

Teamwork by merger—the BC experience



By Anne Garrett, P.Eng.

At least one Canadian engineering regulator is pursuing merger with technologists and technicians in response to the sometimes blurred boundary between the two professions. Is the BC case the wave of the future, or a reaction to unique circumstances? There may be some lessons in the following.

Across Canada, professional engineering and geoscience associations and their technology association counterparts have been debating the merits of moving to some type of alliance or partnership, or retaining the status quo for engineering and geoscience regulation in Canada. These discussions come at a time when the boundary between the work that may be undertaken by professionals and technologists is unclear to many practitioners and, more significantly, to the consumers of engineering and geoscience services.

And yet professionals and technologists regularly come together to work as comprehensive teams on projects in all areas of engineering and geoscience practice. Is the present system working optimally for the benefit and protection of both the public and the practitioners? Or does the concept of a formal merger between professional engineering/geoscience and technology associations have merit?

One act/one association

In May 2003, members of the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) passed a major hurdle on the path to a merged regulatory association to govern the practices of all members of the engineering and geoscience team. A majority of APEGBC members (72 per cent) who voted in a referendum on the issue supported a proposal to integrate engineering and geoscience technology practice under amended APEGBC legislation. Members of the Applied Science Technologists and Technicians of BC (ASTTBC) supported the same proposal in a simultaneous referendum with a 91 per cent approval rating. (See sidebar for an update on the situation between professional engineers and technologists/technicians in Alberta).

Since this vote of confidence by the respective memberships, APEGBC and ASTTBC councils and staff have been working with government to rewrite and pass the legislation that would permit the merger. The proposal calls for the integration of the practices of professional

engineering, professional geoscience, engineering technology and geoscience technology into one organization regulated under a single, common provincial act. This would be achieved through a merger of the functions of ASTTBC within APEGBC's well-defined regulatory role.

In the March 2004 issue of the association's *Innovation* magazine, APEGBC President Bill Gilmartin, P.Eng., dismissed concerns about technologists competing with engineers as a result of the merger. "Regarding perceived impacts, concern has been expressed by some that technologists with practice rights, although limited, will flood the marketplace with new competition," Gilmartin said. "While there are no guarantees in any progressive change, I do not believe this will be the case."

At present, ASTTBC's legislation provides exclusive right to title for its members but no practice rights. While the organization sought an exclusive right to practise when the *ASTT Act* was passed in 1985, this was strongly opposed by APEGBC, which believed then, and now, that any definition of engineering or geoscience technology should rest in the *Engineers and Geoscientists Act* and that all decisions with respect to the practices of engineering and geoscience should be administered under one act. Any other course will confuse the public.

The present proposal for one association is based on the premise that the practices of engineering and geoscience technology are components of the fields of engineering and geoscience practice, respectively. Members typically work in team environments and should, therefore, be regulated in a common fashion to ensure full accountability for all members.

If implemented, the merger proposal will:

- repeal the current legislation governing BC's technologists and technicians and merge these responsibilities into a combined regulatory structure under a new *Engineering and Geoscience Professionals Act* to provide for the regulation of technology, engineering and geoscience practice;
- establish grades of membership under the new act to recognize the roles of

technicians, technologists, professional engineers and professional geoscientists, as well as limited licensees and trainees; and

- provide a regulatory and organizational framework that clearly defines the practices of all practitioners in the new organization and holds all members accountable to a common Code of Ethics and the applicable practice standards for their member grade.

Why engineering and geoscience technology?

For many years, APEGBC and ASTTBC have endorsed the concept of the engineering and geoscience team—in 1999 the two organizations signed a statement of understanding outlining the duties and responsibilities of members on the team. Over the next two years, both councils expressed interest in creating a more formal liaison.

From June 2001 until the summer of 2003, councillors, members and senior staff of APEGBC and ASTTBC met as a Joint Task Force (JTF) to examine options for a strategic alliance between the two organizations that would improve cooperation in areas of mutual interest. The JTF terms of reference included an assessment of the benefits of creating a legislated scope of practice for engineering and geoscience technology. Much of the earlier debate focused on two key questions: "Why do it?" and "Do the practices of engineering and geoscience technology need to be regulated?"

