

# Everything you always wanted to know about your seal (but were afraid to ask)

by Dwight Hamilton



## Record or "as-built" drawings

How do you handle engineering drawings produced during construction for which you're responsible, which will usually include changes given to you by a third party not under your direction? Known "as-built drawings," these should not be sealed or signed if you haven't verified the changes in detail, and every change should be documented as "record information" as furnished by the responsible party. The changes must be clearly marked on the as-built drawings, and a note referencing the original sealed drawings should be attached.

As-built drawings that have been verified in detail by the engineer must be sealed and signed. The changes should be marked appropriately and recorded on the drawings by the engineer accepting responsibility for the verification.

## Reports and preliminary documents

Sometimes you may be asked to seal preliminary documents, such as when a client wishes to proceed with a portion of the work before the final drawings have been completed. An example would be where an owner wants to commence construction of a building's foundation and obtains a permit limited to this work. Design engineers must be careful when sealing work, in order to limit the extent to which their seal is to be relied upon and the extent to which they are taking responsibility for the content of the work, by marking the documents as "preliminary" and/or "not for construction" without further written approval of the design engineer.

Reports containing "technical information" or "engineering direction" for the user need to be sealed by either the author and/or approving engineer. But the drawings bound into these reports do not have to be sealed—provided the cover of the report is sealed. More information on use of the engineer's seal is available on PEO's website ([www.peo.on.ca/EngPractice/ProPractice/ppguide\\_seal.htm](http://www.peo.on.ca/EngPractice/ProPractice/ppguide_seal.htm)). Questions on using the seal should be directed to Bernard Ennis, P.Eng., manager, professional practice for PEO, at [benis@peo.on.ca](mailto:benis@peo.on.ca). ♦

The engineer's seal is a true hallmark of the profession, yet many engineers don't know when, where and how to use it. It's an important issue, because a failure to seal when appropriate is a violation of the Professional Engineers Act and may subject the engineer to discipline proceedings.

So, how do you decide whether an engineering document needs to be sealed? Section 53 of the Professional Engineers Act states that any P.Eng. "who provides to the public a service that is within the practice of professional engineering shall sign, date and affix the holder's seal to every final drawing, specification, plan, report or other document prepared or checked by the holder as part of the service before it is issued."

Keep in mind that the use of the seal does not turn a document into something that is "within the practice of professional engineering." Instead, the engineer should determine whether the service being provided and related documents fall within the practice of professional engineering—and must seal the documents if this is the case.

Engineering documents staff engineers complete for employers who are not consultants (known as "in-house" documents) are not required to be signed and sealed

by the Professional Engineers Act. However, there may be cases where overriding legislation requires an employee engineer to seal in-house documents. For example, if a company chooses one of its staff engineers to perform a pre-start health and safety review under the Occupational Health and Safety Act, the written report prepared for the review must be sealed.

## On the dotted line

There are specific rules on how documents should be sealed and by whom. The first thing you need to know is that the application of the seal must be legible and clear.

Ideally, all final drawings within an engineering branch should be signed and sealed by the design engineer for that branch and the approving or supervising engineer, but if only one seal and signature are used, it should be the approving engineer's. Final drawings that cross disciplines should be signed and sealed by each engineer in charge of their

respective branches and the approving one. Final specifications prepared by the approving engineer must be sealed on the cover of the bound document. Because of the risk of sealed originals being copied and distributed without the engineer's knowledge, seals should not be applied to original master documents, only to copies.

## Shop drawings

The integrity of a complete structure is the responsibility of the design engineer in each discipline involved. But if a steel supplier uses standard components in those shop drawings, as a rule, the drawings do not need to be sealed because the work does not fall under the definition of professional engineering. Shop drawings showing special connections must be sealed, however. A letter stating that the drawings have been made under a P.Eng.'s direction can also be used.

## To seal or not to seal

Here are some frequently asked questions related to the use of the engineer's seal, with answers to guide you in daily practice.

### Q. What kinds of documents are supposed to be sealed?

A. Any final documents of an engineering nature, such as drawings, specifications, reports, studies, etc., should be sealed.

### Q. What documents should not be sealed?

A. Draft or uncompleted documents and documents of a non-engineering nature (business correspondence, sales brochures, etc.) should not be sealed. Generally, preliminary documents should not be sealed, but in some cases, this may be necessary (see section on "reports and preliminary documents").

### Q. Can the seal be used in logos, advertising, or on business cards?

A. No. PEO members are not permitted to use, or refer to, their professional seals in company logos, advertising or other promotional materials.

### Q. What should be included in the seal?

A. The engineer's signature and the date on which the document was sealed, hand written within or beside the stamp, must always be included. Initials alone are not acceptable.

### Q. What should be done if changes need to be made to documents?

A. Changes made to a sealed document that are within the practice of engineering can only be made by a P.Eng. The changes must be sealed, signed and dated by the P.Eng. responsible for the changes. Annotations should be made to specify exactly what changes the professional engineer made.

It's important to note that the engineer responsible for the changes would be subject to the discipline provisions of the Professional Engineers Act (sections 24 and 28), should any complaints about the changes be made to PEO. The Code of Ethics (section 77 of Regulation 941) requires that the second engineer notify the professional engineer who originally sealed the documents of the changes that have been made.

### Q. What is current PEO policy with respect to the sealing of electronic drawings? Is it allowable to scan a P.Eng. stamp and signature and place it on an electronic drawing?

A. Only hard copies should be sealed and signed. PEO does not recommend applying seals to electronic drawings, since the potential for misuse of the seal by others is too great. Also, an electronic drawing with a seal and signature can be changed without the engineer's knowledge, yet a third party will expect the engineer to be responsible for the entire content of the document. As well, it is not permissible to affix a seal to the label of a computer disk containing electronic copies of engineering documents.

### Q. Does sealing a document increase an engineer's civil liability?

A. According to lawyer William Black of McCarthy Tétrault, the "signing or sealing of documents by engineers ... has absolutely nothing to do with the question of liability for negligence. Engineers are liable because they prepared the drawings or because they supervised or approved them, and not because they signed or sealed them." Nevertheless, PEO believes the seal is important, because it implies a commitment to the standards of the profession and signifies to the public that a particular P.Eng. has accepted professional responsibility for the document. Should any errors be found, the engineer who seals the document is answerable to PEO, his/her client and any agency relying on the documents.