

Minutes of a Special Meeting of the Association held on Wednesday, April 25, 2018 at the Holiday Inn South, Heritage Ballroom, 1330 Pembina Hwy, Winnipeg, Manitoba.

PRESENT: Jonathan Epp, presiding; Doug Bell; James Blatz; Jay Doering; Ruth Eden; Neil Klassen; Florence Lee; Jason Mann; Lindsay Melvin; Jitendra Paliwal

ALSO PRESENT: Grant Koropatnick; Fiona Hillier

REGRETS: Janet Gauthier; John Guenther; Jacqueline Jasinski

CALL TO ORDER AND WELCOME

President Epp called the meeting to order at 7:00 p.m.

President Epp thanked everyone for attending and announced that the purpose of the Special Meeting was to report on the activities of Council and provide an opportunity to ask questions. It was further noted that no formal business was to be conducted.

Council and President Epp introduced themselves.

President Epp then presented the agenda;

1. Engineering Changes Lives
2. By-Law Review Committee
3. Policy Review Roadmap
4. Questions

ITEM 1: ENGINEERING CHANGES LIVES

President Epp invited Past President Lindsay Melvin to speak about the Engineering Changes Lives initiative.

Past President Melvin remarked that the initiative was in response to End E-5: Practitioners reflect the diversity of the public, specifically E-5.2: By 2030, 30% of newly licensed engineers will be women and this is a priority. The status, currently at 15%, was observed as unstable as it can vary from month to month. Therefore something drastic needed to be done in order to see progress.

Council approved a two year project to be executed by the CEO, Association staff and a Steering Committee to develop a strategy and marketing campaign.

To date the initiative has engaged Juliet, a marketing company, and hired two staff members (project coordinator and administrative assistant) for a two year term. The next steps will include a panel discussion at the Manitoba Legislature on April 30th, an environmental scan, strategy developments and a poster campaign.

DISCUSSION:

What is the budget?

- \$800,000 was approved by Council to come from savings to fund the two year project.

How does the Engineering Changes Lives relate to the mandate of protecting the public?

- It's in the public's interest to have the best engineers possible to practice, but there are barriers which prevent potential candidates from entering the professions. Additionally, if the Association's profile does not resemble the public, there is a risk that the professions won't fully understand or be aware of the needs of the public.

ITEM 2: BY-LAW REVIEW COMMITTEE

President Epp invited Councillor Doug Bell to speak about the By-Law Review Committee.

Councillor Bell began by saying that the committee had two purposes; to fulfill By-Law 17 which was new as of the last AGM and to fulfill the requirements of the By-Law Refresh Project, which was a 2015 Council initiative.

By-law 17 allowed for a new approach for getting by-laws on the record. The function of the committee was to review by-law proposals from members and from Council. Currently there were no proposals submitted by members and the only proposal from Council was for the Refresh Project. It was also remarked that members may still submit by-law proposals via By-law 17.5 Member By-law Petition.

Councillor Bell reviewed the Refresh Project timeline. This year the committee had been focusing on the review of By-Law 13: Code of Ethics and By-Law 15: Complaints and Discipline. He went on to describe the process of the review and the next steps, which would include an initial draft prepared by legal. The draft would then go to Council for final approval before being presented to the membership for a vote in time for the next AGM.

Councillor Bell indicated that the biggest proposed changes to the two by-laws were as follows;

- By-Law 13: Code of Ethics, to be based off of the Engineers Canada Model Guide and to clarify and standardize the Practice Notes and Guidelines provided by the Association.
- By-Law 15: Complaint and Discipline, introduction of Staff Investigators to streamline the research portion on an investigation and the introduction of a process to expunge public discipline records after ten years.

DISCUSSION:

What are the priorities for the refresh project?

- To do a holistic review of what is there and determine if anything should be added, removed or done differently.

Since the new By-law 17 doesn't allow for discussion of By-law changes at the Annual General Meeting will there be other meetings for discussion before they are voted on?

- Yes.

Will there be a member engagement session scheduled once the draft for By-law 13 and 15 has been reviewed by legal and before it goes on the website?

- President Epp will look into this.

The process of the Investigation Committee and Discipline Committee should be clearly defined to help the members avoid miss steps. And would there be potential for influence if staff investigators are used?

- It's been made easier to file complaints, which provides a better service for the public, however it means that we are receiving more of them. The role of staff investigators will help to speed up the process but will not replace any of the decision-making authority of the Investigation Committee.

If there is uncertainty regarding member conduct, they should ask for a practice note or request a clarification from Council. There also needs to be practice notes that deal with real life situations.

Are there any other associations that have adopted the Engineers Canada model?

- Engineers Geoscientists British Columbia, Professional Engineers Newfoundland & Labrador, Engineers Nova Scotia and Engineers Geoscientists New Brunswick

How long have the public records been kept in the past before being expunged?

- The public records have not been expunged before – this would be a new process.

How is this in keeping with protecting the public if we are expunging the public record?

- Only what is visible to the public would be expunged. The Investigation Committee would still have the complete member record. A member could request a "pardon" via a petition to Council.

At the November 17th consultation session, members alleged problems with adopting the Engineers Canada model. Since councillors were not present, how was the negative feedback given back to Council? Would like to see the notes provided to Council.

- President Epp attended the session and conveyed feedback to Council. He indicated willingness to share his notes from the meeting.

It was suggested that a legal opinion be sought on the question: if a member is convicted by the old code, would they still be convicted by the new code?

- President Epp will look into this.

It was suggested that a legal opinion be sought on the question: can the public submit a complaint if they suspect an engineer is responsible in a matter, but don't have a name?

ITEM 3: POLICY REVIEW ROADMAP

President Epp noted that the goals of the review were to question everything and to avoid complacency through a strategy of regular reviews. Another goal was to create a complete picture view through a holistic review.

President Epp provided an overview of the policy sets and how often they will be reviewed going forward.

DISCUSSION:

There are Council prepared policies referenced in the By-laws but very few are published. Should these policies be included in the By-laws?

- The use of the word "policy" in By-law does not necessarily equate to the use of the term "policy" used in the Carver Governance Model, which Council follows and the presentation was referring to. For example, there are some policy documents that are approved by Council as a result of By-law requirements that do not fit within the four "policy" sets referred to by Carver Governance. Over the past few years Council has been working to bring those "one-off" policies into the policy set it uses as part of the Carver Model. Further, when the By-laws refer to a policy that is "published from time to time" that gives Council authority to publish a policy as needed.

Can Council create a policy and then propose that to be a policy for the members? How do members know if they are in violation of a policy if they don't know it exists?

- Members are not investigated for violating Council policies. The policy set used by Council are mainly policies followed by Council in the administration of the Association. The Practice Notes and Guidelines are the elements which someone might be investigated or disciplined for if suspected of a violation. These guidelines are available on our website.

Why isn't a detailed agenda for Council meetings published?

- The agenda changes quite a bit prior to the meeting, but the president attempts to freeze the order two weeks prior to the meeting. A request to the President for the agenda after the freeze can be made at the same time a request is made to attend the meeting as an observer.

Could the agenda be on the website?

- President Epp will look into this.

ITEM 4: QUESTIONS FOR COUNCIL

President Epp opened the floor to more questions before adjourning.

President Epp encouraged members to ask questions either to a councillor or by email to him at president@enggeomb.ca

ADJOURNMENT

President Epp thanked everyone for coming out.

The meeting was adjourned at 8:05 p.m.