

Minutes of a meeting of the Council of Engineers Geoscientists Manitoba held online and at 870 Pembina Hwy, Winnipeg, MB on Thursday, May 11, 2023.

PRESENT: Ian Smallwood presiding; Jessica Adelman; David Amorim; Kathryn Atamanchuk; Mike Houvardas; Christina McDonald; Crystal Paculan; Alan Pollard; Celine Rivard; Allan Silk; Shipra Verma; Eric Yang; Lisa Thomson

ALSO PRESENT: Michael Gregoire; Fiona Hillier; Joe Kasprick; Bryan Luce; Angela Moore; Dawn Nedohin-Macek; Scott Sarna; Don Spangelo; Lisa Stepnuk; Ian Wiebe; Anjanette Zielinski

REGRETS: Doug Bell;

OBSERVERS: Darren Burmey; Joseph Isodje; Vicki Poirier; Val Ryall; Sean Quigley; David Ugwu; Danielle Unett

23.03.1 CALL TO ORDER

President Smallwood called the meeting to order at 12:30 p.m.

23.03.2 TRADITIONAL TERRITORIES ACKNOWLEDGEMENT

President Smallwood read the statement acknowledging the traditional lands on which Engineers Geoscientists Manitoba sits and to recognize Engineers Geoscientists Manitoba's commitment to Indigenous peoples and communities.

23.03.3 INTRODUCTIONS

President Smallwood welcomed councillors, presenters, staff, and observers to the meeting.

23.03.4 ADOPTION OF AGENDA

President Smallwood asked if there were any proposed changes or additions to the agenda. Hearing no changes, the agenda was adopted as presented.

23.03.5 CONFLICT OF INTEREST DECLARATION

President Smallwood asked if anyone had a conflict of interest to declare.

Councillor Pollard commented that he sits on the EGEF Board and would remove himself from the discussion on agenda item G6 if Council thought there was a conflict. President Smallwood remarked that there was no conflict.

Hearing no other comments, Council was reminded that a conflict could be declared at any time, for any item, on the agenda.

23.03.6 MINUTES OF THE COUNCIL MEETING MARCH 16, 2023

President Smallwood asked if there were any corrections to the minutes of the Council meeting on March 16, 2023. Hearing none, the minutes were adopted as circulated.

OWNERSHIP LINKAGE PRESENTATION

23.03.7 O1. JOE KASPRICK (PROGRAM MANAGER - BUILDING CODES, INSPECTION AND TECHNICAL SERVICES, DEPT OF LABOUR AND IMMIGRATION)

At 12:35 p.m. President Smallwood introduced Joe Kasprick, Program Manager, Building Codes, Inspection and Technical Services, Dept of Labour and Immigration

Joe Kasprick provided Council with an update on Bill 38 and the anticipated introduction of service standard regulation and an adjudication process in the Fall. He reported on the status of the 2020 codes and noted that the effective enforcement date was expected to be December 1, 2023.

He then provided Council with a brief review of code development and adoption in the province.

The floor was opened to questions and comments.

Joe offered to come back and provide a presentation on the 2020 codes to Council at a future meeting.

President Smallwood thanked Joe for his presentation.

At 12:57 p.m. Joe Kasprick left the meeting.

REPORTS TO COUNCIL

23.03.8 B1. CHAIR'S REPORT - PRESIDENT IAN SMALLWOOD, P.ENG.

President Smallwood reported that since the last meeting there had been a lot of work done by Council on the governance review and on the process of choosing the next CEO. He also commented on the Presidents Group meetings he attended for Geoscientists Canada and Engineers Canada.

23.03.9 B2. ENGINEERS CANADA DIRECTOR'S REPORT

Dawn Nedohin-Macek spoke to the highlights of her report which included the celebration of International Women's Day (March 8th) and National Engineering Month (March), the launch of Engineers Canada's national marketing campaign "Building Tomorrows", and the CEAB's meeting to advance non-accreditation decision items.