The JTF agreed that the practices of technologists, engineers and geoscientists on the "team" have blurred to the point that confusion may exist in the minds of practitioners, industry and the public over the qualifications required to undertake engineering and geoscience work at the various rungs on the practice competency ladder. It was the task force's view that, by regulating the entire scope of the practices of engineering and geoscience in a common and consistent manner, confusion by all parties will be minimized or eliminated, greater accountability will be achieved, and well-defined practice standards across the entire spectrum of practice can be developed and maintained.

The JTF determined that the regulatory alignment of technology, engineer-

ing and geoscience practice would produce the following benefits:

- increased public protection through increased accountability by all engineering and geoscience team members;
- a definition of the practice of engineering and geoscience technology that permits the regulation of the practice of technology;
- the development of standards of practice common to all grades of members;
- an opportunity to place greater reliance on the technology team members;
- greater influence with government and industry; and
- greater opportunities for practitioners to move up the practice “ladder” as their experience and education increases.

Is there a downside?

The primary concerns regarding a merger of technology regulation with engineering and geoscience regulation identified by APEGBC council and members include:

- loss of status (real or perceived) by professional engineers and geoscientists in a combined body;
- dilution of the standards of the professions;
- loss of autonomy for professional engineers and geoscientists; and
- the possible confusion over the differences between engineers/geoscientists and technologists by the public, i.e. the public begins to see technologists as “engineers without degrees.”

The JTF identified the same concerns but concluded that the single organization model could far better address these perceptions and concerns than the current, two independent organizations model. The competitive aspect that currently exists between APEGBC and ASTTBC as separate bodies will be eliminated in a single body, which will overcome these primary concerns through focused efforts directed by council. The new organization will speak with one unified voice when communicating with industry, government and the public regarding grades of membership, member practice standards and accountability, thus eliminat-

ing the inherent conflicting messages often sent by the two existing associations.

Current situation

Since receiving member approval, APEGBC and ASTTBC councils and staff have been working to develop an implementation plan that will deliver an effective and efficient organization to all members once government legislative approval is received. Post referendum, both associations ratified a plan for the regulatory, governance and operational structure of a combined engineering, geoscience and technology regulatory body.

The major regulatory challenges that have emerged as the legislative drafting process gets underway and the government begins to voice its thoughts and opinions include:

- agreeing on the definitions of practices for professional engineering/geoscience and engineering/geoscience technology;
- developing the scope of practice parameters for membership grades;
- formulating a council composition

dures governing council composition, definitions of practice, and practice guidelines best meet the needs of all members.

Other considerations include liaison and consultation with other associations (e.g. architects, foresters, biologists, natural scientists, etc.), a due diligence review of financial, legal and human resource considerations, and the development of a plan for the winding up of ASTTBC that considers the placement of current members of that organization who will not become a part of the new engineering/geoscience association.

Finally, there is the operational challenge of integrating physical plant, staff and two similar, yet different, corporate cultures.

Timeline for integration

At present, the BC government has indicated that it will not be able to introduce amended legislation in the house until spring 2005. While the original target was the spring 2004 legislative session, the delay gives APEGBC, ASTTBC and the government drafters extra time to refine the legislation and to continue to seek the



structure that ensures appropriate professional representation as the membership makeup shifts over time; and

- ensuring an appropriate equality of membership.

As with any undertaking of this magnitude, the considerations that must be addressed seem to multiply when one gets into the details. At this stage, it is important that members are consulted during the implementation process to ensure the new legislation, regulations and proce-

opinions of APEGBC and ASTTBC members in a collaborative manner.

Throughout this implementation period, both associations will undertake business as usual while continuing to seek ways to coordinate regulatory efforts that ensure the public's health, safety and welfare in the delivery of engineering and geoscience services in BC. ❖

Anne Garrett, P.Eng., is executive director and registrar of the Association of Professional Engineers and Geoscientists of British Columbia (APEGBC).

Merger plan doesn't fly in Alberta

While one Canadian engineering association is moving into merger mode with its technologist and technician confreres, its neighbour immediately to the east will be standing pat.

