

# AOLS New Councillor Manual

## Versioning Control

Version Number	Date	Rational/Change	Author
1.0	January 13, 2019	New Edition based on cobbled together information and new content	Brian Maloney
1.1	January 14, 2019	Updates from Executive Committee's review (includes addition of Councillor Code of Conduct)	Brian Maloney

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## Mandate and Operation of Council

### Mandate

The composition and role of the AOLS Council is set out in the Surveyors Act. Council is the governing body and board of directors of the Association and manages and administers its affairs. The Association, which its affairs it manages, also has its mandate set out in the Surveyors Act. The principal object of the Association is to regulate the practice of professional surveying and to govern its members and holders of certificates of authorization in accordance with this Act, the regulations and the by-laws in order that the public interest may be served and protected. It has the following additional objects:

1. To establish, maintain and develop standards of knowledge and skill among its members.
2. To establish, maintain and develop standards of qualification and practice for the practice of professional surveying.
3. To establish, maintain and develop standards of professional ethics among its members.
4. To promote public awareness of the role of the Association.
5. To perform such other duties and exercise such other powers as are imposed or conferred on the Association by or under any Act.

Council is primarily a regulator and is not a member services organization, although it does provide some member services that are consistent with its public protection responsibilities. As such it is important that you are always thinking about public protection when making decisions.

### Governance/Operation

#### Rule of Order

Council uses formal procedures to operate its meetings. Although based on Roberts Rules of Order, we have more recently been using a simplified version (See Call to Order by Herb Perry and Susan Perry). Ask the Executive Director for a copy if you do not already have one. The President chairs the meetings and will not vote on any motions unless there is a tie. If the President is unable to attend, the Vice-President will act as chair. All Councillors are expected to participate in the deliberations. There may be occasions that you feel it would be inappropriate for you to vote and in those cases, you may abstain, however, this will not be typical.

#### Operations

Council normally meets eight times a year with three of those meetings lasting two days. While normally Councillors attend in person we do provide a GoTo Meeting connection for those who live significantly far away from the AOLS Offices. Although most meetings are held in the AOLS Boardroom, there are usually three meetings held offsite: a strategic planning session, a summer meeting and a meeting adjacent to the Annual General Meeting. Councillors are expected to attend the Annual General Meeting. Councillors travel expenses will be covered in accordance with the information below.

Material for Council meetings will be posted to the AOLS Portal approximately a week in advance of Council meetings. Councillors are expected to be familiar with the material and ready to discuss it when they arrive at the Council meetings.

All Councillors will be asked to sign a conflict of interest declaration. If a Councillor has a conflict of interest, either real or perceived, they should declare such before entering into discussions. The whole of Council will determine whether the Councillor with the conflict of interest should leave the room for

the discussions or just avoid being involved in the discussions. There may be times when your involvement on a committee or panel (e.g. a discipline panel) will automatically put you into a conflict of interest situation and you will be asked to leave the room for that discussion.

Council is the governing body. Most of the work in the Association is carried on by staff and committees or Task Forces. Councillors will be assigned to Committees and Commissions. They have an important role to ensure that information flows effectively between Council and Committees. Further information is included below in this regard. The Executive Director is responsible for managing staff and their activities. While you are certainly able to discuss matters with staff, direction to them comes from the Executive Director. Although Council has not officially adopted a Carver governance it is expected that Council deliberations will be focused on outcomes and directions and not typically on the details of operations, which will be left to staff and committees/task forces.

For the last decade the Association has undertaken formal strategic planning. This allows Council to consciously choose directions and align resources to achieve these. The strategic plan should generally drive the directions of the Council, committees and staff.

Lay Councillors are appointed by the Lieutenant Governor in Council (by Orders in Council) and represent the public at the Council table. They play an important role to ensure that Council keeps the public's interest at the forefront of its thinking. Their expenses are covered by the Office of the Surveyor General.

