

More confident OSPE looks to the next 10

For an organization now 10 years into its history, the Ontario Society of Professional Engineers continues to carve a special niche for itself within Ontario's engineering community. With its initial growing pains out of the way, OSPE is shoring up relations with PEO and other partners, while looking to the next set of challenges in acting as the voice of Ontario's engineers.

By Michael Mastromatteo

April 2010 will mark the 10th anniversary of the launch of the Ontario Society of Professional Engineers (OSPE). Established after decades of vigorous debate within Ontario's engineering community, OSPE's founding was a milestone event for the profession, marking as it did the start of an organization dedicated entirely to advocacy for the interests of individual and member services.

Underlying the push for a separate advocacy association was the inherent tension between regulation and the interests of licensed members. As a creation of the provincial government, PEO has always been obliged to subordinate individual member interests to the greater public interest. It was believed that while the regulator could provide some basic member service functions, it was constrained from becoming an overt advocate for individual members.

This dynamic was further complicated by PEO's responsibility under the *Professional Engineers Act* (PEA) for disciplining members guilty of professional misconduct. As the regulator and administrator of "justice," it just wouldn't do to have PEO also assume an advocacy role.

Ever since the PEA was enacted in 1922, some engineers have felt shortchanged by the lack of an organization looking out exclusively for their interests.

The lack of an advocacy group was especially salient as engineers made note of an apparent and growing salary gap between engineers and





OSPE's 2009-2010 board of directors includes, left to right: Ed Poon, P.Eng., Annette Bergeron, P.Eng. (president and chair), John Schindler, P.Eng., Valerie Davidson, P.Eng., Nadine Miller, P.Eng., James Maltby, P.Eng., Michael Monette, P.Eng. (past president), Derek Pinder, P.Eng., Alourdes Sully, P.Eng., Robert Hughes, P.Eng., Bill Goodings, P.Eng., and Matthew Xie, P.Eng.



Ontario Natural Resources Minister Donna Cansfield (centre), flanked by current PEO President (and former OSPE president and chair) Catherine Karakatsanis, P.Eng., and Michael Monette, P.Eng. (chair 2007/2008, 2008/2009).

OSPE's first (appointed) chair, Jeremy Cook, P.Eng. (left), with Maximus Perera, P.Eng. (centre), and Robert Goodings, P.Eng., the co-chair of the Joint Advocacy Implementation Committee (JAIC) and OSPE's first elected chair.



medical doctors. While the two groups were on a par in the mid-20th century, doctors' salaries seemed to zoom ahead of engineers in the following decades. The salary gap also reflected to some a perception that engineers had lost prestige vis-à-vis doctors, lawyers and other professions. With the regulator bound by statute to refrain from protecting members' interests, this lack of an advocacy agency became especially acute.

Following the creation of the original engineering societies of the Engineering Institute of Canada in 1887 and the Ontario engineering licensing body in 1922, there had been discussion about the real need for a member services organization. This activity intensified in the 1960s and 1970s with amendment of the Ontario *Labour Relations Act* to permit collective bargaining for engineers, creation of the PEO chapter system in 1961, and the initial attempts to establish some form of member services agency.

PRECURSOR TO OSPE

In response to the difficulties in combining regulatory work with advocacy on behalf of particular sectors of its members, PEO council approved the formation of several special interest divisions in the early 1970s, with a view to spinning them off as separate organizations one day. One of them, for consulting engineers, was spun off as Consulting Engineers of Ontario. Others, for "engineers in education" and "contracting engineers" lost momentum and eventually ceased activity. In 1979, council supported spinning off the Salaried Engineers Division and creating the Canadian Society of Professional Engineers (CSPE), to be an independent, voluntary organization dedicated to employee engineers' interests.

In its mission statement, CSPE was aimed at speaking for individual engineers and their professional concerns, as well as supporting their careers, interests and personal needs. Its initial objectives included lobbying for changes to the licensing system, better use of salary surveys to promote improved working conditions, a legal referral service for P.Engs facing professional misconduct complaints, and an employment assistance program.

Engineering regulators in the other provinces initially opposed the formation of CSPE, arguing that member interests were addressed by way of the Canadian Council of Professional Engineers (now Engineers Canada). But led by PEO, opposition to CSPE eventually subsided and the idea of an Ontario-based engineering advocacy organization took hold.

SERVING TWO MASTERS

However, CSPE never obtained a large membership, limiting its ability to offer the services engineers were asking for. So, by default, PEO filled the gap through such initiatives as

its Employment Advisory Service. Yet because of the inherent tension between member services and regulation, these activities never entirely pleased either the members or the government.