President Smallwood thanked Dawn for her report.

23.03.10 B3. GEOSCIENTISTS CANADA DIRECTOR'S REPORT

President Smallwood asked Council to review the report provided by Doug Bell.

Michael Gregoire commented that he and councillors Adelman and Yang met with Doug Bell to review and provide feedback on Geoscientists Canada Initial Draft Initiatives List.

President Smallwood commented on an item missing from his report. He informed Council that the Registration Committee had put out a volunteer call for new members, and the committee was looking for councillors to participate in the interview process. Past President Silk and Councillor Verma volunteered for this task.

23.03.11 B4. DISCIPLINE COMMITTEE REPORT

Don Spangelo, P.Eng., FEC, Chair of the Discipline Committee provided a report on the functions, workload, and composition of the committee. He also commented on the upcoming changes to the appeal process stemming from the changes to the *Engineering and Geoscientific Professions Act*, whereby Council will no longer be responsible for appeals of Discipline Committee decisions.

At 1:11 p.m. Dawn Nedohin-Macek left the meeting

When asked if there were more people going through discipline process. Don reported that the committee sees more repeat offenders, which is a problem that should be addressed.

President Smallwood thanked Don for his report.

23.03.12 B5. INVESTIGATION COMMITTEE REPORT

Bryan Luce of the Investigation Committee provided a report on the practices and procedures of that committee from the lay members perspective. He reviewed the committee's compliance with their terms of reference and noted that while a large number of complaints are resolved as expeditiously as possible, there are some complaints that have continued for several years. He reviewed the causes for these delays and commented that enforcement of stricter guidelines for defendant responses could drive greater efficiency in these cases.

When asked how Council could aid the committee, Michael Gregoire suggested that Council could appoint a councillor to the committee, once the Act changes come into effect and Council is no longer involved with the appeal process.

President Smallwood thanked Bryan for his report.

At 1:46 p.m. Bryan Luce left the meeting.

23.03.13 B6. GOVERNANCE TASKFORCE REPORT

Past President Silk, Chair of the taskforce, commented on next steps which included monitoring the progress of the recommendations, setting up a Governance Committee, and presenting an update on the Governance Review at the AGM.

23.03.14 B7. BY-LAW REVIEW COMMITTEE REPORT

Michael Gregoire commented that this year’s by-law changes were stemming from the changes made to the *Engineering and Geoscientific Professions Act*, which will come into effect on November 1, 2023. He reviewed the by-law change process and the proposed changes.

23.03.15 B8. FINANCE COMMITTEE REPORT

Councillor Amorim, Chair of the Finance Committee spoke to the report and highlighted the Association’s charitable giving policy, commenting that it was the opinion of the Finance Committee that the policy be improved upon.

MOTION: It was MOVED by David Amorim and SECONDED by Christina McDonald that Council directs Management to consider and propose (and ultimately implement if appropriate) a more proactive means and methods to implement/oversee the Charitable Giving Policy annually.

CARRIED
Councillor Pollard abstained.

Councillor Amorim spoke on the development of the FY24 budget, and asked Council to review the appended draft and bring forward any questions to the Finance Committee before the June Council meeting.

Michael Gregoire highlighted some of the notable variances in the draft budget. He and David commented on two items the Finance Committee wanted clarity on, the Governance Review reserve fund and the expected budget to fill the permanent CEO position.

David also reported that an Environment and Climate Change project was being proposed by the Government Relations Department. The project could be funded through unrestricted net assets and implemented anytime during the fiscal year. Council agreed to receive a presentation on the proposal at a future meeting.

CONSENT AGENDA

23.03.16 Council approved the Consent Agenda items with the adoption of the agenda.

C1. APPLICATIONS APPROVED BY THE REGISTRATION COMMITTEE

Council received a list of applications approved by the Registration Committee between March 1, 2023 and April 30, 2023.

