

## **Appendix B - Relevant Policies and Procedures**

# **APEGBC Procedure**

## **Implementation of Council's Code of Conduct**

### **IMPLEMENTATION OF COUNCIL'S CODE OF CONDUCT** **(Referred to in Council Governance Policy CG-6)**

This Procedure details how allegations of breaches of the Code of Conduct will be addressed and is based on progressive discipline concepts.

- 1.0 The President and one other person will promptly discuss the offence with the offending Council member. No permanent record will be kept of this discussion.
- 2.0 Upon receipt of a second allegation of the same offence, the President will assess the allegation. The President may confer with the CEO who may arrange for independent advice, if necessary or requested, on how to address the issue(s) identified in the allegation. At the direction of the President, the report may be investigated internally by staff, by Council or an appropriate Committee, or be referred to another appropriate authority.
- 3.0 Following the procedure identified in 2.0 above, if warranted, the President will issue a letter to the Council member outlining the circumstances and expected corrective actions.
- 4.0 Continued offence will result in a motion of censure being brought to an in-camera meeting of the Council. The offending Council member should not be present or vote, since this would represent a conflict of interest. The President conveys the results of the motion to the Councillor. If the motion of censure is carried by a two-thirds majority, the President shall request the Council member to resign from Council. If the member declines to do so, the member shall be removed from all Committee and Task Force memberships, except in cases of ex officio memberships that cannot be removed.
- 5.0 In the event that the President is alleged to be the offending Council member, the Vice-President will perform the roles of the President as identified above.

**Approved by Council:**

**September 13, 2013 (CO-13-113)**

**Revised and Approved by Council:**

**September 12, 2014 (CO-14-76)**

# **APEGBC Procedure**

## **Replacement of Elected Council Members (Vacancy)**

### **REPLACEMENT OF ELECTED COUNCIL MEMBERS (VACANCY)**

(referred to in Council Governance Policy CGP-2)

The Engineers and Geoscientists Act, Section 9 (8) states:

*“If a member of the council dies, resigns or is incapable of acting,  
(a) the other members of the council must appoint a member of the association to fill the vacancy if the councillor is an elected member.”*

The objective and duty of Council in filling a vacancy on Council is to appoint the best qualified member or limited licensee with the requisite character, knowledge, and expertise and the willingness and ability to undertake the responsibilities of the position.

#### **1.0 Term of Office**

The appointed member shall serve on the Council until the next regular election when the vacancy shall be filled through election by members and limited licensees of the Association.

#### **2.0 Role of Council Member**

Council, as defined in the Act, consists of elected members, government appointees and, if required, Council appointees. Council is required under the Act to govern, control and administer the affairs of the association and to exercise all rights and powers vested in it by the Act and Bylaws.

#### **3.0 Eligibility**

- 3.1 To be eligible, a nominee for the Council member position must be a member or limited licensee in good standing of APEGBC.
- 3.2 The precedent and preference is for a recent APEGBC Council member, or prominent member or limited licensee who is knowledgeable of current Council issues.
- 3.3 Notwithstanding the foregoing, in all cases the candidate deemed by Council to be the most knowledgeable and suitable shall be selected.

#### **4.0 Appointment Process**

- 4.1 If a member of the Council dies, resigns, is incapable of acting or is removed from office, APEGBC Executive Committee shall identify and approach potential candidates to determine their interest and willingness to serve. The Executive Committee will prepare a report to Council with its recommendations and the reasons for them. The Executive Committee will make best efforts to recommend to Council a minimum of two candidates for consideration for appointment.
- 4.2 Council will consider the recommendations of the Executive Committee and decide who to appoint.

#### **5.0 Executive Committee Decision Making Process**

- 5.1 In identifying and considering potential appointees, the Executive Committee should use a skills matrix assessment of Council and potential appointees.

- 5.2 In identifying and considering potential appointees, the Executive Committee should also consider prior experience on Council, other board experience, and such other factors or criteria as it considers relevant.

**Approved by Council: September 13, 2013 (CO-13-114)**

# **APEGBC Policy**

## **Oversight of the Investigation and Discipline Committees**

### **OVERSIGHT OF THE INVESTIGATION AND DISCIPLINE COMMITTEES**

(referred to in Council Governance Policy CGP-2)

#### **1.0 Purpose & Scope**

Record policy on involvement by Council or Councillors with investigation and discipline cases before the Registrar, the Investigation Committee or the Discipline Committee.

