

## THE ENGINEERING PROFESSION'S POSITION

- Engineers and engineering make valuable contributions to public service.
- To practise engineering and use the title 'engineer' (or any variation thereof), individuals must be licensed by the engineering regulator for the provinces and/or territories where the title is being used.
- Engineering regulators set high professional and ethical standards, establish codes of conduct, and administer regulatory processes and standards of practice to ensure the protection of the public.
- Regulation minimizes risks to public safety and ensures that relevant engineering activities are conducted by licensed engineers who are held to high professional and ethical standards that require them to work in the public interest and pursue continuous professional development.
- Engineers Canada calls on the federal government to ensure standardization across all federal departments to make engineering licensure a requirement for positions at the EN-ENG-03 level and above.

### The challenge(s)

For many years, federal departments and agencies have been staffing positions designated as engineering positions within the public service, specifically in the EN-ENG sub-category, without requiring engineering licensure as a term of employment. This lack of a licensure requirement for engineering work potentially threatens public safety.

The current guidelines issued by the Treasury Board of Canada Secretariat (TBS) do not require occupational certification across all EN-ENG category positions in federal departments, leading to inconsistent criteria for EN-ENG postings across the federal public service. Furthermore, in positions where certification is required, the minimum standard only refers to "eligibility for certification as a professional engineer in Canada" without specifying how eligibility is determined or whether the individual is qualified for certification as a professional engineer.

In Canada, all 12 provincial or territorial engineering regulators issue engineering licences. However, current TBS guidelines do not require applicants to be registered with one of these engineering regulators, potentially placing public safety and professional accountability for engineering work at risk.

Additionally, all engineering regulators have provisions in their provincial and territorial acts that prevent non-licensed individuals from calling themselves 'engineers'. It is therefore imperative that any position using the term 'engineer,' especially those in the EN-ENG sub-category, be filled by a licensed engineer. Failure to adhere to this requirement not only exposes candidates or employees to the risk of fines or sanctions, but also conflates the public's perception of the individual's qualifications and jeopardizes the public's high degree of trust in the engineering profession. Moreover, it carries the potential to endanger public safety when work is performed by someone who has not demonstrated the essential competency required for licensure as a professional engineer. For these reasons, engineering regulators work diligently to ensure only licensed individuals are using the title 'engineer.'

This practice of staffing unlicensed individuals in engineering positions also puts the federal government in violation of provincial and territorial engineering Acts. These Acts are designed to regulate the practice of engineering and ensure that only qualified, licensed individuals carry out engineering work. By not requiring licensure for engineering positions, the federal government is not only undermining the authority of these Acts but also

potentially breaching them. This could lead to legal repercussions and further erode public trust in the federal government's commitment to public safety and professional accountability. It is crucial that the federal government aligns its employment practices with the requirements of provincial and territorial engineering Acts to uphold the integrity of the engineering profession and ensure public safety.

## How Engineers Canada has contributed

Engineers Canada firmly believes that engineering work should only be conducted by a licensed engineer in the province or territory where the work is taking place, as this is in the public's best interest. Engineering legislation in all provinces and territories provides the engineering regulators with a clear and exclusive mandate to regulate the practice of engineering.

The term 'engineer' also comes with a set of ethical and licensed responsibilities and accountabilities, similar to other regulated professions like healthcare and law. Engineers are publicly accountable for their work, ensuring transparency and accountability, ultimately ensuring the safety of Canadians. However, Canadians' welfare will be at risk as long as engineering positions within federal government departments and agencies, especially those involving engineering practices, do not require candidates to hold an engineering license or be registered as engineers-in-training with their respective provincial or territorial regulator.

Provincial and territorial regulators throughout Canada are granted extensive regulatory authority by legislation to oversee all aspects of professional accountability, practice, admissions, complaints, discipline, enforcement, professional standards, continuing professional development, and mobility related to engineering. This regulatory authority enables them to prevent unlicensed or unqualified individuals from engaging in engineering and to ensure that licensed engineers work in the public interest, adhering to high professional and ethical standards, which helps mitigate risks to public safety.

Engineering regulators in each jurisdiction serve the public interest by ensuring 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 license 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.

## Recommendations to the federal government

Engineers Canada is urging the federal government to standardize occupational certification requirements for new EN-ENG-03 and above positions in federal departments and agencies by requiring "certification as a professional engineer in Canada." This would ensure that individuals practising engineering and using the title 'engineer' (or any variation thereof) are licensed by the relevant engineering regulator for the province or territory where the title is being used.

Furthermore, to reinforce public safety and demonstrate support for the engineering profession, the federal government should work collaboratively with Canada's engineering profession to establish clear and consistent criteria for EN-ENG titles in public service job postings and descriptions. This collaborative effort will ensure that positions designated as engineering positions are exclusively occupied by licensed engineers in alignment with provincial and territorial legislation.

Finally, the federal government should engage in ongoing collaboration with the engineering profession to establish and maintain professional standards that prioritize evolving expectations regarding public safety, health, and welfare, as well as environmental protection. This will require a commitment to continuous dialogue and consultation with stakeholders to ensure that professional

standards continue to evolve in response to changing needs and circumstances. By taking these actions, the federal government can help strengthen public confidence in the engineering profession, promote accountability and ethical standards, and ensure that Canadians are protected from the risks associated with unlicensed and unregulated engineering work.

## How Engineers Canada will contribute

Engineers Canada will continue to:

- Advocate for the licensing of federal employees in the engineering sub-category EN-ENG who are responsible for engineering activities. This will ensure their accountability to the public as federal employees and their dedication to the safety, health, and welfare of the public, as well as environmental protection.
- Monitor job postings for engineering positions within the federal public service, with the aim of identifying government departments and agencies that advertise engineering work positions in the engineering category but do not stipulate licensure as a mandatory requirement for employment.
- Provide information or clarity on the role of engineers and engineering as requested.