

COUNCIL DEVELOPS 25-YEAR VISION FOR PEO

458th MEETING, SEPTEMBER 17, 18, 2009

By Jennifer Coombes

AT THE 2009 council workshop in May, councillors focused on developing an envisioned future for PEO for the next 25 years—what was termed the Big Audacious Goal—and the strategic intents necessary to progress towards that future. The result of their work was presented at the September meeting for final approval. After some additional tweaking, council approved PEO's Big Audacious Goal to be “the global leader in professional self-regulation that responsibly improves the quality of life for all.”

Under that goal:

- P.Engs will:
 - achieve a position as the highest publicly trusted profession and will be sought after worldwide for their valued expertise,
 - be regarded as exemplary practitioners from the perspective of integrity, competence, ingenuity and cost-effectiveness, and
 - be the best educated individuals so that they can be accountable for protecting the public interest by preventing failure and accidents in all fields of engineering practice;
- PEO will:
 - be the world leader in engineering self-regulation, global standards and public policy development, and
 - promote and implement inclusiveness and diversity that drives innovation. The profession will reflect the diversity of society;
- licence holders will be proud to belong to PEO and to be a P.Eng.;
- students will be excited to become P.Engs and consider engineering a rewarding career;
- more engineering graduates will register as engineering interns;
- governments will have total confidence and trust in the ability of PEO to administer the act; and
- the public will better recognize the relevance of an engineering licence.

To make this future happen, PEO will:

- enforce provisions of the act to increase the confidence of the public, governments and members in the value of self-regulation and the licence;
- improve PEO's international profile by working with colleagues in the regulatory community abroad;
- impose engineering licensing requirements to protect public interest and safety on the basis that all applicants, regardless of age, sex or ethnic background, who meet these requirements, will be able to obtain a licence in a timely manner,

while striving to expand “acceptable alternatives” to recognize the skills and knowledge of licence applicants;

- continue to integrate professional development with the licence;
- develop appropriate practice standards to prevent failure and accidents in fields of engineering practice; and
- increase awareness of practising engineers and the public that PEO members uphold professional responsibility and ethics to the highest standards.

The overarching goal, envisioned future and strategic intents approved by council will help to guide council in developing policy and staff in implementation planning and budgeting.

NATIONAL LICENSURE FRAMEWORK

While PEO may not be ready to fully support a national licensure framework, it has accepted an invitation from Engineers Canada to enter into discussions on a framework, the concept of which has been unanimously supported by the other constituent members of Engineers Canada. PEO sees possible opportunities to not only enhance its ability to serve the public interest and the value of the licence, but also to address some current challenges, such as those presented by international and national mobility.

One challenge, in particular, imposed by the Ontario government's introduction of the *Labour Mobility Act* (LMA)—the need for a licence holder from another jurisdiction to meet additional requirements (see National mobility item)—would be eliminated if all associations' licensing requirements and registration practices were acceptable to PEO.

At the September meeting, council approved the creation of an eight-person PEO National Framework Task Force with the mandate to:

- explore the potential value to the public and profession of a national framework;
- participate in the development of PEO's position on a national framework; and
- support the participation of the CEO/registrar or designate and two PEO National Framework Task Force members on the Canadian National Framework Task Force.

The membership of the PEO National Framework Task Force will comprise:

- one member from each of the Executive, Academic Requirements and Experience Requirements committees;
- two members from among the Registration, Discipline, Complaints, Enforcement and Professional Standards committees;

- two members of the Engineers Canada National Framework Task Force, as recommended by the Executive Committee; and
- the CEO/registrar or designate.

The PEO National Framework for Membership and Licensure Task Force, which was appointed to review and make recommendations on concerns raised by councillors at a lengthy in-camera discussion in April (see *Engineering Dimensions*, May/June 2009, p. 50), was stood down.

NATIONAL MOBILITY

At the September meeting, council approved a position statement on national mobility and additional requirements to be maintained under the LMA that PEO deems necessary to protect the public and treat all applicants fairly and consistently.

These motions stemmed from input by a National Mobility Task Force struck at the June meeting (see *Engineering Dimensions*, July/August 2009, p. 47), the mandate of which was to review the current status of mobility throughout Canada and related agreements (e.g. Engineers Canada's Inter-Association Mobility Agreement), and provide recommendations that comply with the LMA. The LMA is an act proposed by the Ontario government to implement the provincial premiers' agreement to amend the Agreement on Internal Trade to eliminate mobility barriers for Canadians in all occupations. It has supremacy over other acts governing regulators, but allows regulatory bodies to indicate the province-specific licensing requirements they believe must be maintained to protect the public. These are called "additional requirements" under the LMA.

