ontario (the association or PEO); Mr. Li Hang Wang, P.Eng. (the member or Wang); and legal counsel for the member and LHW Engineering Ltd. (LHW or the holder).

The parties provided the panel with an Agreed Statement of Facts signed by Wang and LHW on September 13, 2022, and by the association on September 14, 2022. The Agreed Statement of Facts was provided as follows, with references to schedules omitted:

1. Wang is a professional engineer licensed pursuant to the *Professional Engineers Act* (the act).
2. LHW is the holder of a certificate of authorization under the act. Wang is the principal of LHW, and is the person designated under section 47 of Regulation 941 under the act as assuming responsibility for the professional engineering services provided by LHW.
3. The complainant, Wenqing (Hanna) Wei, and her husband own a house in Markham. On or around September 3, 2015, the complainant contracted with LH Solar Inc. (LH Solar) for the lease and installation of solar panels on the roof of her house. LH Solar subcontracted with Polaron Solartech Corporation (Polaron) for the panels' supply and installation.
4. On October 6, 2015, a Polaron representative conducted a pre-installation inspection of the complainant's house, taking measurements and photos and completing two Polaron forms setting out details of the roof structure (the Pre-Installation Visit).
5. Polaron verbally retained LHW to "conduct an assessment of the roof structure...to confirm if the roof can accommodate the additional weight of the solar panels, and to review and approve a plan of the roof showing the solar panel locations."
6. On or around October 14, 2015, Polaron provided the forms and photos from the Pre-Installation Visit to LHW, along with a drawing indicating roof dimensions, a roof pitch of 3/12, truss locations and the planned location of solar panels (the S-1 Drawing). Wang returned the S-1 Drawing to Polaron, unsealed, and Polaron prepared two further drawings with added details and differing roof dimensions and pitch (the S-2 and I-2 Drawings).
7. Without visiting the complainant's house and in sole reliance on information provided by Polaron, Wang sealed the S-2 and I-2 Drawings on October 16, 2015 [...]. The S-2 Drawing was deficient for several reasons, including that it:
 - a. Lacked material data and specifications; and
 - b. Did not identify the applicable design and construction codes.
8. Despite having previously declined to seal the S-1 Drawing, Wang sealed the S-1 Drawing on December 30, 2015 [...]. Wang sealed the S-1 Drawing based on the address of the property without checking the Drawing. The S-1 Drawing was deficient for several reasons, including that it:
 - a. Lacked material data and specifications;
 - b. Did not identify the applicable design and construction codes;
 - c. Did not comply with the requirements of the Ontario Building Code;
 - d. Identified an incorrect roof slope;
 - e. Failed to identify critical framing elements; and
 - f. Provided incorrect roof dimensions.
9. Following concerns of the complainant that the solar panel installation was causing her house to shift, LH Solar retained LHW to inspect and report on the house. Wang visited the house and accessed the attic but did not climb into the attic to inspect it in detail. On the basis of this partial inspection only, on March 21, 2019, Wang signed and sealed a report concluding that any cracks in the dry-wall of the house "are not caused by the installation of roof top solar panels" (the March 2019 LHW Report) [...].

10. Following further concerns of the complainant, Polaron asked LHW to evaluate “the existing roof structure.” On the basis of measurements and photos taken during the March 2019 visit, but without having climbed into the attic to inspect the roof structure or attic in detail, Wang signed and sealed a report on July 23, 2019 (the July 2019 LHW Report) [...]. The July 2019 LHW Report asserted that:
- “the existing roof structure is structurally adequate to support the loads from the roof system, including the roof top solar panel system and snow load, and satisfying the requirements of OBC 2012.”
11. On or around October 17, 2019, LH Solar removed the solar panels from the complainant’s roof.
12. PEO retained Will Teran, P.Eng., of Tacoma Engineers, to review the Drawings and the LHW Reports. He provided an Independent Review Report (the November Expert Report) dated November 18, 2021, [...] which concluded, among other things:
- “In our opinion, the work completed by Wang and LHW does reflect a public safety concern. The initial drawing issued was clearly deficient, the first report issued presented structural conclusions without sufficient data nor analysis, and the second report issued indicated a lack of adequate knowledge in application of codes, standards and a deficiency in structural analysis. If this project is representative of a pattern of behaviour, there is a significant public safety impact.”
13. Following comments made by Wang in response to the November Expert Report, Mr. Teron provided a further report dated January 31, 2022 (the January Expert Report) [...]. The January Expert Report replied to Wang’s comments and maintained the conclusions set out in the November Expert Report.
14. For the purposes of this proceeding, the respondents accept as correct the findings, opinions and conclusions contained in the November and January Expert Reports. The respondents admit that they failed to make reasonable provision for the safeguarding of life, health or property, and that they failed to maintain the standards that a reasonable and prudent practitioner would maintain in the circumstances. The respondents further admit that they failed to make reasonable provision for complying with applicable codes, and that they signed and sealed a drawing not prepared or checked by them.
15. By reason of the aforesaid, the parties agree that the respondents, Wang and LHW, are guilty of professional misconduct as follows:
- Negligence, amounting to professional misconduct as defined by sections 72(1) and 72(2)(a) of Regulation 941;
 - Failure to make reasonable provision for the safeguarding of life, health or property of a person who may be affected by the work for which the practitioner is responsible, amounting to professional misconduct as defined by section 72(2)(b) of Regulation 941;
 - Failure to make responsible provision for complying with applicable codes in connection with work being undertaken by the practitioner, amounting to professional misconduct as defined by section 72(2)(d) of Regulation 941;
 - Signing or sealing a final drawing not prepared or checked by the practitioner, amounting to professional misconduct as defined by section 72(2)(e) of Regulation 941; and
 - Conduct relevant to the practice of professional engineering that would reasonably be regarded as unprofessional, amounting to professional misconduct as defined by section 72(2)(j) of Regulation 941.
- The parties provided a Joint Submission on Penalty. The Joint Submission as to Penalty and Costs provided, in part, as follows:
- That PEO, Wang and LHW make the following Joint Submission as to Penalty and Costs:
- Pursuant to s. 28(4)(1) of the act, Wang and LHW shall be reprimanded, and the fact of the reprimand shall be recorded on the register permanently;
 - Pursuant to s. 28(4)(b) of the act, Wang’s licence and LHW’s certificate of authorization shall be suspended for a period of three (3) weeks, commencing on a date to be agreed, such date to be no later than three (3) weeks after the date of the Discipline Committee’s decision;
 - Pursuant to s. 28(4)(i) and 28(5) of the act, the finding and order of the Discipline Committee shall be published in summary form in PEO’s official publication, with reference to names;
 - Pursuant to s. 28(4)(d) of the act, there shall be a term, condition and restriction on Wang’s licence requiring him to successfully complete both:
 - The “House Syllabus 2012” examination established by the Ministry of Municipal Affairs and Housing, and

- (ii) The National Professional Practice Examination (the examinations), no later than twelve (12) months after the date (the date) that the Discipline Committee pronounces its decision;
- e. Pursuant to s. 28(4)(e) and (k) of the act, a restriction shall be imposed upon Wang's licence prohibiting him from practising professional engineering except under the direct supervision of another professional engineer who shall take professional responsibility for Wang's professional engineering work by affixing his or her signature and seal on every final drawing, report or other document prepared by Wang, which restriction shall be suspended for a period of twelve (12) months from the date. If Wang successfully completes the examinations at any time before or after the 12-month period referred to above, this restriction shall be suspended indefinitely; and
- f. There shall be no order as to costs.

DECISION

The panel considered the guilty plea and an Agreed Statement of Facts and carefully considered the Joint Submission on Penalty and Costs. It is a well-established principle of law that a disciplinary panel should not interfere with a Joint Submission on Penalty except where the panel is of the view that to accept the joint submission would bring the administration of the disciplinary process into disrepute or otherwise be contrary to the public interest (see, e.g., *Bradley v. Ontario College of Teachers*, 2021 ONSC 2303).

The panel is satisfied that the penalty protects the public and serves the principles of general and specific deterrence, rehabilitation and maintenance of the public's confidence in the profession.

Delivering a reprimand and publishing the panel's findings with reference to names deters the member and holder from reoffending and provides general deterrence to the profession as a whole from engaging in similar conduct. These outcomes serve as strong condemnation of the member's and holder's actions and provide the member and holder with a clear statement on how they failed to meet their professional obligations and the consequences of professional misconduct. The imposition of a suspension on the member's licence and LHW's certificate of authorization serves to reinforce this message and provides an added measure of specific deterrence.

The panel notes that the member's co-operation with the association through the Agreed Statement of Facts and Joint Submission on Penalty demonstrates that he has accepted responsibility for his actions and has avoided unnecessary expense to the association for a contested hearing. The panel considers this evidence of the member's insight and his steps

towards rehabilitation, which will be supplemented by the requirement that he complete the two specified examinations. These examinations will provide an opportunity for the member to upgrade his skills and to demonstrate that his practice aligns with the standards of the profession.

Further, the requirement that the member practice under supervision in the event that he fails to successfully complete the examinations within the required timeframe ensures that the public is protected. This serves to uphold the public's confidence in the profession and its ability to regulate the practice of engineering in the public interest.

For all of the above reasons, the panel accepted the Joint Submission as to Penalty and Costs. Counsel for the parties confirmed that they waived their right of appeal from the panel's order, and the panel delivered the reprimand immediately following the conclusion of the hearing.

Eric Bruce, P.Eng., signed this Decision and Reasons for the decision as chair of this discipline panel and on behalf of the members of the discipline panel: Paul Ballantyne, P.Eng., and Tommy Sin, P.Eng.

ARE YOU A CERTIFICATE OF AUTHORIZATION HOLDER? DON'T FORGET TO RENEW.

Enforcement action could happen if a practitioner or entity offers engineering services to the public with a certificate of authorization that has lapsed.

By Ashley Gismondi and Steven Haddock

Earlier this year, PEO made the decision to transition to mandatory email correspondence, which came into effect on April 30, 2022. Just like updating a mailing address, the onus is on licence holders to keep their contact information up to date in PEO's online portal. It is worth noting what this means for certificate of authorization (C of A) holders and their responsibilities in the context of enforcement—which is action PEO takes against individuals or entities who practise engineering without a licence or offer or provide engineering services without holding a C of A.

What is a C of A?

A C of A is a certificate issued by PEO to allow individuals and business entities to offer and provide professional engineering services to the public. This is distinct from a licence issued to individuals to practise professional engineering. In Ontario, professional engineers who provide engineering services directly to the public must have a C of A.

“The public” is anyone other than the professional engineer or the professional engineer's employer. Therefore, a professional engineer is providing engineering services to the public when the work is done for the benefit of an individual, corporation, government or other entity that is not the engineer's employer.

How does PEO enforce the use of the C of A?

Even if you are a licence holder, operating without a C of A becomes an enforcement matter because it involves an unlicensed entity.

According to Enforcement and Advisory Officer Steven Haddock, PEO has seen several unintended cancelled Cs of A per month, both before and after the switch to email-only renewal notifications. Thankfully, our C of A holders are easier to track and get in touch with because corporations have names, websites and directory listings. Haddock says PEO's enforcement team will typically write to the company if they have an active website that mentions engineering or has the PEO logo, asking to change it, take it down or comply by applying for or reinstating the C of A, if applicable.

The enforcement team will also write to the company if a Google search reveals that there are many directory listings all over the internet. Additionally, PEO maintains a policy of contacting corporations about the use of “engineer” or “engineering” in their name after their C of A is cancelled.

Routinely, when PEO's enforcement team grants consent letters to professional engineers who wish to use “engineer” or “engineering” in the name, the team generally asks them to provide an acknowledgement to obtain and maintain a C of A as long as the business or corporation name is being used. Not all C of A holders make the decision to use these protected titles in their name.

Sandra Bartholomeusz is a C of A representative from PEO's licensing and registration department. Over her tenure at PEO, she has heard her share of excuses for why people failed to renew their C of A, including that they did not receive the renewal notification email, they did not know they had to renew the C of A, and PEO did not call to inform them that the C of A was not renewed.

What does the *Professional Engineers Act* say?

Section 12(2) of the *Professional Engineers Act* says that no person shall provide professional engineering services to the public without a C of A. Section 72(2)(g) of the regulation defines “professional misconduct” to mean a breach of the act.

In addition to section 12, if you operate without a C of A, you are contravening the act under section 40(3), which states:

- Every person who is not acting under and in accordance with a certificate of authorization and who,
- (a) Uses a term, title or description that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering; or
 - (b) Uses a seal that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering

Enforcement matters that are ultimately heard by a court can result in fines of up to \$25,000 for a first offence and up

to \$50,000 for any subsequent offence. In addition, a complaint may be pursued through PEO's discipline process against licensed members who operate without a C of A (see section 72(g) of Regulation 941).

What happens when a C of A is closed for non-payment?

Essentially, a few things can happen. First, the C of A holder would wind up paying more fees.