### Communications

Council tries to be as transparent as possible, however there are circumstances where information must be kept confidential (see the confidentiality policy below). Release of personal information (e.g. Discipline decisions) is not allowed. When policies or issues are still in development and directions are not finalized, Councillors will ensure that any discussion regarding the issue will be clear that this is the case to avoid confusion.

Minutes of all Council meetings will be posted to the website, usually within two weeks of the meeting. They will be provided to you for comment prior to their release. While not final until voted on at the following meeting, it is important that you review them and raise any concerns prior to them being posted to the membership to avoid changes and confusion.

Councillors will be assigned Regional Groups to represent. In the past they have provided Council reports but now that Council minutes are posted these can be much shorter and address highlights only. It is important that any issues raised at Regional Group meetings be directed to the appropriate committee and/or Council for action.

### Use of AOLS Portal

The AOLS uses its Portal to store and exchange information with Committees and Council. The Portal is secure and is accessible only to those on Committees, Council, etc. You will use the same login and password that you currently use to access the AOLS website. You will be set up so that Council and the Committees/Task Forces that you are involved with will be visible to you.

You must be logged in to access the Portal. The following instructions are for the existing AOLS website, which will be replaced shortly. A "Members Portal" text will appear at the upper right location in your browser. By clicking on that, you will be brought to the Portal. Council and Committees will show up on

the right side of your browser. By clicking one, you will enter that folder. Note that depending on the group you are accessing there may be several subfolders (which are not all organized the same). By clicking the text, you will be brought to the group and see posts associated with it. By clicking the house icon at the upper right, you will be brought back to the root directory. To post comments or files, move down through the comments to find the comment box. You can attach a file by clicking on the "Choose File" box. You must hit the save button to post the comment and file. You can attach multiple files to a post, but they must be done one at a time.

## A Councillor's Role

As a Councillor you are responsible for the management of the affairs of the Association. You have accepted a responsible task and need to take it seriously.

If you have not recently reviewed the Surveyors Act and Ontario Regulation 1026, which address the operations of Council and the Statutory committees, you would be wise to do so, since all authority and processes flow from these.

You are expected to come to Council meetings prepared for discussion. Reports provided will not necessarily be reviewed as you will have been expected to have read them. There will be occasions that you will be responsible for preparing material (e.g. a Commission report). You will be expected to post the material to the AOLS Portal or provide it to the Executive Director for posting one week in advance of the Council meeting, which then gives other Councillors the ability to read it and be prepared.

You will be assigned as Council representative to committees and or a commission. You will be expected to attend their meetings and act as a conduit between the Committee and the Commission and/or Council. This relationship is imperative to maintain a connection between Council and the work performed by the Committee.

At Council meetings you will be expected to participate. It is important that you express your views and argue your position, even if it is counter to the rest of the group's thinking. This needs to be done in a respectful fashion. "Be hard on the problem not the people". Be mindful of potential conflicts of interest.

Most Councillors use computers or tablets to manage their material, which is made available electronically. Should you choose to use technology it is your responsibility to provide it. Public Wi-fi connection will be provided to you at Council meetings so that you don't have to download material (unless you want to record your own notes). Should you choose to print material, that is your responsibility and you will also be responsible for keeping it secure and properly disposing of it. Information for meetings will be retained on the AOLS Portal in keeping with the Record Retention Schedule. Material on the Portal will be organized by Council meeting, however, there will also be restricted material related to specific disciplinary cases. You will be expected to access the restricted material just for the decisions you will be involved in.

## Councillor Code of Conduct

- Act in good faith with reasonable care
- Act in the best interests of the public
- Avoid conflict of interests

- Inspire confidence in Council
- Contribute to the integrity of the profession

### Finance Councillor

The President will appoint one Councillor to act as Finance Councillor. Although all councillors are expected to take an interest in the financial management of the Association, the Finance Councillor will play a larger role. They will be expected to:

- Participate with the Executive Director in setting the annual budget
- Participate with the Executive Director in setting finance and investment policies and directions
- Reviewing monthly financial reports and cheque lists and assisting answering questions of Council in this regard
- Reviewing bank accounts to ensure transactions are appropriate

### AOLS Confidentiality Policy

Section 27 (3) of the Surveyors Act requires that “a member of the Discipline Committee holding a hearing...shall not communicate directly or indirectly in relation to the subject-matter of the hearing with any person or with any party or representative of a party except upon notice ...”.

