

DON'T GIVE UP ON WINNING THE REPEAL

By Thomas Chong, MSc, P.Eng., FEC, PMP

IT WAS LIKE A BETRAYAL on June 12, 2013, when the Ontario government reversed its three-year legislative commitment to the repeal of section 12(3)(a) of the *Professional Engineers Act* (PEA) by stalling it for proclamation. The current PEA allows a non-engineer to do professional engineering work for machinery or equipment used to produce products at his or her employer's facility.

My analysis shows that the current minority Liberal government decided to drop this political hot potato, among other things, for the following three main reasons:

1. The Ministry of Labour did not believe the repeal would increase the health and safety of the workers in Ontario.
2. The attorney general noted in his letter to PEO that: "under the Ontario *Occupational Health and Safety Act*, professional engineers already conduct review and inspection on new machinery or modified equipment before it is used." He added that there is "no clear evidence of a causal link between the continuation of the industrial exception and an increased risk of workplace accidents."
3. The Canadian Manufacturers & Exporters and the current opposition, Progressive Conservative MPPs, such as Bill Walker, claimed: "This repeal would have a detrimental impact on our manufacturing sector, resulting in increased production costs and delays and even more job losses." Walker stated: "This could have caused another major blow to our economy" and added: "At a time when 600,000 people are unemployed, we should be focusing on stimulating the economy and creating jobs, not burdening the manufacturing sector with more cost and red tape."

We have seen the following reactions to the above issues:

1. Letters of support for PEO's repeal have been delivered to the attorney general by the Ontario Society of Professional Engineers, Engineers Canada and several of its engineering constituent associations across the country.
2. PEO has met with a number of cabinet ministers and MPPs, including the attorney general, the minister of labour, and the Ministry of Economic Development, Trade and Employment, to explain the importance of the repeal.
3. PEO chapters organized four all-candidates debates in the recent Ontario by-elections to bring to the attention of the candidates and the public the importance of the repeal.

I would recommend PEO continue to fight for the repeal. In addition to stressing the safety issue, I think we should expand our position to include the positive impact on the provincial economy and jobs. I sug-

gest PEO take the following further actions and mobilize the chapter GLP committees to deliver the outcome to the MPPs:

1. In addition to the aggregated statistics, obtain the detailed, evidence-based data on workers' accidents related to working on machinery in manufacturing facilities and the costs of related accident claims, from the Ministry of Labour, and Workplace Safety and Insurance Board (WSIB) via the *Freedom of Information and Protection of Privacy Act*.
2. Prepare a business case, with the evidence-based statistics, to focus on addressing the positive impact on the Ontario economy. It should look at job creation, cost of manufacturing and worker safety, if the repeal receives proclamation.
3. Share the above business case information directly with all the MPPs, in individual meetings and in separate political party caucus meetings, utilizing the chapter GLP committees' resources.
4. Continue to share the statistics on workplace accidents from the Ministry of Labour and the WSIB with the public.
5. Continue to focus on the benefits of reducing workplace injuries and engineering innovation with our stakeholders.

We must realize that the Ontario manufacturing industry is also in direct competition with the United States, and if we can prove to Ontario MPPs that there is a positive impact on the provincial economy, jobs and workers' safety with the repeal, we will eventually win this battle.

For detailed documentation on the status of the repeal, please refer to the PEO website at www.peo.on.ca/index.php?ci_id=2259&la_id=1. 

Thomas Chong, MSc, P.Eng., FEC, PMP, is PEO's elected vice president.