A C of A that has expired for non-payment is more expensive to bring back into good standing. The initial application fee for a C of A is \$904 (application \$452 + annual fee \$452, inclusive of taxes). Upon approval, the C of A is renewable annually for \$452. It is economically better to renew than to have the C of A cancelled and get an entirely new one.

Second, any time a C of A is cancelled voluntarily or for lack of payment, and the corporate name contains "engineer" or "engineering" and the corporation is located in Ontario, the corporation is contacted to either provide an undertaking not to carry out business activities without a C of A, change its name or dissolve the corporation, or come into compliance. If an undertaking is not entered into, the matter is referred to the Ministry of Public and Business Services Delivery, which now administers corporate registration.

Finally, in a worst-case scenario, by ignoring any notifications from PEO you could wind up with a matter before the Complaints Committee and/or Discipline Committee, depending on whether the Complaints Committee decides to refer the matter to discipline.

This is what happened in a recent discipline case that eventually reached the court. In the discipline matter, the engineer admitted that his own company did not have a C of A when it provided professional engineering services regarding the complaint in question. The evidence established that the corporation did not receive its C of A until after the events in question. The panel at the original hearing dismissed this allegation on the basis that there was no intention to practise without a certificate.

In *The Association of Professional Engineers of Ontario v. Rew, 2020 ONSC 6018 (CanLII)*, on PEO's appeal of the panel's decision to the Divisional Court, the court ruled that the discipline panel erred in law by dismissing the allegation relating to the

lack of a C of A. The court opined that the proof of the prohibited act on a balance of probabilities was all that was required; intention is not relevant.

Think of your C of A renewal as you would other routine household bills—property taxes, phone, internet, hydro, etc.—that usually involve a mailed or emailed notice. An absence of receiving a bill does not mean you do not need to pay the bill on time. There are consequences, such as late fees or other penalties, for not paying these items. It is your responsibility to ensure you are on top of these fees. These bills come in regularly and can be checked online or by phone.

At PEO, cancellations for late renewal of Cs of A are now automatic after 61 days. PEO sends email notifications to inform of the upcoming renewal 60 days in advance, and then of late renewal one day after expiry, followed by a cancellation notice if renewal payment hasn't been received. The bottom line is that it is the responsibility of the licence holder to remember to renew their licence and C of A, regardless of whether a reminder correspondence was received, or else you risk the potential regulatory consequences that follow.

For more information about applying for and renewing a C of A, see PEO's website.

Ashley Gismondi is PEO's enforcement and outreach officer, and Steven Haddock is PEO's enforcement and advisory officer.



SAFETY FIRST

ENGINEERING
MASS TRANSIT



Engineers are at the forefront of new and ongoing mass transit initiatives across Ontario. We explore the professional and ethical obligations of engineers to maintain safety in public transit.

BY ADAM SIDSWORTH

ONTARIO IS CURRENTLY UNDERGOING

a plethora of mass transit projects. As the province's largest city, Toronto has its fair share: Think the Eglinton Crosstown, the partially underground light rapid transit (LRT) under construction in Toronto's midtown since 2011. Although the project has had many delays, work is already underway to extend the line westward, almost to the airport. Further east, construction of the Ontario line, designed to relieve congestion on parts of the subway's older downtown segments, is in its early stages; and Scarborough is getting an extension of the subway's Line 2.

In Waterloo Region, the ION opened in 2019, an LRT service that connects the cities of Waterloo and Kitchener, and a proposed extension will connect nearby Cambridge. Mississauga will soon get its Hazel McCallion Line, an LRT line that will connect Mississauga's Port Credit neighbourhood on Lake Ontario to its northern border with Brampton along Hurontario Street. But perhaps most infamous is the City of Ottawa's O-Train Line 1, a 12.5-kilometre east-to-west LRT that connects, among other things, the city's VIA train station, University of Ottawa, ByWard Market and Parliament Hill. A second O-Train line runs north to south and services Carleton University and is undergoing refurbishment as the city electrifies the line.

Any large-scale transit project like these employ engineers, and as a regulated profession that seeks to protect the public interest, what is their role in ensuring such projects are delivered safely, on time and within budget? Consider the professional conduct of engineers while engaging in their work. PEO has many practice guidelines that address engineers' role in protecting the public's safety. "It is interesting to note that engineering is the only profession where the primary responsibility is to the third party, the 'public,'" notes PEO's *Professional Engineering Practice* guideline. "Ultimately, this overriding consideration sub-ordinates an engineer's obligations to a client or employer. Practitioners are also expected to demonstrate behaviour that will encourage clients, employers and the public to trust the practitioners' discretion and judgment."

And then there is PEO's Code of Ethics. Notably, the code states "a practitioner shall regard the practitioner's duty to the public welfare as paramount." But how should engineers conduct themselves in projects where people in leadership positions, particularly those without engineering expertise or an engineering licence, make decisions that go against public safety or the public interest?

A DISASTROUS RUSH TO OPEN AN LRT IN OTTAWA

Take the case of Ottawa's public transit project. The city's Line 1, which has 13 stations and can service almost 11,000 passengers per hour, was approved in December 2012 as a replacement for downtown's Transitway, a rapid busway. Although the project had high hopes, grandeur dreams soon gave way. Stage 1 of the project



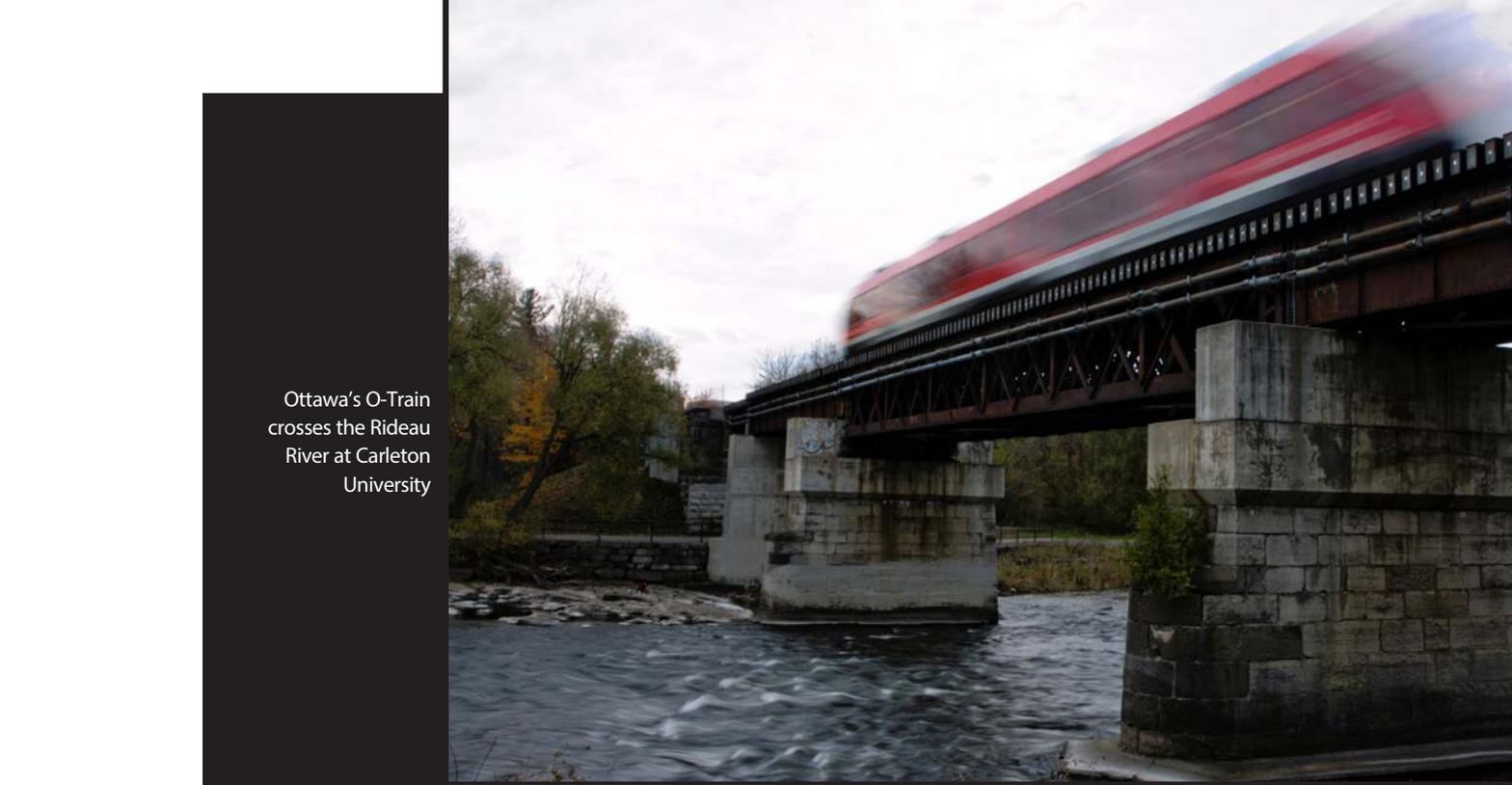
What is normally the eastbound lane for vehicular traffic on Toronto's Queensway, near a hospital, is cluttered with construction materials used for TTC streetcar track work.

was developed as a public-private partnership (P3), with Rideau Transit Group (RTG)—a consortium of ACS Infrastructure Canada, EllisDon and SNC-Lavalin—contracted in a \$2.1 billion fixed-rate model to build the line and maintain it for a 30-year period. Among other issues, construction was marred with delays, including a sinkhole at the busy downtown intersection of Rideau and Sussex streets, causing a six-month delay.

Once the system was up and running, operational and safety issues began. As early as October 2019, passengers would pry open train doors to make it onto the train, and in one instance, this caused the train to be stalled for an hour, bringing the entire system to a standstill during the morning rush. In other instances, trains' computers needed to be reset. Then, in 2021, two train derailments happened. In April, a derailed train with no passengers shut the line down for a week. Another derailment in September, this time with passengers on board, shut the system down for well over a month. French manufacturer Alstom's train, the Citadis Spirit, was specifically designed to handle North American winters; however, the trains ultimately needed major retrofits as short as two months before the line opened.

Last summer, the provincial government held a public inquiry into the Ottawa LRT construction to investigate the commercial and technical circumstances that led to breakdowns and derailments of the O-Train. The contents of the report won't be publicly available until later this month, but it could act as a guideline for future transit projects in Ontario. The inquiry saw more than 90 witnesses and a million documents, but, alarmingly, the testimony hinted at a project that was underfunded—with the media reporting changes in design and untested trains that were potentially ill designed for the system—and rushed, with the mayor and city council wanting the line in operation for Canada's 150th anniversary of Confederation.

"There was a lot of scrutiny on the project at the time," says Johnathan Potts, P.Eng., who is currently a senior engineer, fixed facilities, for the City of Ottawa, for whom he is performing engineering work on stations for the Stage 2 extension of both LRT lines, which will see 44 kilometres of LRT line into Ottawa's suburbs and the airport. Potts transitioned into the role with the city after working in both a project manager and project engineer capacity with



Ottawa's O-Train
crosses the Rideau
River at Carleton
University

**“There are multiple layers of review
and oversight to pretty much everything
that’s getting built these days.”**

—Johnathan Potts, P.Eng.

both RTG and Rideau Maintenance Group (the wing of RTG that is handling the 30-year maintenance of the LRT) during the initial construction of Line 1. Potts recalls that some media stories may not have necessarily reported accurate information.

Potts is careful to point out that much of the problematic launch of Line 1 was related more to vehicle performance and not necessarily to any of the engineered components or infrastructure. Potts stresses that he and his fellow engineers played a key role in ensuring the construction and launch of Line 1 was within all safety parameters. “There was me and a group of engineers and inspectors who were onsite everyday being the eyes and ears for Rideau Transit Group,” Potts says. “Part of our responsibility was that if anything was concerning or not up to snuff safety wise, we were encouraged to report back or talk to the field engineer about anything we saw.”

Indeed, Potts has a similar role on Stage 2 when inspecting future stations. Stage 2 is being constructed under a design-build finance procurement model, with East West Connectors, a conglomerate of Kiewit and VINCI, leading the construction and WSP Canada and Hatch providing the engineering services. “None of us on my team is doing any of the designs,” reports Potts. “That’s all being done by Kiewit. But when [the designs] come to our team, we look at them through the project agreement lens to see if anything in the design conflicts or contradicts with what’s been laid out. For our group, we’re getting the structural designs, the mechanical and electrical and architectural details

of things like glazing and glass design. Signage, landscaping—you name it—it’s coming through our group.”

Potts states that through both stages of construction, engineering designs went through several rounds of review: “By the time a design gets to us, it’s already come from the designers, who have signed off. An engineer has stamped the drawing and sent it to you. That’s one person saying it’s good. Then it comes to us at the city, which is a second layer of that review. Then, in most instances, those drawings will end up in the hands of a third party, whether it’s a subject-matter expert or consultants the city has. And everything goes through OC Transpo (Ottawa’s public transit service), who are a huge benefit because they have the bulk of operational experience. There are multiple layers of review and oversight to pretty much everything that’s getting built these days.”