#### **2.0 References**

- *Engineers and Geoscientists Act* Sections 8, 28-38

The *Act* assigns the roles of investigation and possible discipline of members to the Registrar and the Investigation Committee, and the Discipline Committee respectively. The *Act* thus mandates a separation between the APEGBC Council and the “police work” and “judges’ work” of the two independent committees to protect the integrity of statutory processes and confidentiality requirements set out in the *Act*.

#### **3.0 Policy**

- 3.1 Council acknowledges the need for the complete separation of specific cases before the Registrar, the Investigation Committee or the Discipline Committee from any involvement by Council or councillors.
- 3.2 Council maintains oversight of the Registrar, the Investigation Committee and Discipline Committee by receipt of quarterly reports from the Chairs of the Investigation Committee and Discipline Committee.

#### **4.0 Reports**

- 4.1 Quarterly reports and an annual report will come forward to Council from the Chairs of the Investigation Committee and Discipline Committee.

**Approved by Council: February 5, 2010 (CO-10-33)**

## **Guidelines for the assessment of member approved AGM motions**

The mandate of the Association is very broad. Member AGM motions often cover a lot of issues ranging from the need to address internal matters relating to the Association's policies, processes or procedures to external matters such as taking a position on big global issues. For Council and staff to understand the proposed AGM motions as quickly as possible, it would be very helpful if members can provide as much information as possible to support their motion. After a member's AGM motion has been approved by the delegates, it will be referred to Council for consideration. To assist Council in carrying out the task of assessing the member approved AGM motions for subsequent action, the following guidelines are recommended.

It should be noted that these guidelines are not the only criteria that would determine the action, if any, that Council may take. There may well be other prevailing or emerging factors relevant to the member approved AGM motion that Council may take into consideration when assessing these motions. In other words, meeting all of the following guidelines does not necessarily compel Council to act on the motion.

1. Is the objective of the motion clear?
2. How large and complex is the scope of the motion?
3. Will there a need for significant resources to carry out the research, investigate feasibility, analysis of options, pre-approval processes required, etc... before implementation of the motion?
4. How does the proposed motion fit into the Association's:
  - a. Legislative Mandate?
  - b. Strategic Plan?
  - c. Operational Priorities?
  - d. Approval Authority?
5. Can the motion be carried out as part of the on-going functions of the Association without any substantial adverse impacts (i.e., will need to interrupt work or projects in progress which are critical to others)?
6. Does the motion require additional funds beyond the existing authorized budget to execute? If so, what is the estimated order of magnitude of additional funds required? Where would the likely source(s) of funds come from (grants, reserves, membership fee increases, etc...)?
7. Is there sufficient in-house expertise to act on the motion or the requirement of external expertise will likely be required?
8. What is the overall cost/benefits associated with acting on the motion? Are the returns small compared to the costs that will be incurred or is this a low hanging fruit?
9. Will acting on the motion expose the Association to unacceptable risks?

**Approved by Council: June 15, 2018 (CO-18-50)**

# **APEGBC Policy**

## **Council Correspondence Management Policy**

### **COUNCIL CORRESPONDENCE MANAGEMENT POLICY**

(referred to in Council Governance Policy CGP-2)

#### **1.0 Purpose & Scope**

- 1.1 Record policy on involvement by Council or Councillors with investigation and discipline cases before the Registrar, the Investigation Committee or the Discipline Committee when presented with correspondence addressed to Council on such cases.
- 1.2 Record policy on processing other correspondence addressed to Council.

#### **2.0 References**

- Oversight of the Investigation and Discipline Committees Policy

#### **3.0 Policy**

- 3.1 Any correspondence that pertains to an Investigation or Discipline case, file or complaint, shall be directed to the Penalty Review Panel Chair or Investigation Committee or Registrar, as appropriate, to protect the integrity of statutory processes and confidentiality requirements set out in the Act.
  - 3.1.1 For any correspondence handled under 3.1 above, the writer will receive advice regarding the policy and information on where his/her correspondence has been directed.
- 3.2 Other correspondence addressed to President or Council shall be processed as follows:
  - 3.2.1 Correspondence addressed to Council shall be provided to Council together with an appropriate acknowledgement for signature by the President.
  - 3.2.2 Correspondence related to the policy role of Council shall be forwarded to the Executive Committee and, if relevant to Council, will be provided for Council information together with the President's reply.
  - 3.2.3 Correspondence addressed to Council related to operations will be provided to Council together with a response drafted by the relevant staff member.

**Approved by Council: April 23, 2010 (CO-10-73)**