AGENDA

226th ENGINEERS CANADA BOARD MEETING

May 24, 2024 | 8:30am – 4:30pm ET

Hybrid delivery: Fort Garry, Winnipeg, MB | Zoom

Reference materials: Board Policy Manual | Bylaw | Corporate Risk Profile | Strategic Plan

1.	**Opening**
	1.1 Call to order and approval of agenda – N. Hill (pages 1-5) *THAT the agenda be approved and the President be authorized to modify the order of discussion.*
	1.2 Declaration of conflict of interest (pages 6-8)
	1.3 Review of previous Board meeting – N. Hill (pages 9-11) a) Action item list b) Board attendance list
2.	**Executive reports**
	2.1 President's report – N. Hill (verbal)
	2.2 CEO update – G. McDonald (verbal)
	2.3 2022-2024 Strategic Plan report – G. McDonald a) Q1 Interim Strategic Performance Report (pages 12-25) b) SP 1.1 Futures of Engineering Accreditation (slides)
	2.4 CEO Group report – P. Mann (slides)
	2.5 Presidents Group report – K. Atamanchuk (slides)
3.	**Consent agenda**
	Board members may request that an item be removed from the consent agenda for debate and deliberation. *THAT consent agenda items 3.1 to 3.5 be approved.*
	3.1 Approval of minutes (pages 26-37) *a) THAT the minutes of the March 1, 2024, Board meeting be approved.* *b) THAT the minutes of the April 3, 2024, Board meeting be approved.*
	3.2 List of partnership organizations (pages 38-51)
	3.3 Update on the 50-30 Challenge (pages 52-55)
	3.4 CEAB appointments (pages 56-58) *THAT the following CEAB appointments be approved for the period July 1, 2024 to June 30, 2027:* • *Adel Omar Dahmane for Quebec (new member)* • Aparna Verma *for the North (new member)* • *Morteza Esfehani, member-at-large (new member)* • *Marie-Isabelle Farinas, member-at-large (new member)* • *James (Jim) K. W. Lee, member-at-large (second term)* • *Christine Moresoli, member-at-large (new member)* • *Ramesh Subramanian for Ontario (third term)*

	3.5 CEQB appointments (pages 59-61) *THAT the following CEQB appointments be approved for the period July 1, 2024, to June 30, 2027:* • *John Diiwu, member at large (new member)* • *Rishi Gupta, representative for British Columbia (new member)* • *Kamran Behdinan, member-at-large (second term)* • *Marcie Cochrane, member-at-large (second term)*
4.	**Board business/required decisions**
	4.1 Risk register / Corporate Risk Profile – D. Nedohin-Macek (pages 62-97)
	4.2 CEQB report – F. Collins (slides)
	4.3 CEQB products – F. Collins *THAT the Board, on recommendation of the CEQB, approve the following products:* *a) New Public Guideline on duty to report* (pages 98-123) *b) Revised Public Guideline on code of ethics* (pages 124-148) *c) Revised Public Guideline on conflict of interest* (pages 149-183)
	4.4 Governance Committee report – A. Anderson (slides)
	4.5 Board policy updates – A. Anderson (pages 184-214) *THAT the Board, on recommendation of the Governance Committee:* *a) approve the following revised Board policies:* *i. 6.9, Canadian Engineering Accreditation Board (CEAB)* *ii. 6.10, Canadian Engineering Qualifications Board (CEQB)* *iii. 7.3, Board relationship with Engineering Deans Canada (EDC)* *iv. 7.11, Consultation*
	4.6 HR Committee report – A. Arenja (slides)
	4.7 Completion of the CEO Search Committee mandate – A. Arenja (page 215-219) *THAT the 2023-2024 CEO Search Committee be stood down, with thanks.*
	4.8 FAR Committee – D. Nedohin-Macek (slides)
	4.9 CEAB report – P. Cyrus (slides)
	4.10 Board's 30 by 30 Champion – T. Joseph (slides)
5.	**Annual updates from interest holders**
	5.1 Engineering Deans Canada – M. Wells (slides)
	5.2 Canadian Federation of Engineering Students – J. Grasley (slides)
6.	**Elections and appointments**
	6.1 Election of the President-Elect – K. Baig (pages 220-221)
	6.2 Appointment of the 2024-2025 Human Resources Committee – N. Hill (pages 222-223) *THAT the Board, on recommendation of the HR Committee, appoint the following Directors to the 2024-2025 HR Committee:* *a) Ann English* *b) Arjan Arenja* *c) Darlene Spracklin-Reid (in the event that any of the previous are elected as President-elect)*