In December, Alberta's human resources and employment minister, Clint Dunford, rejected a plan to merge the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA) with the Alberta Society of Engineering Technologists (ASET). The minister also rejected an appeal to create new legislation that would grant self-governance and licensing authority to engineering technologists. The decision brings to an end a protracted and sometimes heated series of negotiations between Alberta's professional engineers and technologists, centered on issues of licensing, regulation and self-governance.

Dunford's decision means APEGGA will continue to regulate and license the engineering and geoscience professions in Alberta. The decision also means no imminent changes to Alberta's *Engineering Geological and Geophysical Professions Act* (EGGP).

"I am encouraged that the EGGP Act continues to be the only act governing the practice of engineering and technology in Alberta," APEGGA Registrar and CEO Neil Winsdor, P.Eng., said in a recent statement. "Still I can't help but feel that a significant opportunity has been lost to technologists to become members of APEGGA."

For a number of years, ASET has sought new legislation allowing it to license and regulate the province's 15,000 engineering technicians and technologists. ASET argues that the province should adopt "umbrella legislation" similar to that enacted for medical, accounting and forestry professionals. Under similar umbrella legislation, technologists and technicians would gain not only a right to registered title, but also the right to practise under their own act.

APEGGA, meanwhile, maintains that the professional interests of technologists and

technicians are protected under the existing act. In the course of negotiations among APEGGA, ASET and the Alberta employment minister, the professional engineers studied the upcoming merger between British Columbia's engineers and technologists, and subsequently voted in council to pursue a similar merger model. APEGGA views a merger as a means of regulating engineering under a single act, while eliminating confusion and ensuring public safety. ASET however, regards the merger plan as an effort to increase APEGGA membership at the expense of technicians and technologists. With its membership recently surpassing 40,000, APEGGA denies that the merger plan has anything to do with membership numbers.

In an effort to bring the dispute to a close, the employment minister last fall asked APEGGA and ASET to submit their final recommendations. APEGGA presented the merger recommendation, while ASET called for a new act with new regulatory authority.

Rather than choosing one recommendation over the other, Minister Dunford in December decided that maintaining the status quo was in the best interests of engineers, technologists and the province. It's a decision that seems to have created an uneasy peace between APEGGA and ASET.

In an interview with *Engineering Dimensions*, APEGGA President Michael Smyth, P.Eng., said the province's professional engineers are relieved with the government's decision. "Ultimately, we are happy that the ministry has decided to stay with the status quo," Smyth said. "Technicians and technologists can fulfil their aspirations under the existing act. We believe the existing model works because it's responsible and it's fair."

Smyth said practically all the concerns raised by ASET in the course of negotiations are addressed under the existing engineering act. He pointed to APEGGA's introduction of the registered professional technolo-

gist (RPT) program as an effort to recognize the professional contributions of engineering technologists. The RPT program grants professional licences to technologists within a defined scope of practice.

Despite the recent dispute, APEGGA remains committed to "inclusivity" for the engineering profession in Alberta. In a January 2004 bulletin to members, APEGGA described inclusivity as entailing offers of provisional licensure and opportunities for non P.Engs to become APEGGA members under the existing act. To that end, Smyth believes an eventual merger between the province's P.Engs and technicians/technologists is still the best road to follow. "One association is definitely the right long-term solution," he said.

For his part, ASET President Allen Yeung, RET, said the minister's decision is a mixed blessing for Alberta's technicians and technologists. "While ASET was disappointed that Minister Dunford has not yet seen fit to support professional legislation for Alberta's technology professionals, we do consider his decision not to force a merger with APEGGA to be a victory for our profession," he said. "We still believe that the evolutionary process that has occurred within other professions in Alberta will soon catch up with ours, and that technology professionals will soon gain the right to independent practice that appropriately reflects their education and experience."

Yeung said ASET will continue to press for applied science, information and engineering technology to be recognized as a profession in its own right. ASET's position is backed by the Canadian Council of Technicians and Technologists, which stated that "the protection of public safety and the professional wellbeing of Alberta's professional technologists depend upon the existence of a separate organization representing professional technologists."

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