In 1990, in fact, former Ontario Attorney General Ian Scott reminded PEO council of the need for senior regulated professions to have separate organizations for licensing and for advocacy. "The existence of those two organizations [public serving and member interest serving] illustrates a reality that serving the interests of the profession is not always going to be the same thing as serving the interests of the public," Scott said.

Jeremy Cook, P.Eng., the first (appointed) chair of OSPE in 2000, recalls some of the preliminary work leading to the birth of engineering advocacy in Ontario. "The original version of CSPE had grown out of PEO's Salaried Engineers Division and was always focused on advocacy for engineers," Cook told *Engineering Dimensions*.

"During the so-called fundamental review by PEO in the mid-1990s," Cook adds, "there was a push-back by many PEO members, which led to a heightened interest in advocacy."

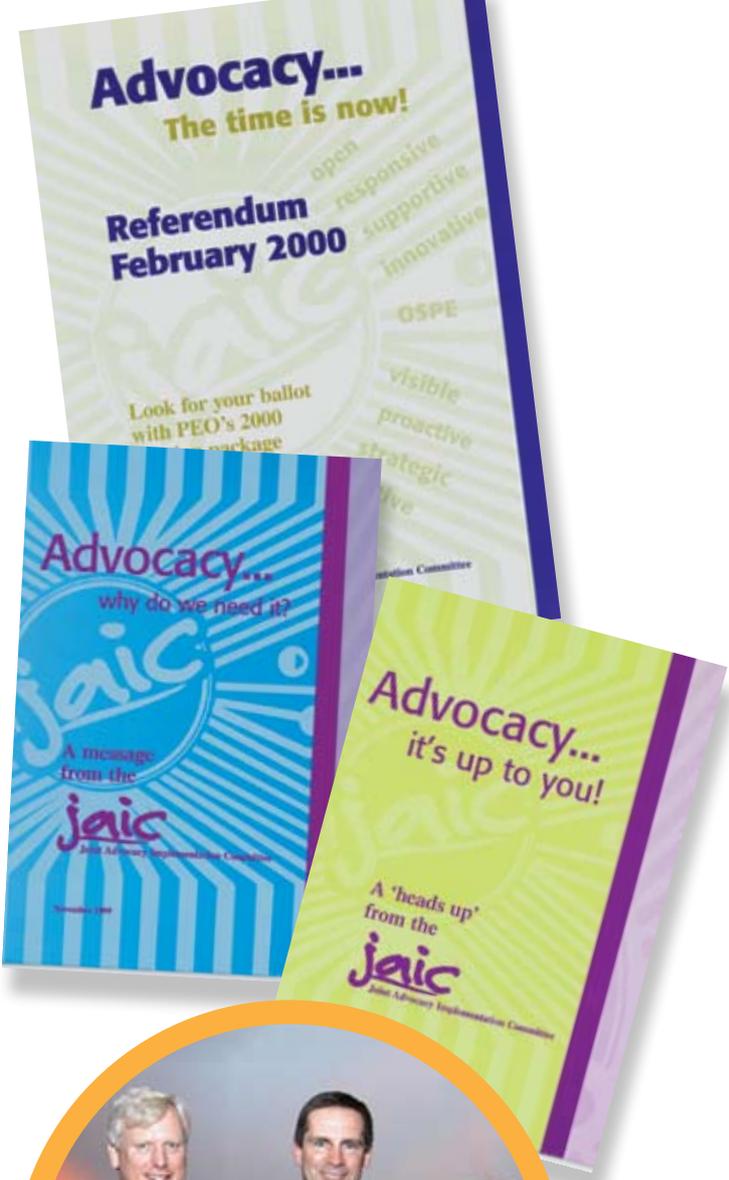
Yet PEO members were far from united in their support for two organizations. Some felt the advocacy push smacked of unionism and were loath to see the regulator a party to such machinations. A November 1993 PEO member survey, conducted as a starting point for the Fundamental Review, for example, found that 56 per cent of engineers in Ontario did not see the need for a separate member services organization.

Nonetheless, by 1994, lobbying efforts for a separate advocacy association became more focused, and in 1997 PEO created the Advocacy Member Services Task Group, one of the Fundamental Review working groups, to further examine the feasibility of a separate advocacy group. The task group presented its report to PEO council late that year and council approved in principle the idea of an independent advocacy organization, subject to confirmation by PEO members.

Accordingly, PEO conducted a referendum on the question in conjunction with the 1998 council elections, where 72 per cent of PEO members supported the idea of an OSPE-like organization.

