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WHAT DO YOU THINK?

Send your letter to the editor to editor@peo.on.ca. Letters may be edited for length and clarity.

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A BLUEPRINT FOR GOOD GOVERNANCE

By Nicole Axworthy



Good governance is an elusive term. It is hailed as a concept that is a vital ingredient to an organization's success, yet it can mean different things to different organizations.

What does it mean to PEO? In short, the support of an effective governance culture ensures PEO's regulatory decisions are made to serve and protect the public interest, ultimately fulfilling PEO's mandate. It's that essential, and in recent years, thanks in part to the implementation of the two-year Governance Roadmap, Council is on its way

to solidifying its role and function as a governing board that is consistent with that of a modern, enlightened and responsive self-regulator.

With the introduction of PEO's new 2023–2025 Strategic Plan this year, the regulator is building on the successes of the Governance Roadmap by implementing a continuous governance improvement program. In "Governance gets strategic" (p. 22), Associate Editor Marika Bigongiari highlights the behind-the-scenes work of this new governance strategy. The aim? To make Council stronger than ever. "Council will have the necessary evidence to make sure all decisions related to its strategic objectives, as well as regulatory processes and activities, are impartial, evidence-informed and advance the public interest," says Marina Solakhyan, PEO's director of governance.

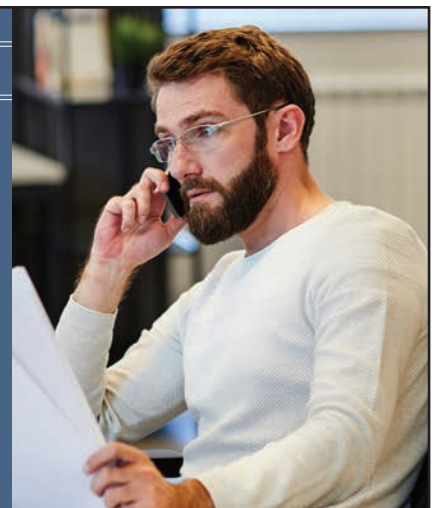
And when it comes to making more informed decisions, Council's four governance committees, which were first implemented last year as part of the Governance Roadmap, play a big role in helping distinguish Council's role and provide due diligence to its decision-making process. In "The road to renewal" (p. 33), Associate Editor Adam Sidsworth speaks with councillors about how these committees have impacted their role and made Council meetings more efficient.

This issue, we also cover notable licensing process improvements that PEO is launching on May 15 to comply with amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act* (p. 10). The improved process is a big change, with applicants for licensure now required to demonstrate the successful completion of the necessary academic and experience components at the time of application, allowing PEO to meet the six-month processing timeline for most new licence applications.

Lastly, we announce PEO's newly elected 2023–2024 Council members (p. 9), who will take office at the regulator's virtual annual general meeting (AGM) on April 29. More details on the AGM can be found on page 16. I encourage you to attend, but if you can't, we'll bring you all the details of the business meeting and introduce you to all Council members in the next issue of *Engineering Dimensions*. [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.



SOME PARTING THOUGHTS

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



Last year, as PEO celebrated 100 years of regulating the engineering profession in Ontario, we were also reminded of the great privilege we have in self-regulation. The province has seen massive change since the first *Professional Engineers Act* was passed on June 14, 1922, and much of it has been thanks to the skill and expertise of Ontario engineers, overseen by a body of fellow professionals charged with setting and enforcing standards of competency and conduct.

As PEO's 103rd president, it was my own great privilege to serve over this milestone year and as we wrap up our enterprise-wide transformation to ensure we're effectively regulating the profession for the next century. To fulfill our mandate, we need to clearly define PEO's role as a regulator and ensure our resources and actions bolster our accountabilities to the public, as well as the accountabilities of our licence and certificate holders to PEO. It is very much an honour for our profession to be empowered with self-regulation, and it is paramount that the trust of Ontarians is maintained through accountable, fair, equitable and transparent regulatory processes, all developed through a public-interest lens.

Over the 2022–2023 Council term, we made key decisions in support of this trust, both to the public we serve and to the engineers we regulate. We set PEO's future direction in June by approving our 2023–2025 Strategic Plan. The plan will see PEO focusing on improving our

OVER THE 2022–2023 COUNCIL TERM, WE MADE KEY DECISIONS IN SUPPORT OF THIS TRUST, BOTH TO THE PUBLIC WE SERVE AND TO THE ENGINEERS WE REGULATE.

licensing processes, optimizing organizational performance, implementing a continuous governance improvement program and facilitating meaningful dialogue with stakeholders.

The new plan is PEO's roadmap for how we will implement improvements to achieve and maintain our 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.*

In September, we adopted a new data-protection policy to ensure the data privacy of licence holders and other stakeholders is maintained and strengthened. To ensure PEO adheres to all relevant data- and privacy-protection legislation, the policy outlines what data PEO can share and when it can do so. Unless otherwise specified or legally required, all stakeholder data will remain secured behind PEO's licence holder portal.

In November, we made important decisions supporting PEO's licensure improvement goals by recognizing that a bachelor's degree in an engineering program included in Engineers Canada's International Institutions and Degrees Database, subject to successful completion of a confirmatory examination program, is equivalent to a bachelor's degree in a Canadian engineering program that is accredited to Council's satisfaction. We also decided to use a competency-based assessment model to confirm that a licence applicant has sufficient experience to practise engineering. These changes, combined with a planned shift to "front-end" academic and experience requirements for licensure, will also help us comply with recent amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act*.

And over 2022, we oversaw the implementation of PEO's mandatory continuing professional development program, PEAK, which came into effect on January 1, 2023. The program protects the public by helping to ensure licence holders practise competently and ethically.

To provide the staff leadership to make these changes happen, we appointed a new CEO/registrar, Jennifer Quaglietta, MBA, P.Eng., ICD.D, who assumed the position in January 2023. She takes over from Johnny Zuccon, P.Eng., FEC, who in March 2022 announced his intention to retire, following 27 years at PEO, including the past five as CEO/registrar.

I would also like to thank all of you for the trust you placed in me to lead our Council this year. And a big thank you to the outgoing Council for its hard work over the term.

As we enter a new century, we have made significant gains in our modernization efforts as a regulator. I wish incoming president Roydon Fraser, PhD, P.Eng., FEC, all the best during his term as he leads Council into our second century. [e](#)

Description

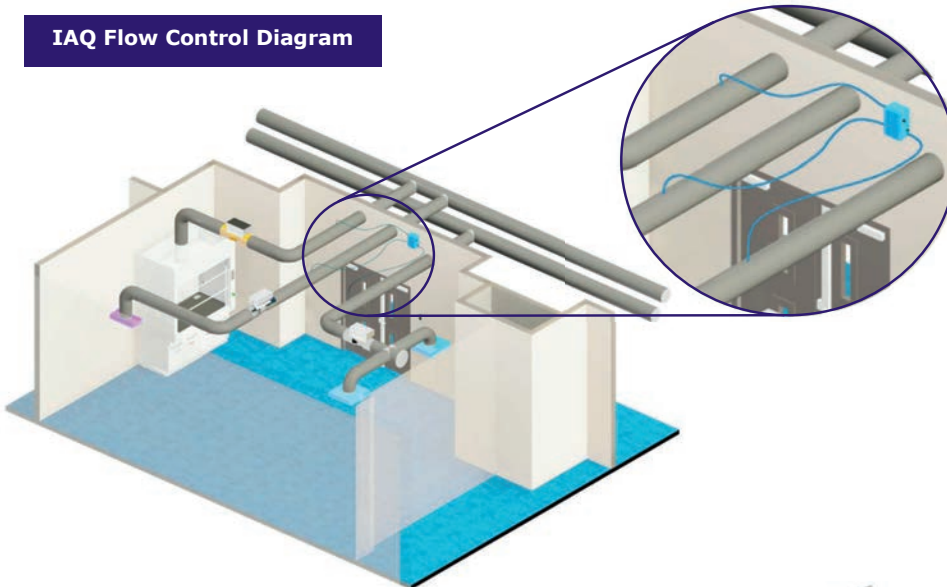
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IAQ Flow Control Diagram



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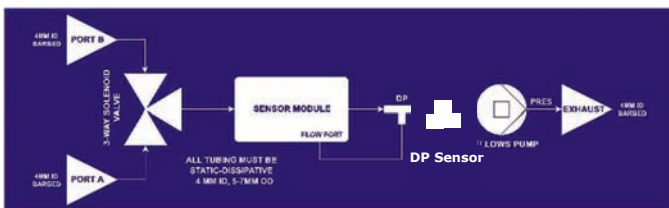
Measure PM2.5, PM10, CO2, and VOC (via PID sensor) levels in supply air. NH3 will be calculated based on standard.

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Description

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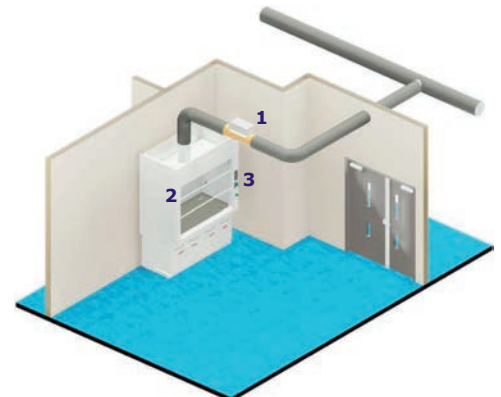
High Speed BACnet Venturi Valve



Sash Positioning Sensor



BACnet Fume Hood Monitor



LEADING PEO INTO ITS SECOND CENTURY

By Jennifer Quaglietta, MBA, P.Eng., ICD.D



I am humbled and honoured to have been named PEO's new CEO/registrar. I earned my chemical engineering degree, as well as my MBA, from the University of Toronto. My path to becoming a professional engineer may not have been traditional but receiving my P.Eng. designation was a defining moment in my career—at once, I was as filled with pride as I was a deep sense of responsibility. Over the years I have used the principles of engineering across all aspects of my journey, from pharma and government to acute care and insurance. The work has been rewarding, the problem solving has been challenging and the impact to society has been remarkable. I trust that many fellow P.Eng.s share similar experiences.

As the new leader of PEO, I will lean on my experience both as an applicant and as a licence holder as I collaborate with PEO staff, volunteers, stakeholders and Council on furthering PEO's 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 I have gotten to know everyone here, I have learned how vital the leadership of my predecessor, Johnny Zuccon, P.Eng., FEC, was as PEO engaged in its multi-year, enterprise-wide transformation. I extend my deepest gratitude to Johnny as he helped me transition into this new role.

PEO'S NEW STRATEGIC PLAN TAKES EFFECT

When I started in January, PEO staff were already hard at work on numerous major projects, including launching PEO's new mandatory continuing professional development program, PEAK, for its approximately 90,000 P.Eng. and limited licence holders; as well as working on changes to the application and licensing system to comply with upcoming requirements under the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA).

In addition to supporting these projects, my immediate focus as CEO/registrar is ensuring PEO adheres to its 2023–2025 Strategic Plan—what I call our North Star—which Council approved last year. The plan was developed throughout the spring of 2022 and has 12 points focused in four areas, including:

- Improving PEO's licensing processes without compromising public safety;
- Optimizing PEO's organizational performance;
- Implementing a continuous governance improvement program; and
- Refreshing PEO's vision to ensure all stakeholders see relevance and value in PEO.

This plan builds on the success of PEO's previous strategic plan, which reflected the regulator's commitment to the organization-wide transformation that began in 2019, when Council accepted a report written by regulatory experts commissioned to perform an independent performance review of PEO. Since then, PEO has worked to address the report's recommendations, which set in motion the transformation we continue working towards today.

The first test of our strategic plan will happen next month, when PEO introduces its new rules for applications for licensure. Our strategic plan commits PEO to:

- Enhancing the application process to make sure it is fair, transparent, accessible and efficient and maintains competency and complies with FARPACTA;
- Reviewing licensing business processes and incorporating changes to improve efficiency without sacrificing public safety or security; and
- Ensuring all licensing activities reflect the values of diversity, equity, inclusion and belonging.

Council, committees and staff began the background work to ensure PEO is balancing its regulatory mandate and has a licensing process that is effective and measurable yet fair and inclusive. It is a commitment I share as I lead PEO into its second century of engineering regulation.

It is also a commitment I share with the PEO community. During my short time here, I have come to appreciate how important community is to PEO's success as a modern-day regulator. And by community, I include PEO's staff, who support each other and PEO's mission; PEO's Council, who helps us stay focused on our regulatory role; and our stakeholders, whose feedback we rely on to make good decisions. Our PEO community is dedicated, caring and driven. To paraphrase F. Scott Fitzgerald, it's never too late or too early to be whoever you want to be. I want to be on this journey with you—my PEO community. **e**

NEW COUNCIL TO BEGIN 2023–2024 TERM

PEO Council, which includes new President Roydon Fraser, PhD, P.Eng., FEC, begins its new term on April 29.

By Nicole Axworthy

PEO Council for the 2023–2024 term will take office at PEO’s virtual 2023 Annual General Meeting (AGM) on April 29. Roydon Fraser, PhD, P.Eng., FEC, will be the new president, and several new councillors will also take office following a month-long election period earlier this year.

The election results, which were announced in late February, revealed that Council veteran Greg Wowchuck, P.Eng., captured the role of president-elect. This means Wowchuck will automatically transition to the presidency for the 2024–2025 Council term at PEO’s 2024 AGM. He previously served on Council as vice president, councillor-at-large and as a lieutenant-governor-appointed councillor.

Christopher Chahine, P.Eng., was elected to the role of vice president (elected). Chahine previously served on Council as an East Central Region councillor.

This year, nearly 11 per cent of eligible licence holders voted during the election cycle, a percentage that has been holding steady for the last three years.

Other new councillors elected to Council for the 2023–2024 term include:

- Councillors-at-Large Leila Notash, PhD, P.Eng., FEC; and Glen Schjerning, P.Eng.
- Northern Region Councillor Luc Roberge, P.Eng., FEC
- Eastern Region Councillor Michelle Liu, MSc, P.Eng.
- East Central Region Councillor Nanda Layos Lwin, P.Eng., FEC
- West Central Region Councillor Ravinder Singh Panesar, P.Eng. (acclaimed)
- Western Region Councillor Susan MacFarlane, PhD, MSc, P.Eng.

Additionally, at the new Council’s first meeting on May 5, councillors will be appointed to the position of vice president (appointed) and to the Executive Committee, along with positions on Council’s four governance committees. The full 2023–2024 Council will be featured in the Summer 2023 issue of *Engineering Dimensions*.

HOW YOU VOTED

PRESIDENT-ELECT

Greg Wowchuck, P.Eng.	3637
Marilyn Spink, P.Eng.	3490
Fred Saghezchi, P.Eng., C.Eng.	2093

VICE PRESIDENT

Christopher Chahine, P.Eng.	5704
Abhishek Gupta, PhD, P.Eng.	2838

COUNCILLOR-AT-LARGE

Leila Notash, PhD, P.Eng., FEC	4492
Glen Schjerning, P.Eng.	2846
Chantal Chiddle, P.Eng., FEC	2467
Sardar Asif Khan, PhD, MBA, P.Eng., FEC	2318

EASTERN REGION

Michelle Liu, MSc, P.Eng.	563
Joseph Podrebarac, P.Eng., FEC	540
Randy Walker, P.Eng.	353

EAST CENTRAL REGION

Nanda Layos Lwin, P.Eng., FEC	825
Daryoush Mortazavi, PhD, P.Eng.	774
Victor Lan, MEng, P.Eng., FEC	671

WESTERN REGION

Susan MacFarlane, MSc, PhD, P.Eng.	1039
Kris Popiolek, P.Eng., FEC	855

WEST CENTRAL REGION

Ravinder Singh Panesar, P.Eng.	acclaimed
---------------------------------------	------------------

NORTHERN REGION

Luc Roberge, P.Eng., FEC	248
Ahmed Elsaid Elshaer, PhD, P.Eng.	115

IMPROVED LICENSING PROCESS TO LAUNCH NEXT MONTH

The changes aim to increase fairness, transparency and efficiency in PEO's licensing process.

By Adam Sidsworth



On May 15, PEO is introducing changes to its licence application process that comply with requirements under the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACKTA) and aim to ensure all qualified applicants are licensed fairly and without undue delay so they can actively pursue work in the engineering profession.

As of May 15, PEO will accept applications for licensure only if they fit PEO's new criteria of a complete application, which is defined as an application that demonstrates the applicant's successful completion of both the academic and experience requirements for licensure.

The minimum academic requirement will become a bachelor's degree in an engineering program accredited by the Canadian Engineering Accreditation Board (CEAB) or a bachelor's degree that meets PEO's acceptance criteria along with the successful completion of a confirmatory exam program.

As part of the online application process, a new competency-based assessment will be used to confirm that the candidate's required four years of engineering experience meets the generally accepted standards of practical skill required for professional engineering practice.

The National Professional Practice Exam—a 2.5-hour online exam on ethics, professional practice, engineering law and professional liability—will continue to be administered to applicants after their applications are received by PEO.

IMPACT TO CURRENT APPLICANTS

Applicants who apply before May 12 will continue to have their application assessed under the serial licensing process. Information about opportunities for eligible applicants to transition into the FARPACKTA-compliant process will be communicated when it becomes available.

As a result of the changes to PEO's licence application process, some of PEO's current programs, including the EIT program, will become operationally impractical with the new six-month licensing timeline (see "PEO to suspend its Engineering Intern program," *Engineering Dimensions*, Winter 2023, p. 8).