TTC MIRRORS CONCERN FOR SAFETY

It is this concern for safety expressed by Potts that the TTC is also cognizant of, particularly when it undergoes streetcar system maintenance. Indeed, the TTC has nine streetcar routes operating on 82 kilometres of service and carrying over 250,000 passengers each day—more people than GO Transit’s entire daily ridership. The TTC’s streetcar system is predominately in Toronto’s downtown core, and because the tracks have wear and tear from multiple sources, including automotive traffic, the rail system and other streetcar infrastructure need to be continually replaced.

And it is a large undertaking, according to Anwar Salam, C.E.T., P.Eng., P.M.P. Salam is a project engineer at the TTC, where he is responsible for various activities related to the capital and operations of the track inspection program and condition monitoring of Toronto’s streetcar system. “I have to review the drawings and



Traffic signs and temporary gates mark where the intersection of Queen and King streets, the Queensway and Roncesvalles Avenue are closed to pedestrian and vehicular traffic in Toronto.

check all the proposals and designs,” notes Salam. “We do the state of good repairs on the rails and switches and lubricators, and sometimes we have to have major construction like installing a new rail. And because the TTC is a pretty old system, we have some large projects.”

Take the case of the TTC’s 506 Carlton streetcar route, which, in October, began a massive diversion that is witnessing all TTC service being diverted away from Carlton and College streets between Ossington Avenue and Parliament Street—a highly dense central part of Toronto—until the end of 2022. Streetcar and bus service is being shifted to nearby parallel streets to expediate TTC service for passengers while the TTC replaces rail infrastructure along the route and coordinates with the city to integrate cycle and pedestrian infrastructure upgrades, transit stop and streetscape improvements and hydro utility repairs.

And a large part of the coordination is the responsibility of Salam. Paramount, though, is accomplishing the repairs on schedule—barring any unforeseen circumstances—and safely for crews and the public. And although delays do and will happen, Salam notes that the TTC has a safety-first culture. “Safety is the first priority of the TTC,” says Salam. “We make sure that not only the public is safe when we’re performing our job but for TTC employees and contractors as well.”

A SAFETY-FIRST CULTURE

Salam notes that TTC staff who work on large-scale projects are well versed with the TTC’s safety requirements, which include extensive checklists and procedures to follow; and because the TTC works with outside contractors on a regular basis, they too are familiar with the TTC’s stringent safety standards. Contractors can also be charged back for not following safety procedures, says Salam. But, importantly, notes Salam, he has yet to receive undue pressure from TTC management to circumnavigate safety procedures to expediate a project.

“The TTC is a very good company to work for,” reiterates Salam, who has worked in the TTC’s subway and streetcar divisions. “They not only take into consideration safety, but, also, the company is very highly ethical. The TTC always respects the guidelines for Professional Engineers Ontario. For us engineers, it’s pretty straightforward and easy for us to navigate PEO guidelines and implement the guidelines of the TTC. The TTC always respects [procedures].”

In the meantime, Salam is sympathetic to people looking to navigate Toronto’s streets during major streetcar construction projects, along with the pressure that TTC management and city politicians receive from the public. Looking at a major streetcar repair at the corner of Queen and King streets and Roncesvalles Avenue and the Queensway in the west end of Toronto that has lasted months, Salam notes: “There is a lifecycle for each and every track, and we have to replace it. We have to make sure the streetcar is running in a state of safety, and at major intersections, there is major work going on. There are so many vendors and parties involved. Yet because [this intersection] is very close to a hospital, we try to do our best to expediate the process and responsibly.”

The project, which also involves coordination with the city, is scheduled to continue, like the College and Carlton project, until the end of 2022. For Torontonians and the engineers looking after their safety, it is indeed an exercise in patience. **e**

THE ASSOCIATION HAS RECEIVED WITH REGRET NOTIFICATION OF THE DEATHS OF THE FOLLOWING LICENCE HOLDERS (AS OF SEPTEMBER 2022).

AIKEN, James Mississauga, ON	EDLUND, Julian Henry North York, ON	HAVEMAN, Ronald Eric Sombra, ON	MCLEAN, Leslie Clayton Burlington, ON	SHELLEY, Mary Elizabeth Georgetown, ON
AUSTIN, Marzban Jehangir London, ON	EICKMEIER, Frederick George Stouffville, ON	HEAVEN, Edwin Michael Gyde North Vancouver, BC	MIDDLETON, Robert Stuart Thunder Bay, ON	SHORT, Kenneth William North York, ON
BAGRIN, Leonid Andreevich Dorchester, ON	ELLEN, Montague Chatham, ON	HESS, Markus Jaan Thornhill, ON	MILLER, James L. Guelph, ON	SIMON, Michael Harold London, ON
BAHIA, Hufdhi Musa Kanata, ON	FANCOTT, Robin St. Catharines, ON	HUSEMEYER, Norman Clinton Cape Town, South Africa	MITCHELL, Lorne Strachan Collingwood, ON	SIMPSON, Angelo Rowland Raleigh, NC
BAKER, Robert Bedford Burlington, ON	FARHOOD, Lewis G. Orleans, ON	HUSSAIN, Ronald Winston London, ON	MITCHELL, Neil Alexander Pickering, ON	SMITH, Stuart Fraser Oakville, ON
BENNETT, Jacque Toronto, ON	FORD, James William Ottawa, ON	IVIC, Leopold Toronto, ON	MORLEY, Donald Bryan Mississauga, ON	STEVINSON, Ralph Thomas Brockville, ON
BERTRAND, Barry Joseph New Hamburg, ON	FROST, Colin Reginald Toronto, ON	JOORE, Thomas Hubert Lakefield, ON	MOUSSA, Walid Ahmed Mohamed Edmonton, AB	SYMONDS, Gordon Richard Surrey, BC
BEVAN, Peter Anthony Mississauga, ON	GALBRAITH, Robert James Nepean, ON	JORDAN, Stephen Ellis Markham, ON	MURTAZA, Muhammad Fazal Mississauga, ON	TERWISSEN, Guillermo Andres Alliston, ON
BLANCHET, Stephane Quebec City, QC	GALLOWAY, Walter Robert Peterborough, ON	JOSEPH, Babu Modayil Scarborough, ON	NASH, Derek Ernest Andrew Waterloo, ON	THOMSON, Robert London, ON
BONNIER, Joseph Florian Andre Pierre Rawdon, QC	GIBBON, William Fonthill, ON	JULLIEN, Graham Arnold Tecumseh, ON	NELSON, Murray Hugh Orangeville, ON	TRENKA, Charles Rudolf Sudbury, ON
BRAMBLE, Kenneth Mississauga, ON	GIBBONS, Joseph Shawn Orleans, ON	KRIZAN, Fedor Toronto, ON	OWEN, Norman Baker London, ON	VANDEPOL, Jan Whitby, ON
BUTT, George Franklin Peterborough, ON	GORRIE, Cameron Mackenzie London, ON	LAU, Dorothy Pui-Yu Thornhill, ON	PATTERSON, Frank Arthur Sudbury, ON	VASAVITHASAN, Markandu Scarborough, ON
CIACCHI, Oriente Hamilton, ON	GREEN, Geoffrey Stewart Leonard Brantford, ON	LAW, John David Edmonton, AB	PERIYATHAMBY, Haran Kanagalingam Copley, OH	WALDEN, Richard Francis Nepean, ON
COKE, James Edward Ottawa, ON	HAASZ, Tibor Brampton, ON	LEVENTAL, Igor Denver, CO	PREMOVIC, Miodrag Etobicoke, ON	WATSON, Michael Barry Parker Kemptville, ON
COLLINS, David Herbert Bolton, ON	HAMILTON, John Wilson Markdale, ON	LLEWELLYN-THOMAS, Kathleen Patricia Toronto, ON	RABER, Monte Barrett Winnipeg, MB	WILLIAMS, Ronald Joseph Port Perry, ON
COULAS, Ronald Ignatius Richmond Hill, ON	HARBELL, Joseph Lachlan Hamilton, ON	MACDORMAND, Robert Irving Ajax, ON	RISK, John M. Kingston, ON	YAGAR, Sam Niagara Falls, ON
CURRIE, Iain George Oakville, ON	HARE, Gerald Edward Ottawa, ON	MADUSUTHANAN, Sajeve Brampton, ON	SANTINK, Nico North York, ON	ZAKRZEWSKI, George Tadeusz Vineland, ON
DAWSON, Allan Charles Peterborough, ON	HARJU, Harold Melvin Lanark, ON	MARR, Henry Gok Lai Carrying Place, ON	SCHLESIGER, Wolfgang Peter Pickering, ON	
DILLON, Edward Patrick Wasaga Beach, ON		MARTIN, Luciano Toronto, ON		

COUNCIL APPROVES DATA PROTECTION POLICY

By Nicole Axworthy

549TH MEETING, SEPTEMBER 23, 2022



At its September meeting, Council approved a motion to adopt an organization-wide data protection policy to reduce PEO's risks and ensure the regulator conforms with all applicable privacy obligations. Council also instructed the CEO/registrar and/or president to work with impacted parties to examine existing data-sharing activities to ensure they comply with the new policy and to provide an information report to Council at its November 2022 meeting.

Creation of this policy was driven by the need to ensure the data privacy of licence holders and other stakeholders who engage with PEO is maintained and even strengthened. In its regulatory role, PEO collects information from various stakeholders, including applicants, licence holders, complainants and others. However, PEO is legally obliged to ensure that any disclosure of information is consistent with the duty set out in section 38 of the *Professional Engineers Act* (PEA), which states that information acquired by PEO generally must be kept confidential, subject to specified exceptions. Additionally, section 21 of the PEA requires the registrar to maintain and provide public access to a register with information about every licence holder and engineering intern, including any terms, conditions and limitations of their licence and discipline information.

Currently, PEO has existing data-sharing agreements with the Ontario Society of Professional Engineers and the Ontario Professional Engineers Foundation for Education. Additionally, PEO facilitates access to basic licence holder data with Engineers Canada. To ensure PEO adheres to all relevant data- and privacy-protection

legislation, the policy outlines what data PEO can share and in which specific situations it can share it. Unless otherwise specified or legally required, all stakeholder data will remain secured behind PEO's licence holder portal.

FARPACTA PRESENTATION

Ontario Fairness Commissioner Irwin Glasberg, LLB, made a presentation to Council regarding the importance of implementing the new requirements under the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA) and addressed councillors' questions about how it affects PEO's licensing processes (see p. 10).

The FARPACTA amendments aim to remove any potential licensure barriers to Ontario's regulated professions for internationally trained professionals. Over the last several months, PEO has been working to identify various options to improve its

licensing process and to become fully compliant with the new legislation, which includes removing the Canadian work experience requirement unless it obtains an exemption for public health and safety reasons, making a decision on most applications for licensure from internationally trained candidates within six months and having protocols in place for the processing of applications in the event of public emergencies. It is expected that recommendations that require formal policy and regulatory approval will be brought to Council at future meetings.

BYLAW AMENDMENTS

At its September meeting, Council approved a motion to amend paragraph 45 of By-Law No. 1. At its June 2022 meeting, Council approved in principle recommendations to make certain changes to the bylaw to incorporate best practices for financial approvals (see *In Council, Engineering Dimensions*, July/August 2022, p. 22). The changes reflect the current organizational structure and require specific signing authority based on dollar amount for deeds, contracts and other instruments of the association.

At its September meeting, Council also approved a separate motion regarding amendments to By-Law No. 1 for several governance directions, most of which emerged while completing the Governance Roadmap—a Council-approved plan with key steps and milestones to enhance Council's governance effectiveness. Previously, Council approved the development of bylaw amendments related to the role and function of governance committees,

a new approach to agendas and minutes of PEO meetings and a process for filling councillor vacancies. The following bylaw changes were approved:

- To amend section 15 related to meeting transparency and incorporating the existing Council-approved approach to agendas and minutes to apply to all Council and committee meetings;
- To add a new section 29.1 that addresses elected councillor vacancies that occur unexpectedly;
- To amend section 30 to reflect the past president's ex-officio role; and
- To add a new section 30.1 to incorporate the governance committees established by Council in 2021.

COUNCIL ATTENDANCE GUIDELINE

Council approved a *Guideline on Attendance at Council and Governance Committee Meetings*, which was created to outline the processes and rules for observers of PEO's Council and committee meetings.

Under By-law No. 1, all PEO committee meetings are open to the public unless the criteria set out in subsection 15(2) are met, in which case the meeting or part of the meeting may be closed to the public. In recent months, there has been an increased number of requests to observe committee meetings, including by members of non-governance committees, so there was a need to develop a clear and consistent administrative process to manage such requests.

Under subsection 30(5) of the bylaw, all councillors may attend meetings of committees appointed under the bylaw as observers. And for non-councillors, there was an unwritten protocol used to manage the observation of Council and committee meetings. The new guideline clearly identifies protocols, defines PEO's governance structure and terms such as "expert," "observer" and "guest speaker" and provides specific guidelines for chairs to assist them in exercising their discretion as it relates to the parameters of observers' participation.

