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R E S I D E N T ' S M E S S A G E

Our contract with the people of Ontario

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In the last issue, I wrote in defence of the self-regulating profession as a means of ensuring that the public is well served and protected where engineering and technology are concerned. Let's now look in a bit more detail at how the self-regulation model is supposed to work, and at some of the implications of that model for PEO.

I view the *Professional Engineers Act* as a contract between the people of Ontario, represented by the Attorney General, and the engineering profession, represented by PEO. Like most contracts, this one defines the obligations of both parties, as well as the rights, privileges and benefits to which each party is entitled. The underlying concept is that it would be difficult and costly to create a government department or agency to oversee such a broad and rapidly changing field as engineering; so the responsibility and authority have been turned over to the profession itself. In return for committing to regulate itself in the public interest, the profession has been given considerable latitude in defining what constitutes engineering practice, plus a certain status and prestige associated with their exclusive rights to title and practise.

Note that right to title and right to practise are not the same thing, even though both are embodied in our P.Eng. designation. Doctors and lawyers, for example, have no such professional designations (MD and LLB are their university degrees, not professional titles), although they must be licensed to practise.

Under the agreement, the government's obligations are to support PEO in the exercise of its responsibilities by:

- backing up PEO's discipline and enforcement under the Act;
- implementing demand-side legislation that delegates to PEO responsibility for engineering activities that may affect public safety, security or well-being;
- refraining from undermining PEO's self-regulation through the introduction of competing legislation.

PEO's principal obligations under the agreement are:

- establishing and maintaining standards of practice in the various fields of engineering, as they emerge and evolve;
- ensuring that only those qualified to practise are licensed;
- ensuring that only those licensed are allowed to practise;
- maintaining the strength and relevance of the profession so it can discharge its responsibilities effectively;
- being vigilant and proactive in identifying areas of engineering and technology where action is required to protect the public interest; and
- conducting all of its activities with diligence, transparency and fairness.

The notion that engineering is defined by what engineers do may be adequate for academia, but it is not sufficient for the self-regulating profession. We need to develop standards of practice for each area of engineering specialization, and maintain them as those specialties evolve over time with technology and experience. From those standards of practice will come our standards of licensure (admission and continuing competence) in terms of knowledge and experience.

Ensuring competence

As it has in the past, PEO will continue to evolve its admission standards and processes in an attempt to maintain their relevance and to ensure consistency across different classes of applicants. But determining competence is not a one-time-only affair. We will need to introduce measures to ensure members maintain competence within their chosen scopes of practice. We will also need to maintain, in our public Register, our members' self-declared scopes of professional practice.

We cannot discharge our obligation to regulate the profession in the public interest without enforcing against those who practise engineering outside of our regulatory regime (i.e. without a licence). This is not a matter of the profession acting in its members' self-interest. Rather, it is a matter of ensuring

that all engineering is subject to the same high standards of competence and public responsibility. Allowing engineering work to be performed by non-licensed individuals undermines the profession and the public's trust in it, along with the model of professional self-regulation.

To do a good job of discharging the above responsibilities, PEO will need to maintain a substantial base of knowledgeable and committed volunteers. It will also need to ensure the succession of its leadership. But there is more than that. A self-regulating profession is built upon traditions of skill, ingenuity and responsibility that are part of its heritage, passed from generation to generation. This means that we must be actively involved in the formation of new members of the profession at every stage of their development.

Vigilance and proactivity

To fulfil our obligations to the public under our agreement, I believe it is not enough that individual engineers practise competently and responsibly. We must be vigilant to identify areas of potential harm within our purview, and proactive in bringing them to public attention so any harm can be averted.

In all we do, we must maintain high standards of transparency and fairness. This is essential to both public trust and support of the membership.

You will note that my definition of our responsibilities is considerably broader than what might be appropriate for a typical government licence bureau. But PEO is not a government department or agency—we are a self-regulating professional body. I reject categorically the notion that we should confine ourselves to the fundamental regulatory activities of admission, enforcement, and discipline, important as those are. If that is all there is to PEO, why should I volunteer my time?

I believe that the Ontario public is getting a good deal from the self-regulating engineering profession. We need to make sure we are holding up our end of the agreement, and we need to make sure everyone knows it.