Members' support then paved the way for creation of a Joint Advocacy Implementation Committee (JAIC), comprising representatives of both PEO and CSPE, to plot out the fine details of what a separate advocacy body would look like.

Joyce Rowlands, then PEO's senior project manager and now registrar, transitional council of the College of Psychotherapists and Registered Mental Health Therapists of Ontario, was assigned to work with the JAIC to lay the legal and administrative groundwork for the creation of OSPE. Working closely with then PEO councillor Bob Goodings, P.Eng., who co-chaired the JAIC, Rowlands



Toronto Mayor David Miller (left) and Ontario Premier Dalton McGuinty with Annette Bergeron at a formal event early in OSPE's history.

helped determine the required act and regulation changes to get OSPE off the ground.

Meanwhile, Goodings prepared OSPE's first-ever business plan, which, among other things, established OSPE as a member-driven, volunteer-led service organization.

Now, Rowlands recalls the late 1990s as a whirlwind of activity within the engineering community.

"It was as if I had a front-row seat watching a regulatory organization imploding on itself," Rowlands recalls. "There seemed to be a lot of PEO members who didn't understand the need for an advocacy organization or didn't understand the difference between advocacy and regulation."

In 2000, PEO conducted a referendum of members on required amendments to its By-Law No. 1 to enable the regulator to both increase the annual licence fee and transfer money to OSPE, to help finance the fledgling organization's early years. An 80 per cent vote in favour of the bylaw amendments made the new member-interest advocacy body a reality.

With arguments pro and con unfolding in the pages of *Engineering Dimensions*, the conditions for a fully fledged engineering advocacy association seemed to gel fully by the late 1990s. It was the culmination of events noted by four-time PEO president Walter Bilanski, P.Eng., an early proponent for a separate association dedicated to advancing engineers' interests.

On beginning his third term as PEO president in 1998, Bilanski opined on the limitations of a regulatory body taking on an advocacy role. "PEO can't perform both regulatory and advocacy roles because of its mandate under the *Professional Engineers Act*," Bilanski said. "But certainly, the regulatory and advocacy bodies for the profession can and should work closely together, one supporting the other. This has served the legal, medical and other licensed professions quite well."

START-UP FUNDING

With PEO members committed to OSPE, in June 2000, PEO council approved a plan that would see a transfer of \$30 for each licensed member to OSPE for three years, a lump sum payment equalling the estimated value of the PEO programs going over immediately to OSPE, and continuing support of the programs for three years. In December, the act was amended to set out the terms and conditions for this support. PEO's direct funding transfers continued until December 2003, when the three-year funding relationship came to a close as specified in the schedule in the PEA.

For Goodings, another former PEO president, who also headed OSPE, the launch of a separate advocacy association was a cause for celebration.

"I believe we have an unprecedented opportunity before us, an opportunity to create an organization that can make a significant difference to the future of our profession," Goodings

said in 2000. “This is an opportunity to create a respected voice for our profession, one that will be heard regularly on issues having to do with engineering, and with our built and natural environments.”

Goodings identified early on that the division of responsibilities between PEO and OSPE would be of paramount importance in the coming decade—and continue for some time. His foresight proved valid as the two groups continue today to explore the boundaries between regulation and advocacy under the oversight of an active Joint Relations Committee (JRC).

But back in the beginning, OSPE’s immediate priorities were finding a permanent headquarters, developing programs, establishing a distinct identity and, above all, recruiting membership.

From an initial membership of 1000 in January 2001, OSPE grew to 4000 members by the end of the year. Membership has continued to grow, peaking at today’s level of about 10,000. Today’s membership fee is \$140, with price breaks for senior members, interns and engineering students.

Cook recalls simple survival of the organization as a major concern in its early days. “In April 2000, my thoughts were very much centred on OSPE’s future growth and development, particularly its financial stability,” Cook says. “The CSPE/Salaried Engineers Division experience had shown just how much of a struggle it can be to maintain membership on a voluntary basis and the resulting financial difficulties that come from declining fee revenues. On a personal level, I shared the then overwhelming sense that we had taken a giant step towards strengthening our profession for the future.”

Cook agrees a perceived loss of status for engineers against other professional groups provided much-needed impetus for an advocacy society. “We looked around and realized that everybody else had one,” he says. “There was definitely a perception that both engineers’ salaries and their influence on society had declined relative to the other senior professions as measured over the previous 40 to 50 years. At the grassroots level, this was the driving support for OSPE’s creation.”