COUNCIL EDUCATION

23.03.17 D1. EVALUATION OF THE PREVIOUS COUNCIL MEETING

President Smallwood thanked Council for their feedback and comments.

At 2:27 p.m. Council went on break

At 2:27 p.m. Don Spangelo left the meeting

At 2:39 p.m. Council returned from break

GOVERNANCE

23.03.18 G1. APPLICATIONS FOR CERTIFICATES OF AUTHORIZATION – INSURANCE REQUIREMENTS

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

MOTION 1: It was MOVED by Allan Silk and SECONDED by Lisa Thomson that Council approves Exponent's application for a CofA with their current insurance coverage.

President Smallwood called for discussion on the motion.

Council discussed the possible risks of approving the application and agreed that more information was needed.

Hearing no further discussion, President Smallwood called the question and Council voted on the motion.

DEFEATED

MOTION 2: It was MOVED by David Amorim and SECONDED by Christina McDonald that Council establish a task group to revisit the insurance requirements for holders of a CofA. This task group will be comprised of one or more councillors and the Registrar, will rely on expert advice from the insurance industry and legal counsel for Engineers Geoscientists Manitoba, and will engage the membership for their input.

CARRIED

President Smallwood asked for volunteers for the task group. Councillors Amorim and Thomson volunteered.

23.03.19 G2. WORDING CLARIFICATION FOR POLICY GP-8.5 INVESTIGATION COMMITTEE

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

MOTION: It was MOVED by Allan Silk and SECONDED by Eric Yang that Council modify the wording in GP-8.5, clause 1.4, to the following:

1.4 Annual Reports to:

(a) Council

i. On the disposition of all complaints considered; and

ii. Of the names of members whose appointments are due to expire as well as the eligibility for reappointment or removal; and

(b) The CEO of its activities for use in other reports

CARRIED

23.03.20 G3. NUMBER OF COUNCILLORS

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

MOTION: It was MOVED by Allan Silk and SECONDED by Celine Rivard that Council, in accordance with By-law 4.1.3, set:

- the number of elected councillors to seven professional members and one intern, and

- the number of appointed councillors to three or four.

President Smallwood called for discussion on the motion.

Past President Silk recommended that a fourth appointed councillor be appointed by the 2023 AGM and offered to bring forward a motion at the June meeting to identify the competencies Council would be looking for.

Hearing no further discussion, President Smallwood called the question and Council voted on the motion.

CARRIED

23.03.21 G4. REVIEW OF RETIRED EMPLOYEE BENEFIT POLICY

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

Past President Silk recused himself due to a conflict of interest.

MOTION: It was MOVED by Alan Pollard that Council modify the Retired Employee Benefits Policy such that the limits are eliminated, by deleting the sentence outlined above, and applying this change retroactively to former employees who have already surpassed the limits.

Motion was not seconded; motion failed.

Council suggested that the motion be reintroduced at the June meeting and that more information be provided. Councillors McDonald and Adleman volunteered to work with Michael Gregoire on this item.

23.03.22 G5. RETOOLING OF IRON RING CEREMONY

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

MOTION: It was MOVED by David Amorim and SECONDED by Crystal Paculan that Engineers Geoscientists Manitoba formally supports the position put forward by Engineers Nova Scotia, specifically that:

“We appreciate it was a different society when the ritual was introduced. A century later, the beliefs, language, and social expectations have all changed. The Ritual as it exists today, is inconsistent with the ethics of the engineering profession; the Ritual needs to modernize to maintain our collective social licence. Engineers Nova Scotia is more than ready to support the modernization process and offers the Corporation of the Seven Wardens any assistance it may require.”

President Smallwood called for discussion on the motion.

After some discussion, Past President Silk recommended that the motion be tabled to the June meeting and that a group of councillors address the situation further and provide a report at the June Council meeting. Councillors Amorim, Houvardas, Paculan, Rivard, and Silk volunteered for this item.

It was MOVED by Allan Silk and SECONDED by Mike Houvardas that Council table the motion to the June 8, 2023 meeting.

