

THE ENGINEERING PROFESSION'S POSITION

- Regulation of the engineering profession protects and enhances public health, safety, welfare, and the environment for all Canadians.
- Where engineering work is being performed in Canada, that work must be done by an engineer licensed in the province or territory where the work is being completed.
- Engineering regulators set high professional and ethical standards, establish codes of conduct, and administer regulatory processes and standards of practice to ensure protection of the public.
- Engineers are held publicly accountable for their work, by the provincial and territorial regulators, as well as by their employers. These layers of accountability help keep Canadians safe.
- The activities of some federally regulated industries may be putting the safety of Canadians at risk by failing to comply with provincial acts and licensing requirements for engineering work.
- Engineers Canada calls on the federal government to recognize the need to enforce licensing requirements for engineers in federally regulated industries.

The challenge(s)

In Canada, the regulation of engineering takes place at the provincial and territorial level. All provinces and territories have laws and regulations covering engineering practice and they have engineering regulators that ensure those laws and regulations are followed. The twelve provincial and territorial engineering regulators:

- Establish and maintain professional and ethical standards.
- Hold engineers accountable for their work.
- Govern the conduct of the more than 300,000 members of the engineering profession in Canada.

Some federally regulated industries may be putting the safety of Canadians at risk by failing to require compliance with provincial acts and licensing requirements for engineering work. In many cases, engineers who work for the federal government are exempt from those laws, resulting in the federal government executing its privilege to use non-licensed individuals

to do engineering work without consulting provincial and territorial jurisdictions. If these same individuals were not working for the federal government but were still responsible for engineering activities, they would be required to hold a licence with one of the twelve provincial and territorial engineering regulators.

The federal exemption raises questions about the federal government's commitment to the public interest when it comes to engineering work. In return, this raises concerns about the practice of engineering and the qualifications of federal engineers involved in projects that affect public health, safety, welfare, and the environment for all Canadians.

How Engineers Canada has contributed

Provincial and territorial regulators across Canada work within legislation that provides comprehensive regulatory authority over all aspects of professional accountability, admissions, practice, complaints, discipline, enforcement, professional standards, continuing professional development, and

mobility. These regulators have the authority to prevent unqualified or unlicensed individuals from practising engineering.

Provincial and territorial engineering regulators across Canada ensure that those individuals having the required education, engineering work experience, knowledge of relevant law, commitment to the code of ethics, and appropriate language competency can obtain a licence to practise independently. When it is deemed appropriate, engineering regulators in Canada issue licences and classes of licences that are subject to conditions such as specific scopes of practice.

Engineering regulators in each jurisdiction serve the public interest by making sure that only qualified individuals engage in engineering by:

- Licensing qualified individuals based on their ability to practise engineering with competence and integrity.
- Administering registration practices that are timely, transparent, objective, impartial, and fair.
- Providing outreach and mentoring to prospective licensees to facilitate their understanding of the requirements for licensure and their entry into the profession.
- Acting against those who are practising engineering but who are not licensed to do so.
- Offering continuing professional development that supports licence holders to maintain their professional competencies.
- Implementing national labour mobility agreements to facilitate interprovincial mobility.
- Facilitating foreign qualification recognition through international agreements and other activities.

- Working together with governments and allied organizations to foster new ideas and improvements to the regulation of the practice of engineering.

Engineering regulators have exemplary processes to welcome applicants, assess credentials, and provide pathways to licensure for:

- New graduates: those who are ready to enter their engineer-in-training period.
- International engineering graduates: the engineering profession has been a leader among all professions in recognizing the qualifications of professionals from abroad.
- Licence-holders transferring between Canadian jurisdictions: the engineering regulators have been leaders in the implementation of the *Agreement on Internal Trade*¹.
- Individuals with non-standard engineering work experience and technical education, such as a degree in engineering technology.

Recommendations to the federal government

The federal government should:

- Require that federally regulated industries use professional engineers to conduct engineering work.
- Clarify and enforce regulations, rules, guidelines, and standards that call for qualified, accountable persons to perform work that protects the public when safety management and regulatory compliance is delegated to federally regulated industries.
- Recognize and respect the jurisdiction of the provincial and territorial engineering regulators and acknowledge that provincial and territorial governments have delegated the authority to regulate the engineering profession to the regulators.

- Promote, within its jurisdiction, the use of licenced professionals in all aspects requiring such a credential and accountability evidence.

Provincial and territorial regulators consistently strive to ensure that their admissions and licensure practices are timely, transparent, objective, impartial, and fair. They also set high professional and ethical standards, establish codes of conduct, and administer regulatory processes of practice to ensure protection of the Canadian public. It is important that the federal government continue to recognize and support the regulation of the engineering profession in Canada.

How Engineers Canada will contribute

Engineers Canada will continue to advocate that federal employees responsible for engineering activities be licensed by the province or territory in which they are practising. This will ensure that these individuals are accountable to the public as federal employees, and that these individuals hold paramount the safety, health, and welfare of the public and the protection of the environment.

¹ The Agreement on Internal Trade (2019). "Agreement on Internal Trade." Retrieved August 12, 2019 from: <https://www.ait-aci.ca/agreement-on-internal-trade/>.