	6.3 Director appointment to the CEAB – A. Arenja (pages 224-225) *THAT the Board, on recommendation of the HR Committee, appoint Lisa Doig to the CEAB for a two-year term beginning May 25, 2024, and ending at the June 22, 2026, Board meeting.*	
7.	**Generative discussion –** N. Hill (pages 226-229)	
	Emerging trends in regulation	
8.	**Next meetings**	
	Board meetings	
	• June 17, 2024 (Osoyoos, BC) • October 10, 2024 (Ottawa, ON) • December 9, 2024 (virtual)	• February 28, 2025 (Ottawa, ON) • April 2, 2025 (virtual) • May 23, 2025 (Vancouver, BC)
	2023-2024 committee and task force meetings	
	• HR Committee: May 25, 2024 (Winnipeg, MB) • All 2023-2024 committees and task forces: June 17, 2024 (Osoyoos, BC)	
9.	**In-camera sessions**	
	9.1 Board Directors and Direct Reports *THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, Engineers Canada CEO, the chairs of the CEAB and CEQB, and the Secretary.*	
	9.2 Board Directors, Direct Reports, CEO Group Advisor, and staff *THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, Engineers Canada CEO, the chairs of the CEAB and CEQB, the CEO Group Advisor to the Board, the Secretary, the Manager, Governance and Board Services, the Director, Finance, and the Manager, Members Services.* • Affinity programs annual report – G. McDonald (supporting documents circulated separately)	
	9.3 Board Directors and CEO *THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, and the Engineers Canada CEO.*	
	9.4 Board Directors only *THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors.* • *Board and Director assessment survey reports* • *Meeting evaluation*	
10.	**Closing** (motion not required if all business has been completed)	

engineerscanada
ingénieurscanada

Board support document

Meeting norms

Virtual participation:

- Board members and Direct Reports are asked to "show up" to the meeting a few minutes early to test their audio and video connections and are encouraged to reach out to Boardsupport@engineerscanada.ca in advance if they anticipate any connection or technological issues.
- To increase meeting engagement and participation, Board members and Direct Reports are requested to turn on their cameras during the meeting, when possible. All participants will have control over their ability to mute their line upon joining the meeting. Participants are asked to self-mute when they are not speaking to minimize background noise. If a participant is muted by an organizer, this is because there was feedback on the line.
- Participants are asked to use the self-mute function and turn off their cameras, instead of leaving the meeting during all breaks. This will help minimize any technical issues and disruption upon re-connection.
- The "Raise hand" function is only to be used if a participant wishes to ask questions and/or make comments after presentations or during debate. Depending on the Zoom version, participants may find the 'Raise hand' button under "Reactions" or "Participants". Participants should reach out in "Chat" if they are not able to locate it.
- If a participant wishes to speak and have not been called upon or are unable to use the "Raise hand" function, they should say their name with an un-muted microphone and obtain permission from the Chair before speaking.
- The "Chat" function will only be monitored by the offsite AV personnel in respect of technical difficulties. Non-technical questions asked through the "Chat" function will not be answered during the meeting.

To conduct the meeting with reasonable time and fairness:

1. For all motions, the meeting chair will call for abstentions and negative votes from the Directors. Directors who do not state a negative vote or an abstention will be considered in favour of the motion. If, for whatever reason, Directors are unable to speak during the motion and feel their opinion was not heard, they should raise their hand, or reach out in "Chat" for technical support.
2. Wordsmithing of motion texts should be avoided as much as possible so that the meeting can stay on track. If the proposed motion and related decision is understood, the Board should move to a debate and discussion on the proposal and should not focus attention on perfecting the text.
3. Participants are asked to speak for a maximum of two (2) minutes at a time (a timer will be projected on the screen) and will be limited to two (2) chances to speak on any one issue or motion. An opportunity to speak a second time will be granted only after everyone has had a chance to speak. The meeting chair reserves the right to allow additional chances to speak, as necessary.
4. Restating or reiterating the same point is strongly discouraged.
5. In the virtual environment where meeting participants are not able to demonstrate their agreement by nodding, they are encouraged to use the "Reaction" buttons to identify their informal support of others' statements. A safe and respectful environment is encouraged at all times.

6. At the opening of the meeting, the meeting chair will announce which individual will be monitoring the show of hands. The chair will try to ensure that anyone with a raised hand has their point addressed.

Board support document

Conflicts of interest

Board members and members of Board committees have an ongoing obligation to identify and disclose actual, reasonably perceived, and potential conflicts of interest. These obligations are set out in case law and are also codified in statute, under the *Canada Not-for-profit Corporations Act* ("CNCA").

While not expressly defined in the CNCA, a conflict of interest is understood to comprise any situation where:

a) an individual's personal interests, or
b) those of a close friend, family member, business associate, corporation, or partnership in which the individual holds a significant interest, or a person to whom the individual owes an obligation, could influence their decisions and impair their ability to:
    i. act in the best interests of the corporation, or
    ii. represent the corporation fairly, impartially, and without bias.