IMPROVING REGISTRATION TIMELINES

The procedural shift comes two months before time-sensitive deadlines are mandated by the provincial government. As of July 1, FARPACKTA requires all of Ontario's non-healthcare professional regulators, including PEO, to confirm receipt of a complete application within 10 days and make a registration decision for 90 per cent of internationally trained applicants within six months of receiving a complete application. PEO has committed to applying these decision-making deadlines to all applicants for licensure.

With the new legislation changes, PEO has adopted other procedural changes to help staff and PEO committees speed up their work. In mid-2022, PEO adopted an online licensure application system that, once it is fully implemented on May 15, will allow applicants for licensure to completely front load their application form with all necessary supporting documentation relating to their educational and experience components for licensure (see "PEO introduces online P.Eng. application," *Engineering Dimensions*, September/October 2022, p. 8).

DISCIPLINE DECISIONS NOW PUBLISHED ON CANLII

In a move to increase transparency and accountability, the Discipline Committee is now publishing decisions on CanLII.

By Adam Sidsworth

PEO has joined courts and tribunals across the country and many other professional regulators—including the Law Society of Ontario, the Ontario College of Teachers and the College of Physicians and Surgeons of Ontario—in making tribunal decisions of the Discipline Committee (DIC) publicly available through the Canadian Legal Information Institute (CanLII). The legal database allows anyone to search the decisions of courts and tribunals in every Canadian jurisdiction using keywords, case names and text.

The DIC conducts formal hearings for licence holders accused of incompetence or professional misconduct. Hearing panels issue formal written decisions with reasons as preliminary matters are dealt with and after each case is concluded.

The move to post decisions on CanLII is consistent with a push for greater transparency and regulator accountability in discipline cases, particularly in light of an amendment to the *Professional Engineers Act* (PEA), which requires PEO to make all decisions and reasons publicly available for matters initiated after 2017. Previously, only certain decisions and

reasons were made available on PEO's register and in *Engineering Dimensions*, at the discretion of the DIC.

INCREASING TRANSPARENCY AND EFFICIENCY

In addition to being in line with the best practice of many of Ontario's professional regulators, the publication of decisions in an online database is also in keeping with PEO's ongoing efforts to digitize its operations and modernize how it communicates with members, the public and various stakeholders.

Rob Willson, P.Eng., FEC, chair of the DIC, notes that availability of DIC decisions on CanLII has the added benefit of increasing the efficiency of discipline tribunals by making parties' participation easier by allowing them access to precedents. "The availability of PEO's decisions and reasons on CanLII will permit parties to access information on how matters were dealt with in the past, especially with respect to penalty," says Willson.

Willson also notes that from his perspective, the increased efficiency and fairness resulting from easy access to past DIC decisions is key. "Parties should have quick and easy access to all relevant information, including previous decisions," Willson says. "This will assist them in negotiating appropriate agreed settlements, or, in the case of contested matters, to prepare effective presentations of their cases before the panel."

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PEO ADDS MULTI-FACTOR AUTHENTICATION TO ONLINE PORTAL

The multi-factor authentication increases security for licence holders' online accounts.

By Adam Sidsworth



Licence holders, certificate of authorization holders and applicants logging into the PEO portal now have a new level of security to protect their accounts.

The new multi-factor authentication (MFA) was introduced in late 2022. However, many licence holders likely encountered the portal's MFA for the first time in January of this year, when they logged in to begin PEO's now-mandatory continuing professional program, PEAK. In addition to hosting the PEAK program, the PEO portal allows account holders to renew their licence, apply for a licence, download receipts, update personal information, and set chapter preferences, among other activities.

Now, anyone with an existing account or creating an account for the first time need to set up this additional level of security. At the log-in page, MFA involves entering a username and password as well as verifying your log-in with a verification code that is sent to your cell phone or email. Account holders will now be required to log in using the valid username that was created when setting up the MFA. Previously, account holders were also able to log in to the portal using their PEO number; however, that has been discontinued.

By having MFA to access your PEO portal, your account is less likely to be a victim of a cyber attack or other fraudulent activities. PEO now joins the ranks of many organizations that require their customers to set up MFA in order to access online services, including Microsoft, Cisco, the Government of Canada, CIBC, TD Bank and Google.

For further information on MFA and your PEO portal account, visit the Portal FAQ on PEO's website.

HOW DO I SET UP MFA?

Licence holders with an existing portal account would have received an email from PEO in October 2022 with a link to reset your password and set up your MFA. However, if you didn't receive that email, log in to your PEO portal account and click the button at the top of your screen to have that activation email sent to you. If you already have a PEO number but don't have an account on the PEO portal, visit the Sign Up page and follow the instructions. Once you have a valid portal account, you're in.

To set up your MFA:

1. Click the "Activate Account" link in the activation email, where you will be asked to enter the new password > Re-enter the password > Click Submit.
2. Set up the MFA delivery method by choosing either "Email" or "SMS."
3. If you select email, a verification code will be sent your registered email > Enter the code > Click Verify.
4. If you select SMS, you will be asked to enter the phone number to which you want us to send the verification code. Select "Canada" in the country dropdown menu > Enter your cell phone number > Click Submit > Enter the code > Verify.
5. MFA activation is complete.
6. Next, go to PEO portal login page > Enter your user-name > Enter the password you created in Step 1 > Click Submit.
7. Click Send Code > Enter the code (the code will be sent to you based on the MFA delivery method you chose) > Click Verify.

CEO/REGISTRAR ATTENDS NATIONAL ENGINEERING MONTH EVENT



In one of her first public appearances representing PEO, CEO/Registrar Jennifer Quaglietta, MBA, P.Eng., ICD.D, attended a National Engineering Month kick-off event on March 1 at the Ontario Science Centre in Toronto, ON. March 1 is also P.Eng. Day in Ontario.

Hosted by the Ontario Society of Professional Engineers (OSPE), "The Future of the Engineering Degree" event featured a panel discussion on innovation and engineering education. The panel, facilitated by Marilyn Powers, PhD, P.Eng., president and chair of OSPE, included Janusz Kozinski, PhD, P.Eng., dean of the faculty of engineering at Lakehead University; Farzad Rayegani, PhD, P.Eng., FEC, senior dean of the faculty of applied sciences and technology at Humber College; and Heather Sheardown, PhD, P.Eng., FEC, dean of the faculty of engineering at McMaster University.

In her opening remarks, Quaglietta emphasized the need for engineers to be well-rounded in their education. "Engineers are involved in every aspect of everyday life," Quaglietta told the panel and attendees. "We build cities, design software, create food and keep critical infrastructure running. The engineer of tomorrow needs to be multifaceted and global. Increasingly, engineers must embrace teamwork and strong communication skills along with their strong technical and problem-solving skills."

Quaglietta noted the increasing flexibility of Ontario engineering faculties as they embrace innovation to help engineering students graduate with a well-rounded, multidisciplinary education that supports their licensure. "Ontario has 15 university engineering faculties, and many Ontario colleges are offering engineering education," Quaglietta observed. "McMaster offers unique five-year programs in engineering and society and engineering and management, and Lakehead engineering students concurrently earn both an undergraduate degree in engineering and an engineering technology diploma. It's no surprise that Canada is home to some of the world's best engineering programs."

PEO SUPPORTS CHANGES TO IRON RING CEREMONY

PEO is supporting changes to the almost-century-old Ritual of the Calling of an Engineer obligation ceremony to reflect modern values of inclusivity in Canadian society.

By Adam Sidsworth



PEO is supporting a call to have the Corporation of the Seven Wardens' 28 camps update their obligation ceremonies to reflect the evolution of the engineering profession and modern values of inclusivity and diversity in Canadian society.

Last month, PEO Council moved to acknowledge and support the Retooling of the Iron Ring Ritual movement and its request "to implement meaningful changes" to the Ritual of the Calling of an Engineer ceremony (see p. 52). PEO joins other engineering organizations that previously showed support for the movement, including engineering regulators in Newfoundland and Labrador, Alberta, Yukon and Prince Edward Island; Engineers Canada and the Ontario Society of Professional Engineers.

Retooling the Iron Ring Ritual began as an informal discussion at the June 2022 conference of the Canadian Engineering Education Association. The grassroots group that grew from that initial conversation publicly published a call for changes in September 2022, noting that the ceremony's 100th anniversary in 2025 "is a timely opportunity to ensure the ring and the ritual continue to resonate with the Canadian engineering community for generations to come."

The group says that, among other things, the ceremony needs to be updated because it doesn't align with present-day ethical perspectives, conveys a narrow definition of engineering that doesn't reflect modern-day engineering disciplines and includes text that is "archaic and sometimes ambiguous" and was written by poet and author and noted imperialist Rudyard Kipling, the author of works such as *The White Man's Burden*, who "supported the European colonial project and its explicit, inherent racism."

THE RITUAL'S HISTORY

The Ritual of the Calling of an Engineer dates to 1922, when seven past presidents of the Engineering Institute of Canada met with other engineers in Montreal, QC, to discuss the creation of the Corporation of the Seven Wardens to unite the engineering profession. University of Toronto engineering professor H.E.T. Haultain suggested an obligation, or statement, of ethics be developed for recent engineering graduates. Haultain contacted Kipling, who contributed three poems, including *The Sons of Martha*, *The Hymn of Breaking Strain* and *If* to the Ritual.

The Ritual is administered by the Corporation of the Seven Wardens, but the Rituals are carried out by 28 camps that represent specific geographic locations across Canada. Importantly, the Ritual and the Corporation are independent of Canadian engineering faculties, which grant engineering degrees in Canada; and are not associated with any provincial or territorial engineering regulators, which regulate the engineering profession in their jurisdictions.

CORPORATION RESPONDS TO CALL FOR CHANGES

In response to the call for changes, the Corporation of the Seven Wardens introduced an open call to develop two new poems in both English and French to be incorporated into the Ritual for 2025. In its open call, the Corporation notes that "although Kipling's poems are well known and contain important messages and context, they were written approximately 100 years ago, and it is the Corporation's wish to modernize the ceremony with a poem that uses the language of today while still respecting and capturing the themes and values of the Corporation."

"There's no framework other than the big picture of trying to open the notion that this is a great Canadian initiative to move forward into the next 100 years, where every ceremony will have the option to include this poem," says Corporation Chief Warden Leonard Shara, ing., who says the new poems will be selected in September.

Shara notes that all camps have already been instructed to scrub their ceremonies of gender-specific language and most references to Christian symbolism. "The fact that 50 years ago, there were very few women in engineering, and when [the Obligation] was written 100 years ago, there were no women in engineering," Shara says. "That's a reflection of our times. We've evolved and changed." And in a nod to transparency, Shara notes each camp has also been instructed to, when possible, open their ceremonies to audiences.

LOCAL CAMP WARDENS EMBRACE CHANGES

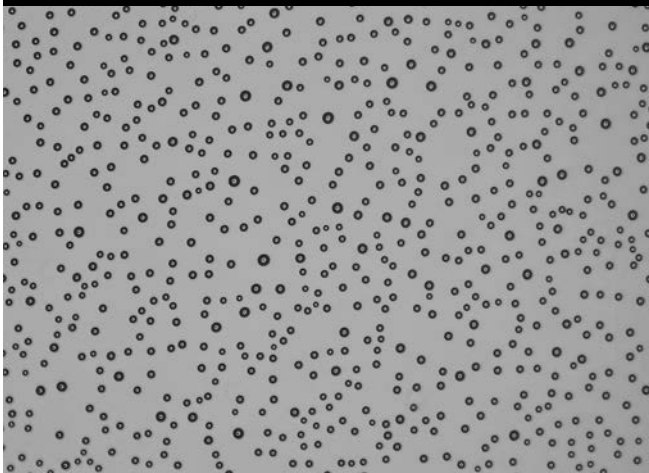
"This year we're saying, 'This is what the ceremony is about; this is what you can expect,'" says Heidi Ploeg, PhD, P.Eng., Camp 3 warden in Kingston, ON, and professor of mechanical and materials engineering at Queen's University. Ploeg was referring to the information sessions that are given every year to engineering graduates at Queen's and Royal Military College looking to participate in the Ritual.

"We've had feedback from the students who didn't know what the ceremony was about until they were in it, and they didn't feel comfortable," says Ploeg. "We thought it was important to let them know it's voluntary. It has nothing to do with their degree. It has nothing to do with licensure. It is a chance for them to participate with their classmates, so there is a strong desire to participate."

Notably, Ploeg, who is Queen's University chair for women in engineering and participated in the Ritual in the 1980s, was a signatory on the Retooling the Iron Ring Ritual. Ploeg notes that Camp 3's Ritual has already expunged gender-specific and religious language. And families and friends will be able to watch the ceremony remotely in a separate building.

Like Ploeg, Marisa Sterling, P.Eng., FEC, warden for Camp 1 in Toronto, ON, and assistant dean and director, diversity, inclusion and professionalism at the University of Toronto's faculty of applied sciences and engineering, is excited about the proposed changes to the ceremony. She says university culture has changed since the Ritual was first introduced. "The way you are taught is changing. The co-ops are different. Internships are changing, as is equity and ethics," she says. "All these things are getting all these inputs, and all of a sudden, [the Ritual] isn't consistent with that."

BITS & PIECES



The use of microbubbles is an innovative technique to selectively deliver drugs to specific target areas in the body, effectively distributed while avoiding damage to healthy cells and tissue. One approach utilizes micron-sized particles filled with gas. The microbubbles can be disrupted by an ultrasound beam, ensuring the drug is delivered specifically where it is needed. Photo: Polorotyy



NOTICE OF 2023 ANNUAL GENERAL MEETING

PEO 2023 VIRTUAL AGM

Date: April 29, 2023

Time: 9 a.m. EDT

Location:

Webcast information
will be posted on
PEO's website.

In accordance with section 20 of By-Law No. 1, which relates to the administrative affairs of PEO, the 2023 Annual General Meeting (AGM) of the Association of Professional Engineers of Ontario will be held on Saturday, April 29, 2023, at 9 a.m. EDT.

As noted in section 17 of By-Law No. 1, the AGM of PEO is held for the following purposes:

- To lay before licence holders the reports of the Council and committees of the association;
- To inform licence holders of matters relating to the affairs of the association; and
- To ascertain the views of the licence holders present at the meeting on matters relating to the affairs of the association.

PARTICIPATION IN MEETING

The AGM will be held using a virtual meeting format. This means proceedings will be conducted solely via live webcast. The meeting will be in listen mode only. P.Eng. licence holders will have the opportunity to submit questions online during the meeting and to provide submissions in advance, as discussed below. Licence holders interested in participating in the meeting, including voting on business properly brought before the meeting, will need access to an internet-connected device for the full duration of the meeting.

MEETING PRE-REGISTRATION

All wishing to attend the meeting must pre-register online. To register with voting status, P.Eng. licence holders must register using their name, email address and licence number that are registered with PEO. Registration closes Friday, April 28, 2023, at 9 a.m. EDT. If you have not provided an email address to PEO, please ensure you do so through the PEO online portal.

SUBMISSIONS

P.Eng. licence holders can make submissions on matters of importance to the work of PEO. To make a submission, please use the template in the Guide for Member Submissions.

Submissions must be received by Wednesday, April 19, 2023, at 5 p.m. EDT. Submissions received after this time will not be considered at the AGM. Once received, submissions will be posted on the PEO website.

Since the AGM will be conducted in listen mode only, licence holders making submissions are being given the opportunity to pre-record a brief introduction to their submission. Submitters can produce their own video recording to be played during the meeting. Technical requirements for the recording can be found in the Guide for Member Submissions.

PEO President Nick Colucci, MBA, P.Eng., FEC, will preside and present his report to the AGM. President-elect Roydon Fraser, PhD, P.Eng., FEC, and CEO/Registrar Jennifer Quaglietta, MBA, P.Eng., ICD.D, will also provide remarks. The president-elect, officers and councillors for the 2023–2024 term will officially take office at the conclusion of the meeting.

HOW DO YOU DETERMINE YOUR PEAK REQUIREMENTS?

An in-depth look at how your practice and licence statuses impact PEAK

By Marika Bigongiari

The Practice Evaluation and Knowledge (PEAK) program administers PEO's mandatory requirements for continuing professional development (CPD) for licence holders based on their practice status and licence status. These statuses aren't new, but the details about what each status means and how they impact your PEAK requirements may be unfamiliar to some.

Mandatory PEAK is designed to offer three combinations of practice and licence status, and the combination you choose determines your CPD requirements under the PEAK program.

WHAT IS PRACTICE STATUS?

Practice status reflects whether an individual who is recorded on the PEO register is currently engaged, or expects to engage that year, in the practice of professional engineering. When you first log in to the PEO portal to participate in the PEAK program, you are asked to declare your practice status as either "practising" or "not practising."

The criteria outlined in Ontario's *Professional Engineers Act (PEA)* determines whether a person is practising. According to the PEA, professional engineering includes:

- Any act of planning, designing, composing, evaluating, advising, reporting, directing or supervising or the managing of such act;
- The application of engineering principles; and
- The safeguarding of life, health, property, economic interests, the public welfare or the environment or the managing of such act.

If you are actively engaging in or plan on engaging in engineering activities for the calendar year, including if you're planning to work in an engineering capacity on a part-time or voluntary basis, you must declare yourself as practising.