The approved guideline will be shared on PEO's website and made available to observers of Council and/or governance committee meetings upon confirmation of attendance.

WORKPLACE VIOLENCE AND HARASSMENT POLICY

At its September meeting, Council was updated on the Human Resources and Compensation Committee's (HRCC's) ongoing work on PEO's Anti-Violence and Harassment Policy. While PEO currently has a clear policy for dealing with situations involving employees, the HRCC noted that gaps remain in the policy as it relates to volunteers and councillors, including the need for clarity on what the consequences are for a violation of the policy by a volunteer who is not a councillor, and the lack of authority and enforcement mechanisms to deal with the conduct of councillors.

The approved motion directs staff to conduct a holistic review of best practices in governance controls related to the expectations for councillors' behaviour and conduct, forms of misconduct and options available to a regulatory board to address misconduct. Under the oversight of the HRCC and the Governance and Nominating Committee, staff will carry out the required work, including conducting an environmental scan and literature review, considering best practices at peer organizations in Ontario and other Canadian and international jurisdictions and consulting with stakeholders.

RECOMMENDATIONS ON AGM SUBMISSIONS

At its September meeting, Council reviewed a staff report on the licence holder submissions received at the 2022 Annual General Meeting, which was held virtually earlier this year. Although licence holder input is important to the work of PEO, motions made at the AGM, while informative, do not bind Council or the CEO/registrar. However, the policy approved by Council in March 2020 requires staff to provide a report to Council following the AGM that assesses the lawfulness and feasibility of each submission considering Council's current work and other PEO priorities.

Staff's analysis and proposed response to the 12 submissions made at the AGM was provided in a report to Council at its September meeting. Staff noted that many of the issues raised by licence holders are already being considered by PEO's governance committees as part of their workplan for the 2022–2023 Council term and by staff.

During the meeting, a motion was brought forward that a regulatory impact assessment be conducted as per Submission #3 regarding climate change; however, in a vote by councillors that motion was defeated. It was noted that while none of the submissions will be added to the workplan for this year, all will be brought back to future Council plenary sessions for discussion about implementing them into future PEO workplans.

CHAPTER VOLUNTEER REIMBURSEMENT POLICY

At its September meeting, Council approved a motion to amend PEO's reimbursement policy relating to guest expense reimbursements when a chapter volunteer attends a regional congress. The Audit and Finance Committee will consider how best to include chapter volunteer expenses within the policy. Peer review by the chapter office will also be requested before a final draft of the amended policy is presented to Council for approval. **e**

MINUTES OF THE 100TH ANNUAL BUSINESS MEETING

SATURDAY, APRIL 30, 2022
PRESIDENT AND CHAIR: CHRISTIAN BELLINI, P.ENG., FEC

The 100th Annual General Meeting (AGM) of Professional Engineers Ontario was held via videoconference on Saturday, April 30, 2022.

President Bellini called the meeting to order and welcomed PEO licence holders with a special welcome to the over 3000 new licensees joining PEO over the past year; engineering interns, students, and employers; stakeholders; members of the public; colleagues in the engineering community; PEO staff; distinguished guests; and friends.

President Bellini stated that PEO recognizes its work takes place on traditional Indigenous territories across the province, acknowledging that there are 46 treaties and other agreements that cover the territory now called Ontario. He further stated that we are thankful to be able to work and live in these territories; and we are thankful to the First Nations, Metis and Inuit people who have cared for these territories since time immemorial and who continue to contribute to the strength of Ontario and to all communities across the province.

President Bellini then welcomed Ontario's attorney general, the Honourable Doug Downey, LL.M., LL.B., along with his colleague, Nicko Vavassis, the attorney general's director of policy.

The Honourable Doug Downey discussed the important work of Ontario engineers in building the province and its economy. He stated that this is why the work of PEO Council is so important and that the Ministry of the Attorney General (MAG) is listening to the regulator's ongoing feedback to help ensure the highest standards are maintained. He further stated that MAG is pleased to work closely with PEO to ensure the regulator's upcoming mandatory continuing professional development program becomes a reality. He went on to say that through ongoing dialogue he better understands PEO Council and has learned a lot about how MAG can best support PEO with maintaining the highest standards for knowledge and skills in the profession.

President Bellini thanked Downey for joining PEO's AGM to learn more about how PEO has continued to protect the public. He stated that as PEO celebrates 100 years of regulating the engineering profession in Ontario, it recognizes the great privilege the Ontario government has entrusted to the organization to self-regulate on its behalf and values the role of public appointees on its board.

President Bellini then welcomed special guests from Engineers Canada and its constituent associations as well as invited organizations in Ontario's engineering community and allied professions.

INTRODUCTION OF COUNCIL

President Bellini introduced the members of the 2021–2022 PEO Council:

President Christian Bellini; President-elect Nick Colucci, MBA, P.Eng., FEC; Past President Marisa Sterling, P.Eng., FEC; Elected Vice President Marilyn Spink, P.Eng., CSR-P; Appointed Vice President and Eastern Region Councillor Chantal Chiddle, P.Eng., FEC; Councillors-at-Large Michael Chan, P.Eng., FEC, Leila Notash, PhD, P.Eng., FEC, and Pat Quinn, PhD, P.Eng., FCAE; Eastern Region Councillor Randy Walker, P.Eng., FEC; East Central Region Councillor Christopher Chahine, P.Eng.; Northern Region Councillors Ramesh Subramanian, PhD, P.Eng., FEC, and Luc Roberge, P.Eng., FEC; Western Region Councillors Peter Broad, P.Eng., FEC, and Susan MacFarlane, MSc, PhD, P.Eng.; West Central Region Councillors Jim Chisholm, MEng, P.Eng., FEC, and Lisa MacCumber, P.Eng., FEC; and Lieutenant Governor-in-Council Appointees Arjan Arenja, MBA, P.Eng., Robert Brunet, MSc, P.Eng., Todd Bruyere, P.Eng. (who served until February 2022), Lorne Cutler, MBA, P.Eng., Andy Dryland, C.E.T., Qadira Jackson Kouakou, LLB (who served until March 2022), Paul Mandel, MBA, CPA, CA, CBV, CFF, George Nikolov, P.Eng., Scott Schelske, P.Eng., FEC, and Sherlock Sung.

President Bellini thanked PEO's directors to Engineers Canada for 2021–2022: Arjan Arenja; Danny Chui, P.Eng., FEC, who also served as Engineers Canada president; Nancy Hill, P.Eng., LLB, FEC, FCAE; Kelly Reid, P.Eng., IACCM CCMP, and Marisa Sterling.

President Bellini also introduced PEO staff: Johnny Zuccon, P.Eng., FEC, CEO/registrar; Meg Feres, supervisor, Council operations; Chetan Mehta, director, finance; and Michelle Wehrle, director, IT; as well as Parliamentarian Lori Lukinuk.

IN MEMORIAM

President Bellini asked that all those present observe a moment of silence in remembrance of those PEO licence holders who passed away in 2021, including Council colleague Peter Cushman, P.Eng. He noted that Cushman served on PEO Council as an East Central Region councillor and was committed to defending professional self-regulation while preserving the public interest.

ORDER OF BUSINESS

President Bellini reviewed the order of business and housekeeping items. A test of the voting system was conducted.

ADOPTION OF MINUTES

President Bellini referred members to the minutes of the 2021 AGM. It was moved by Randy Walker and seconded by Lisa MacCumber that the minutes of the 2021 AGM, as published in the November/December 2021 issue of *Engineering Dimensions* and as distributed at the meeting, be adopted as presented.

Motion carried

President Bellini recalled the meeting to order following a five-minute break.

FINANCIAL REPORT

President Bellini invited Councillor Lorne Cutler, chair of the 2021–2022 Audit and Finance Committee, to provide a report on PEO’s audited financial statements.

Cutler reviewed the financial information, noting that the 2021 audited financial statements were approved by Council at the April 2022 meeting. He stated that these statements are on the PEO AGM webpage and would be published in the May/June issue of *Engineering Dimensions*.

Cutler presented a graph showing a five-year trend of revenues, expenses and net income. He noted that net income in 2017 was at a deficit of \$26,000. In 2018, PEO had a modest surplus of \$123,000 due to aggressive cost-cutting measures. In 2019, there was a \$2.9 million surplus as the new fee schedule came into effect. And in 2020, there was a surplus of \$7.9 million due to the 2019 fee increase; COVID-19 pandemic restrictions, which led to most in-person events and meetings being moved online; and a drop in expenditures, as several 2020 initiatives were deferred to 2021. And in 2021, there was a \$6.5 million surplus, with Cutler noting that, although most COVID restrictions remained in place throughout 2021 and resulted in most activities remaining online, membership was not as negatively impacted by the pandemic as expected.

A slide was presented showing the key financial highlights as of December 31, 2021:

- Revenues of \$32.5 million (vs \$30.7 million in 2020);
- Expenses of \$26 million (vs \$22.8 million in 2020);
- A surplus or net excess of revenues over expenses of \$6.5 million (vs \$7.9 million in 2020);
- \$31.2 million in cash and marketable securities (vs \$23.3 million in 2020); and
- The lowest P.Eng. fees in Canada.

Cutler stated that PEO’s finances are healthy and are expected to remain so for the foreseeable future.

There were no questions brought up at this time.

APPOINTMENT OF AUDITORS

It was moved by Lorne Cutler and seconded by Marilyn Spink that the firm of Deloitte LLP, chartered accountants, be appointed as PEO’s auditors for the association for the 2022 fiscal year or until their successor is appointed.

Motion carried

A licence holder asked how many auditing companies submitted proposals or bids for the call for new auditors and was advised that seven submissions were received to the Request for Proposal that was issued in early August 2021.

A licence holder asked why Deloitte LLP is continually renewed as auditor. Staff responded that it is not unusual for companies to continue using the same auditors because they are familiar with the organization. Furthermore, a new Deloitte partner oversaw the 2021 audit. The Audit and Finance Committee makes decisions that are consistent with best practices and to ensure PEO gets best value.

CEO/REGISTRAR’S REPORT

CEO/Registrar Zuccon extended a warm welcome to everyone who was joining PEO’s third virtual AGM. He thanked all those who worked tirelessly to prepare for the meeting.

Zuccon stated: “When I was appointed CEO/registrar in February 2019, I was handed a mandate of delivering change unprecedented in PEO’s history. At that time, the regulatory landscape was already witnessing change. Calls for greater transparency and accountability of all regulators—from government,

the public and the media—were commonplace. It was no longer a threat for governments to intrude on the affairs of regulators—it was really becoming the new reality.”

Zuccon noted that PEO recognized the new pressures on regulators and the urgent need for risk mitigation strategies, so it voluntarily underwent an independent regulatory performance review to help determine if PEO was effectively doing the job set out for it under the *Professional Engineers Act*. The external review examined how well PEO was performing its regulatory functions against international regulatory best practices. The report concluded that “PEO does not fulfil its mandate with the steadfast focus on regulation in the public interest.

“Council accepted the report and committed to making the changes necessary to address the recommendations aimed at improving PEO’s regulatory performance.”

Roadmap to Transformation

Zuccon went on to describe PEO’s multi-year, enterprise-wide transformation that it began in 2019 to address the external review recommendations while incorporating a more outward-focused public-interest perspective. He noted that the strategy for this transformation rests on three pillars—operational effectiveness, organizational alignment and governance renewal—and is summarized in the 2020–2022 Strategic Plan. These elements are rooted in the Council-approved Action Plan and Council’s two-year Governance Roadmap, the work of which began in 2020 and is helping to inform the next strategic plan.

Building on these pillars, Zuccon stated, is critical to achieving PEO’s change vision: “...to become a professional, modern regulator that delivers on its statutory mandate and is supported by a governance culture that consistently makes decisions that serve and protect the public interest.

“As we strive to achieve this vision, we are improving our ability to regulate by using principles of ‘right touch’ regulation, which requires that we understand the problem before jumping to the solution. These principles also help to ensure PEO’s regulations are proportionate to the level of the risk to the public.”

Zuccon then discussed key 2021 initiatives PEO has embarked on in support of this transformation.

Key Initiatives—Mandatory CPD

“Key to any self-regulating profession is an unwavering level of public trust. From an external perspective, this requires a demonstrable commitment to continuing education. In this regard, PEO has taken a big step forward as earlier this month, both Council and the Ontario Cabinet approved a regulation under the *Professional Engineers Act* that requires all licence holders to participate in a continuing education and professional development program and complete the annual requirements as a condition of renewing their licence with PEO. This will begin in January 2023.

“To be clear, the program will be based on the current Practice Evaluation and Knowledge (aka PEAK) program that has been piloted on a voluntary basis for the past five years.

“The key elements of the annual mandatory program include:

- A Practice Evaluation consisting of a practice status declaration and a practice evaluation questionnaire, which helps determine personalized CPD targets for each licence holder;
- A Professional Practice Module for all licence holders that covers regulatory topics such as professional practice, engineering ethics and regulatory knowledge;
- A Continuing Professional Development Report that involves a reporting mechanism for licence holders to respond to personalized CPD targets; and
- Compliance audits and administrative sanctions, including licence suspension for any overdue elements of the program will be phased-in starting in 2024.