Conflicts of interest exist if a Director's decision could be, or could appear to be, influenced. *It is not necessary that influence actually takes place*. In cases where Directors are in an actual, perceived, or potential conflict of interest, they are required to disclose the conflicting interest to the Board[1] or, in the case where membership approval is sought, to the members,[2] as well as abstain from voting.

Handling conflicts of interest

Directors may use the following checklist when faced with a situation in which they think they might have an actual, perceived, or potential conflict of interest.

Step 1 - Identify the matter or issue being considered and the potential conflicting situation in which you are involved.

E.g. There is an item before the Board requiring discussion and a decision that involves potential litigation between Engineers Canada and the Engineering Regulator with whom you are licensed. Whether or not you are in a conflict of interest is not automatic—it will depend upon the personal circumstances of each Director.

Step 2 – Assess whether a conflict of interest exists or may exist.

In assessing whether you have an actual, reasonably perceived or potential conflict of interest, it may be helpful to ask yourself the following questions:

[1] Section 141(1) and (2) of the CNCA
[2] Section 141(9)(a) of the CNCA

- Would I, or anyone associated with me benefit from, or be detrimentally affected by my proposed decision or action?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- Do I have a current or previous personal, professional, or financial relationship or association of any significance with an interested party?
- Would my reputation or that of a relative, friend, or associate stand to be enhanced or damaged because of the proposed decision or action?
- Do I or a relative, friend, or associate stand to gain or lose financially in some way?
- Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?
- Have I made any promises or commitments in relation to the matter?
- Have I received a benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?
- Am I a member of an association, club, or professional organization, or do I have particular ties and affiliations with organizations or individuals who stand to gain or lose by my proposed decision or action?
- Could this situation have an influence on any future employment opportunities outside my current duties?
- Could there be any other benefits or factors that could cast doubts on my objectivity?
- Am I confident of my ability to act impartially in the best interests of Engineers Canada?

What perceptions could others have?

- What assessment would a fair-minded member of the public make of the circumstances?
- Could my involvement on this matter cast doubt on my integrity or on Engineers Canada's integrity?
- If I saw someone else doing this, would I suspect that they have a conflict of interest?
- If I did participate in this action or decision, would I be happy if my colleagues and the public became aware of my involvement?
- How would I feel if my actions were highlighted in the media?

Step 3 – Is the duty to disclose triggered?

If, in assessing the situation, you determine that you are in an actual, potential, or reasonably perceived conflict of interest, your duty to disclose is triggered. Directors disclosing a conflict must make the disclosure at the meeting at which the proposed contract or transaction is first considered and should request to have the disclosure entered into the minutes of the meeting.[3]

Disclosure must be made of the nature and extent of the interest that you have in the contract or transaction (or proposed contract or transaction).[4] The limited case law dealing with the nature and scope of the disclosure required by a conflicted Director suggests that disclosure must make the

3 Section 141(1) of the CNCA
4 Section 141(1) and 141(9)(b) of the CNCA

other Directors fully informed of the real state of affairs (e.g. what your interest is and the extent of the interest).[5] It will rarely suffice to simply declare that you have a conflict of interest.

Step 4 – What next?

Subject to limited exceptions, the general rule is that a conflicted Director cannot vote on the approval of a proposed contract or transaction, even where their interest is adequately disclosed.[6] Further, as a best practice, they should leave the room and not participate in the salient part of the Board meeting.

5 *Gray v. New Augarita Porcupine Mines Ltd.,* 1952 CarswellOnt 412 (Jud. Com. of Privy Coun.)
6 Section 141(5) of the CNCA

Engineers Canada Board of Directors action log

	Meeting date	Action	Responsible	Due date	Update
1.	December 4, 2023	N. Hill and A. Arenja to discuss performance metrics for the strategic plan with the Strategic Planning Task Force and CEO Search Committee, respectively.	Engineers Canada President	June 18, 2024	In progress – As noted under agenda item 4.7, with the work of the CEO Search Committee concluding, this action will become responsibility of the HR Committee. In progress – The Board will discuss measures of success for the 2025-2029 Strategic Plan at its workshop in June 2024.
2.	March 1, 2024	The President will provide feedback to those Directors who suggested topics for the generative discussion.	President	None established	Complete
3.	March 1, 2024	That the current draft of the *National Statement of Collaboration* be circulated to the Board for information.	Staff	None established	Complete – G. McDonald circulated the draft Statement to the Board on Friday, March 1, 2024.
4.	March 1, 2024	That the Governance Committee consider a plan to establish guidelines for organizational partnerships that may replace Board policy 7.4, *Partnerships with other organizations*.	Governance Committee Chair	May 24, 2024	Complete – At its meeting on March 7, the Governance Committee discussed the development of an alternative policy. This is noted for inclusion in the 2024-2025 Governance Committee workplan.
5.	March 1, 2024	That as part of its 2024-2025 work plan, the HR Committee will consider for the new CEO stretch objectives linked with the Strategic Plan.	HR Committee Chair	May 25, 2024	Complete – Work plan will be presented to the HR Committee at its meeting on May 25, 2024.
6.	March 1, 2024	The Chair of the CEAB to confirm with staff that an evaluation strategy has been developed for Tandem.	CEAB Chair	None established	Complete