Since 2000, OSPE has assumed control of activities that had been under the purview of PEO. It is now responsible for member services, affinity programs (such as insurance products), ongoing education, the Women in Engineering Advisory Committee, a career centre, salary surveys, administration of National Engineering Month, and participation in and trust funds for the Ontario Engineering Competition. Staging of the Ontario Professional Engineers Awards is a shared activity, with PEO hosting the selection committee and creating the awardee audiovisual presentations, and OSPE looking after arranging the supplement in the *Globe and Mail* and staging the gala dinner. OSPE is also under contract as PEO’s commissioned agent for advertising

space sales in *Engineering Dimensions* and soliciting sponsorships for PEO’s annual meeting and Order of Honour awards.

INFLUENCING GOVERNMENT

Over and above its member services functions, OSPE has, since 2000, established an impressive track record of government liaison work. Its 2008 *Advocacy, Policy and Outreach* year-end report is a survey of newspaper articles, issue and policy submissions, government meetings and public outreach activities, all dedicated to advancing the influence of Ontario’s professional engineers.

In 2006, OSPE established its Political Action Network (PAN), which formalized its government relations work. When its positions are similar to PEO’s, OSPE’s PAN complements PEO’s own Government Liaison Program, doubling the impact while maintaining the separation of the two organizations. On occasion, however, as Ian Scott noted in 1990, the two organizations’ interests may not always be aligned.

Where activities can be coordinated, it is under the watchful eye of the JRC, which existed first as a Joint Relations Board to mediate areas of disagreement between PEO and OSPE, but now works as a joint committee of the two. More recently, OSPE established a Chapter Liaison Committee, which aims to increase collaboration between OSPE and PEO’s chapters and jointly promote chapter events, programs and related activities.

In 2006, meanwhile, OSPE set up a Complaints and Discipline Process Task Force to keep its members abreast of the regulator’s discipline initiatives.

The most telling example of the matured relationship between OSPE and PEO was the signing of a new accord between the two. Endorsed by PEO council in February 2009, it commits PEO to the long-term success of OSPE as a partner in preserving engineering self-regulation in Ontario. OSPE’s board of directors approved the accord in early March.

In addition to pledging regular and open communication, by way of the JRC, staff to staff, chapter interaction and OSPE representation on the Regional Councillors Committee, the accord commits PEO and OSPE to developing partnerships and ongoing regular business contacts.

Additionally, the two organizations pledged to review their then existing agreements to ensure consistency with the new guiding principles.

TEN-YEAR PROGRESS REPORT

Over the past 10 years, OSPE has endeavoured to make good on its objectives, despite continuing concerns about membership and financing, and clearly hopes more licensed engineers will join.



Ontario Premier Dalton McGuinty with Robert Goodings, P.Eng. (centre), and Stuart McLeod, P.Eng., at an event introducing OSPE to southwestern Ontario.

Then OSPE president and chair Catherine Karakatsanis, P.Eng. (left), presents a meritorious service award to outgoing OSPE treasurer Jennifer Moylan, P.Eng., at the May 2002 OSPE annual general meeting.



As for its greatest accomplishments to date, current OSPE President and Chair Annette Bergeron, P.Eng., who also held the position in 2004-2005, believes the organization's efforts in having the province draft legislation requiring professional engineers to oversee specified tasks (demand-side legislation) is a triumph for OSPE.

"Our biggest accomplishments have been demand-side legislation, and establishing our profile with government, media and all stakeholders, not only in Ontario but across Canada," Bergeron says. She also lists growth and development, career and member services, and professional development programs as high points for the organization.

OSPE has also won praise for its career centre, which has proven extremely valuable to recent engineering graduates in getting a leg up on their careers. It has also made a priority of outreach to international engineering graduates in need of support and networking opportunities as they complete licensing, registration and equivalency requirements. As well, its professional development opportunities, and the more recently established Centre of Engineering Excellence, have won praise from members.

Bergeron admits the voluntary component of OSPE membership continues to present a challenge for the organization.

This concern reflects a lingering sense of confusion among Ontario engineers and the general public as to the distinction between OSPE, the advocacy organization, and PEO, the regulator.

Bergeron believes, however, the confusion will lessen over time as both organizations face the future.

"I think the confusion is becoming less and less, and it depends on how tuned in an engineer is to his or her profession," she says. "OSPE has been very active with students, so they have been educated in a province that has two professional engineering bodies."

While few would dispute OSPE is now better recognized in Ontario's engineering community, Cook says it still has work to do, despite its progress. "OSPE has become a voice, but it is not yet the clear voice of the profession," he says. "However, despite the confusion about the respective roles of PEO and OSPE, the formation of OSPE has meant a lot to the members, who now see their profession as being actively involved in public issues, whereas a decade ago it was not."