“Once implemented, the program will provide further assurance to the public that Ontario engineers are committed, and continue to be committed, to continuing education to enhance their practice.”

Key Initiatives—Enhanced Licensing Process

Zuccon went on to discuss PEO’s work in reviewing, simplifying and modernizing the P.Eng. licensing process so it is timely, fair, consistent, transparent and free from any bias.

“This has been and continues to be a priority issue for us and is even more so now with the proclamation in December 2021 of the *Working for Workers Act*, which includes significant amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act* (or FARPACTA) and the recent filing of O. Reg. 261/22 under that legislation.

“The amendments provide PEO and other affected regulators with clarity on the specific change direction and expectations from government on issues related to:

- Canadian work experience;
- Licensing decision-making timeframes;
- Language proficiency tests; and
- Emergency registration planning.

“We need to step up and meet these requirements within the government-imposed timelines, and in support of this work we have committed to a digital transformation journey to enable greater automated processing, deeper business intelligence and overall greater efficiencies.

“As part of our transformative efforts, we are also committed to incorporating diversity, equity and inclusion best practices into all PEO systems and operations.”

Key Initiatives—Equity, Diversity and Inclusion

Zuccon then noted PEO’s efforts around equity, diversity and inclusion, including work by the regulator’s Anti-Racism and Anti-Discrimination Exploratory Working Group.

“At its April 8th meeting, Council approved a code to help prevent issues of systemic racism and discrimination in all aspects of our work.

“We continue to support the 30 by 30 initiative of Engineers Canada. We are currently participating in an independent gender audit of PEO’s existing licensing process. The audit will investigate potential gender biases and any unintentional barriers that may be impeding women from seeking licensure. We look forward to sharing the results when available.”

Outward-Facing Lens

Zuccon summed up his report, noting that PEO’s public interest mandate requires us to make decisions that primarily consider the perspective and interests of the public above all else, with an outward-facing lens being key to our modernization efforts.

“The past 12 months have certainly been eventful and ambitious for PEO at all levels of our organization. The transformation journey we’ve embarked on is designed to create a new foundation that is fully consistent with that of a modern, enlightened and responsive self-regulator.

“As a regulator, and especially as a self-regulatory body, our decisions must be based within the context of our regulatory and governance obligations as prescribed in the *Professional Engineers Act*, and our duty to uphold our public-interest mandate is paramount.

“The act, however, doesn’t define what the public interest is.

“For better clarity, our ability to protect the public interest stems from our key functions:

- Ensuring only competent and ethical professionals are licensed;
- Ensuring licence holders continue to maintain their competence and practise in a way that minimizes the risk to the public;
- Dealing with licence holders who fail to live up to the standards of the profession;
- Investigating all complaints brought to it about unlicensed, unprofessional, inadequate or incompetent engineering services;
- Preparing performance guidelines as benchmarks for quality of service in the engineering profession;
- Preparing performance standards in regulation; and
- Managing relations with stakeholders in such a way as to develop and maintain public confidence in our role of regulating the profession.

“In other words, our public-interest mandate requires us to make decisions that primarily consider the perspective and interests of the public above all else. This outward-facing lens is at the heart of our modernization efforts, and we need to stay the course. This will require us to constantly reflect on our public-interest role, measure our effectiveness and make course corrections where necessary. And our centennial in June will serve as a point of recommitment to these public-interest principles, although the related work will continue well beyond my retirement this year. The public expects and deserves no less. The stage has been set and the work must continue well beyond my retirement. I am excited to see what the next 100 years bring, and I hope you are too.”

Zuccon then shared a personal message as CEO/registrar and long-time PEO employee. He thanked all those for embracing PEO’s transformation and helping along the journey, and although he recognizes that not everyone will be on the same page with change, his wish was to nevertheless work collectively to achieve the goal to modernize PEO. He stated that we all need to be proud of our 100-year history and we should strive to set up the next generation for success; PEO’s long-term relevance depends on it. CEO/Registrar Zuccon concluded by saying it has been an absolute pleasure to lead the organization towards its modernization vision.

PRESIDENT BELLINI'S OUTGOING REPORT

President Bellini thanked CEO/Registrar Zuccon for his outstanding efforts and those of his staff over the past year. He also stated that it has been an honour and privilege to serve as PEO's 102nd president, especially during PEO's centennial year, and thanked PEO licence holders for the opportunity to serve as president. He then began his outgoing president's report by stating that he wanted to share his thoughts on the business conducted by Council over the 2021–2022 term and reflections as PEO president. "I think our most significant achievement was wrapping up Council's two-year Governance Roadmap to review all aspects of PEO governance and incorporating the necessary changes to ensure Council serves as a governance board, providing strategic direction and high-level control to the regulator.

"This governance overhaul was more than two years in the making, with important work completed over the Council terms of both past presidents Nancy Hill and Marisa Sterling. Governance experts were engaged to facilitate this work, but ultimately decisions to make changes were solely the responsibility of Council. The end result is a renewed and modernized governance structure that's fully consistent with that of an enlightened and responsive self-regulator.

New Governance Committees

"At our kickoff meeting, we appointed councillors to our four new governance committees, which were formalized in the previous term to support our direction and control functions. These new committees include:

- Governance and Nominating Committee, which oversees effectiveness of corporate governance, Council, committees and Council members;
- Regulatory Policy and Legislation Committee, which focuses on developing and reviewing legislation, standards, guidelines and policies related to PEO's regulatory mandate;
- Human Resources and Compensation Committee, which oversees PEO's relationship with the CEO/ registrar and on HR policies and plans; and
- Audit and Finance Committee, which focuses on PEO's financial reporting and management, reviewing financial information and overseeing financial matters related to PEO's activities.

"All councillors were appointed to serve on at least one governance committee this year. Establishing the new committees was part of the Governance Roadmap and based on the governance directives related to committees approved by the previous Council. These new directives build on the previous ones, clarifying how PEO will use committees in its new governance system, including transitioning to a new model that focuses on regulatory and governance committees and a new method of appointing members.

"As decided in the approval of new governance tenets, as of this AGM, Council members will only serve on governance committees, so we are providing an extra level of independence to the regulatory committees to be able to do their work.

"As I have said before, it has been my strong belief that our outdated governance structure—the one that we are moving away from—has been an impediment to enhancing and modernizing our regulatory work. I am pleased to report that with the new governance work complete, we have new governance tools to really tackle modernization and regulatory change.

"Successes from this project include a renewed Council focus on high-level strategy, four new governance committees to back up that work and defined boundaries between Council's role providing strategic direction and the operational work of PEO staff. Armed with this new structure, the new Council will be well positioned to tackle the regulatory challenges ahead.

"Besides wrapping up Council's governance renewal, we also oversaw several other accomplishments, including operationalizing PEO's ongoing 30 by 30 work, continued progress on our anti-racism and anti-discrimination initiatives, the launch of PEO's mandatory continuing professional development program, and ongoing work on the Action Plan approved by Council to address the recommendations from the external regulatory review.

Anti-Racism and Equity Code

"At our June meeting, we formally accepted the *Anti-Racism and Anti-Discrimination: A Bridge to PEO's More Successful Future* report created by independent consultants under the direction of PEO's Anti-Racism and Anti-Discrimination Exploratory Working Group. The report is available on the PEO website and I encourage you to read it. It did reveal some vulnerabilities, including:

- Inadequate engagement with stakeholders, especially outside PEO;
- Our current 12-month 'Canadian experience' requirement; and
- The underrepresentation of Black and Indigenous people on PEO's Council, staff and committees and the profession.

"The working group was tasked with examining recommendations to address these gaps, including:

- Consulting with relevant stakeholders potentially affected by these issues;
- Recommendations on how Council should develop, review and approve its strategic directions, as seen through an anti-racism/discrimination lens;
- Publicly reporting PEO's progress on our anti-racism/discrimination mandate; and
- Periodic reassessments to ensure that recommendations are tracked and updated.

"The group was also asked to create a policy code to address systemic racism and equity issues that is consistent with Ontario's public policy direction and human rights laws. The Anti-Racism and Equity Code was developed in consultation with stakeholders and presented to Council at our last meeting and was subsequently approved. The code affirms our commitment to advance PEO's fairness, human rights and public-interest obligations under the law; and its eight principles serve as a foundation and framework to inform our strategies and actions going forward.

Gender Audit

"Also, at our June meeting, we approved a gender audit of PEO's licensure process and internal operations. The audit is being conducted by experts from the University of Toronto's Rotman School of Management. The study was initiated by PEO's 30 by 30 Task Force and will examine PEO's current licensure

process for potential gender bias and any barriers that may impede women from getting licensed. In 2021, the researchers began work with PEO staff under the oversight of PEO's EIT programs manager. The study involves reviewing licensing documents, assessing data and interviewing applicants, staff and volunteers involved in the licensing process. The project is expected to wrap up in August 2022.

Mandatory CPD Program

"On April 8, Council approved amendments to Regulation 941 under the *Professional Engineers Act* to create a mandatory continuing professional development program based on the existing Practice Evaluation and Knowledge (PEAK) program. The amendments were subsequently approved by the Ontario Cabinet on April 19.

"The amendment—Ontario Regulation 353/22—provides the legal framework to implement a mandatory CPD program for licence holders, including consequences for non-compliance such as reversible administrative suspensions in certain circumstances. Beginning in January, all PEO-licensed engineers will be required to annually complete this new, mandatory component of licensure.

"A mandatory CPD program is an important part of upholding PEO's regulatory mandate and affirms to the profession, our stakeholders and the public that PEO is committed to establishing, maintaining and enhancing standards of engineering practice in Ontario. The program will also:

- Bring PEO in line with the best practices of other professional regulators;
- Foster public confidence in the profession;
- Conform with recent recommendations from several key government-related stakeholders; and
- Meet the regulatory expectations communicated by Attorney General of Ontario.

"Once implemented in January, the program will provide further assurance to the public that Ontario engineers will be accountable for meeting the standards of the profession.

2020–2022 Strategic Plan

"At our November meeting, we affirmed the direction of PEO's 2020–2022 Strategic Plan, which summarizes our ongoing transformation project and includes a schedule for priority work. PEO's last strategic plan expired in 2020, and although there is a one-year overlap, the new plan does represent a big change in direction with our modernization and governance improvements based on PEO's Action Plan, Governance Roadmap and related decisions. The plan captures the work we have been focusing on since 2020 and serves as an official document to communicate our enterprise-wide transformation to stakeholders. It includes:

- Council's 2018 decision to commission an external review of its regulatory performance and formally accepting the review's final report;
- Council's approval of an Action Plan to address the report's recommendations, and an activity filter to help define our clarity of purpose;
- The CEO/registrar's initiative to address PEO's operations to ensure it has the capacity and agility to achieve regulatory and governance objectives;
- Council's approval of the two-year Governance Roadmap and accompanying tenets, direction and governance committees;
- Council's removal of any barriers to implementing mandatory continuing professional development; and
- Council's formation of an Anti-Racism and Anti-Discrimination Exploratory Working Group.

"The plan also includes steps to transition to the next strategic plan. This work has begun, with Council defining its longer-term vision and goals.

Thank You, Johnny Zuccon

"Before signing off, and on behalf of PEO Council, I extend a special thanks to CEO/Registrar Johnny Zuccon, the executive leadership team and the entire staff. After almost 30 years at PEO, including the last four years as CEO/registrar, Johnny has provided leadership over the greatest change this organization has seen in its 100-year history; Johnny is retiring.

"And on behalf of all of us, I wish him the very best. We have been extremely fortunate to have Johnny leading our organization. He has had a clear vision of where the organization needs to go, and Johnny was a huge support to me in my year as president and it has been a pleasure working with him.

"Johnny, the executive team and PEO staff have been an integral part of our modernization process, starting with creating and implementing the Action Plan that is critical to the success of this project. In addition, they have done an incredible job of maintaining PEO's regulatory obligations while adhering to COVID-19 pandemic restrictions. We have asked them to embrace change and they're currently doing this and more. This includes all the considerable behind-the-scenes work necessary to host this virtual AGM.

"Finally, I wish incoming President Nick Colucci much success during his term. I look forward to working with Nick and Council to help usher in a new phase in PEO's history.

"Thank you."

QUESTIONS TO COUNCIL

President Bellini invited licence holders to submit questions to the current Council.

A licence holder asked about best practices for organizations regarding reserve funds (i.e. Is it one times the operating budget?). Director of Finance Chetan Mehta stated that the answer to this question depends on the specifics of each organization, so there is no one answer. It would depend on the individual circumstances and what the plans of the organization are going forward.

A licence holder asked about the impact of the *Fair Access to Regulated Professions and Compulsory Trades Act* amendments, and if the corresponding review and overhaul of the licensing processes will examine the emerging disciplines issue. CEO/Registrar Zuccon replied that the short answer is absolutely, it is a comprehensive overhaul; however, applications are not sorted at the front end in terms of whether the applicant is from an emerging discipline or not.