Under the LMA, any additional requirements must not impose any condition on applicants already licensed in another jurisdiction that it would not impose on any other applicant for licensure, must not be a disguised restriction on mobility, and must not prevent the expeditious certification of an applicant. PEO's proposed additional requirements, which will be listed on PEO's and the Ministry of Training, Colleges and Universities' websites when approved by the government, deal mainly with provincial differences in approach to academics and experience requirements for licensure.

Recognizing PEO's long support of national mobility, the National Mobility Task Force determined that professional engineers already have nearly full mobility across Canada although the same cannot be claimed for PEO's temporary, limited and provisional licence holders (which comprise less than 1 per cent of PEO licensees), since not all provinces issue these licences.

PEO currently receives fewer than 30 interassociation transfers annually, 25 per cent of which are from people with less than five years' licensure in another jurisdiction, and estimates that fewer than 10 applicants each year would be subjected to the additional requirements.

Even so, the task force recommends that PEO work with its counterparts to harmonize licensing requirements nationally to eliminate the need for additional requirements, while ensuring the public interest is served.

ENFORCEABLE CODE OF ETHICS

PEO has been struggling since 2005 with the concept of enforcing its entire Code of Ethics. At the June meeting, council rescinded motions passed at its March 2008 meeting that would have made all elements of the Code of Ethics enforceable (see *Engineering Dimensions*, July/August 2009, p. 47).

In light of this, council approved forming a Code of Ethics Task Force (CETF) that will delve deeply into the issue. In particular, the task force will look at categorizing some ethics breaches as ones that could be considered professional misconduct, while categorizing others as solely unenforceable.

The CETF will comprise three subject matter experts on engineering ethics; representatives of the Academic Requirements, Complaints and Discipline committees; an expert on engineering law; and an Engineers Canada representative.

The task force has been given until the April 2010 council meeting to complete its mandate, but will provide progress reports at council's November and the Executive Committee's January meetings.

PROFESSIONAL DEVELOPMENT

Following a lengthy discussion at the September meeting, councillors came to a consensus on this decades-old issue and approved a policy that was generally considered to be a minimum level of professional development. The policy will require all licence holders to declare annually that they will maintain competence in the performance of any professional engineering services they undertake.

While it appears most councillors support the concept of a mandatory professional development system, the intent of which is to improve the public's perception of PEO's effectiveness, they were divided on what such a system should look like for PEO. During the discussion, councillors articulated a set of diverse concerns, ranging from the worry that if PEO doesn't develop its own system, one might be imposed by government, through concern that members have not been adequately consulted, to the idea that requiring a mandatory declaration of competence won't solve any real problems and only provides the appearance that PEO is doing something.

Council's decision followed development of a position paper by the CEO/registrar (see *Engineering Dimensions*, July/August 2008, p. 65) that recommended a mandatory requirement for self-declaration of competence for all members, which council referred at its September 2008 meeting to a newly re-established Professional Development Committee for consultation (see *Engineering Dimensions*, November/December 2008, p. 51). The committee endorsed the mandatory self-declaration as the minimum action that should be undertaken.

BUILDING CODE POSITION STATEMENT

Work is ongoing to develop a PEO position statement relating to the Ontario Building Code. At the April meeting, council approved a draft position statement but requested that further stakeholders be consulted, including the Ontario Building Officials Association, Large Municipality Chief Building Officials, the Ontario Association of Architects, the ministry of housing,

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PEO's Professional Standards Committee, the Joint PEO-OAA Committee, and building design specialists.

Feedback from these stakeholders was presented to council at the September meeting and CEO/Registrar Kim Allen, P.Eng., along with councillors Len King, P.Eng., and Chris Roney, P.Eng., were tasked with incorporating the comments into the position statement, where appropriate.

The revised position statement will be presented to council for approval to publish at its November 2009 meeting.

EXTERNAL LEGISLATION

Council approved a policy regarding non-engineering certification requirements imposed on engineers in external legislation (or so-called demand-side legislation), which will see PEO request each authorizing body to remove any non-engineering certification requirement(s) from their particular legislation.

Unanimous passage of the policy follows a year-long policy study initiated by PEO's Executive Committee to examine the impact of requirements that engineers certify work specified in provincial legislation outside the *Professional Engineers Act* (PEA), and PEO's response to external requests for infor-

mation and situations, such as the Uptown Theatre collapse.

Although PEO has a position statement relating to the provincial government's intrusion into PEO's regulatory authority, until now, PEO lacked a strategy to deal with external legislation. Engineers have been forced to comply with certification requirements involving equipment, buildings, structures, products and processes that may not involve professional engineering as defined in the act, or face penalties for violating both the external legislation and the PEA (for failing to comply with the external legislation). Σ