A "not practising" status means an individual is not currently engaged, or not intending to engage within the calendar year, in the practice of professional engineering in Ontario. This definition includes those who are not currently allowed to engage in the practice of professional engineering because of a PEO-imposed practice restriction.

WHAT ABOUT LICENCE STATUS?

There is a distinction between your practice status and licence status—and you must update both every January on the PEAK platform. However, you can update these at any point during the year if your practice situation

changes. Licence status reflects whether PEO currently permits an individual who is recorded on the PEO register to practise professional engineering. Two licence status options are available: "permitted to practise" and "not permitted to practise."



THERE IS A DISTINCTION BETWEEN YOUR PRACTICE STATUS AND LICENCE STATUS —AND YOU MUST UPDATE BOTH EVERY JANUARY ON THE PEAK PLATFORM. HOWEVER, YOU CAN UPDATE THESE AT ANY POINT DURING THE YEAR IF YOUR PRACTICE SITUATION CHANGES.

If you choose "practising" under practice status, your licence status will automatically appear as "permitted to practise." If you choose "not practising" for your practice status, you will be given a choice between "not permitted to practise" or "permitted to practise" for your licence status.

A small number of individuals will not have the right to make these choices and will automatically be placed into the "not permitted to practise" licence status. This includes those who:

- Are in the fee remission program;
- Have had their licence suspended by the registrar or Discipline Committee; or

PEO STATUS OPTIONS			LICENCE ALLOWANCES & RESTRICTIONS		PEAK PROGRAM REQUIREMENTS		
SITUATIONS	PRACTICE STATUS	LICENCE STATUS	CAN I PRACTISE, INCLUDING USE THE SEAL?	CAN I USE THE P.Eng. TITLE?	ELEMENT 1 – Practice Evaluation <i>due every January 31</i>	ELEMENT 2 – Professional Practice Module <i>due every January 31</i>	ELEMENT 3 – CPD Report <i>due every December 31</i>
<i>I am practising or intend to practise.</i>	Practising	Permitted to practise	✓	✓	✓ Declaration & Questionnaire	✓	✓
<i>I am not practising and agree to CPD hours for a Licence Status of "Permitted to practise."</i>	Not practising	Permitted to practise	✓	✓	✓ Declaration & Questionnaire	✓	✓
<i>I am not practising and prefer no CPD hours for a Licence Status of "Not permitted to practise."</i>	Not practising	Not permitted to practise	✗	✓	✓ Declaration & Survey	✓	
<i>I am on fee remission.</i>	Not practising	Not permitted to practise	✗	✓	✓ Declaration & Survey	✓	
<i>My licence is suspended.</i>	Not practising	Not permitted to practise	✗	✗	✓ Declaration & Survey	✓	

Licence holders can change their statuses anytime through the PEAK program.
 Fee remission enrollees cannot change their statuses until they exit fee remission.
 Holders of a suspended licence cannot change their statuses until the suspension is lifted.

- Have had their licence administratively suspended for not completing the PEAK program (this could happen when PEO begins enforcing PEAK in the future).

If you are automatically placed in the “not permitted to practise” licence status because of one of the above situations, PEAK will not allow you to choose your practice status; you are parallelly placed as “not practising.”

HOW PRACTICE AND LICENCE STATUSES IMPACT PEAK

Your combination of practice and licence statuses directly impacts your PEAK program requirements, as well as determine allowances and restrictions associated with your unique situation—such as whether you are allowed to practise and can use the P.Eng. title or stamp engineering drawings using the engineering seal. Licence holders who wish to continue to use their P.Eng. title, even if they are not currently practising, might still be required to complete and report on CPD hours, depending on their combination of practice and licence statuses. Consider the following examples.

1. Maya is practising and permitted to practise

Maya, a mechanical engineering supervisor at a large engineering firm, practises professional engineering for some of her work activities, so she declares a practice status of “practising” and will automatically have a licence status of “permitted to practise.” With these statuses, she can call herself an engineer and use the P.Eng. title, practise professional engineering and use the engineering seal. For PEAK, Maya must complete all three elements that year, including any CPD hours that are assigned to her.

2. Olu is not practising and not permitted to practise

Olu is a manager at the provincial environment ministry. Although he does not apply engineering in his work, Olu wants to retain his engineering title rights. He declares a practice status of “not practising” and chooses a licence status of “not permitted to practise.” With these statuses, Olu can call himself an engineer and use the P.Eng. title but cannot practise professional engineering or use the engineering seal. For PEAK, he must complete the first two elements of the program; there is no CPD reporting requirement.

3. Abhigna is not practising but permitted to practise

Abhigna is the president of a business-consulting firm. She doesn’t apply engineering in her day-to-day work but might volunteer for a non-profit in an engineering capacity later that year, so she declares a practice status of “not practising” and chooses a licence status of “permitted to practise.” Abhigna can call herself an engineer and use the P.Eng. title. She can practise professional engineering and use the engineering seal but must update her status to “practising” through the PEAK program within 30 days of resuming practising. She must complete all three elements of the PEAK program that year, including a CPD reporting requirement.

4. Michaela is on fee remission

Michaela is a retired engineering professor and is on a fee remission. Because of this, she will automatically have a practice status of “not practising” and a licence status of “not permitted to practise.” Michaela can call herself an engineer and use the P.Eng. title but cannot practise professional engineering or use the engineering seal. She must complete the first two elements of the PEAK program that year; there is no CPD reporting requirement.

5. Peter’s licence is suspended

Peter’s licence is suspended for a defined period as part of a PEO discipline penalty. During his suspension, he will automatically have a practice status of “not practising” and a licence status of “not permitted to practise.” Peter cannot call himself an engineer, use the P.Eng. title, practise professional engineering or use the engineering seal. He must complete the first two elements of the PEAK program that year; there is no CPD reporting requirement. **e**

QUESTIONS?

PEO’s practice advisory team (practice-standards@peo.on.ca) is available to help licence holders with issues related to professional practice and to verify their responsibilities under the PEA.

PEO’s PEAK program team (peoPEAK@peo.on.ca) advises specifically on PEAK requirements.



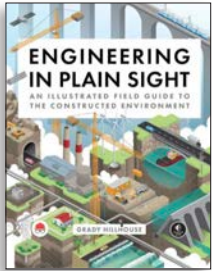
PEAK RESOURCES

The PEAK webpage contains the latest program updates and detailed information about specific areas of the program, including:

- Program elements
- Steps and deadlines
- Practice and licence status options
- Admissible CPD
- Audits and sanctions
- Exemptions

The PEO website also contains FAQs and guidance related to the PEO portal, where the PEAK program is hosted.

READ



Engineering in Plain Sight: An Illustrated Field Guide to the Constructed Environment by Grady Hillhouse, 2022: A field guide with useful tips to help engineers explain what they do to a lay audience.

NASA Systems Engineering Handbook: NASA/SP-6105, by NASA, 2017: Fundamental concepts and techniques of systems engineering unique to NASA

Engineering Management for the Rest of Us, by Sarah Drasner, 2022: Management advice for engineers who never expected to become managers

LISTEN



Houston, We Have a Podcast

From Earth orbit to the Moon and Mars, explore the world of human spaceflight with NASA each week.

PII Podcast

A regular series where experts discuss the latest technologies and future insights about the manufacturing process industries

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

ATTEND

APRIL 24–26

Rocscience International Conference, Toronto, ON

APRIL 25

Engineering Symposium, Rochester, NY

APRIL 29

PEO Annual General Meeting (virtual)

MAY 9–11

Advanced Design and Manufacturing Expo Toronto, ON

MAY 15–16

International Conference on Aeronautics and Aeroengineering, Montreal, QC

MAY 15–16

International Conference on Applied Quantum Mechanics and Engineering Applications, Montreal, QC

MAY 24–27

Canadian Society for Civil Engineering Conference, Moncton, NB

MAY 30–JUNE 1

Electricity, Distribution, Information Systems and Technology Conference and Exhibition, Markham, ON

JUNE 19–20

International Conference on Advanced Biofabrication, Toronto, ON

LISTEN

Engineering Heroes

A podcast about the life and work of engineers

But Seriously, What is Engineering?

A 12-part podcast series that explores all corners of engineering, from the mine site to the microscope

The Engineers Collective

A podcast for those who are curious about how engineers will take on future challenges



WATCH

How Two Uneducated Brothers Achieved the 'Impossible'

How the Wright brothers achieved one of the greatest innovations of all time

Why Leonardo da Vinci was a Scientist, not an Artist

Unmasking the unknown side of the Renaissance genius



ENGINEER RETIRES AFTER 25 YEARS IN REGULATORY AND ADVOCACY ROLES

Bruce Matthews, P.Eng., reflects on his time at PEO and ACEC–Ontario.

By Adam Sidsworth



Bruce Matthews, P.Eng., executive director of ACEC–Ontario, is retiring after 25 years in both the regulatory and advocacy sectors, including a 10-year stint at PEO.

As Ontario's chief advocate for consulting engineering firms, Bruce Matthews, P.Eng., acknowledges that many people may not understand the difference between title rights for consulting engineers and PEO's certificate of authorization (C of A). "PEO is the only engineering regulator in the country that regulates the consulting engineer title separately from the P.Eng. and C of A," notes Matthews, executive director of the Association of Consulting Engineering Companies–Ontario (ACEC–Ontario). But part of Matthews' role was helping his member firms navigate the difference.

Uniquely, Matthews, who is retiring in June, has worked on both the advocacy and regulatory side of engineering, so he is able to easily distinguish between the two. "Advocacy is simpler because there's only one hat you wear when you work for an industry association," Matthews observes. "You're there to promote the industry." Conversely, Matthews says, regulatory bodies are focused on the public interest.

SUPPORTING THE PROFESSION

Matthews joined ACEC–Ontario in 2018 after an almost-two-decade career in professional regulation, where he started out as an investigator in PEO's Complaints, Discipline and Enforcement department. There, he investigated licence holders who were potentially guilty of

professional misconduct or incompetence. "It's serious work," Matthews recognizes. "Nobody who gets a complaint against them likes it...I've had a number of engineers tell me, 'I never want to see you again.' They acknowledge, 'I should have done something better, but going forward, I'll never make that mistake again' because the interaction was sufficiently traumatic and disruptive for them."

Matthews rose up the ranks at PEO, eventually becoming senior investigator, then manager of complaints and discipline and then deputy registrar of regulatory compliance. In the latter position, Matthews oversaw the enforcement and complaints and discipline processes. "PEO loves to enforce against unlicensed folks and protect title and practice rights," observes Matthews in retrospect. "But you have to recognize that out of PEO's population of 90,000 licensed professionals and firms, some people are going to be occasionally offside. It's an important regulatory function."

Matthews moved on from PEO to take on a similar role at the Real Estate Council of Ontario (RECO), which regulates real estate salespersons, brokers and brokerages across the province. Matthews notes that given the nature of real estate, where real estate practitioners are more likely to come into direct contact with the public, RECO's investigation and discipline caseload was much higher. "During my 10 or 11 years at PEO, we probably averaged 100 to 120 complaints a year. By contrast, RECO would get over a thousand," Matthews notes.

After a short time at the Ontario College of Trades (now Skilled Trades Ontario), Matthews joined ACEC–Ontario. ACEC–Ontario originally devolved from PEO as Consulting Engineers Ontario (CEO) in 1975 in partnership with ACEC–Canada, the national association of consulting engineering bodies, so it could focus on business rather than public interests.

"There was essentially a division at PEO between engineers employed by [what would become ACEC–Ontario's member firms], where you have that arms-length relationship with clients; and employers working for manufacturers, plants or government," observes Matthews. "At the time, the majority of membership at CEO were individuals with their shingle out. But over the past 45 years ACEC–Ontario has been in place, it's evolved very much."

Now, ACEC–Ontario's member firms—which range from sole proprietorships to multinational corporations—have a combined annual contribution of \$10 billion to the Ontario economy. The organization is advocacy focused, working on behalf of its member firms' business interests.

HEADING INTO RETIREMENT

Matthews heads into his retirement proud of his accomplishments in both the engineering regulatory and advocacy sectors. His wife has another year before she retires, and Matthews may use the next year to work on a consulting basis for organizations looking to enhance their governance. And he will likely make himself available to the candidate who takes over from his position at ACEC–Ontario.

But to stay busy, Matthews will take up music again—he has a collection of guitars at home—and flying may be a part of his retirement. Matthews earned his private pilot's licence at age 19 and commercial pilot's licence during his time at PEO. Look for Matthews on the horizon. **e**



GOVERNANCE GETS STRATEGIC

One of the main goals of PEO's new 2023–2025 Strategic Plan is to implement a continuous governance improvement program. Here, we highlight the behind-the-scenes work to make Council stronger than ever.

BY MARIKA BIGONGIARI



MUCH HAS BEEN

accomplished at PEO in recent years while it works towards achieving its vision of becoming a professional, modern regulator that delivers on its statutory mandate. This vision includes being supported by a governance culture that consistently makes decisions that serve and protect the public interest. To this end, PEO is now moving ahead with its 2023–2025 Strategic Plan, which identifies four broad goals, one of which is the implementation of a continuous governance improvement program.

“Strengthening board independence and implementing standard best practices from a governance perspective in any organization supports effective decision making, provides strategic value and overall ensures confidence in the delivery of our mandate to serve and protect the public interest by setting and upholding high academic, experience and professional practice standards for the engineering profession,” says Jennifer Quaglietta, MBA, P.Eng., ICD.D, PEO’s CEO/registrar.

The board Quaglietta is referring to is PEO Council, which comprises elected professional engineers and individuals appointed by the government and functions like a board of directors by driving decision making for Ontario’s engineering regulator. As such, it plays a big role in shaping the regulator’s future as it continues to make strides towards meaningful transformation in all aspects of its work. But to do this, it is essential that PEO has an agile and capable Council at the helm.

GOOD GOVERNANCE MATTERS

PEO’s new 2023–2025 Strategic Plan: *Modern Regulation for a Safe and Diverse Ontario* outlines goals and priorities that emphasize improving governance, along with modernizing processes, optimizing organizational performance and collaborating with stakeholders. These goals aim to advance the regulator’s vision and identify a strategy for accomplishing this work, rooted in PEO’s commitment to a transformation that began in 2018 with the voluntary commissioning of an independent regulatory performance review.

A key part of good governance is having a dexterous plan. Based on the input provided by Council and an inventory of resources and requirements undertaken by staff, an operating plan was developed to support the achievement of PEO’s strategic goals. The plan’s goals and accompanying priorities describe the specific work PEO will undertake to drive its mandate and mission. “The idea has always been that there will be an operating plan where we will identify the activities under each initiative,”

says Marina Solakhyan, PEO’s director of governance, who did the initial work to identify what PEO must do to achieve the outcomes specified under its strategic goals. “It’s tied to governance reform.”

For the governance improvement goal specifically, the operating plan represents a continuation of the work that began in 2020 under the two-year Governance Roadmap, a Council-approved plan with key steps and milestones to enhance Council’s governance effectiveness. Although the operating plan is still being fine-tuned by staff, it is expected that specific strategies and action plans, with targeted completion dates over the next three years, will flow from the identified goal and priorities.

GOVERNANCE IMPROVEMENT STRATEGY

The strategic plan outlines three sub goals, or strategies, for its governance improvement program:

1. Improving orientation for councillors and PEO’s executive leadership team;
2. Ensuring committees and Council have the necessary evidence to support quality decision making; and
3. Establishing metrics for governance performance, which include principles of equity, diversity and inclusion and implementing an annual review.

The first sub goal, aimed at improving orientation for councillors and PEO’s executive leadership team, involves the imminent revamping of existing onboarding training to include best practice principles of other professional regulators. The goal is to provide onboarding training to new councillors and relevant staff to facilitate understanding of PEO’s mandate and expectations pertaining to their role and responsibilities, including on Council and on the governance committee they are appointed to.

The operational plan identifies a second goal that’s aimed at ensuring committees and Council have the necessary evidence to support quality decision making. It specifies a need to identify and implement continual improvements to how information is presented to committees and Council for decision. This includes conducting a regulatory impact assessment covering the public benefit; equity, diversity and inclusion; and financial impact, with the intention that Council considers these areas when making decisions.

“The idea is to conduct a regulatory impact assessment every time we propose a new policy initiative,” explains Solakhyan, who says the required tools are cur-

rently being developed. This work is anticipated to proceed in an ongoing capacity under the oversight of the Governance and Nominating Committee (GNC). In addition, a plan is in place to conduct regular reporting to Council on strategic plan implementation through a dashboard or reporting template that includes an increased focus on outcome-based measures so that Council has the information it needs to be confident the strategic plan is being executed. There are also plans to build a risk management framework for Council to effectively identify, assess and manage internal and external risks via PEO's governance committees.

IT IS ESSENTIAL THAT PEO HAS A COUNCIL THAT IS NOT INVOLVED IN PEO'S DAY-TO-DAY OPERATIONS BUT RATHER ONE THAT FUNCTIONS AS A GOVERNING BOARD AND THINKS STRATEGICALLY.

Finally, the operating plan outlines the need to establish metrics for governance performance. This sub goal builds on the Governance Roadmap, as well as principles of equity, diversity and inclusion and includes developing a framework to regularly evaluate the effectiveness of Council, its meetings and its governance committees and identify opportunities for improvement. The plan outlines an intent to implement an annual assessment of Council effectiveness with the assistance of a data analyst.

In addition, the plan suggests providing ongoing training to Council that is informed by the outcomes of its annual evaluations, including needs identified by councillors, so it can effectively address identified opportunities for improvement through ongoing education. Once established, this work will continue in an ongoing capacity with the assistance of the GNC and PEO staff.