Regarding the president's outgoing report, President Bellini was asked to clarify what he meant by allowing the regulatory committees to independently do their work, and who they are to report to under the new governance model. President Bellini advised that the PEO regulatory committees and

their roles are typically defined in the legislation. It is a best practice to allow those committees to operate independently, rather than having councillors sit on those committees and affecting the outcomes of the work they do. There is not one particular reporting path they follow. Depending on the outputs they're providing, the committees report the outputs of the regulatory decisions either to the appropriate staff or to the Regulatory Policy and Legislation Committee.

A licence holder asked if PEO licence fees would be decreased considering the huge revenue. Audit and Finance Committee Chair Lorne Cutler replied that Council set the fees and that there were no plans to change the fees at this time, noting that PEO is looking at the longer range, not the immediate financial situation. He stated that fees had not been changed in 10 years, adding that when the fees were changed there was discussion about having automatic increases for inflation but that did not proceed, so fees are fixed where they are at this time. President Bellini added that the financial results from the past two years are atypical because PEO operations were affected by the pandemic and therefore it would be prudent to examine what PEO's financial performance looks like in years that are approaching normal operations to effectively make that decision.

A licence holder asked if PEO encourages chapters to support their members in the transition to mandatory CPD; and if so, what are some suggestions for chapters to do so. CEO/Registrar Zuccon stated that chapters are an integral part of the stakeholder relations exercise. They are a vehicle of PEO that represents the key stakeholders group and he would hope they are supportive of the program that Council has just enacted through legislation. The plans involve having a structured delivery vehicle such as a webinar. This will provide assistance for chapters to explain to licence holders how to comply with the new requirement.

A licence holder asked how the surplus is invested. Director of Finance Chetan Mehta advised that excess funds are passed on to PEO's fund manager in accordance with the board-approved investment policy on file.

A licence holder asked how PEO will ensure continuity on the newly formed governance committees, given that limited-time councillors serve on Council. President Bellini stated that the success of the new governance structure depends on having very effective performance at those committee levels. A series of criteria have been introduced when these committees are repopulated at the beginning of this Council year, a key one being continuity. The opening assumption would be that anyone still on Council would continue on the committee they were on the previous year; but they are not absolutely required to if they request to move to another one. However, the preference would be to maintain as much continuity on those committees as possible. This would be an extension of the corporate memory from year to year which is essential to committee effectiveness. He noted that even

under the previous structure, board committees were re-populated every year and there was less effort to ensure continuity, so he is hopeful under this new regime that this will be an improvement.

A licence holder asked what measures Council is taking to address anti-racism issues. CEO/Registrar Zuccon stated that in his report he said PEO should be proud of the work of PEO's Anti-Racism and Anti-Discrimination Exploratory Working Group (AREWG), and that Council approved the Anti-Racism and Equity (ARE) code that sets in motion an opportunity for reviewing all of PEO operations. It will set PEO as a leader in this area and Council, and their next strategic plan will be addressing initiatives to move this forward. He further stated it is a large undertaking with much work to be done. President Bellini advised that, for probably the first time, this was tackled with the creation of a working group several years ago. It was motivated by the late Councillor Peter Cushman. The initial AREWG report, accepted by Council in June, outlines the vulnerabilities and risks to PEO. There has been much work done since, including the ARE Code passed by Council in April. President Bellini said this is a real step forward to addressing these issues, but noted this is the beginning, not the end. The fact that Council accepted that code does not mean we're done; it means we now have the tools to begin tackling these issues head on.

A licence holder asked about the mandatory CPD program and if there had been any consideration to grandfathering practising engineers who had been licensed for many years (i.e. 30+ years)—particularly those who own and operate an engineering practice. CEO/Registrar Zuccon stated that the mandatory CPD program is a requirement for all licence holders and that the current PEAK program is the basis for what is expected. It has the four components he outlined in his CEO/registrar's report, so the answer is no, there is no grandfathering provision, and it will apply to all licence holders as a condition of licence. The president encouraged people to take a look at the program to understand what the requirements are. He stated that he is a practising engineer who owns an engineering business and has had no issues.

A licence holder asked about consequences for failing to comply with mandatory professional development requirements. CEO/Registrar Zuccon replied that Council has authority in regulations for sanctions such as audits. The first one that would take effect would be an administrative suspension, which is really meant to provide the opportunity to comply with the requirements. PEO has the authority to suspend someone who is not complying with CPD requirements, and this will be phased in starting January 2024. Specific language in the regulation says there is a certain amount of latitude for the registrar. He stated that most engineers are maintaining their competence, and this is just a mechanism to demonstrate that. PEO's CPD program meets the requirements of self-guided professional development tailored to the individual and predicated strictly on a risk model.

A licence holder asked how many or what percentage of licence holders have voluntarily submitted under the PEAK program? CEO/Registrar Zuccon stated that he believes 14 to 15 per cent of licence holders are participating in the voluntary program which is remarkable considering the light approach PEO was instructed to take. He has noted for Council that the difficulty will be moving the current voluntary compliance level to close to 100 per cent. This will take some time.

A licence holder asked if mandatory CPD program will be applicable to retired licence holders. President Bellini advised that if you declare yourself as non-practising, you do not have to meet the continuing professional development requirements. A retired licence holder would still have to complete the ethics module, but that is the only applicable component.

A licence holder asked where licence holders can see where the surpluses are invested. Director of Finance Chetan Mehta stated that this information is

not published on the website, but for those wanting to see the market value of the actual investment portfolio this can be viewed on the balance sheet; it shows up as the item called marketable securities.

A licence holder, referring to the CEO/registrar's report, asked if the report presented by the governance process auditors indicated any biases in the licensing process and, if so, what were they and what was the severity?

CEO/Registrar Zuccon noted that in terms of the governance review, it wasn't quite a review but more of a governance baseline. Council elected at the time to ask, through an RFP, how PEO would ameliorate its current baseline measures and what came back was the Governance Roadmap. He did not believe this would have touched on any licensing issues that the question referred to. He did note that the external regulatory performance review examined how well PEO was doing in licensing. The review found that PEO's licensing process was overly complex and difficult to follow. Although it did not touch much on bias, it was noted that some of the face-to-face interviews may present as subjective.

President Bellini recalled the meeting to order following a short break.

LICENCE HOLDER SUBMISSIONS

President Bellini stated that each year, in accordance with section 17 of By-Law No. 1, submissions from licence holders are welcomed as a way for them to express their views on matters relating to PEO affairs. He advised that submissions were due at end of day on Wednesday, April 20, and a guidance document to assist licence holders in making submissions was posted on PEO's website.

President Bellini advised that 12 submissions were received, and the complete submissions—which in some cases contain preamble and background information—were available on PEO's website. He then discussed how the licence holder submissions, which have long been a feature of the AGM, would be handled.

The guidelines that Council passed in 2020 permit each submission to be put to a vote, just as once happened in person, as a way of gauging the support of submissions from those attending the AGM. The vote does not, of course, reveal the support of licence holders generally. It is also not binding on Council. According to the guidelines, it does not even preclude Council from considering submissions that do not receive majority support at the AGM. What was not fully anticipated back in 2020 was the impact that virtual AGMs would have on licence holder participation, and on the volume and variety of submissions that would be received, even in comparison to live and in-person AGMs.

President Bellini stated that the 12 submissions have champions, most of whom recorded brief remarks. These remarks will be listened to carefully by Council, to whom the submissions are directed and considered together with the written content of each submission. He noted that if time were taken to vote on each submission the real point would be overlooked, which is to find out what people have to say to Council about matters that are important to them, not about how many votes they get online.

President Bellini, as chair, decided to dispense with voting on submissions and declared, with some confidence based on past experience at other AGMs, that each submission has the support necessary for Council to consider it. Staff will review all submissions and prepare a report for Council in September. This will enable Council to decide what, if any, action to take respecting each submission.

Licence holders were invited to submit comments and questions for the submission mover to consider, by sending an email to agmsubmissions@peo.on.ca before May 31, 2022. President Bellini advised that comments on particular submissions received during and after the AGM would be shared with the movers, and they would have two weeks to make additional com-

ments based on what they've read from their fellow licence holders. There will be a preliminary staff review of the submissions and the comments together with any recommendations for follow-up that seem appropriate. A note regarding this will be posted on PEO's website adjacent to the written submissions themselves.

Submission videos were shared with the audience, with the exception of submission #1, for which no video was provided.

SUBMISSION #1—Central Election and Search Committee Restructure

It is generally accepted that officials running an election (e.g. Elections Canada) must remain neutral during the election period with respect to all candidates and show no favouritism to any of them.

It is important that election officials (specifically the Central Election and Search Committee (CESC)) have no affiliation with existing members of Council that could potentially create a bias towards supporting sitting members.

Present CESC structures and procedures do not comply with the above.

Moved by Peter DeVita, P.Eng., and seconded by Roger Jones, P.Eng.

Be it resolved that,

1. No member of the CESC shall be a member of the existing Council;
2. No member of the CESC shall be permitted to be a candidate in the year of their term on CESC;
3. This and future PEO AGMs be authorized to choose by election at the AGM (including virtual voters) three members to sit for a period of three years as members of the CESC; and
4. Council move at its earliest opportunity, but no later than 12 months, to have these changes to the CESC incorporated into the PEO Regulation, Section 12 of O. Reg. 941, to make these changes permanent.

SUBMISSION #2—Consequences for Violation of Election Rules by Councillors

A pre-recorded message from the mover, Peter Devita, P.Eng., was played. He stated that the motion being presented was to seek election fairness by enforcing the rule that no one from Council can influence the election by promoting a specific candidate. The existing election rule that forbids sitting councillors to endorse or otherwise publicly support any candidate for election to Council has no consequences if the rule is violated.

Moved by Peter Devita, P.Eng., and seconded by Roger Jones, P.Eng.

Be it resolved that,

Councillors who do not comply, or do not wish to comply, with election rules shall be censured by Council.

SUBMISSION #3—PEO’s Role to Address the Climate Crisis

A pre-recorded message from the mover, David Lapp, P.Eng., was played. He stated that currently PEO has no policies that would mandate licence holders to reduce the public risk of climate change, yet many of the other engineering regulators in Canada are defining their regulatory role and addressing climate change and proceeding with concrete actions to fulfill their responsibilities. PEO’s mandate to protect the public interest cannot now, or in the future, be achieved without considering continuous climate change. PEO must ensure engineering licence holders practise engineering competently and conduct themselves professionally with due consideration to climate change. Lack of consideration may lead to professional liability of the licence holder and potentially PEO as the regulator.

The motion was presented as a call to action for PEO to become meaningfully engaged in the climate change issue. This is an opportunity for PEO Council to become engaged in the climate crisis through PEO’s upcoming 2023–2025 Strategic Plan.

Moved by David Lapp, P.Eng., and seconded by Jim Chisholm, P.Eng.

Be it resolved that,

PEO Council adopts the climate crisis as one of the pillars of the PEO 2023–2025 Strategic Plan and that PEO Council undertakes the following actions:

- a) Adopts a formal public position on the changing climate in Ontario and its impact (or consequences) to public safety and welfare;
- b) Develops and adopts policies or positions on climate change adaptation and mitigation that inform the public on the evolving roles and responsibilities, specifically of how our licence holders will address current and future effects of climate change;
- c) Provide strategic direction on how PEO will support its licence holders in their daily professional practice of addressing climate change in order to assure public safety and welfare;
- d) Take into consideration the suggested basic elements outlined in the Appendix A to this motion;
- e) Authorize the necessary resources in the current and forthcoming annual budgets to enable the development and implementation of a multi-year comprehensive action plan to increase awareness among licence holders on their obligation to practise engineering in consideration of directives that address the impacts of climate change within the engineer’s role and duties;
- f) Establish a task force called the “Climate Change Action Plan Task Force” consisting of PEO members, support staff and any needed consulting services to develop a draft Climate Change Action Plan for the consideration of PEO Council; and

- g) Authorize activities that allow PEO Council to respond to current and future climate change issues that impact the public interest proactively rather than reactively.

SUBMISSION #4—Openness and Transparency

A pre-recorded message from the mover, George Comrie, P.Eng., was played. He referred to several procedural changes that have reversed PEO’s longstanding policy of openness and transparency with respect to operations of Council and its committees. For example, non-Council and non-committee members, as the case may be, are being denied access to non-confidential meetings and briefing materials, and audio transcripts of Council meetings are no longer being posted on PEO’s website. Matters that are not legitimately confidential are being dealt with in-camera to avoid scrutiny by members of the profession and the public. Changes such as these are contrary to the principles of good governance by any standard and especially so for a self-regulating professional body that is acting as a delegated authority in the public interest. His resolution seeks to restore openness and transparency by ensuring members of the profession and the public have full access to Council and committee meetings, agenda materials and proceedings unless the subject matter falls within a narrowly defined set of exclusions.