Section 36 of the Surveyors Act requires that “every person...shall preserve secrecy with respect to all matters that come to the person’s knowledge in the course of the person’s duties, employment, inquiry or investigation and shall not communicate any such matter to any other person except, ...”.

The requirement for confidentiality is for the protection of the personal and business interest of all parties involved.

At the same time, the operations and procedures of the Association must be open and transparent to the membership and the public we serve.

The Council of the Association of Ontario Land Surveyors therefore interprets the Surveyors Act to mean that:

Unless otherwise required by statute or common law, all meetings of the Council and its committees are open to the membership and the public. When the Council or committee deals with circumstances where a named individual’s rights may be affected, unless consented to in writing by the named individual, such discussion will be held IN CAMERA. Declaration of the IN CAMERA portion of the meeting shall be indicated within meeting minutes. All IN CAMERA discussions with respect to the named individual will be held in strict confidence by all parties at all times. Administrative or professional issues arising from these IN CAMERA meetings may be open to discussion outside the meeting so long as the named individual cannot be identified from such information.

Where there is an allegation of a breach of confidentiality, the affected Council or Committee member or Association employee will not participate in any further Council or Committee meetings until the allegation is resolved. The Council will consider the substitution of the affected member as it considers appropriate. The Registrar may consider investigating the allegation under Section 30(1) of the Act.

Where, upon investigation by the Registrar, there are reasonable grounds to support an allegation of breach of confidentiality against the member, a complaint of professional misconduct will be laid on

Council's behalf. The Complaints Committee will process the said complaint under Section 22 of the Surveyors Act.

Where an investigation reveals that the allegations are not supported by evidence, the affected member may assume their relevant duties.

## Brief History of the AOLS

### EXECUTIVE SUMMARY

The Association of Ontario Land Surveyors is a body corporate constituted by the Statutes of Ontario, 1892. The Association is a professional organization vested with the responsibility of examining, licensing and disciplining its members.

### HISTORIC DEVELOPMENT

The Association was constituted in 1892 and through the years has been governed by a series of provincial legislative acts with increasing sophistication and regulatory guidelines.

Following the publication of the McRuer Report in 1968, the Surveyors Act was amended in 1973 to encompass many of the recommendations of that Report, in particular, the government and the people of the province were represented on the governing body of the Association by lay representatives. In addition, the Surveyor General sat on Council.

The 1973 Act remained in effect until December 31, 1988. Following the publication of the Professional Organization's Committee Report in 1980, the Association studied, modified and changed its bylaws, standards, and code to reflect this document. Among the changes brought forward between 1980 and 1988 are the following:

#### **Mandatory Liability Insurance**

Following the 1976 presentation of the Professions and Public Policy and the self-scrutiny of the Association of its in-house governing procedures, the complaints and discipline processes were completely revamped to reflect the current thinking of the responsibility of the profession to govern itself. All complaints are received and reviewed by the Association fairly promptly and although all complainants are not satisfied, a conscientious effort is made to give a fair opinion on all matters brought to it.

#### **Peer Competence Review**

In 1985, the Association set up a system of reviewing the competence of each survey firm a minimum of once every five years.

#### **Educational Services**

In order to serve both the public and the responsibility of the Act, the Association, in 1985, also established an advisory service in which members of the public can receive advice, and the Association can assist in the upgrading of its present membership where it is found lacking, either through peer competence review or through the complaints and discipline process.