THE ROAD TO GOVERNANCE IMPROVEMENT

The 2023–2025 Strategic Plan builds on several major transformation initiatives PEO has implemented in the past few years while applying right-touch regulation principles across its operations, including its regulatory and governance practices. The regulator's efforts to address the 2019 recommendations that resulted from the preceding external review led to several noteworthy achievements, including the execution of a high-level action plan and accompanying activity filter that assessed the activities of 93 PEO committees, subcommittees and working groups within PEO's mandate, as well as a two-year Governance Roadmap to review and enhance all aspects of governance.

It is essential that PEO has a council that is not involved in PEO's day-to-day operations but rather one that functions as a governing board and thinks strategically. Successes stemming from the completion of the roadmap in 2022 include a renewed focus at the Council level on high-level strategy for PEO's regulatory work and a better-defined boundary between Council's role as a governing board and the operational work led by PEO staff.

Phase 2 of the roadmap focused on PEO committees and improving their structures and mandates, during which Council formally approved the implementation of four new governance committees (see p. 33). The role of Council's governance committees is to examine relevant data and background information, mostly assembled by staff, about specific issues and make appropriate recommendations to Council. Now, before a motion comes to Council, it is vetted by the appropriate governance committee. Importantly, this helps keep Council focused on its regulatory duty.

Centralizing responsibility for regulatory policy direction at the Council level serves to unify its approach to regulatory policy development. To that end, last fall Council approved amendments to By-Law No. 1 for several governance directions, most of which emerged while completing the Governance Roadmap. These included adding a new section to the bylaw that relates to the establishment of Council's governance committees and amending a section to include a new approach to making the agendas and minutes for both public and in-camera meetings of Council, including governance committees, more transparent.

Additionally, Council has been working to further keep PEO focused on its regulatory mandate. In February 2022, Council approved a motion related to Phase 4 of the Governance Roadmap that will see the continuation of PEO chapters as currently referenced in PEO's regulations and bylaws. As part of the motion, Council directed the GNC to oversee a risk assessment, which was undertaken by the Regional Councillors Committee with support from PEO staff. The assessment included consultation with chapters, with a view to eliminating "high risk" activities and operationalizing others so that volunteer engagement is maintained and more effective organizational control is ensured. The recommendations resulting from the risk assessment were approved by Council at its March 2023 meeting (see p. 51).

Further to its effort to wrap up outstanding items from the Governance Roadmap, at its February 2023 meeting, Council approved a motion to stand down eight committees and subcommittees whose functions were deemed to be neither governance nor regulatory.

By 2025, when PEO is expected to conclude the additional governance initiatives under its strategic plan, Solakhyan believes it will have the necessary provisions to ensure effective functioning, preserve a high degree of integrity and achieve quality decision-making in the public interest. "We will have well-designed rules that are effective and efficient, as well as appropriate institutional frameworks and related governance arrangements," observes Solakhyan. "[And] Council will have the necessary evidence to make sure all decisions related to its strategic objectives, as well as regulatory processes and activities, are impartial, evidence-informed and advance the public interest." **e**

SUMMARY OF DECISION AND REASONS

Between PROFESSIONAL ENGINEERS ONTARIO and RENZO VILLA, P.ENG.; Heard on April 11, 2018; June 11, 2018; August 7, 2018; September 4 and 5, 2018; October 10, 2018; November 22 and 23, 2018; December 3 and 4, 2018; and January 9, 2019.

The panel of the Discipline Committee of the Association of Professional Engineers of Ontario (“the Association”) met to hear this matter, which was referred to it by the Executive Committee of the Association under section 27.1 of the *Professional Engineers Act* (“the Act”).

The Association’s Statement of Allegations, dated February 17, 2015, alleges that Renzo Villa, P.Eng., is guilty of professional misconduct as defined in the *Act* and Regulation 941 as follows:

1. The Respondent was, at all material times, a professional engineer licensed pursuant to the *Act*.
2. The Respondent was, at all materials times, employed on a full-time basis by the Association as an investigator who was involved in the investigation and prosecution of professional misconduct and incompetence matters regarding licence holders and certificate of authorization holders.
3. It was a condition of the Respondent’s employment with the Association that he maintain his certificate of authorization only for the purpose of completing the forensic files for which he was engaged prior to commencing employment with the Association (the “Permitted Services”).
4. As an employee of the Association, the Respondent was subject to the Association’s Conflict of Interest Policy, which prohibited outside employment or engagement in a conflict of interest capacity or business without the prior written consent of the Chief Executive Officer and Registrar.
5. The Association issued certificate of authorization #10992347 to “Renzo Villa Associates” (“C of A 10992347”). Until August 25, 2004, the Respondent was the licence holder responsible for the professional engineering services provided under C of A #10992347.
6. On August 25, 2004, Giovanni (John) Crimi, P.Eng., assumed responsibility for the professional engineering services provided under C of A #10992347 and per-

formed all of the engineering work on the remaining Permitted Services.

7. In February 2007, the Respondent relinquished all responsibility and rights to C of A #10992347.
8. The Association has no records of issuing a certificate of authorization to “R. Villa Associates Limited”, “R. Villa Associates Ltd. Structural Engineers”, “Renzo Villa Associates Limited” or “Design Engineering”.
9. From at least April 2009 until October 2013, the Respondent provided professional engineering services, other than the Permitted Services, to the public while employed by the Association.
10. From at least April 2009 until October 2013, the Respondent provided professional engineering services to the public during his work hours at the Association or while on sick leave from his employment at the Association.
11. From at least April 2009 until October 2013, the Respondent offered and provided professional engineering services through “R. Villa Associates Limited”, “R. Villa Associates Ltd. Structural Engineers”, “Renzo Villa Associates Limited” or “Design Engineering”.

Based on these particulars, it is alleged that the Respondent is guilty of professional misconduct as follows:

1. The provision of professional engineering services, other than the Permitted Services, to the public while an employee of the Association without the Association’s authorization is conduct relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as disgraceful, dishonourable or unprofessional, amounting to professional misconduct pursuant to section 72(2)(j) of Regulation 941.
2. The provision of professional engineering services to the public during his work hours at the Association or while

on sick leave from his employment at the Association is conduct relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as disgraceful, dishonourable or unprofessional, amounting to professional misconduct pursuant to section 72(2)(j) of Regulation 941.

3. The offering and provision of professional engineering services to the public without the appropriate certificate of authorization is contrary to section 12(2) of the *Act*, amounting to professional misconduct pursuant to section 72(2)(g) of Regulation 941.

Mr. Villa denied all of the allegations.

The parties brought 11 motions in total. The Association brought a motion, that was not disposed of, to compel Mr. Villa to disclose a list of his witnesses. The Association also brought a motion for an adjournment on September 5, 2019, which the panel granted. Mr. Villa brought four motions for adjournment, three motions for the recusal of panel members, a motion to disqualify Independent Legal Counsel (“ILC”), and a motion to stay the proceeding. These are described below.

On April 18, 2018, Mr. Villa brought motions for the recusal of two panel members, one of whom was a member of the Council of the Association, and for an adjournment. The panel denied Mr. Villa’s motion for recusal on the basis that he did not satisfy the panel that the presence of either member raised a reasonable apprehension that they were biased. Mr. Villa’s evidence did not satisfy the test confirmed by the Supreme Court of Canada in *Wewaykum Indian Band v Canada*¹ which is, “what would an informed person, viewing the matter realistically and practically—and having thought the matter through—conclude? Would he think that it is more likely than not that [the decision-maker], whether consciously or unconsciously, would not decide fairly?”² Mr. Villa alleged that the panel member who sat on Council would have been present for the discussion of the referral of this matter to discipline. Mr. Villa provided no evidence that the member took any role in any such discussion, but in any event, section 30(3) of the *Act* specifically permits Council members who have considered the referral of a matter to the Discipline Committee to sit on a panel that hears that same matter.

On June 11, 2018, Mr. Villa attended the hearing with Mr. Neil Perrier, who appeared to be representing him as his legal counsel. However, at the beginning of the hearing, Mr. Perrier asked that he be removed as counsel of record for Mr. Villa. Neither party objected to the removal request

and the panel granted it. The hearing continued with Mr. Villa representing himself. Mr. Villa then brought a motion to disqualify ILC. Mr. Villa argued, among other things, that ILC allegedly had an existing years-long relationship with the Interim Registrar of the Association, Mr. Johnny Zuccon, that ILC did not disclose, and that gave rise to a “disqualifying conflict of interest” for ILC and his firm. The panel denied the motion to disqualify ILC as Mr. Villa did not provide any evidence of a disqualifying conflict of interest and did not convince the panel that ILC was unable to provide it independent legal advice in this matter.

Also on June 11, Mr. Villa brought a motion for the recusal of the panel member who sits on Council. The panel denied this motion for lack of evidence of a reasonable apprehension of bias. Mr. Villa then sought an adjournment so that he could have time to retain legal counsel. The panel granted Mr. Villa an adjournment of four to five weeks so that he could obtain legal representation. However, Mr. Villa did not subsequently obtain legal representation.

The panel adjourned the hearing date of August 7, 2018, after Mr. Villa left the hearing due to a medical emergency.

On September 4, 2018, Mr. Villa brought his third recusal motion, this time seeking the recusal of the entire panel. The panel denied Mr. Villa’s recusal motion because he did not satisfy the test for establishing a reasonable apprehension of bias and because it was not filed by the deadline in the panel’s order of June 21, 2018 that set a schedule for preliminary motions. Mr. Villa then brought a motion for adjournment that the panel denied because there were no grounds for granting it. Mr. Villa then asked for an adjournment until the following day so that he could file an application for a judicial review of the panel’s decision to deny his motion for its recusal. Mr. Villa had already attempted to have this hearing dismissed by way of judicial review on March 5, 2018, and the Divisional Court rejected his application as premature.³ After hearing from the parties and receiving advice from ILC, the panel denied Mr. Villa’s fourth motion for an adjournment because it was necessary to proceed and avoid further delay in this hearing. Mr. Villa was free to bring any court application he wished, even a premature one, however, the bringing of a court application was not grounds to adjourn the hearing.

¹12003 SCC 45.

²*Ibid*, paragraph 60 quoting from Grandpre J. in *Committee for Justice and Liberty v National Energy Board*, 1978 1 SCR 369.

³*Villa v Association of Professional Engineers of Ontario*, 2018 ONSC 1543.

The panel also adjourned the hearing dates of October 10, 11 and 12 because it was advised, on October 10, 2018, that Mr. Villa had had another medical emergency.

On November 22, 2018, Mr. Villa brought a motion for a stay of the proceeding arguing that there was no reasonable and probable cause for the Association to initiate an investigation of him. He also argued that the proceeding was an abuse of process. Counsel for the Association asked the panel to dismiss the motion because it was untimely and because Mr. Villa did not provide evidence that supports the need for a stay. The panel denied the motion, which Mr. Villa did not bring it in accordance with the panel's June 21, 2018 Order for the filing of motions. Mr. Villa did not satisfy the test for a stay, which is a remedy granted only where there has been an abuse of process that brings the administration of justice into disrepute. In dismissing the motion, the panel relied on the Divisional Court's decision of March 5, 2018, which affirmed that this matter was properly brought to the Discipline Committee through a resolution from the Association's Executive Committee.⁴

OUTLINE OF THE PROCEEDINGS

The Association presented its case through the testimony of four of its current employees, two of Mr. Villa's clients, Mr. Wong's legal assistant, the investigator appointed by the Registrar to investigate Mr. Villa, and Mr. Villa's former business partner.

Mr. Villa testified in his own defence and called as witnesses the Director of Human Resources who was in place when he was hired, and the Interim Registrar of the Association, Mr. Johnny Zuccon.

As rebuttal witnesses, the Association called two former employees, the Manager of Investigations and the Deputy Registrar, Regulatory Compliance of the Association who were in place when Mr. Villa was hired.

DECISION

Mr. Villa offered and provided professional engineering services to the public without the appropriate certificate of authorization contrary to section 12(2), amounting to professional misconduct pursuant to section 72(2)(g) of Regulation 941.

Mr. Villa's provision of professional engineering services, other than the Permitted Services, to the public while an employee of the Association without the Association's authorization is conduct relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession

as dishonourable or unprofessional, amounting to professional misconduct pursuant to section 72(2)(j) of Regulation 941.

Whether or not Mr. Villa provided professional engineering services to the public during his work hours at the Association or while on sick leave from his employment at the Association is an employment matter being addressed in court and is not, on its own, conduct that rises to the level of professional misconduct under section 72(2)(j) of Regulation 941.

Having found Mr. Villa guilty of professional misconduct under sections 72(2)(g) and (j) of Regulation 941, the panel invites submissions from the parties on penalty, as follows:

- the Association shall provide its submissions on penalty to Mr. Villa and the panel by Friday, September 20, 2019
- Mr. Villa shall provide his responding submissions on penalty to the Association and the panel by Monday, October 11, 2019
- the Association shall provide its reply submissions on penalty, if any, to Mr. Villa and the panel by Monday, October 18, 2019

If either party does not consent to conducting the penalty hearing in writing, that party must, in writing, advise the panel by Monday September 9, 2019 and request an oral penalty hearing. If either party requests it, an oral penalty hearing will be convened on Friday, October 25, 2019.

On August 30, 2019, Glenn Richardson, P.Eng., signed the Decision and Reasons for the decision as Chair of this Discipline Panel and on behalf of the members of the Discipline panel: Stella Ball, LL.B., Paul Ballantyne, P.Eng., Aubrey Friedman, P.Eng., and Warren Turnbull, P.Eng.

⁴*Ibid*, at paras 2-4.

SUMMARY OF INTERIM ORDER

| Between PROFESSIONAL ENGINEERS ONTARIO and RENZO VILLA, P.ENG.

This Interim Order addresses the status of a penalty hearing in a discipline proceeding when the Discipline Committee has found the member guilty of professional misconduct and its Decision and Reasons on liability have been appealed to the court, but the Committee has not yet made its decision on penalty. This panel convened a hearing to receive submissions from the parties on what effect an appeal to the Divisional Court has on the status of a matter that has not been concluded with a decision on penalty.

The panel finds that the filing of a Notice of Appeal in respect of the panel's liability findings does not stay this proceeding at this stage. The panel finds that neither section 29(2) of *Professional Engineers Act*, R.S.O. 1990, c. P.28 (the "Act"), nor section 25(1) of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 (the "SPPA") applies to automatically stay this proceeding at this stage. In the alternative, if section 25(1) of the SPPA is read so as to stay "the proceeding" on the filing of a Notice of Appeal from the panel's liability decision, the panel exercises its authority under section 25(1)(b) of the SPPA to order otherwise, and orders that the stay of the proceeding be lifted pending its completion.

In its Decision and Reasons issued August 30, 2019 (the "Liability Decision"), this panel of the Discipline Committee found Mr. Renzo Villa, P.Eng., ("Mr. Villa") guilty of professional misconduct, and invited him and the Association of Professional Engineers of Ontario (the "Association") to provide their submissions on penalty in writing. The panel set the following schedule for submissions: September 20, 2019 for the Association, October 11, 2019 for Mr. Villa, and October 18, 2019 for any reply from the Association. If either party objected to conducting the penalty hearing in writing, the panel required that party to advise it in writing by September 9, 2019 and request an oral penalty hearing, which the panel would convene on October 25, 2019.

The Association provided its penalty submissions on September 20, 2019, in accordance with the panel's schedule. On September 26, 2019, the panel received a copy of correspondence from Mr. Villa to Mr. Wong attaching a copy of the first page of his Notice of Appeal of the Liability Decision to the Ontario Superior Court of Justice (Divisional Court), filed on September 24, 2019.

Taking into account the balance of prejudice, the public interest and the institutional interest of the tribunal, and the Divisional Court's decision in *Villa*, the panel orders that the stay, if applicable, be lifted under section 25(1)(b) of the SPPA for the following reasons. While Mr. Villa's position

is that he will be prejudiced by a continuation of the hearing to the penalty phase, he has not provided details of how he would be prejudiced. This matter has been ongoing since 2015, when it was referred to Discipline and the hearing itself has spanned 2018 and 2019. Mr. Villa has ably represented himself in the proceeding, and he has had the Association's submissions on penalty since September 20, 2019. Moreover, the penalty phase is partly complete as a result of the Association providing its penalty submissions four months ago in writing.

There is a public and institutional interest in concluding proceedings as efficiently and expeditiously as possible. This proceeding has already taken a considerable amount of time, effort and resources on the part of the parties and the Discipline Committee. The panel has had to review and consider voluminous submissions and evidence, and retain a significant amount of information. If the panel were to stay the proceeding pending the completion of the appeal, the resulting delay would have a significant impact on the panel and the integrity of the proceeding. Reconvening the panel in a year or two and reviving memories of the liability phase may be difficult. The panel is wary of fragmentation or inconsistent decisions noted by the Association, which could result if there were multiple appeals of the Liability Decision and any subsequent decision on penalty. Considering the challenges that the additional passage of time would pose in the circumstances of an already long proceeding, the potential for fragmentation and inconsistent decisions, and the lack of any details on potential prejudice to Mr. Villa, the panel believes the balance weighs in favour of ordering that the proceeding continue and that the panel complete the penalty phase.