Moved by George Comrie, P.Eng., and seconded by Thomas Chong, P.Eng.
Be it resolved that,

1. All meetings of PEO Council, committees and task forces be open to the public except for meetings or portions thereof where the matter being considered is one of the following exceptions:
 - a) The security of PEO property;
 - b) Personal matters about an identifiable individual;
 - c) A proposed or pending acquisition or disposition of real property;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before courts of justice or administrative tribunals;
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) A matter in respect of which the Council or committee is required to hold a closed meeting under the *Professional Engineers Act* or other legislation;
 - h) Information explicitly supplied in confidence to PEO by Canada, a province or territory, or a crown agency of any of them; or
 - i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to PEO which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organizations.
2. Council reinstate immediately the posting on PEO’s website of recordings of Council meetings with both audio and video where available.
3. Council direct staff that notices and complete agenda materials of all open Council and committee meetings are to be made available to PEO licence holders and the public upon request.

SUBMISSION #5—Anti-Racism and Equity Code

A pre-recorded message from the seconder, Vanessa Raponi, P.Eng., on behalf of the mover Val Davidson, P.Eng., and herself was played. She stated that whereas PEO has engaged in a number of activities aimed at reaching

Engineers Canada's 30 by 30 goal of having 30 per cent of newly licensed engineers be women by 2030, including a current research study to examine PEO's existing licensure process for potential gender biases and unintentional biases that impede women from obtaining licences, the findings should be considered in planning actions to address inequities related to race to consider the potential for unintended consequences for women (in general, as well as different racial groups). Through the creation of the Anti-Racism and Anti-Discrimination Exploratory Working Group (AREWG) that has already been established, it is important to create policies and strategies that impact not only the inner working of PEO but also the individual licensee.

Moved by Val Davidson, P.Eng., and seconded by Vanessa Raponi, P.Eng.

Be it resolved that,

The AREWG develop an Anti-Racism & Equity Code for PEO that pertains to both the inner workings of PEO and the individual licensee.

SUBMISSION #6—Council Member Succession Planning

A pre-recorded message from the mover, Rob Willson, P.Eng., was played. He stated that his motion requests that PEO complete the process that it initiated in 2016 to update the selection system to conform to the approach recommended by modern governance specialists. The Council Term Limits Task Force and the subsequent Succession Planning Task Force recommended that PEO implement term limits for councillors and in parallel establish a succession planning process to ensure properly qualified candidates for its elections. In 2020, Council accepted this and directed the Executive Committee to develop an action plan to implement the recommendations. Implementation of succession planning was delayed until other changes to Council governance were implemented, which has now essentially been completed. Proper functioning of not-for-profit board elections requires that both term limits and succession planning be implemented together. Term limits, without succession planning, can lead to a board with insufficient experience and capability to deal with the mandates of the organization.

PEO has a deep base of experienced volunteers and an extensive membership who can bring their knowledge and expertise to bear in running a professional regulator; however, there is no system in place to find and motivate licence holders to run for Council.

Moved by Rob Willson, P.Eng., and seconded by Paul Ballantyne, P.Eng.

Be it resolved that,

By the next election cycle Council implements both the short-term recommendations of the Succession Planning Task Force and takes steps to update its election procedures to include a competency selection process to

ensure competent licence holders of the association are elected to represent the interests of the public.

SUBMISSION #7—Practice Guidelines

A pre-recorded message from the mover, Nancy Hill, P.Eng., was played. She advised that her motion supported the regulatory and governance changes PEO has been undertaking for the last few years. There have been a number of improvements over those years but felt there is a need to continue to support these improvements and changes, with a specific focus on the practice guidelines. PEO currently has 31 guidelines, 70 per cent of which are over five years old, 50 per cent are over 10 years old and 30 per cent are more than 20 years old. There is a clear need to change PEO's processes and change how these guidelines are developed to be more responsive to the needs of the province of Ontario and to transition to become a modern regulator.

Moved by Nancy Hill, P.Eng., and seconded by Peter Frise, P.Eng.

Be it resolved that,

PEO operationalize within PEO staff the development and review of practice guidelines with clear KPIs and a robust stakeholder consultation.

SUBMISSION #8—Regulatory Policy Committee Structure and Composition

A pre-recorded message from the mover, George Comrie, P.Eng., was played. He stated that as a member of PEO's Licensing Committee since its inception, he and his committee colleagues have been frustrated for the past couple of years with their inability to get Council and staff to take seriously the work they have been engaged in to try and improve PEO's licensing criteria and processes and address some long-standing related concerns. It seems that Council is refusing to listen to those volunteers who have the most knowledge and experience in the critical areas of regulatory policy. Recent changes to PEO's committee structure, made up solely of councillors, have only exacerbated this problem. The new Regulatory Policy and Legislation Committee (RPLC) has spent the entire past year trying to acquire the necessary domain knowledge to discharge its mandate while critical issues of regulatory policy remain unaddressed. As of the 2022 Annual General Meeting, the composition of this committee will materially change, and the learning process will start over again with no ability for non-councillors to participate in RPLC and no ability for councillors to participate otherwise in regulatory policy work. This unsustainable organization structure needs to be rethought in order for PEO to discharge its responsibilities to regulate professional engineering effectiveness in the public interest.

Moved by George Comrie, P.Eng., and seconded by Thomas Chong, P.Eng.

Be it resolved that,

In order to ensure that Council and its committees can work together effectively to advance PEO's regulatory agenda,

- 1) Council immediately suspend the resolution(s) creating the above unsustainable regulatory policy committee structure and composition; and
- 2) Reinstate the previously existing committee structure and composition and ensure that all operational and policy committees have councillors among their membership or appointed Council liaisons.

SUBMISSION #9—Commit to Fundamental Principles of Good “Self-Regulation” Governance

A pre-recorded message from the mover, Roydon Fraser, P.Eng., was played. He stated the PEO 2022 AGM motion Commit to Action on PEO 2021 AGM motion entitled “Commit to Fundamental Principles of Good ‘Self-Regulation’ Governance” is fundamentally about addressing a flaw in how PEO handles licence holder AGM motions. The 2021 AGM motion “Commit to Fundamental Principles of Good ‘Self-Regulation’ Governance” was passed by an overwhelming majority (largest margin of all 2021 AGM motions) yet Council failed to act on it because specific actions were not identified. This motion rectifies this shortcoming by providing a list of specific actions for Council to consider improving peer review, improve knowledge-based decision making, improve transparency, improve communication and remove barriers to licence holder input.

Moved by Roydon Fraser, P.Eng., and seconded by Leila Notash, P.Eng.

Be it resolved and moved that,

Council commits to considering, discussing and deciding upon the following specific actions:

- (a) For peer review:
 - (i) separately identify staff review as distinct from peer review in briefing notes (i.e. recently staff reviews have replaced peer reviews);
 - (ii) enforce the previously passed Council motion that all significant motions must have peer review (e.g. recent regulation changes failed at this); and
 - (iii) councillors vote separately on, or do not vote on, AGM motions.
- (b) For knowledge-based decision making:
 - (i) ensure unfiltered peer review information is able to reach Council, and in particular ensure dissenting views and reasons are not filtered out;
 - (ii) support having the problem clearly identified and agreed to before jumping to a solution; and
 - (iii) do not prevent councillors from sitting on committees.
- (c) For transparency:
 - (i) make publicly available all non-in-camera Council agenda material two weeks prior to all Council meetings;
 - (ii) clearly state specific reasons for going in-camera when Council goes in-camera;
 - (iii) no secret or super-confidential meetings of Council (used to be called strategic meetings);
 - (iv) have all councillors publicly state and have recorded their vision for PEO;
 - (v) use technology so all Council votes are recorded votes; and
 - (vi) provide reports from member-populated committees at AGM.
- (d) For communication:
 - (i) actually obtain metrics on the degree to which *Engineering Dimensions* is read when in electronic form versus paper form;
 - (ii) adopt the Caretaker Convention for elections (see 2022 AGM motion that explains this further); and
 - (iii) establish a regulatory communications purpose for chapters which are currently not part of any of the six regulatory functions currently recognized by Council.

- (e) For removal of barriers to hearing and respecting diverse views:
 - (i) record, if requested, dissenting views and reasons in minutes if requested by a councillor; and
 - (ii) enable alternative views in *Engineering Dimensions*, perhaps via an editorial page.
- (f) Engage processes of continual improvement in all five areas identified in items (a) to (e).

SUBMISSION #10—PEO to Adopt the Election Caretaker Convention

A pre-recorded message from the mover, Roydon Fraser, P.Eng., was played. He stated that the motion “PEO to adopt the Election Caretaker Convention” is about PEO election integrity. This year’s PEO election saw a complaint concerning the well-established Canadian democratic election principle of the Caretaker Convention that went so far as to illicit a legal opinion by PEO. In brief, PEO adopted long ago the Caretaker Convention (simple interpretation being non-interference in the election) for councillors, while the complaint alleged that the Caretaker Convention was violated by PEO headquarters. In the end, a legal opinion obtained concluded that PEO does not have to follow the Caretaker Convention and hence the complaint was judged as moot, there being no restriction on what PEO headquarters can do during an election even if it is to effectively mount a counter-campaign against one or more of the candidates. The legal opinion did not say PEO cannot follow the Caretaker Convention. Therefore, the purpose of this motion is to uphold the integrity of PEO’s elections by having PEO adopt the Caretaker Convention for not only councillors, as it has already done, but for PEO headquarters as well.

Moved by Roydon Fraser, P.Eng., and seconded by Keivan Torabi, P.Eng.

Be it resolved and moved that,

Council explicitly adopt the Election Caretaker Convention for staff in addition to its current adoption for councillors.

SUBMISSION #11—Reduce PEO Fee(s) to Reduce Large Budget Surplus

A pre-recorded message from the mover, Roydon Fraser, P.Eng., was played. He stated that PEO has recently amassed a large surplus over the COVID-19 period. There is a high potential, due to human nature, that PEO will spend this surplus on new, ongoing expenditures that will lead to ongoing increased fees with no input from licence holders and with no demonstrated added value. Given PEO has the ability to raise fees at will without licence holder input, PEO should reduce the surplus by reducing licence holder fees until the surplus is reduced to a nominal value. If PEO requires more money for future ongoing initiatives, these future initiatives can be used to justify future fee increases. This motion is really about accountability with licence holders’ money.

Moved by Roydon Fraser, P.Eng., and seconded by Vajahat Banday, P.Eng.

Be it resolved and moved that,

Council reduce PEO's budget surplus by reducing future fees (also known as a fee holiday in pension plans), or establish a clear plan for the budget surplus that may involve one-time, peer-reviewed expenditures but no ongoing expenditures (i.e. cannot be used to run mandatory PEAK program; mandatory PEAK program costs must be a separate line item outside the budget surplus).

SUBMISSION #12—Updates to the *Professional Engineers Act* to Reflect Governance Changes

A pre-recorded message from the mover, Christina Visser, P.Eng., was played. She stated that, given the recent governance changes and the establishment of new governance committees, PEO is no longer in compliance with the *Professional Engineers Act*. Thus, Council should request changes to this act to reflect the regulatory transformation and governance structure changes and to enable ongoing modernization of the process. PEO's external regulatory performance review conducted in 2019 recommended that:

1. PEO should review all its committees, subcommittees and working groups to ensure they are both necessary and fit for a regulatory purpose; and
2. That PEO should work with the attorney general's office to seek changes to its statute to modernize its organization and regulatory powers.

Moved by Christina Visser, P.Eng., and seconded by Mark Frayne, P.Eng.

Be it resolved that,

Council directs the CEO/registrar to request changes to the *Professional Engineers Act* to reflect the regulatory transformation and governance structure changes and to allow for ongoing modernization of the licensing process and reflect the principles of right-touch regulation.

These changes should include the establishment of the following committees under section 10 of the *Professional Engineers Act*:

- Audit and Finance Committee;
- Governance and Nominating Committee;
- Human Resources and Compensation Committee; and
- Regulatory Policy and Legislation Committee.

President Bellini thanked all those who brought forward their submissions.

PRESENTATION TO OUTGOING COUNCILLORS

President Bellini congratulated retiring licence holders of the 2021–2022 Council who had worked diligently to move the profession forward. President Bellini expressed his personal appreciation to all for their collaboration, support and encouragement throughout the 2021–2022 year. He stated that it has been a pleasure serving as president and chair.

President Bellini advised that the outgoing councillors had received a certificate of appreciation in recognition of their service to the profession. President Bellini thanked and recognized the following outgoing members of Council: Marisa Sterling, past president; Marilyn Spink, elected vice president; Chantal Chiddle, Eastern Region councillor and appointed vice president; Peter Broad, Western Region councillor; Todd Bruyere, lieutenant governor-in-council appointee; Michael Chan, councillor-at-large; Qadira Jackson Kouakou, lieutenant governor-in-council appointee; Lisa MacCumber, West Central Region councillor; Patrick Quinn, councillor-at-large; Luc Roberge and Ramesh Subramanian, Northern Region councillors.

INSTALLATION OF NEW PRESIDENT

Past President Bellini administered the oath of office to Nick Colucci as the 103rd president for the 2022–2023 term.