#### **Fee Information**

Since 1979, the Association has been reviewing its Standards of Conduct, Code of Ethics and other documents regarding fees. The Association reviewed and found it in the public interest to have the public know what they can be expected to pay for the minimal of each service provided. A series of documents, whether study papers, bylaws, or fee studies, have been provided to the membership for distribution to the public in the matter of fees. At no time has adherence to these fee surveys been mandatory or even suggested to be mandatory. Between 1980 and 1985, the recommendation of the Professional Organization's Committee Report were followed and following 1985, dialogue with the Federal Government and their advice was followed to the end result that in 1988 and 1989, fee studies with accompanying notices to the membership were undertaken after approval was received from the Consumer and Corporate Affairs Branch of the Federal Government. Fee studies have not been completed now for several years.

### **Fees Mediation**

A Fees Conciliation Committee was set up in approximately 1983 following the recommendations of the Professional Organization's Report.

### **Surveyors Act 1987 (Proclaimed December 1988)**

With the above proclamation of this Act on December 31, 1988, all the items above have been confirmed in the provincial legislation. This legislation was not drafted by the Association of Ontario Land Surveyors and in fact reflects the "Model Professional Act" developed by the Attorney-General's Office for the engineering, architect and other professional bodies. Other than occasional wording, the Association had little input into the actual responsibilities of the Professional Act and to a great deal, under what is to be in regulation.

Both the Fees Mediation and the Fees Schedules as set out in the Model Professional Act reflect the Government of Ontario's thinking as set out in the Professional Organization's Committee Report and in place with the Association since approximately 1983.

### **Surveyor Act Revisions (2009, 2017)**

The Surveyors Act was revised in 2009 to improve governance responding to a Minister's review. At that time section 25.1 was added giving Council the option of using a mediator in the disciplinary process. All disciplinary matters now flow through Council requiring a decision by them on how to handle it. It also added optional additional lay councillors and allowed them to stay on past their appointed term where they were not replaced.

A minor modification was made in 2017 dealing with the Not-for-Profit Corporations Act. This was overall government direction and not requested by the AOLS

## **Travel Expenses**

Councillors are entitled to reasonable travel expenses for attending Council meetings, the Annual General Meeting and Committee/Task Force meetings. You are expected to pay your own travel costs and submit those on the expense account provided.

You are expected to use economical means of travel (e.g. economy class travel). If you choose to travel using higher class means (e.g. business class airfare) you will be responsible for the difference.

Use of personal vehicles for travel is acceptable but it is up to the Councillor to ensure they have appropriate insurance. The AOLS will not assume any responsibility or liability associated with the travel. Consideration should be given to renting a vehicle for longer trips and using your credit card insurance since this will often be more economical. The AOLS will reimburse the cost of additional insurance for rental cars if this is required. Personal vehicle travel will be reimbursed at a rate of \$0.52 per kilometre travelled. Parking, if required, will be reimbursed with appropriate receipts.

You will be expected to provide receipts for your travel and include GST on the expense form (the AOLS gets an input credit for GST paid). Reasonable alcohol consumption as part of a meal is allowed, however, you are responsible for acting accordingly and should not abuse this privilege.

When you are coming to the Association of Ontario Land Surveyors office for a meeting and require accommodation, please contact the Comfort Inn directly and tell them that you are with the Association of Ontario Land Surveyors and want to make a room reservation on the Corporate Account to get the rate of \$104.00 plus tax per night. They can be reached at: 905-477-6077 or [www.comfortinnmarkham.com](http://www.comfortinnmarkham.com). They are located at: 8330 Woodbine Avenue, Markham, Ontario, L3R 2N8