The panel shares Mr. Villa's concern that, if he were to be successful in his appeal, it will have been a waste of time and resources to have completed the penalty phase of the proceeding. However, without knowing what the Court will decide or how long it will take for the Court to issue its decision, the panel is satisfied that the more prudent and efficient use of time and resources demands that the proceeding be completed now, when the parties and the panel are immersed in the details of the proceeding. The panel notes the Divisional Court's ruling in *Villa* that absent exceptional circumstances, it is preferable to allow administrative proceedings to run their full course so that a reviewing court has the benefit of a full record and a reasoned decision. The panel is satisfied that in this proceeding the Divisional Court will benefit from a complete record including a penalty decision that completes the proceeding.

Nonetheless, to ensure there is no prejudice to Mr. Villa, the panel will provide him with another opportunity to provide his submissions on penalty. Due to the current pandemic and pursuant to section 3 of the *Hearings in Administrative Tribunals (Temporary Measures Act)*¹ the panel will continue this proceeding in writing. Accordingly, the panel invites Mr. Villa to provide submissions on penalty in writing in accordance with the timeline below.

The panel confirms that any penalty order it may make that falls within section 29 of the *Act* may be stayed if Mr. Villa's appeal to the Divisional Court remains outstanding at the time that the order is issued.

¹2020, S.O. 2020 c.5, Sched. 3.

ORDER

1. The panel orders that the proceeding continue to the completion of the penalty phase in writing.
2. The panel orders that Mr. Villa provide his submissions on penalty to the panel, in writing, by June 22, 2020.
3. The panel also orders the Association to provide any reply submissions on penalty to the panel, in writing, by July 2, 2020.

On June 1, 2020, Glenn Richardson, P.Eng., signed the Decision and Reasons for the decision as Chair of this Discipline Panel and on behalf of the members of the Discipline panel: Stella Ball, LL.B., Paul Ballantyne, P.Eng., Aubrey Friedman, P.Eng., and Warren Turnbull, P.Eng.

SUMMARY OF PENALTY DECISION AND REASONS

Between PROFESSIONAL ENGINEERS ONTARIO and RENZO VILLA, P.ENG.; heard in writing and issued October 27, 2020

This Penalty Decision follows the Decision and Reasons on the merits, issued August 30, 2019 (the "Liability Decision") in which this Panel of the Discipline Committee found Mr. Renzo Villa, P.Eng. ("Mr. Villa") guilty of professional misconduct under section 72(2)(g) of Regulation 941 of the *Professional Engineers Act* (the "Act") for breaching section 12(2) of the Act by offering and providing professional engineering services to the public without the appropriate certificate of authorization, and under section 72(2)(j) of Regulation 941 for dishonourably and unprofessionally providing professional engineering services to the public while an employee of the Association of Professional Engineers of Ontario (the "Association") contrary to his commitment to the Association that he would not do so.

Having found Mr. Villa guilty of professional misconduct in the Liability Decision and for the reasons that follow, this Panel orders: that Mr. Villa's licence be suspended for four months starting one month after the date of this decision; that he successfully complete the Professional Practice Examination within 14 months after the date of this decision as a term and condition of his licence; that he pay costs to the Association in the amount of \$15,000; that he immediately cease offering and providing professional engineering services through business names that do not have a corresponding certificate of

authorization and that it be a term or condition of Mr. Villa's licence that he offer and provide professional engineering services to the public only through a business name that is registered with the Association as a holder of a certificate of authorization; and that the Liability Decision, the Panel's Interim Order dated June 1, 2020 and this decision be published in summary form in "*Engineering Dimensions*."

The Panel orders that:

1. Pursuant to section 28(4)(b) of the Act, Mr. Villa's licence shall be suspended for four months, commencing one month after the date of this penalty decision.
2. Pursuant to sections 28(4)(i) and 28(5) of the Act, all of the findings and orders of this Panel of the Discipline Committee, including the Liability Decision, the Interim Order and this decision, shall be published with names in summary form in the Association's official publication, "*Engineering Dimensions*."
3. Pursuant to section 28(4)(d) of the Act, it shall be a term or condition of Mr. Villa's licence that he successfully complete the Association's Professional Practice Examination within 14 months of the date of this decision.

4. Pursuant to section 28(4)(j) of the Act, Mr. Villa shall pay costs to the Association of \$15,000 within one year of the date of this decision.
5. Mr. Villa immediately cease offering and providing professional engineering services through business names that do not have a corresponding certificate of authorization. It shall be a term or condition of Mr. Villa's licence that he offer and provide professional engineering services to

the public only through a business name that is registered with the Association as a holder of a certificate of authorization.

On October 27, 2020, Glenn Richardson, P.Eng., signed the Penalty Decision and Reasons for the decision as Chair of this Discipline Panel and on behalf of the members of the Discipline panel: Stella Ball, LL.B., Paul Ballantyne, P.Eng., Aubrey Friedman, P.Eng., and Warren Turnbull, P.Eng.

SUMMARY OF DECISION AND REASONS

On allegations of professional misconduct under the *Professional Engineers Act*, R.S.O. 1990, c. P. 28 (act) regarding the conduct of LUDMILA (LUCY) SHAW, P.ENG. (Shaw), a member of the Association of Professional Engineers of Ontario (PEO or association) and LKS CONSULTING INC. (LKS), a holder of a certificate of authorization (CoA) from PEO.

AGREED STATEMENT OF FACTS

Shaw, LKS and the Association entered into an Agreed Statement of Facts ("ASF") the relevant parts of which, taken directly therefrom (without attaching referenced Schedules), are as follows:

1. At all material times, Shaw was a professional engineer licensed pursuant to the *Professional Engineers Act* (the "Act").
2. At all material times, LKS Consulting Inc. ("LKS") held a Certificate of Authorization ("CoA") and listed Shaw as the individual taking responsibility for engineering services provided thereunder.
3. In 2017, the complainant Jay Lizzotte ("Lizzote"), a homeowner in Guelph, Ontario, verbally retained Shaw and LKS to design and prepare drawings for a detached garage in his backyard (the "project").
4. LKS issued six drawings for the garage dated October 17, 2017, which were prepared, signed, and sealed by Shaw (the "Drawings"). On or about October 18, 2017, Lizzotte submitted a building permit application for the project, which included the Drawings, to the City of Guelph. On October 30, 2017, the City of Guelph issued a building permit for the project. Attached as Schedule "A" are copies of the Drawings.
5. In May 2018, construction began on the garage based on the Drawings. Construction of the project continued until around June 1, 2018, at which time the roof of the garage began to fail and noticeably sag.
6. Lizzotte retained Tacoma Engineers to review the Drawings and provide a structural analysis of the garage roof. The firm prepared a structural report (the "Tacoma Report"), which concluded, among other things, that the garage roof system was structurally inadequate, grossly under-designed, posed significant danger to any potential occupants, and was likely to collapse. Attached as Schedule "B" is a copy of the Tacoma Report. [DB 265-272]
7. Tacoma recommended that the garage roof be immediately replaced or reinforced. Lizzotte subsequently retained a construction company to repair the garage roof, which repair was completed in or around August 2018.
8. PEO retained Daria Khachi, P.Eng., to review the actions and conduct of the Respondents. He prepared a report (the "Dialog Report") dated October 12, 2021, which concluded, among other things: that the critical roof members were designed to somewhere between 29%-44% of their required capacity in bending; that the design ignored the large connection requirements of the collar ties to the rafters; that the design did not comply with the Ontario Building Code; and that the Drawings did not provide proper construction details for the

support of the steel beam above the garage doors. The Dialog Report further concluded that the design would have caused roof rafter failure and collar tie connection failure under snow loads, and that the public safety would have been at risk had the Drawings not been reviewed by Tacoma and corrected. Attached as Schedule “C” is a copy of the Dialog Report. [DB 327-334]

9. For the purposes of these proceedings, the Respondents accept as correct the findings, opinions and conclusions contained in the Tacoma and Dialog Reports. The Respondents admit that they failed to make reasonable provision for the safeguarding of the public, that they failed to make responsible provision for complying with applicable standards and codes, and that they failed to maintain the standards that a reasonable and prudent practitioner would maintain in the circumstances.
10. By reason of the aforesaid, the parties agree that the Respondents are guilty of professional misconduct as follows:
 - a. They prepared, signed, sealed and issued inadequate and deficient design drawings for the project, amounting to professional misconduct as defined by sections 72(2)(a), (b), (d) and (j) of Regulation 941 under the Act.

Regarding section 72(2)(j) of Regulation 941 under the Act, noted in paragraph 10 above, PEO was not seeking a finding that Shaw and LKS were guilty of “disgraceful” and “dishonourable” conduct but a finding that Shaw and LKS were guilty of “unprofessional” conduct.

Shaw and LKS pled guilty to the allegations in the ASF. The Panel conducted a plea inquiry and was satisfied that Shaw and LKS’ pleas were unequivocal.

JOINT SUBMISSION AS TO PENALTY AND COSTS

The parties submitted a Joint Submission as to Penalty and Costs (“JSP”), the relevant parts of which are as follows:

- a) Pursuant to s. 28(4)(f) of the Act, Shaw and LKS shall be reprimanded, and the fact of the reprimand shall be recorded on the Register permanently;

- b) Pursuant to s. 28(4)(b) of the Act, the Member’s licence and the Holder’s Certificate of Authorization shall be suspended for a period of six (6) weeks, commencing on the date of pronouncement of the Discipline Committee’s penalty decision;
- c) The findings and order of the Discipline Committee shall be published in summary form under ss. 28(4)(i) and 28(5) of the Act, together with the names of the Member and the Holder;
- d) Pursuant to s. 28(4)(d) [and] s. 28(4)(e) of the Act, it shall be a term, condition or restriction on Shaw’s licence and LKS’s Certificate of Authorization that they shall be prohibited from providing structural engineering services;
- e) If Shaw demonstrates her competence in structural engineering by successfully passing the following examinations administered by PEO, namely,
 - (i) 07-Str-A4 (Advanced Structural Analysis), and
 - (ii) 07-Str-A5 (Advanced Structural Design), the term, condition or restriction set out in subparagraph d) above shall be lifted; and
- f) There shall be no order as to costs.

The Association provided the panel with relevant caselaw stating that there is a stringent public interest test for rejecting a JSP and that a disciplinary body that rejects a JSP must show why the proposed penalty is so “unhinged” from the circumstances of the case that it must be rejected (*Bradley v. Ontario College of Teachers*, 2021 ONSC 2303 (CanLII); *R. v. Anthony-Cook*, 2016 SCC 43).

In this case, the Panel accepted the JSP and, at the conclusion of the hearing, administered an oral reprimand to Shaw and LKS.

Glenn Richardson, P.Eng., signed the Decision and Reasons for the Decision as Chair of the Panel and on behalf of the other members of the Panel: Alisa Chaplick, LL.B., LL.M. and Jag Mohan, P.Eng.

HUSSEIN MAKKE’s professional engineering licence was suspended from Jan. 5, 2023 to April 4, 2023 inclusive, in accordance with an Amended Registrar’s Notice of Proposal issued pursuant to subsection 14(2)(c) of the *Professional Engineers Act* on Dec. 1, 2022. As Mr. Makke did not request a hearing within thirty days after the Notice of Proposal was served upon him, the Deputy Registrar carried out the proposal and suspended his licence.

PEO PUBLICATIONS AND RESOURCES

Professional Engineers Ontario has a number of resources, including practice bulletins, brochures, learning modules and fact sheets, available for free on its website at peo.on.ca/knowledge-centre. The following regulatory documents and practice guidelines are available in PDF form on PEO's website.

REGULATORY DOCUMENTS

- The *Professional Engineers Act*, R.S.O. 1990, Chapter P.28
- Ontario Regulation 260/08
- Ontario Regulation 941/90
- By-Law No. 1

PRACTICE GUIDELINES

General—Engineer

- Assuming Responsibility and Supervising Engineering Work Guideline (2018)
- Conducting a Practice Review (2014)
- Guideline for Engineers Conducting Performance Audits and Reserve Fund Studies (2021)
- Guideline on Human Rights in Professional Practice (2009)
- Preparing As-Built and Record Documents Guideline (2020)
- Professional Engineering Practice (2020)
- Professional Engineers Reviewing Work Prepared by Another Professional Engineer (2011)

Use of Seal

- Use of the Professional Engineer's Seal (2022)

Legal/Discipline

- Guideline on Forensic Engineering Investigations (2016)
- Making a Complaint: A Public Information Guide (2011)
- The Professional Engineer as an Expert Witness (2011)

Construction/Building

- Design Evaluation & Field Review of Demountable Event & Related Structures Guideline (2020)
- Guideline for Professional Engineers Providing General Review of Construction (2021)
- Professional Engineers Providing Land Development/Redevelopment Engineering Services (1994)
- Professional Engineers Providing Mechanical and Electrical Engineering Services In Buildings (1997)
- Professional Engineers Providing Services for Demolition of Buildings and Other Structures (2022)
- Structural Condition Assessments of Existing Buildings and Designated Structures (2016)
- Structural Engineering Design Services for Buildings Guideline (2017)
- Temporary Works for Construction Projects (2022)

Transport/Roads/Municipal

- Professional Engineers Providing Services for Municipalities (Rev. 1998)
- Professional Engineers Providing Services in Transportation and Traffic Engineering (1994)
- Professional Engineers Providing Services with Respect to Road, Bridges, and Associated Facilities (1995)

Software/Computers

- Developing Software for Safety Critical Engineering Applications (2013)
- Professional Engineers Using Software-Based Engineering Tools (2011)

Mechanical/Electrical/Industrial

- Pre-Start Health and Safety Review Guideline (2022)

Geotechnical/Environmental

- Engineering Evaluation Reports For Drinking Water Systems (2014)
- Environmental Site Assessment, Remediation and Management Guideline (2020)
- Guideline for Providing Engineering Services Under O.Reg. 1/17 and Part II.2 of the EPA (2021)
- Professional Engineers Providing Acoustical Engineering Services in Land-Use Planning (Rev. 1998)
- Professional Engineers Providing Geotechnical Engineering Services (1993)
- Providing Reports on Mineral Projects (2020)
- Services of the Engineer Acting Under the Drainage Act (1998)
- Solid Waste Management (2017)

National Guidelines

- Principles of Climate Change Adaptation for Engineers
- Guideline on Sustainable Development and Environmental Stewardship for Professional Engineers (2016)

A blurred background of a conference room with a microphone in the foreground. The microphone is black and mounted on a stand. The room has large windows with a view of greenery outside. The lighting is warm and soft.

THE ROAD TO RENEWAL

In recent years, PEO has been quietly undergoing governance renewal to become a more effective regulator. We speak with current councillors about how the changes have impacted their role at the Council level. **By Adam Sidsworth**

When PEO completed a voluntary external review of its performance as the provincial engineering regulator in 2019, the resulting report offered 15 recommendations in several areas where the regulator could improve its work, including one that PEO more clearly define the role of Council and councillors.

To address all the report's recommendations, a three-year action plan and accompanying activity filter were approved by Council as one component of an overall strategy to become a more modern and effective regulator. The following year, Council approved a two-year Governance Roadmap with key steps and milestones to help develop and enhance its governance capabilities. Governance Solutions Inc., then acting as Council's advisory parliamentarian at Council meetings, was contracted to develop the roadmap. Its report to Council noted that:

- PEO should continue its regulatory (or statutory) committees to fulfill PEO's regulatory mandate and add a small number of governance-focused committees "to undertake delegated diligence in oversight matters";
- Potential governance committees could help Council provide oversight in specific areas typically thought of as responsible to a governing board: audit and finance; governance, nominations and elections; and potentially human resources;
- Governance committees should be populated primarily by current councillors;
- Regulatory committees should be drawn largely from people not currently on Council;
- A code of conduct should be developed for councillors to clarify the expectations of councillors' conduct; and
- An orientation program should be developed for councillors and staff.

GOVERNANCE COMMITTEES TAKE SHAPE

One of the first things Council did was establish four new governance committees to support its role and function:

1. The **Finance and Audit Committee**, which, among other things, is responsible for exploring audited financial statements, the appointment of an external auditor, preparing budgets for approval and the oversight of financial and related risk management;
2. The **Human Resources and Compensation Committee**, which includes among its responsibilities advising on the recruitment of PEO's CEO/registrar, oversight of the CEO/registrar's performance and oversight of human resources-related risks;
3. The **Governance and Nominating Committee**, which has oversight of succession, nomination and election and voting for Council members; corporate governance and board effectiveness; the monitoring

of governance policies; and the inheritance of the Governance Roadmap and Succession Planning Task Force; and

4. The **Regulatory Policy and Legislation Committee**, which looks at governance of legislation changes and regulatory policies.

Having current councillors participate on only four governance-focused committees aims to help distinguish Council's role and provide due diligence to its decision-making process. The committees became official in May 2021, when, after PEO's annual general meeting, the 2021–2022 Council populated the four governance committees for the first time.

MAKING FOR MORE EFFICIENT COUNCIL MEETINGS

According to 2021–2023 Councillor-at-Large Chantal Chiddle, P.Eng., FEC, Council has become more focused on its governance role since the introduction of the governance committees, with councillors much more able to make informed decisions on motions brought to their attention.

Council agendas can sometimes be hundreds of pages in length and getting a grasp of multiple motions brought before Council can presumably be a daunting task. "The committees are reviewing the motions, and they've gone through the expert testimony and asked all the hard questions of staff, and when they bring something forward, it's vetted, [sometimes] unanimously supported by the committee," says Chiddle, who is chair of the Regulatory Policy and Legislation Committee (RPLC) for the 2022–2023 Council term.