The current OSPE chair also remains optimistic for the future, despite some acrimony in the early years. "I think rough patches are natural," Bergeron says. "It's like splitting a corporation into two, with two distinct functions. It takes time for both internal and external stakeholders to adjust. The volunteers and governance of both OSPE and PEO are passionate about our profession, and we all want what's best for our profession. That will continue to drive us for the next 10 to 15 years to best serve the engineers and public of Ontario." Σ

REGULATION VERSUS ADVOCACY: WHO DOES WHAT?

ISSUE	ONTARIO SOCIETY OF PROFESSIONAL ENGINEERS (OSPE) 	PROFESSIONAL ENGINEERS ONTARIO (PEO) 
What's the difference?	<p>OSPE is the advocacy and member services organization formed by Ontario engineers to promote their professional and economic interests. A member-interest organization must place the unique interests of one particular segment of the population (engineers) at the forefront of any debate, lobby activity, or service provision.</p>	<p>PEO has been delegated authority from the government to protect the public interest, safety and well-being through licensing and regulation of the practice of professional engineering. A public-interest organization must place the general interests of the largest portion of the population (citizens of Ontario) at the forefront of any debate, lobby activity, or service provision.</p>
Why are two organizations needed?	<p>As is the case with medicine and law, the engineering profession needs a body that can respond to the concerns of its members and represent their interests.</p>	<p>As is the case with medicine and law, the public needs a strong regulatory body that will ensure the highest standards of practice among engineering practitioners.</p>
How were the two organizations formed?	<p>OSPE was created jointly by PEO and the Canadian Society of Professional Engineers. The creation of OSPE was the result of a debate throughout the 1990s to separate regulatory and non-regulatory affairs for the profession. OSPE became a legal entity in April 2000.</p>	<p>In 1922, the Ontario government passed the first <i>Professional Engineers Act</i>, which created PEO. An exclusive scope of practice, right to practise, or licence, was created for members of PEO in 1937, when the act was first revised.</p>
How are the organizations funded?	<p>The 2000 referendum saw licence holders vote to allow PEO to raise its annual fees and pass a portion of that increase along to the society to fund its work. Today, transitional funding has ceased and the society is funded by its membership fees, revenue from its affinity programs (e.g. insurance products), professional development programs, and other non-regulatory activities.</p>	<p>PEO is funded primarily through the fees it charges to fulfill its regulatory mandate. PEO also receives non-fee revenue from such activities as sponsorship of special events, publication advertising, interest on investments, and rent from other tenants in its new 40 Sheppard Avenue West headquarters building.</p>
What is the mandate of each organization?	<p>The principal mandate of OSPE is to promote the professional and economic interests of professional engineers in Ontario by advocating on behalf of the profession, offering member services, and providing opportunities for professional development.</p>	<p>The principal mandate of PEO is to regulate the practice of engineering in Ontario in the public interest and to govern licence holders, holders of Certificates of Authorization, and holders of temporary, provisional and limited licences. PEO also disciplines professional engineers, other licence holders and firms that fail to maintain the profession's technical and ethical standards, and prosecutes in the courts those practising professional engineering without a licence.</p>

ISSUE	ONTARIO SOCIETY OF PROFESSIONAL ENGINEERS (OSPE) 	PROFESSIONAL ENGINEERS ONTARIO (PEO) 
<p>How is each organization governed?</p>	<p>A 12-member board of directors, each of whom is elected to a three-year term by OSPE members, governs the society. All members of the board are professional members of OSPE and, as such, are professional engineers licensed by PEO.</p>	<p>The provincial government has delegated legislative and judicial functions to PEO. Council is the governing body of PEO and is accountable to the provincial government through the Ministry of the Attorney General for administering the affairs of the association and fulfilling the requirements of the <i>Professional Engineers Act</i>. A council of 29 people, 24 of whom are professional engineers and five of whom are members of the public, governs PEO. A maximum of 12 council members are appointed by the lieutenant-governor of Ontario. The remaining 17 are elected by members.</p>
<p>Which former PEO programs have been transferred to OSPE?</p>	<p>The following programs/initiatives have been transferred to OSPE by PEO: employment advisory service, Ontario engineering competition, National Engineering Month, benevolent fund (administrative support), and programs of the Women in Engineering Advisory Committee.</p>	
<p>What is the nature of the relationship between OSPE and PEO?</p>	<p>PEO and OSPE are separate legal entities. The obligations of each organization to the other were initially outlined by a legal agreement between PEO and OSPE and refined further by ongoing communication and co-operation between the two organizations and their staffs. In 2009, PEO and OSPE signed an accord to further develop co-operation and communication.</p>	