CARRIED

23.03.23 G6. MOU WITH ENGINEERING AND GEOSCIENCE EDUCATION FOUNDATION

Michael Gregoire, CEO & Registrar (Acting) spoke to the Decision Background memo, dated May 11, 2023.

MOTION: It was MOVED by Kathryn Atamanchuk and SECONDED by Jessica Adelman that Council approve the new M.O.U. between Engineers Geoscientists Manitoba and the Foundation.

CARRIED

Councillor Pollard and Past President Silk abstained.

At 3:30 p.m. Council went on break

At 3:40 p.m. Council returned from break

At 3:40 p.m. President Smallwood moved that the meeting go in camera for the purposes of discussing private and confidential matters about an individual, labour relations, investigations, discipline, appeals, litigation or potential litigation.

At 4:06 p.m. Councillor Verma left the meeting.

At 4:41 p.m. Council came out of Camera.

President Smallwood announced that Council discussed and voted on the following motion during the in camera session.

MOTION: It was **MOVED** and **SECONDED** that Council appoints Michael Gregoire as Interim CEO, Registrar, and Secretary for a period of at least 12 months from today. Michael Gregoire will immediately seek a term replacement for his current position as Director of Professional Standards and temporarily abdicate that position over that same term. Council authorizes modification to the current employment agreement with Michael Gregoire pertaining to removal of his limited role as Director of Professional Standards retained while Acting CEO, Registrar, and Secretary.

CARRIED

EXECUTIVE LIMITATIONS AND ENDS

23.03.28 M1. E-3 UNQUALIFIED PERSONS DO NOT PRACTICE - GREGOIRE
Review of Monitoring Report by Michael Gregoire, CEO & Registrar (Acting) dated May 11, 2023.

Hearing no objections, the monitoring report was accepted.

23.03.29 M2. EL-2 TREATMENT OF STAFF - GREGOIRE
Review of Monitoring Report by Michael Gregoire, CEO & Registrar (Acting) dated May 11, 2023.

Hearing no objections, the monitoring report was accepted.

23.03.30 M3. EL-5 INTERACTIONS WITH MEMBERS- GREGOIRE
Review of Monitoring Report by Michael Gregoire, CEO & Registrar (Acting) dated May 11, 2023.

Hearing no objections, the monitoring report was accepted.

COUNCIL PERFORMANCE

23.03.31 P1. GP-8.2 PAST PRESIDENTS COMMITTEE - SMALLWOOD
Monitoring Report by President Smallwood was deferred until after the Past Presidents Committee meeting.

23.03.32 P2. GP-8.7 OWNERSHIP LINKAGE COMMITTEE - ATAMANCHUK
Monitoring Report by Vice President Atamanchuk – dated May 11, 2023

Hearing no objections, the monitoring report was accepted.

INFORMATION ITEMS

23.03.33 COUNCIL RECEIVED THE FOLLOWING INFORMATION ITEMS:

- N1. Planning agenda for the next meeting
- N2. Membership statistics as at April 30, 2023
- N3. Environment and Sustainability Guideline
- N4. Cyber Security Policy
- N5. Equity & Engagement in Professional Regulation - Update
- N6. 2023 Annual General Meeting Location
- N7. Engineers Canada Promo Ad “Building Tomorrows”

SELF-EVALUATION

23.03.34 V1. EVALUATION PAGE FOR THIS MEETING

President Smallwood asked for councillors to complete and submit the evaluation form for today’s meeting.

FYI ‘NICE TO KNOW’ INFORMATION

23.03.35 F1. WESTERN MANITOBA SCIENCE FAIR – THANK YOUR LETTER

ADJOURNMENT

23.03.36 The meeting adjourned at 4:53 p.m.

The next Council meeting will be Thursday, June 8, 2023 at 12:30 p.m.

Ian Smallwood, P.Eng.
President

Michael Gregoire, P.Eng., FEC
CEO & Registrar (Acting)