As RPLC chair, Chiddle is responsible for facilitating discussions and forwarding motions to Council on big-ticket legislative changes, including those related to PEO's licence application process to comply with new requirements under the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA) that aim to promote fairness and transparency in the licensing process of regulated professions, particularly for applicants who are internationally educated. Notably, starting this year, PEO and other non-healthcare-sector regulators will have to make decisions on 90 per cent of internationally trained applicants within six months of receiving a complete application. (PEO has committed itself to meeting this mark for all applicants, including those who were trained in Canada.)

Although most of the licensing process changes fall under the operational discretion of the CEO/registrar, Council has been required to make formal decisions on specific items, including two major components related to academic equivalencies and experience assessment. Last fall, the RPLC tackled these two items first by reviewing research materials drafted by staff and vetted by committee members. Using this research, and in consultation with staff and experts, the RPLC put together formal recommendations for Council's consideration at its November 2022 meeting.

On the recommendations of the RPLC, Council decided to standardize educational qualifications for all applicants for licensure and supported the use of a competency-based assessment model as the new method of assessing the 48 months of engineering work experience required for licensure. These decisions supported PEO's intended move to shift academic and experience requirements to the pre-application stage of licensure, allowing PEO to meet FARPACTA's six-month registration decision timeframe.

At that meeting, Chiddle and other RPLC members were able to expertly lead the discussion. "Our focus on governance and regulatory affairs has made it a little easier," reports Chiddle, who acknowledges that "there is a tendency for everybody [on Council] when they're passionate on an issue to get in and solve the problem." Indeed, Chiddle sees an advantage to sitting on just one governance committee: "When we were on multiple [regulatory] committees with other volunteers, we were pulled in a lot of different directions. Now



Arjan Arenja, P.Eng., serves on Council as a lieutenant governor appointee and chair of the Governance and Nominating Committee. Arenja acknowledges that the four governance committees have helped Council function as a more efficient governance board.

Chantal Chiddle, P.Eng., FEC, is a councillor-at-large on PEO Council. Chiddle was named chair of the Regulatory Policy and Legislation Committee for the 2022–2023 Council term, enabling her to help guide Council on notable regulatory changes.

we're able to keep our heads above the water and really focus on the care and control of the work that's directed by Council, which is governance in nature, as opposed to operations."

Given the hard work of Chiddle and other councillors on the RPLC, Chiddle knows she can trust the vetting process of councillors on the other three governance committees that provide oversight in different areas, making it easier for her to make decisions on motions brought to Council meetings. "I'm assured that they've done their due diligence. I may have one or two things I might want more clarity on, but for the most part, most of my questions are [already] answered," Chiddle says.

THE EVOLUTION OF THE SECRETARIAT ROLE

The introduction of the governance committees brought with it a firmer differentiation between the work of staff and Council: Staff have the expertise to identify a problem and do the appropriate research to solve a problem, while Council acts as the decision-making body. "Staff are resources to bring recommendations to Council. Council doesn't have its committees redo their work," notes Marina Solakhyan, PEO's director, governance.

At PEO, Solakhyan has the dual role of overseeing both the implementation of Council decisions and policies developed by Council and the RPLC. Solakhyan is quick to note that although governance committees are repopulated each year after the new Council term begins, it does not mean the governance committees begin new work or discontinue the work done in the previous year. Rather, the work of the governance committees is meant to be continuous, with PEO's staff continuing to do operational work and the governance committees using staff as a source of knowledge to help prepare motions to be brought forward for Council's decision.

"It is a more equitable, symbiotic relationship," says Solakhyan, who cites the role of PEO's secretariat. "The role of the secretariat has evolved since the introduction of the governance committees. Now the secretariat supports all committees. The philosophy behind the governance committees, how they

work to serve Council's needs, how they are staffed and staff works to support the governance committees has—and is—evolving. The aim is to evolve in the direction of a fully professionalized, policy- and governance-focused secretariat."

COUNCILLORS FOCUS ON GOVERNANCE ROLE

"We're definitely on the cusp of major governance improvements at PEO," observes Arjan Arenja, P.Eng., lieutenant governor-appointed councillor and 2022–2023 chair of the Governance and Nominating Committee (GNC), the governance committee that inherited the Governance Roadmap in 2021. Indeed, like Chiddle, Arenja notes that the governance committees have helped councillors focus on their governance roles more effectively, since participation on one committee forces councillors to vet specific issues related to governance and perform due diligence before the matter comes before Council as a whole.

"If I look at two or three Council meetings ago, [the GNC] had four or five agenda items that we recommended to Council, and every single item got approved, which means that the committee and staff did a good job thinking about and answering those questions—and they got approved by a good solid majority. That is a good feeling as a committee chair that you have done your homework [before bringing] a proposal forward that got approved."

The GNC has been particularly effective at vetting issues related to governance and the selection process for councillors, allowing Council to deal with such matters quickly. "You frequently have an opportunity to have more frank and honest discussions with staff and ask frank questions," Arenja observes. "You ask for more detail. The idea is that you've asked many more questions so that by the time you take your proposal to Council, it should be easy to get Council's approval."

Indeed, one of the current priorities of the GNC is the development of board training for licence holders who are elected to Council. Appropriately, Arenja is pleased about Council's November 2022 decision to approve \$75,000 in PEO's 2023 operational budget for councillor training. The *Councillor Training Protocol* was initiated by the GNC and will help councillors understand their role on Council. The governance manual is expected to be ready in the coming months and will also have a section on professional development for councillors.

And this will ultimately make for a more effective Council, says Arenja, who remains optimistic. "By and large the majority of Council understands their role. People are seeing the light at the end of the tunnel." **e**

THE ASSOCIATION HAS RECEIVED WITH REGRET NOTIFICATION OF THE DEATHS OF THE FOLLOWING LICENCE HOLDERS (AS OF FEBRUARY 2023).

ARSENAULT, Denis Pierre
Toronto, ON

AZIZ, Mian Abdul
Ottawa, ON

BARNES, Alan John
Cambridge, ON

BAUER, Michael Kurt
Calgary, AB

BEDFORD, Donald Ralph
London, ON

BEDFORD, Mervin Ellsworth
Belleville, ON

BEHAR, Alberto
Toronto, ON

BENN, Arland Edgar
Ottawa, ON

BIRCHALL, Brian Douglas
North York, ON

BLAKE, Eric
Naples, FL

BROWNING, Gerald Robert
Ottawa, ON

BURBAGE, Leslie Hamilton
Burlington, ON

BUTLER, David John
North York, ON

CANNON, Robert Kenneth
Elliot Lake, ON

CEPELLA, Otto Mario
Ottawa, ON

CLARK, John Charles
Milton, ON

CLARKE, Charles Dudley
Oakville, ON

COLUMBUS, John Kerry
Barrie, ON

COYNE, John Joseph
Ottawa, ON

DEEG, John Frans
Ottawa, ON

DEEKS, William George
Collingwood, ON

DICKINSON, William Trevor
Guelph, ON

DODD, James Michael
Oakville, ON

EDIRMANASINGHE, Dishan Ravine
Markham, ON

EDMUNDS, Robert Harry
Kanata, ON

EELES, Edwin George
Nepean, ON

FEENEY, John Edward
Oakville, ON

FORWARD, William James
North Gower, ON

FOURNIER, Robert Michael
Oro-Medonte, ON

FULOP, John J.
Burlington, ON

GRANT, Robert Anthony
Oakville, ON

HANLAN, Charles Edward
Kanata, ON

HARRON, Gerald Allan
Mississauga, ON

HARVEY, Colin Ian
Brampton, ON

HEDBERG, Roy C.
Vancouver, BC

HERNBERGER, Waldemar
Nepean, ON

JANSEN, Hendrik
Mississauga, ON

JAYAWARDHANE, Senaka
Toronto, ON

KARUNARATNE, Buddhika Chaminda Amerakoon
Brampton, ON

KEEFER, Thomas Anthony John
Commugny, Switzerland

KENNEDY, Arthur Palmer
Elmira, ON

KERR, William Harold
Ottawa, ON

KILFOIL, Doreen Marie
Milton, ON

KISIL, Carol Anne
Toronto, ON

KLAAS, Murray
Burlington, ON

LAEVENS, Gary John
Brights Grove, ON

LAWSON, William Harold Scott
Puslinch, ON

LENSKYJ, Adam Adolf
Toronto, ON

LYNCH, Geoffrey Russell
Ottawa, ON

MA, Ching-Yee
Mississauga, ON

MACKIE, Andrew Malcolm
Toronto, ON

MAILE, Leonard Hugh Johnson
Thornhill, ON

MAITI, Swarup Kumar
Scarborough, ON

MAKSIMOVIC, Radisa
Etobicoke, ON

MARTTILA, Raimo Juhani
Etobicoke, ON

MASLEN, Robert Edward Lynden
Bolton, ON

MAWDSLEY, Jack Stanley
London, ON

MCILVEEN, Nyle Charles
Selwyn, ON

MCLAREN, Douglas Robert
Toronto, ON

MCLEAN, Douglas Daniel
North York, ON

MIRZA, Cameran
Toronto, ON

MONSOUR, Nicholas
Strathroy, ON

MORRISON, Eugene Joseph
London, ON

MOTTERSHEAD, Bruce Edward
Mississauga, ON

MRSTIK, Paul Frank
Ottawa, ON

NAGATA, Michael Mitsuru
North York, ON

NG, Put Fan
Markham, ON

OBIDI, Theophilus Yomi Abayomi
Melrose Park, IL

OSTRY, Robert Charles
Toronto, ON

PALANACKI, Michael
Windsor, ON

PAULETT, Thomas Lyle
Alcove, QC

PIOTROWSKI, Wlodzimierz
Ancaster, ON

POLLOCK, Thomas Edward
Mississauga, ON

PRICE, John Sidney Arthur
Perth, ON

PRIOLO, Luigi
Etobicoke, ON

ROSCOE, Raymond John
Burlington, ON

SCAMMELL, Douglas Raymond
Hanwell, NB

SCHNEIDER, William George
Branchton, ON

SCHOLTZ, Ernest Paul
Kitchener, ON

SIMPSON, Walter John
Cobourg, ON

STEFAN, Davor
Toronto, ON

STRATULAT, Valer
Kitchener, ON

SWARTMAN, Robert Kerr
London, ON

TARASUK, John David
Stittsville, ON

TIMKO, John Michael
Mississauga, ON

THORBURN, Herbert James
Vernon, BC

TOPPING, Alan Percival
Toronto, ON

TOTH, Joseph Kalman
Mississauga, ON

VERMEERSCH, Louis
Aloysius
Keswick Ridge, NB

VOLL, Steven David
Kitchener, ON

WARD, Walter Richard
Stoney Creek, ON

WESTON, George Dick
Port Perry, ON

WHITEHEAD, David Roy
Fergus, ON

WILSON, Charles Douglas
Tillsonburg, ON

WILSON, Gordon
Caldwell
Carleton Place, ON

WONG, Tin Sik
Toronto, ON

YU, Philip Yiu Kwok
North York, ON

ZAMPROGNA, Orlando
Cesare
London, ON

ARE YOU INVOLVED IN YOUR LOCAL PEO CHAPTER?

Make note of the upcoming chapter annual general meetings



PEO North Bay Chapter 2023 Annual General Meeting

Thursday, April 13 at 5:30 p.m. EST.
[Click here to register](#)

PEO Georgian Bay Chapter 2023 Annual General Meeting

Saturday, April 22 at 10 a.m. EST,
Port Elgin Legion, 630 Green Street,
Port Elgin, ON.

[Email](#) for more information

TO THE MEMBERS OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS OF ONTARIO

Opinion

We have audited the accompanying financial statements of the Association of Professional Engineers of Ontario (PEO) which comprise the statement of financial position at December 31, 2022, and the statements of operations and changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies (collectively referred to as the financial statements).

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of PEO as at December 31, 2022, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Basis for opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the "Auditor's Responsibilities for the Audit of the Financial Statements" section of our report. We are independent of PEO in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of management and those charged with governance for the financial statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing PEO's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate PEO or to cease operations, or has no realistic alternative but to do so. Those charged with governance are responsible for overseeing PEO's financial reporting process.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and

to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of PEO's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on PEO's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause PEO to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Originally signed by Deloitte LLP
Chartered Professional Accountants,
Licensed Public Accountants 2023
March 31, 2023

STATEMENT OF OPERATIONS AND CHANGES IN NET ASSETS, YEAR ENDED DECEMBER 31, 2022

	2022	2021
	\$	\$
Revenue		
P.Eng. revenue	20,283,903	19,825,037
Application, registration, examination and other fees	10,348,205	9,161,653
Building operations (Note 4)	2,413,344	2,477,426
Chapter revenues	134,816	16,747
Advertising income	77,922	101,060
Investment (loss) income	(586,793)	891,416
	<u>32,671,397</u>	<u>32,473,339</u>
Expenses		
Staff salaries and benefits/retiree and future benefits (Note 9)	14,339,852	12,924,820
Building operations (Note 4)	2,088,204	2,285,937
Purchased services	1,620,689	1,455,090
Computers and telephone	1,515,379	1,118,498
Legal (corporate, prosecution and tribunal)	1,369,996	951,635
Engineers Canada	1,013,057	1,005,563
Chapters (Note 13)	817,516	343,301
Contract staff	795,590	773,533
Transaction fees	770,105	728,732
Occupancy costs (Note 4)	769,050	773,577
Amortization	575,519	779,837
Consultants	497,066	489,435
Postage and courier	272,015	214,354
Volunteer expenses	191,178	31,786
Insurance	166,296	148,165
Professional development	79,044	131,785
Staff expenses	63,275	7,470
Recognition, grants and awards	56,653	78,566
Printing	50,218	48,721
Office supplies	47,930	72,508
Advertising	38,390	27,550
	<u>27,137,022</u>	<u>24,390,863</u>
Excess of revenue over expenses before the undernoted	5,534,375	8,082,476
Council discretionary reserve expenses (Note 8)	3,463,329	1,623,341
Excess of revenue over expenses	2,071,046	6,459,135
Remeasurement and other items (Note 6)	(2,353,119)	2,447,724
Net assets, beginning of year	34,487,719	25,580,860
Net assets, end of year	<u>34,205,646</u>	<u>34,487,719</u>

The accompanying notes are an integral part of the financial statements.

FINANCIAL STATEMENTS

STATEMENT OF FINANCIAL POSITION, AS AT DECEMBER 31, 2022

	2022	2021
	\$	\$
Assets		
Current assets		
Cash	7,585,346	11,319,333
Accounts receivable	1,012,188	700,544
Prepaid expenses and deposits	436,251	464,030
Other assets	101,167	171,319
	<u>9,134,952</u>	<u>12,655,226</u>
Marketable securities	27,117,590	19,885,232
Capital assets (Note 3)	28,423,601	29,689,774
	<u>64,676,143</u>	<u>62,230,232</u>
Liabilities		
Current liabilities		
Accounts payable and accrued liabilities (Note 15)	3,589,143	2,511,125
Fees in advance and deposits	12,169,554	11,730,592
Current portion of long-term debt (Note 5)	1,088,796	1,088,796
	<u>16,847,493</u>	<u>15,330,513</u>
Long-term		
Long-term debt (Note 5)	362,904	1,451,700
Employee future benefits (Note 6)	13,260,100	10,960,300
	<u>30,470,497</u>	<u>27,742,513</u>
Commitments and contingencies (Notes 12 and 16)		
Net assets (Note 7)	34,205,646	34,487,719
	<u>64,676,143</u>	<u>62,230,232</u>

The accompanying notes are an integral part of the financial statements.

Approved by Council.

STATEMENT OF CASH FLOWS, YEAR ENDED DECEMBER 31, 2022

	2022	2021
	\$	\$
Operating activities		
Excess of revenue over expenses	<u>2,071,046</u>	<u>6,459,135</u>
Add (deduct) items not affecting cash		
Amortization	1,410,942	1,810,440
Amortization—other assets	70,152	79,725
Employee future benefits expensed	1,314,300	1,218,100
Change in unrealized (gains) losses on marketable securities	1,453,489	(499,992)
Gains on disposal of marketable securities	<u>(115,400)</u>	<u>(36,281)</u>
	<u>6,204,529</u>	<u>9,031,127</u>
Change in non-cash working capital items (Note 10)	<u>1,233,115</u>	<u>849,052</u>
	<u>7,437,644</u>	<u>9,880,179</u>
Financing activities		
Repayment of mortgage (Note 5)	(1,088,796)	(1,088,796)
Contributions to employee future benefit plans	<u>(1,305,800)</u>	<u>(1,251,876)</u>
	<u>(2,394,596)</u>	<u>(2,340,672)</u>
Investing activities		
Net change in marketable securities	(8,632,266)	(4,279,681)
Additions to capital assets	<u>(144,769)</u>	<u>(160,142)</u>
	<u>(8,777,035)</u>	<u>(4,439,823)</u>
(Decrease) increase in cash	<u>(3,733,987)</u>	<u>3,099,684</u>
Cash, beginning of year	<u>11,319,333</u>	<u>8,219,649</u>
Cash, end of year	<u>7,585,346</u>	<u>11,319,333</u>

The accompanying notes are an integral part of the financial statements.

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2022

1. NATURE OF OPERATIONS

The Association of Professional Engineers of Ontario (PEO or the association) was incorporated by an act of the legislature of the Province of Ontario. Its principal activities include regulating the practice of professional engineering and establishing and maintaining standards of knowledge, skill and ethics among its members in order to protect the public interest. As a not-for-profit professional membership organization, it is exempt from tax under section 149(1) of the *Income Tax Act*.

2. SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations and reflect the following accounting policies:

a) Financial instruments

PEO initially recognizes financial instruments at fair value and subsequently measures them at each reporting date, as follows:

Asset/liability	Measurement
Cash and marketable securities	Fair value
Accounts receivable	Amortized cost
Accounts payable and accrued liabilities	Amortized cost
Long-term debt	Amortized cost

Financial assets measured at amortized cost are assessed at each reporting date for indications of impairment. If such impairment exists, the financial asset shall be written down and the resulting impairment loss shall be recognized in the statement of operations and changes in net assets for the period.

Transaction costs are expensed as incurred.

b) Hedge accounting

PEO entered into an interest rate swap in order to reduce the impact of fluctuating interest rates on its long-term debt. The policy of PEO is not to enter into interest rate swap agreements for trading or speculative purposes.

The interest rate swap held by PEO is eligible for hedge accounting. To be eligible for hedge accounting, an instrument must meet certain criteria with respect to identification, designation and documentation. In addition, the critical terms of the derivative financial instrument must match the specific terms and conditions of the hedged item. The fair value of derivative instruments eligible and qualifying for hedge accounting is generally not recognized on the statement of financial position. Gains and losses on such instruments are recognized in the statement of operations and changes in net assets in the same period as those of the hedged item.

Interest on the hedged item is recognized using the instrument's stated interest rate plus or minus amortization of any initial premium or discount and any financing fees and transaction costs. Net amounts receivable or payable on the interest rate swap are recorded on the accrual basis of accounting and are recognized as an adjustment to interest on the hedged item in the period in which they accrue.

PEO may only discontinue hedge accounting when one of the following situations arises:

- (i) The hedged item or the hedging item ceases to exist other than as designated and documented;
- (ii) The critical terms of the hedging item cease to match those of the hedged item, including, but not limited to, when it becomes probable that an interest-bearing asset or liability hedged with an interest rate swap will be prepaid.

When a hedging item ceases to exist, any gain or loss incurred on the termination of the hedging item is recognized as an adjustment of the carrying amount of the hedged item.

When a hedged item ceases to exist, the critical terms of the hedging item cease to match those of the hedged item, or it is no longer probable that an anticipated transaction will occur in the amount designated or within 30 days of the maturity date of the hedging item, any gain or loss is recognized in net income.

c) Revenue recognition

Licence fee revenue, excluding the portion related to the building fund, is recognized as revenue on a monthly basis over the licence period. Building fund revenue is recognized as revenue at the commencement of the licence period. Other revenues are recognized when the related services are provided.

d) Donated services

The association receives substantial donated services from its membership through participation on Council and committees and as chapter executives. Donations of services are not recorded in the financial statements of the association.

e) Employee future benefits

Pension plans

The cost of PEO's defined benefit pension plans is determined periodically by independent actuaries using the projected benefit method prorated on service. PEO uses the most recently completed actuarial valuation prepared on the going concern basis for funding purposes for measuring its defined benefit pension plan obligations. A funding valuation is prepared in accordance with pension legislation and regulations, generally to determine required cash contributions to the plan.

Other non-pension plan benefits

The cost of PEO's non-pension defined benefit plan is determined periodically by independent actuaries. PEO uses the most recent accounting actuarial valuation for measuring its non-pension defined benefit plan obligations. The valuation is based on the projected benefit method prorated on service. For all defined benefit plans, PEO recognizes:

- (i) The defined benefit obligation, net of the fair value of any plan assets, adjusted for any valuation allowance in the statement of changes in net assets;
- (ii) The cost of the plan for the year.

f) Capital assets

Capital assets are recorded at cost. Amortization is calculated on the straight-line basis at the following annual rates:

Building	2%
Building improvements—PEO	5%
Building improvements—common area	3.3% to 10%
Building improvements—non-recoverable	10% to 20%
Computer hardware and software	33%
Furniture, fixtures, and telephone equipment	10%
Audio visual	20%

The association's investment in capital assets is included as part of net assets on the statement of financial position.

g) Use of estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates. Accounts requiring significant estimates and assumptions include capital assets, accrued liabilities and employee future benefits.

FINANCIAL STATEMENTS

3. CAPITAL ASSETS

	Cost	Accumulated amortization	2022 Net book value	2021 Net book value
	\$	\$	\$	\$
Building	19,414,668	5,360,953	14,053,715	14,442,008
Building improvements—PEO	8,961,068	5,126,745	3,834,323	4,276,790
Building improvements— common area	11,370,569	5,760,423	5,610,146	5,908,973
Building improvements—non recoverable	741,332	368,108	373,224	464,449
Land	4,366,303	—	4,366,303	4,366,303
Computer hardware and software	5,287,238	5,278,122	9,116	114,963
Furniture, fixtures and telephone equipment	1,565,196	1,429,619	135,577	116,288
Audio visual	1,050,211	1,009,014	41,197	—
	<u>52,756,585</u>	<u>24,332,984</u>	<u>28,423,601</u>	<u>29,689,774</u>

4. BUILDING OPERATIONS

PEO maintains accounting records for the property located at 40 Sheppard Avenue West, Toronto, ON, as a stand-alone operation for internal purposes. The results of the operation of the building, prior to the elimination of recoveries and expenses related to PEO, are as follows:

	2022	2021
	\$	\$
Revenue		
Rental	841,039	845,047
Operating cost recoverable—tenants	1,305,588	1,356,532
Parking	160,200	153,425
Miscellaneous	106,517	122,422
	<u>2,413,344</u>	<u>2,477,426</u>
Operating cost recoverable—PEO	716,235	739,249
	<u>3,129,579</u>	<u>3,216,675</u>
Recoverable expenses		
Utilities	423,478	433,499
Amortization	355,904	542,709
Property taxes	431,295	425,396
Payroll	254,702	260,748
Janitorial	202,503	214,587
Repairs and maintenance	164,547	140,707
Property management and advisory fees	54,151	50,000
Security	122,577	31,355
Administrative	68,954	39,285
Road and ground	20,357	27,396
Insurance	39,373	30,575
	<u>2,137,841</u>	<u>2,196,257</u>
Other expenses		
Interest expense on note and loan payable	71,551	104,179
Amortization of building	388,294	388,293
Amortization of deferred costs	70,152	79,725
Amortization of tenant inducements	91,225	99,601
Other non-recoverable expenses	45,376	157,131
	<u>666,598</u>	<u>828,929</u>
	<u>2,804,439</u>	<u>3,025,186</u>
Excess of revenue over expenses	<u>325,140</u>	<u>191,489</u>

4. BUILDING OPERATIONS CONT'D

For purposes of the statement of operations and changes in net assets, the operating costs recoverable from PEO of \$716,235 (\$739,249 in 2021) have been eliminated. The portion of costs allocated to PEO is reallocated from building operations and is included in occupancy costs on the statement of operations and changes in net assets.

	2022	2021
	\$	\$
Building revenue per above	3,129,579	3,216,675
Eliminated PEO portion	(716,235)	(739,249)
	<u>2,413,344</u>	<u>2,477,426</u>
Building expenses per above	2,804,439	3,025,186
Eliminated PEO portion	(716,235)	(739,249)
	<u>2,088,204</u>	<u>2,285,937</u>

5. BUILDING FINANCING

On April 5, 2019, the association refinanced its outstanding loan of \$5,443,952 with the Bank of Nova Scotia. The refinanced loan is secured by a first mortgage on the property located at 40 Sheppard Avenue West, a general security agreement and a general assignment of tenant leases. The loan is repayable in monthly installments of principal plus interest and bears a floating interest rate based on variable banker's acceptances. The association entered into a swap agreement related to this loan, where the floating rate debt is swapped for a fixed rate debt at an interest rate of 3.47 per cent and settled on a net basis. The notional value of the swap is \$5,443,952 with a start date of April 5, 2019, and a maturity date of April 5, 2024, on which date the loan will be fully paid.

6. EMPLOYEE FUTURE BENEFITS

The association's pension plans and post-retirement benefits plan covering participating employees (full time and retirees) are defined benefit plans as defined in section 3462 of the *CPA Canada Handbook* and accounted for as per section 3463. The pension plans provide pension benefits based on length of service and final average earnings. The post retirement benefits plan provides hospitalization, extended health care and dental benefits to retired employees. Participation in the pension plans and benefits plan (for post retirement benefits) has been closed to all new employees as of May 1, 2006. All employees joining after this date have the option of participating in a self-directed RRSP (registered retirement savings plan). During the year, the association recorded \$355,476 (\$335,478 in 2021) in employer contributions to the self-directed RRSP.

The funded status of the association's pension plans and post-retirement benefit plan using actuarial assumptions as of December 31, 2022, was as follows:

	Basic pension plan \$	Supplemental pension plan \$	Other non-pension benefit plan \$	Total \$
Accrued benefit obligation	(37,551,800)	(2,744,500)	(8,612,000)	(48,908,300)
Plan assets at fair value	33,416,900	2,231,300	—	35,648,200
Funded status—plan surplus (deficit)	(4,134,900)	(513,200)	(8,612,000)	(13,260,100)

FINANCIAL STATEMENTS

6. EMPLOYEE FUTURE BENEFITS CONT'D

The funded status of the association's pension plans and post-retirement benefit plan using actuarial assumptions as of December 31, 2021, was as follows:

	Basic pension plan \$	Supplemental pension plan \$	Other non-pension benefit plan \$	Total \$
Accrued benefit obligation	(34,556,700)	(2,311,900)	(11,206,100)	(48,074,700)
Plan assets at fair value	35,021,800	2,092,600	—	37,114,400
Funded status—plan surplus (deficit)	465,100	(219,300)	(11,206,100)	(10,960,300)

PEO measures its defined benefit obligations and the fair value of plan assets related to the basic and supplemental pension plans for accounting purposes as at December 31 each year based on the most recently completed actuarial valuation for funding purposes. The most recently completed actuarial valuation of the pension plans for funding purposes was as of January 1, 2022. PEO measures its obligations related to its other non-pension benefit plan using an actuarial valuation for accounting purposes. The most recent actuarial valuation for accounting purposes was as of December 31, 2020, and projected forward to December 31, 2022.

Remeasurements and other items resulting from these valuations are reported directly in net assets in the statement of financial position and are reported separately as a change in net assets in the statement of operations and changes in net assets.

7. NET ASSETS

The net assets of the association are restricted to be used at the discretion of Council and includes the association's investment in capital assets of \$26,971,901 (\$27,149,278 in 2021).

8. COUNCIL DISCRETIONARY RESERVE

The Council discretionary reserve is an internal allocation from the operating reserve used at the discretion of Council to fund expenses related to special projects approved by Council. These figures include \$58,843 (\$415,766 in 2021) for salaries and benefits costs of full-time staff for time spent on these projects. Expenses from the discretionary reserve were incurred on the following projects:

	2022 \$	2021 \$
Governance related matters	356,488	152,183
HR related matters	581,503	8,164
FARPACTA* project	704,995	—
Information Discovery & Digitization Capability ("IDDC") project	597,800	281,706
Contractors for IT initiatives	462,105	221,422
PEO Centennial related spend	364,055	—
Online application process	162,456	63,818
Various IT initiatives	121,001	369,048
Anti-racism working group	112,926	127,185
Office 365 migration	—	385,551
30 by 30 task force	—	13,977
Council composition task force	—	287
	3,463,329	1,623,341

* Fair Access to Regulated Professions and Compulsory Trades Act ("FARPACTA")

9. FULL-TIME SALARIES AND BENEFITS

During the year, the association incurred a total of \$14,398,695 (\$13,340,586 in 2021) for salary and benefits costs for its full-time staff. Out of this amount, \$58,843 (\$415,766 in 2021) was directly attributable to special projects approved by Council and disclosed in Note 8.

10. CHANGE IN NON-CASH WORKING CAPITAL ITEMS

	2022 \$	2021 \$
Accounts receivable	(311,644)	682,298
Prepaid expenses and deposits	27,779	11,813
Accounts payable and accrued liabilities	1,078,018	(2,421)
Fees in advance and deposits	438,962	157,362
	1,233,115	849,052

11. CUSTODIAL ACCOUNT

The association used to maintain a separate bank account for the Engineering Deans of Ontario (EDO), formerly known as the Council of Ontario Deans of Engineering (CODE). In 2021, the association handed over all of these monies to EDO and will no longer be holding any funds for it going forward. The monies were previously held in trust for EDO and not reported on the association's statement of financial position.

12. COMMITMENTS

The association has obligations under non-cancelable operating leases and agreements for various service agreements. The payments to the expiry of the leases and agreements are as follows:

	\$
2023	2,911,311
2024	528,397
2025	395,425
2026	243,669
2027	226,886
	<u>4,305,688</u>

13. CHAPTERS OF THE ASSOCIATION

During the year, the association paid chapter expenses totaling \$817,516 (\$343,301 in 2021) and also incurred additional costs of \$386,439 (\$375,285 in 2021) related to chapter operations including staff salaries and benefits, and for various support activities. These amounts have been included in the various operating expenses reported on the statement of operations and changes in net assets.

14. FINANCIAL INSTRUMENTS AND RISK MANAGEMENT

Interest rate risk

PEO is exposed to interest rate risk, which is the risk that the fair values or future cash flows associated with its investments will fluctuate as a result of changes in market interest rates. Management addresses this risk through use of an investment manager to monitor and manage investments.

Liquidity risk

PEO's objective is to have sufficient liquidity to meet its liabilities when due. PEO monitors its cash balances and cash flows generated from operations to meet its requirements. As at December 31, 2022, the most significant financial liabilities are accounts payable and accrued liabilities, and long-term debt.

Currency risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate due to changes in foreign exchange rates. PEO's international and US equity pooled fund investments are denominated in foreign currencies the value of which could fluctuate in part due to changes in foreign exchange rates.

15. GOVERNMENT REMITTANCES

Accounts payables and accrued liabilities includes \$173,549 (\$241,455 in 2021), with respect to government remittances payable at year end.

16. CONTINGENCIES

PEO has been named in litigation matters, the outcome of which is undeterminable and accordingly, no provision has been provided for any potential liability in these financial statements. Should any loss result from these claims, which is not covered by insurance, such loss would be charged to operations in the year of resolution or earlier if the loss is likely and determinable.

CEO/REGISTRAR'S FINANCIAL REPORT

FOR THE YEAR ENDED DECEMBER 31, 2022

PEO generated an excess of revenue over expenses of \$2.1m for the 2022 fiscal year as compared to a budgeted gain of \$653k. This was due to a reduction in expenses of \$3.4m or 11 per cent lower than budget as discussed below in the cost management section. This was partially offset by a decrease in revenues of \$2.1m or 6.2 per cent versus budget.

The excess of revenue over expenses was offset by Council discretionary reserve expenses of \$3.5m resulting in a net excess of revenue over expenses of \$2.1m as indicated above.

The investment in capital assets for the year was \$145k (\$160k in 2021) and PEO incurred no additional debt for these expenditures in 2022 as these were funded from its cash reserves. At the end of the year, the closing balance in cash and investments was \$34.7m (\$31.2m in 2021) and net assets were \$34.2m (\$34.5m in 2021).

REVENUE

Total revenue in 2022 was \$32.7m, which is 6.2 per cent below budget. The decrease included a lower investment income of \$1.4m or 171 per cent due to unrealized capital losses; a P.Eng. revenue decrease of \$434k or 2 per cent; a decrease in building revenue of \$210k; lower application, registration, exam and other fees of \$155k or 2 per cent; advertising revenue was lower versus budget by \$47k due to unfavourable market conditions. There was an increase in chapter revenue of \$100k due to more in-person events with the loosening of pandemic restrictions.

COST MANAGEMENT

Total expenses before costs for Council special projects were \$27.1m, which is \$3.4m or 11 per cent below budget due to various cost saving measures. Major expense variances from the budget include:

- Staff salaries and benefits/retiree and future benefits were \$2.8m lower than budgeted;
- Chapters were \$787k lower than budgeted;
- Volunteer expenses were \$237k lower than planned;
- Occupancy costs were \$198k lower than planned;
- Professional development costs were \$190k lower than budgeted; and
- Recognition, grants and awards were \$103k lower than planned.

2022 BUDGET VARIANCES BY BUSINESS UNIT

Communications

Expenditures were \$849k or 48 per cent below budget. The key variances include lower-than-budgeted staff salaries and benefits (\$537k); communications newspaper and magazine advertising costs (\$79k) and other communications department printing (\$15k). The *Engineering Dimensions* magazine costs were also lower than budgeted in 2022, including lower *Engineering Dimensions* printing (\$100k), postage and courier (\$60k); lower costs to produce *Engineering Dimensions* (\$31k); and lower *Engineering Dimensions* advertising (\$25k). This was partially offset by higher branding costs (\$2k).

Corporate Services

Expenditures were \$2.7m or 23 per cent below budget. This was mainly due to lower staff salaries and benefits (\$745k); lower chapter administration and office spending (\$455k); lower chapter operations spending due to pandemic travel and gathering restrictions as well as the change in the spending policy whereby spending is now paid directly by PEO rather than paid in allotments (\$293k); lower facility costs, including office maintenance and PEO share of rent (\$218k); lower staff development costs (\$201k); lower HR planning spending (\$77k), including legal costs; lower National Engineering Month costs (\$40k), lower HR compensation costs, such as publications, subscriptions and HR compensation analysis (\$37k); and lower internship program spending (\$34k). These were partially offset by higher Council meeting related costs (\$120k), including audio visual.