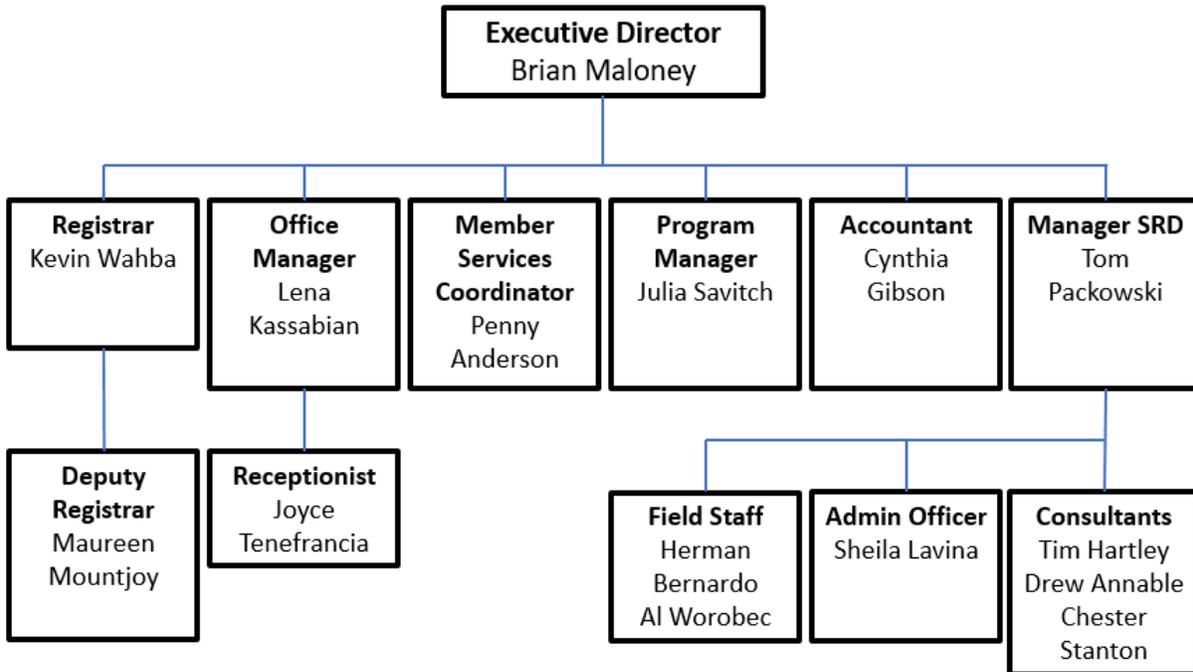
Councillor expenses will require approval of the Executive Director. Overall expense costs will be visible in the Cheque List provided to Council as part of fiscal transparency.

Expenses should be claimed in the same fiscal year as they are occurred.

## AOLS Staff

### Organization Chart

#### Association of Ontario Land Surveyors Organization Chart



## AOLS Committees and Task Forces

Council	The governing body and board of directors of the Association responsible to manage and administer the affairs of the Association
Executive Committee	Addresses operational issues (e.g. personnel) and emergency issues if required and duties assigned by Council
Academic and Experience Requirements Committee	Oversees and administers processes and procedures addressing entry into the profession (e.g. sets requirements for articling, makes recommendations on educational requirements, arranges for and addresses applicant assessments, sets and administers examinations)
Fees Mediation Committee	This is a statutory committee that mediates and/or arbitrates complaints from the public regarding fees

Government Relations	Facilitates discussion with government and senior officials regarding matters of importance to the AOLS.
Legislation Task Force	Considers and drafts potential changes to the Surveyors Act and its regulations
Nominating Committee	This is a statutory committee (by regulation) required to attempt to nominate at least one member of the Association for each position to be filled by the Council elections each year
Registration Committee	This is a statutory committee that holds hearings upon application where the Registrar has refused to issue or revoked, a license, certificate of registration or certificate of authorization or imposed conditions on these
Fair Fees for Field Notes Task Force	Task Force established to look into and make recommendations regarding fair fees for field notes/survey records
Complaints Committee	This is a statutory committee that considers and investigates complaints filed
Discipline Committee	Hears and determines allegations of professional misconduct or incompetence
Monument Protection Committee	This Task Force deals with the potential and real loss of survey monuments. Their primary task has been completed.
Professional Standards Committee	This committee maintains and develops standards of practice and provides advice to the membership and Council regarding standards and guidelines.
Province Wide SRI Task Force	This Task Force will be moving towards committee status being responsible for the maintenance and enhancement of the PSRI and addressing members usage or non-usage.
Survey Review Department Committee	This committee's prime responsibility is to review the practices/processes of the SRD and make recommendations for changes if necessary. They also perform post audit reviews which could feed into their considerations for change.