PRESENTATION TO PAST PRESIDENT BELLINI

President Colucci made a special presentation to Past President Bellini to acknowledge his just-completed term of office as PEO president. On behalf of Council, he thanked Past President Bellini and expressed sincere appreciation for all his work and efforts to both PEO and the profession and presented him with tokens of appreciation, including an amethyst inukshuk, a framed copper embossed art card, a certificate of appreciation, a past president's lapel pin and PEO's outgoing President's Award.

CLOSING REMARKS BY PRESIDENT COLUCCI

President Colucci provided the following remarks:

"Hello everyone, fellow engineers and honoured guests. I am honoured to address you today as my first act as PEO's 103rd president during this, our regulator's 100th annual meeting in our centennial year. Thank you for entrusting me to lead Council over the coming term. I undertake this new role with a deep sense of responsibility to both the people of Ontario, whom we are mandated to protect, and to our self-regulated profession.

"June will mark 100 years since the passage of the *Professional Engineers Act* and we have been regulating the profession proudly over all that time, and we are wrapping up a grand modernization project that will ensure we continue this important regulatory work effectively into the future. I would like to thank this year's Council and staff for all their hard work and efforts over the past year which we heard about over the course of this meeting. And I give thanks and best wishes to CEO/Registrar Johnny Zuccon, who recently announced his retirement after almost 30 years serving PEO. Johnny's work, especially over the past four years leading PEO, leaves us in excellent shape to continue our work as a modern regulator that delivers on its statutory mandate and is supported by a governance culture that consistently makes decisions that serve and protect the public interest. He will be greatly missed, and we wish him well in his retirement.

"I would also like to thank Ontario's attorney general, the Honourable Doug Downey, for his kind and supportive words today.

"Before I lay out our priorities for the coming Council term, I would like to tell you a bit about myself and how I find myself here today as president, following more than 35 years as a PEO volunteer. While I'm currently director of infrastructure services with the Town of Erin during the day, I have also consistently volunteered my time with many organizations, including PEO. I began volunteering with PEO after graduating from the University of Waterloo in 1987. I started on the chapter executive of the Lake Ontario Chapter, moving through the ranks and ultimately serving as chapter chair. I then relocated to the Peterborough Chapter, where I served on the chapter executive until I was convinced by colleagues to run for PEO Council.

“I ran and lost but tried again the next term and was successful. After two terms as Eastern Region councillor, I relocated to the East Central Region and ran for Council again, becoming East Central Region councillor after a successful election. At the PEO AGM that concluded my second term as East Central Region councillor, I was discussing plans for the coming year as a retired councillor when my phone rang. It was my father with some terrible news: My mother was in the hospital and needed emergency surgery. This led to my mother spending several months in an ICU bed, followed by several more months of recovery. This experience had a profound effect on myself and my family. I never gave up and advocated for my mom every day she was in the hospital. After my mom was safely home, I decided to run for PEO vice president. I lost. This was followed by three more campaigns for PEO president, and in 2021 I was successfully elected as PEO president-elect, making me president during PEO’s centennial year.

“On June 14, 2022, Professional Engineers Ontario will turn 100. Not only is it PEO’s 100th anniversary, 2022 is also a critical year in PEO’s transformation to a modern, future-ready regulator. We have completed the Governance Roadmap; and over our Council term, we will be overseeing some very important initiatives that will continue PEO’s transformation.

Licence Renewal and FARPACTA

“As you know, in December the Ontario legislature proclaimed the *Working for Workers Act*, which includes big amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act*, to which PEO is accountable. These amendments will require significant changes for PEO and several other regulators on how we implement licensing and registration practices for internationally trained applicants. They include:

- Canadian Experience—Removing specific Canadian experience requirements to obtain a licence, providing alternatives that do not include a Canadian experience component or applying for an exemption to the prohibition. All regulators governed by FARPACTA, which includes PEO, will be required to fully comply by December 2, 2023. To comply with these new requirements, we will examine our 12-month Canadian engineering experience requirement for licensure. We are exploring the basis for the requirement, how it protects the public and how it might be modified to balance the interests of licence applicants—including internationally trained—and public safety.
- Decision-Making Timeframes—We will be required to improve our licence and registration processing and response times, including acknowledging receipt of application within 10 days, making registration decisions within six months of the application date and publicly reporting our registration timeline compliance.

- And an Emergency Plan—We also need to create an emergency plan to ensure continuity of operations and processes to expedite renewals and new registrations in the event of public emergencies like another pandemic or natural disaster.

2020–2022 Strategic Plan

“We must also continue and complete the remaining elements of the 2020–2022 Strategic Plan, which Council reaffirmed last November. The plan articulates the transformation work PEO has been focusing on since we received the recommendations from the external regulatory performance review in 2019. The plan, and ongoing transformation work, covers three pillars: operational effectiveness, organizational alignment and governance renewal. And it’s necessary work to meet both the external review recommendations and realize our ultimate goal of becoming a professional, modern regulator.

“Much of this work has been achieved by the hard work of PEO staff and previous Councils, but it will be up to this Council to oversee the plan’s wrap-up and usher in the new strategic plan. The remaining work we will need to direct during this term includes:

- Implementing a mandatory continuing professional development program, which is scheduled to go live in January 2023;
- Continuing to modernize our licensing and registration processes, including fully online licence applications;
- Continuing our equity, diversity and inclusion work, and examining any recommendations that will come from the gender audit that is currently exploring potential gender biases and any barriers to women getting licensed; and
- Wrapping up some remaining elements from the two-year Governance Roadmap. In February, Council approved a motion related to Phase 4 of the roadmap workplan that will see PEO chapters continue as currently referenced in our regulations and bylaws. The Governance and Nominating Committee has directed the Regional Councillors Committee to oversee a risk assessment, in consultation with chapters, to eliminate ‘high risk’ activities and operationalize others so we maintain volunteer engagement.

“We want to operationalize chapters to ensure the risk to the organization is reduced while continuing the amazing work chapters do to benefit our licence holders. We will continue work on the 2023–2025 Strategic Plan. At the January strategic planning kick-off meeting, Council made it clear that the licensure process must be a key focus of the upcoming plan: exploring the future of licensing and whether current licensure requirements are an obstacle to ensuring public protection. Work is currently underway with stakeholder consultations with both licence holders and external partners, as well as an internal capacity analysis and a public focus group. We’re also undertaking an environmental scan, examining priorities among other regulators and potential future regulatory demands.

“In May, Council will convene a two-day workshop to review the consultations information and affirm strategic plan goals in keeping with our mandate. By November, we will have an approved strategic plan for the next few years.

Council Remuneration

“On a related matter, this term we will also review Council compensation—exploring the creation of a remuneration policy that recognizes the significant time commitment associated with service on Council and the need to continue to attract qualified councillor candidates.

Remuneration is also considered important from an equity perspective; while some firms may compensate employees for time taken to participate on Council, other individuals may not have access to the same benefits. Remuneration allows individuals who do not have the opportunity to participate through their employer to be compensated for their time.

Stakeholder Engagement

"This term we will begin developing a more strategic approach to stakeholder relations where regular, coordinated and purposeful engagement is maintained with government, co-regulatory bodies and other relevant stakeholders to inform PEO policy, practices and strategic initiatives. We have begun this shift in approach with the creation of a new external relations staff position to ensure we deliver well-considered and credible regulatory outcomes by gathering and communicating appropriate input and feedback from all relevant stakeholders. One of our first engagement tasks will be revisiting PEO's participation in Engineers Canada's affinity program with TD Insurance Meloche Monnex.

CEO/Registrar Search

"And finally, we must successfully complete the search for a new CEO/registrar to replace our outgoing and hard-working CEO/registrar, Johnny Zuccon, who is taking a well-deserved retirement in June. It is a full slate that will keep us busy over the coming term, and we are undertaking this work amid PEO's centennial.

"Much has changed since 1922, including the expectations of professional regulators by the public. Today, we are transforming to meet these evolving expectations while continuing to hold our licence and certificate holders accountable to all Ontarians. Our centennial provides the perfect opportunity to reaffirm and clearly define its role with stakeholders, including the public, licence holders and government.

"As our centennial milestone approaches, we will be sharing an evolution of PEO's corporate identity that aims to move away from current perceptions of PEO as a member association, to a modern, forward-looking regulator intent on building a better, safer Ontario by ensuring each professional engineer is accountable and working to the highest standards. So stay tuned and watch for some exciting announcements from PEO.

"Before I close, I would like to affirm that this Council will continue operating as a direction and control board, providing strategic direction and high-level control while leaving operations to PEO staff. We will maintain our role as an effective, focused regulatory governance board as set out in the Governance Roadmap and Council's approval of governance tenets and directions.

"I would like to thank Past President Christian Bellini and previous Councils for working through the Governance Roadmap steps and milestones, which have brought us

here to a regulatory governance model that is fully consistent with that of a modern, enlightened and responsive self-regulator.

"Thank you."

INTRODUCTION OF INCOMING MEMBERS OF COUNCIL

President Colucci introduced the 2022–2023 members of Council:

Past President Christian Bellini; President Nicholas Colucci; President-Elect Roydon Fraser, PhD, P.Eng., FEC; Vice President Gregory Wowchuk, P.Eng.; Councillors-at-Large Vajahat Banday, P.Eng., MSEE, MSCE, PE (Michigan), FEC, and Leila Notash; Eastern Region Councillors Tim Kirkby, P.Eng., FEC, and Randy Walker; East Central Region Councillors Christopher Chahine and David Kiguel, P.Eng., FEC; Northern Region Councillor Dana Montgomery, P.Eng.; Western Region Councillors Vicki Hilborn, P.Eng., and Susan McFarlane; West Central Region Councillors Jim Chisholm and Pappur Shankar, P.Eng., FEC; and Lieutenant Governor-in-Council Appointees Arjan Arenja, Robert Brunet, Lorne Cutler, Andy Dryland, Paul Mandel, George Nikolov, Scott Schelske and Sherlock Sung.

President Colucci also introduced the 2022–2023 PEO directors on the board of Engineers Canada: Arjan Arenja, Christian Bellini, Danny Chui, Nancy Hill and Marisa Sterling. He noted that Christian Bellini, newly elected PEO director on the board of Engineers Canada, would formally assume his role at the Engineers Canada 2022 Annual Meeting of Members in May.

There was a virtual round of applause to welcome the new councillors and directors.

CONCLUSION

President Colucci then declared the 100th AGM of the Association of Professional Engineers Ontario concluded.

Johnny Zuccon, P.Eng., FEC CEO/Registrar

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**Deadline for Winter 2023
 is December 9, 2022**

Thoughts on mandatory CPD

Ashwin Mohan, P.Eng.,
London, ON

I was reading the latest issue of *Engineering Dimensions*, in which the mandatory CPD program is mentioned, and we as readers are encouraged to share our thoughts (see “Media campaign promotes upcoming mandatory CPD,” September/October 2022, p. 10). My thoughts are as follows:

I commend PEO for having taken the step to make professional development activities mandatory from 2023 onwards for all P.Eng. licence holders. An engineer

must keep up with the latest technological innovations, regulatory directives and industrial trends to be able to safeguard the public with modern engineering solutions. This will also bring PEO in line with other engineering regulatory bodies that already mandate professional development activities in the areas of professional practice, participation, presentations, informal and formal learning.

LETTERS TO THE EDITOR are welcomed, but must be kept to no more than 500 words, and are subject to editing for length, clarity and style. Publication is at the editor’s discretion; unsigned letters will not be published. The ideas expressed do not necessarily reflect the opinions and policies of the regulator, nor does the regulator assume responsibility for the opinions expressed. Emailed letters should be sent with “Letter to the editor” in the subject line. All letters pertaining to a current PEO issue are also forwarded to the appropriate committee for information. Address letters to editor@peo.on.ca.



WANT TO UPDATE YOUR EMAIL ADDRESS?

Effective April 30, PEO is now communicating to licence holders only by email. If you have already provided us with a valid email address, please ensure it is the one you wish to use to receive essential information from PEO. It is important to choose an email address that you check on a regular basis, do not share with other people and will not have to change often.

You can update your email address through PEO’s online portal.



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Mandatory continuing professional development is coming in 2023



PEO's current voluntary PEAK program is transitioning to a mandatory program that will begin in January 2023. The program is designed to help licence holders maintain their professional knowledge, skills and competence as engineers and is in keeping with PEO's regulatory, public protection mandate as set out in the *Professional Engineers Act*.

As of January 2023, all licence holders (both practising and non-practising) must comply with the program. More information can be found at www.peopeak.ca.



Professional Engineers
Ontario

PEAK
REACHING NEW HEIGHTS

We need people who are passionate about engineering and want to make a difference in the profession.

There's no better time to join PEO Council and help shape the regulator's future as it undergoes its most significant transformation since its creation in 1922. If you've never thought of running for Council before, consider the impact you can make by influencing regulatory initiatives and critical policy issues at the profession's highest level.

PEO is seeking candidates for positions on the 2023–2024 Council who reflect the diversity of the profession, can provide a problem-solving attitude to all discussions and are knowledgeable about board governance.

Find the 2023 Council Elections Call for Candidates on PEO's website. But hurry—you only have until November 25 to nominate yourself or a fellow engineer.



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