Executive

Expenditures were \$86k or 5 per cent above budget. Key variances include higher-than-budgeted executive operations expenses (\$16k); and president's office expenses (\$7k) due to more in-person events with the loosening of pandemic restrictions.

Finance

Expenditures were \$154k or 7 per cent below budget in 2022. This was due to lower-than-budgeted costs for salaries and benefits (\$159k); lower credit card commissions (\$13k); lower postage expenses due to the transition to electronic communication (\$8k); and lower Audit and Finance Committee travel spending (\$3k). This was partially offset by higher investment consultant fees (\$27k); and higher insurance costs (\$11k).

Information Technology

Expenditures were \$396k or 14 per cent above budget. Variances include higher-than-budgeted IT consultants and resources for various IT projects (\$293k); higher server maintenance contracts (\$98k); higher non-capital hardware (\$32k); and a higher audio-visual contract (\$18k). These were partially offset by lower software support contracts (\$41k); and lower internet connection costs (\$12k).

Licensing and Registration

Expenditures were \$56k or 1 per cent above budget in 2022. Key variances include higher-than-budgeted technical and professional practice exam marking and setting costs due to outsourcing (\$238k); higher consultant for experience assessment (\$42k); and higher costs for issuing P.Eng. licences (\$18k). These were partially offset by lower-than-budgeted costs for salaries and benefits (\$108k); lower costs for ERC interviews (\$77k); and lower Document Management Centre costs (\$15k).

Regulatory Compliance

Expenditures were \$11k or 0.4 per cent above budget. Variances include higher complaints investigation spending (\$330k); higher enforcement spending (\$105k), including independent legal counsel; higher discipline prosecution spending (\$101k); and higher registration investigation spending (\$51k). This is partially offset by lower-than-budgeted staff salary and benefits (\$538k); lower Complaints Committee costs, including catering, tribunal fees and travel expenses (\$18k); lower human rights challenges legal costs (\$16k); and lower Enforcement Committee expenses (\$5k).

Tribunals and Regulatory Affairs

Expenditures were \$285k or 13 per cent below budget. A key variance was lower-than-budgeted spending on salaries and benefits (\$378k). Other variances include lower Professional Standards Committee spending, including travel, catering and administrative law counsel (\$25k); lower Registration Committee costs (\$19k); lower Discipline Committee costs (\$16k), including travel expenses. These were partially offset by higher Practice Evaluation and Knowledge (PEAK) program costs which include software support, consulting costs and postage (\$110k); higher discipline hearing expenses (\$36k); and higher registration hearing costs (\$32k).

Council-directed Initiatives

For 2022, the net expenditures for projects approved by Council amounted to \$3.5m. Spending includes \$938k for HR and governance related matters, \$705k for the FARPACTA project, \$598k for Information Discovery and Digitization Capability (IDDC) project, \$462k for con-

tractors for IT initiatives, \$364k for centennial-related events, \$162k for the online application process, \$121k for various IT initiatives, and \$113k for the anti-racism working group.

Building operations

The building generated \$3.1m in revenue, including PEO's share of recoverable expenses, but excluding the base rent that would have been paid if PEO had paid market rent for its space. Total recoverable expenses were \$2.1m and other expenses totalled \$667k, thereby creating an excess of revenue over expenses of \$325k (after all expenses, including loan interest), as compared to a budgeted excess of \$532k. Total PEO building operations revenue was lower than budgeted by \$412k or 11.6 per cent due to lower operating cost reimbursement revenue. Total building operations expenses were under budget by \$185k or 8 per cent. PEO's share of expenses totalled \$716k. These costs were reclassified from building operations to occupancy costs in the financial statements. Since PEO is a not-for-profit organization, it received a preferred property tax rate (residential rate instead of commercial rate), thereby reducing PEO's overall occupancy costs.

PEO occupies 42k square feet as of December 31, 2022. The market rent for office space in the Sheppard Yonge area is approximately \$45 per square foot. Therefore, PEO's equivalent costs for leasing office space would have been approx. \$1.9m. However, currently PEO incurs total costs of approx. \$1.4m, thereby leading to savings of approx. \$500k.

CAPITAL EXPENDITURES

Capital expenditures for the year totalled \$145k compared to \$160k in 2021.

Base building improvements totalled \$57k, which are recoverable from tenants. Improvements included costs for a control system (\$52k) and a security upgrade (\$5k). There was spending in 2022 on an audio-visual upgrade (\$42k) and furniture (\$18k). In addition, there was an in-progress project for an LED lighting upgrade (\$34k).

All of PEO's capital expenditures in 2022 were funded from PEO's cash reserves.

CONCLUSION

In 2022, PEO faced many challenges that affected our operations. Through these difficult circumstances, the association was able to manage its affairs responsibly and has a substantial reserve to carry out its regulatory mandate in the public interest. **e**

COUNCIL ELIMINATES CANADIAN EXPERIENCE REQUIREMENT

By Nicole Axworthy

555TH AND 556TH MEETINGS, FEBRUARY 24 AND MARCH 31, 2023

At its March meeting, Council unanimously approved a motion to eliminate the one year of Canadian experience required for licensure. Council formally directed the CEO/registrar to begin work with the Ministry of the Attorney General (MAG) on the necessary amendments to Regulation 941 to remove the Canadian experience requirement for licensure in its present form in order to comply with the provisions of section 10.2 of the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA). As part of the motion, Council also directed staff to explore any unintended consequences of the removal of this requirement through meaningful stakeholder engagement.

Currently, PEO requires that applicants for a professional engineer licence acquire four years of engineering work experience, including 12 months of engineering experience in Canada under the supervision of a licensed professional engineer. There is also a supervised Canadian experience requirement for the temporary, provisional and limited licences.

Under FARPACTA, the Canadian experience requirement will become null and void as of December 2, 2023, unless a health and safety exemption is granted by the Minister of Labour, Training and Skills Development, on the recommendation of the fairness commissioner. In the absence of such an exemption, it will be necessary for PEO to amend the current regulation so it is aligned with the FARPACTA-driven changes.

PEO staff will work with MAG on draft amendments to Regulation 941. When ready, these regulation changes will be presented to the Regulatory Policy and Legislation Committee (RPLC) and then to Council for final approval before being sent to the Cabinet for approval and proclamation.

ELIMINATION OF COMMITTEES

At its February meeting, Council passed a motion to stand down the Advisory Committee on Volunteers, Education Committee and Education Conference Planning Subcommittee, Equity and Diversity Committee, External Honours Subcommittee and Gala Advisory Committee (both part of the Awards Committee), PEO-OAA Joint Liaison Committee, PEO-OSPE Joint Relations Committee and Volunteer Leadership Conference Planning Committee. Council also approved the transfer of the President's Award (renamed the Engineering Ally Award) to the Ontario Society of Professional Engineers and the suspension of the V.G. Smith Award and S.E. Wolfe Thesis Award until further review.

The above changes are the result of an activity filter that was part of a high-level action plan approved by Council in 2019 in response to recommendations from an external review of PEO's regulatory performance. The activity filter assessed all of PEO's activities and categorized them as governance, regulatory or neither governance nor regulatory. The activity filter analysis concluded that the

forementioned activities do not fulfill statutory functions and are neither governance nor regulatory.

When developing recommendations for the activities in the "neither" category, the Governance and Nominating Committee (GNC) considered a full elimination or elimination of high-risk activities and adapting and operationalizing the rest of them. A risk management process followed, including risk and mitigation assessment and consultations with PEO stakeholders.

COUNCIL REMUNERATION FRAMEWORK REVIEW

At its February meeting, Council directed staff to undertake further broad exploration and study, including a variety of options, on the Council Remuneration Framework and to report back to the GNC and ultimately Council for further consideration.

As part of its 2022–2023 workplan, the GNC was tasked with researching and setting direction on a framework for Council remuneration. It has been nearly a decade since Council has considered remuneration for councillors. A previous motion recommending honoraria that was put forward to Council in 2014 was defeated. Since then, according to the briefing note, there has been a prevailing shift in self-regulation toward professionalization of boards, and remuneration is increasingly seen as an effective governance practice in the regulation of professions. Currently, only Council lay members receive remuneration, paid for by the province.

NEW DIRECTOR TO ENGINEERS CANADA BOARD

At its February meeting, Council appointed Tim Kirkby, P.Eng., FEC, as a PEO director on the Engineers Canada (EC) board for a three-year term effective May 27, 2023, at the EC annual meeting of members. Kirkby replaces Danny Chui, P.Eng., FEC, who has represented PEO on the board since 2017.

BRIDGE GOALS FOR CEO/REGISTRAR

At its February meeting, Council approved the CEO/registrar goals as presented in Appendix A of the briefing note. These goals are meant to bridge a gap between the former CEO/registrar, Johnny Zuccon, P.Eng., FEC, and the current CEO/registrar, Jennifer Quaglietta, MBA, P.Eng., ICD.D, who joined PEO in January. Setting and monitoring goals and objectives for the CEO/registrar is an important component of Council's role in moving the organization forward.

With the goals approved, the Human Resources and Compensation Committee will work with the CEO/registrar to review performance in working towards the specified goals and objectives and provide regular feedback, subject to any input from Council. Any changes or updates to the goals will be brought forward to Council for review and approval.

SUPPORT FOR RETOOLING IRON RING RITUAL

At its February meeting, Council approved a motion to formally acknowledge and publicly support the Retooling of the Iron Ring Ritual initiative and requested for the Corporation of the Seven Wardens to implement meaningful changes to the Ritual of the Calling of an Engineer ceremony in ways that reflect contemporary engineering practice, values and inclusion (see p. 14). With this motion, PEO is joining a growing number of national and provincial engineering associations who have formally stated their support for this initiative, as well as the hundreds of individuals who have signed the statement in support.

ENGINEERS CANADA ANNUAL MEETING

At its March meeting, Council approved a motion to direct PEO's member representative, Nick Colucci, MBA, P.Eng., FEC, who will be attending virtually at the EC annual meeting of members on May 27, to vote against a motion that was submitted by Engineers Nova Scotia asking Engineers Canada to amend a bylaw. Specifically, the motion asks:

1. That the term and definition of "2/3-60 percent majority" in section 1.1 of the EC bylaw be deleted and replaced with "3/4 majority means a resolution passed by a minimum of three-quarters of the members voting."
2. And that the references to "2/3-60 percent majority" in articles 2.1(m) and 3.4(2) of the EC bylaw be replaced with the term "3/4 majority."

Although the original motion brought to the March Council meeting also asked Council to appoint CEO/Registrar Jennifer Quaglietta as a proxy holder at the meeting because Colucci was unable to attend in person, Colucci indicated that he could attend the meeting virtually if that was the wish of Council. A friendly amendment was made to replace Quaglietta's name with Colucci's in the original motion so he could cast the vote on behalf of PEO.

AUDITED FINANCIAL STATEMENTS APPROVED

At its March meeting, Council approved the audited financial statements for the year ended December 31, 2022, and the auditor's report as presented at the meeting, and authorized the president and president-elect to sign the statements on Council's behalf.

APPOINTMENT OF AUDITOR

At its March meeting, Council approved a motion to recommend to licence holders at PEO's 2023 Annual General Meeting (AGM) on April 29 that Deloitte LLP be appointed as PEO's auditor for 2023 and hold office until the next AGM or until a successor is appointed.

CHANGES TO ORDER OF HONOUR

At its March meeting, Council approved the revised nomination and selection criteria for PEO's Order of Honour (OOH), as proposed by the Awards Committee. The OOH is an honorary society of PEO that was established in 1963 to honour professional engineers and others who have rendered conspicuous and outstanding service to the engineering profession in Ontario. As part of the motion, Council also approved changing the Awards Committee name to the Order of Honour Selection Committee.

When PEO underwent its activity filter assessment of all its activities, it was concluded that the OOH is neither regulatory nor governance. A risk management process followed, including risk mitigation assessment and consultations with PEO stakeholders. Since then, the OOH working group has revised the nomination and selection criteria to be more transparent and streamlined, eliminate subjectivity and reflect PEO's public protection values. The changes include quantifying contributions to the engineering profession into a point system and recognizing contributions to justice, equity, diversity and inclusion, and decreasing the years of service required for each award classification and the number of nominators required.

CHANGES TO CHAPTER ACTIVITIES

At its March meeting, Council approved recommendations for PEO chapter activities that are considered neither governance nor regulatory. The recommendations included supporting chapter AGMs, technical seminars/tours, networking events, 30 by 30 events, and scholarships; supporting with modifications the licence certification presentations, education/school outreach, Licensure Assistance Program, chapter social media, Government Liaison Program and support of community organizations; re-assigning regulatory seminars and chapter websites; and suspending chapter event sponsorship from external sources.

In February 2022, Council directed the GNC to oversee a risk assessment of all chapter activities, in consultation with chapters, with a view to eliminating high-risk activities and operationalizing others.

Using the risk-based approach, and considering the needs of the regulator and the public, the following conclusions were drawn:

- a) The majority of chapter activities are low-risk;
- b) The risks that are present can be reduced by implementing specific mitigation measures;
- c) The benefits of these activities outweigh the risks; and
- d) The chapter system, while unique for a regulatory body, provides local PEO presence and public awareness, an avenue for stakeholder communication, and the best method for licence holders to connect with the regulator.

With the motion approved, the chapter office will begin consulting with key chapter volunteers to inform the creation of an updated chapters manual, and the Regional Councillors Committee (RCC) will be consulted in the implementation stage of the motion. Going forward, new activities not addressed in this risk assessment are to be reviewed using a risk lens by the Chapter Office and RCC and, where appropriate, a recommendation will be provided to Council for activity approval.

REVISED GOVERNANCE MANUAL

At its March meeting, Council approved the updated Governance Manual (previously called the Council Manual), which integrates the charters, protocols and other directions approved by Council as part of the 2020–2022 Governance Roadmap. The revised Governance Manual is shorter, simpler and clearer and clarifies PEO's overall approach to governance and the various roles and responsibilities that work together to achieve good governance at PEO.



It streamlines the many different PEO governance documents by integrating them into a common format within this new single resource.

According to the briefing note, the revised Governance Manual should now serve much more effectively as a working resource and reference guide for councillors and all others involved in PEO governance. Additionally, the manual should enhance understanding of PEO's governance by members of the public, professional engineers and other stakeholders. Publishing a clear, comprehensive and accessible manual supports accountability and transparency, which are key foundations of good governance.

In the coming weeks, the Governance Manual's design, formatting and graphics will all be finalized, and the manual will be posted to PEO's website.

CREATION OF ADVISORY GROUP

At its March meeting, Council directed staff to develop an advisory group that will ultimately replace the Licensing, Enforcement and Professional Standards committees, per the terms of reference attached to the briefing note.

The new governance model established by Council distinguishes between governance committees and statutory committees and committees that are neither governance nor statutory. The latter includes the Licensing, Enforcement and Professional Standards committees, which in the previous governance system had a policy role.

At a GNC meeting in February 2023, the committee considered the future structure of PEO committees that are neither governance nor statutory and directed staff to develop terms of reference for an advisory group that could replace these committees. This recommendation was supported by findings from a survey that was conducted in the fall of 2022 to understand what outputs of the non-governance committees should be retained to assist PEO in fulfilling its regulatory mandate, and how volunteer expertise can best be called upon via an advisory group to contribute to PEO's regulatory goals and objectives in the new governance system.

At GNC's March 2023 meeting, committee members generally agreed with the concept of an advisory group comprising expert volunteers and other licence holders, but there was a lack of consensus among the committee members on the number of advisory groups needed; whether the Licensing, Enforcement and Professional Standards committees should be stood down; and, in general, how Council's direction to "centralize regulatory policy governance in the RPLC" should be implemented. The committee consequently agreed to bring this issue to Council for discussion so that further direction could be set.

Now that Council has directed staff to form the advisory committee, it is expected that the issue will go back to the GNC when ready.

SUPPORTING FARPACTA IMPROVEMENTS

At its March meeting, Council defeated a motion that asked Council to form a working group composed of admissions experts from the Academic Requirements Committee and Experience Requirements Committee that would provide Council with recommendations to enable it to provide informed admissions process direction to the CEO/registrar as part of PEO's ongoing admissions process quality improvement processes. These recommendations would have considered issues such as admissions process guiding principles; removal of barriers to P.Eng. licensure introduced by the new FARPACTA admissions processes; equity, diversity and inclusivity; impacts on the admission of emerging disciplines; and impacts on stakeholders and on the protection of the public interest.

Although councillors agreed with the sentiment that such issues need to be addressed within the licensure process, Council first needs to find the right process to do so. While the motion was defeated, it is expected that staff will review the issues brought forward in the motion. **e**

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Deadline for Summer 2023 is June 5, 2023



WANT TO UPDATE YOUR EMAIL ADDRESS?

PEO is communicating to licence holders 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.

VOLUNTEERING



**National
Volunteer Week**
April 16–22,
2023

WEAVES US TOGETHER

In honour of National Volunteer Week, PEO recognizes and thanks our volunteers, including those who serve on Council, committees and their subcommittees, task forces and the Government Liaison Program; and PEO chapter leaders and volunteers, as well as those who represent PEO on external boards and advisory groups and participate in chapter-sponsored programs.

Mandatory continuing professional development is here



PEO's mandatory Practice Evaluation and Knowledge (PEAK) 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.



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