Underground Utilities Committee	This committee initiate and pursues strategic activities that would improve public safety and the efficiency and safety of cadastral survey activities related to underground utilities
Continuing Education Committee	This committee develops the program of continuing education of members including assigning CPD hours.
Geomatics Recruitment & Liaison Committee	This committee encourages and assists primary and secondary students to select geomatics as a career
Expanded Profession Task Force	This Task Force provides advice to Council regarding issues of registered members. It is working to develop a value proposition for holding a C of R which could include full licensure.
Public Awareness Committee	This committee provides public awareness of the AOLS and assists other committees with communications
University & College Liaison Committee	This committee provides outreach and assistance to universities and colleges with existing and potential geomatics programs to help ensure programs exist.
Website Maintenance Committee	This committee provides direction to the AOLS regarding the website. This includes policy and content.
Municipal Surveyors Committee	Provides advice to municipalities regarding surveying matters and advocates for best practices regarding municipal matters.
AGM Planning Committee	Plans and oversees the AGM. Normally participants of the Task Force have roles at the AGM (e.g. chair, overseeing the exhibitors, hospitality).
Archival and Historical Committee	Catalogues, displays, maintains, repairs, accepts and/or purchases archival equipment, documents, photographs and survey artifacts. Prepares and collects historical information about the Association and its member. Researches related matters and answers relevant, public inquiries.
Insurance Advisory Committee	Reviews claims and advises adjusters about potential settlements and defense. Provides advice to Council regarding insurance matters including funding formulas, appointment of brokers and adjusters.

CPD Audit Committee	Reviews CPD entries on behalf of the Registrar in order to confirm compliance with O. Reg. 1026 Secs. 41 - 43
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## List of Acronyms

<u>Full Title</u>	<u>Abbreviation</u>
Academic & Experience Requirements Committee	AERC
Alberta Land Surveyor	ALS
American Congress on Surveying & Mapping	ACSM
Association of Canada Lands Surveyors	ACLS
Alternate Dispute Resolution	ADR
British Columbia Land Surveyor	BCLS
Canadian Institute of Geomatics	CIG
Canadian Council of Land Surveyors	CCLS
Consulting Surveyors of Ontario	CSO
Continuing Education Committee	CEC
Geographic Information Manager	GIM
Geographic Information Technology Association	GITA
Geomatics Industry Association of Canada	GIAC
Human Resources Department of Canada	HRDC
L'Ordre des arpenteurs-géomètres du Québec	OAGQ
Manitoba Land Surveyor	MLS
Ministry of Natural Resources	MNR
Ministry of Consumer & Business Services	MCBS

National Society of Professional Surveyors	NSPS
New Brunswick Land Surveyor	NBLS
New York State Association of Professional Land Surveyors	NYSAPLS
Newfoundland Land Surveyor	NLS
Nova Scotia Land Surveyor	NSLS
Ontario Land Surveyor	OLS
Ontario Land Information Professional	OLIP
Ontario Association of Certified Engineering Technicians & Technologists	OACETT
Prince Edward Island Land Surveyor	PEILS
Professional Engineers of Ontario	PEO
Public Awareness Committee	PAC
Professional Surveyor	P.Surv.
Saskatchewan Land Surveyor	SLS
Survey Records Index	SRI
Survey Review Department	SRD
Surveyors Real Property Report	SRPR
University Liaison Committee	ULC

### **REGIONAL GROUPS**

South Central Regional Group	SCRG
Eastern Regional Group	ERG
Hawartha-Haliburton Regional Group	KHRG
North Eastern Regional Group	NERG
North Western Regional Group	NWRG

Georgian Bay Regional Group

GBRG

South Western Regional Group

SWRG

Hamilton & District Regional Group

HDRG