	Meeting date	Action	Responsible	Due date	Update
7.	March 1, 2024	Staff will re-circulate to the Board the registration details for the 2024 30 by 30 Conference, along with the 30 by 30 signature block that may be added to Directors' email signatures.	Staff	None established	Complete – Circulated on March 12, 2024.
8.	March 1, 2024	Staff to update the links included in the pre-circulated slides.	Staff	None established	Complete
9.	March 1, 2024	The President will provide an update to the CEO Group re: Agenda item 7.2.	President	None established	Complete – Included on the May 23, 2024, CEO Group agenda.

Last updated: May 10, 2024	Alison Anderson	Arjun Arenja	Natasha Avila	Kathy Baig	Ernie Barber	Heather Kennedy	Sophie Lanviere-Mantha	Christian Bellini	Tim Kirby	Memelike Mekomba	Geoff Connolly	Crysta Cumming	Ann English	Nancy Hill	Sudhir Jha	Tim Joseph	Dawn Nedohin-Macek	Marie Rose	Darlene Spracklin-Reid	Marisa Sterling	Nicolas Turgeon	John Van der Put	Mike Wrinch
Board Meetings																							
June 19, Hybrid (Niagara-on-the-lake, ON)	✓	✓	✓	×	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
October 5, (Ottawa, ON)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
December 4, Virtual	✓	✓	✓	✓	✓	✓	✓	✓	✓	×	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
March 1, (Ottawa, ON)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
April 3, Virtual	✓	✓	✓	×	×	✓	×	✓	✓	×	✓	✓	×	✓	✓	✓	✓	✓	×	✓	✓	✓	✓
4 Seasons training																							
Ongoing access	✓	✓	✓	✓	✓			✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
CEAB																							
September 15-16, Edmonton, AB					✓				✓					✓	✓			✓					
February 9-10, Ottawa, ON					✓										✓			✓					
CEQB																							
July 18, Virtual									✓						✓			✓		✓		✓	
September 17-18, Hybrid, Edmonton, AB									✓					✓	✓			✓		✓			
January 30, Virtual									✓						✓			✓		✓			
FAR Committee																							
June 19, Hybrid (Niagara-on-the-Lake, ON)								✓		✓							✓					✓	
August 11, Virtual								✓		✓							✓					✓	
October 17, Virtual								✓		✓							✓	✓				✓	
December 13, Virtual								✓		✓							✓					✓	
February 26, Virtual								✓		×							✓	✓				✓	
March 8, Virtual								✓		×							✓					✓	
Governance Committee																							
June 19, Hybrid (Niagara-on-the-Lake, ON)	✓				✓	✓	✓				✓												
September 20, Virtual	✓				✓	×	✓				✓												
November 15, Virtual	✓				✓	✓	✓				✓							✓					
March 7, Virtual	×				✓	✓	×				✓							✓					
HR Committee																							
May 27, Hybrid (Halifax, NS)		✓		✓									✓	✓									✓
September 7, Virtual		✓		✓									✓	✓									✓
November 1, Virtual		✓		✓									✓	✓									✓
November 23, VIrtual		✓		✓									✓	✓				✓					✓
December 14, Virtual		✓		✓									✓	✓									✓
March 1, Virtual				✓										✓									✓
April 8, Virtual		✓		×									✓	✓									✓
CEO Search Commiittee																							
November 23, Virtual		✓		✓									✓	✓									✓
December 20, Virtual		✓		✓									✓	✓									✓
January 18, Virtual		✓		✓									✓	✓									✓
January 30, Virtual		✓		✓									✓	✓									×
April 8, Virtual		✓		×									✓	✓									✓
Collaboration Task Force																							
June 19, Hybrid (Niagara-on-the-Lake, ON)			✓					✓				✓	✓								✓		
July 20, VIrtual			×					✓				✓	✓								✓		
August 31, Virtual			✓					×				✓	✓								×		
October 4, Ottawa, ON			✓					✓				✓	✓								✓		
November 16, Virtual			✓					✓				×	✓								✓		
December 12, Virtual			×					✓				✓	✓								✓		
February 6, Virtual			×					✓				✓	✓								✓		
March, 15, Virtual			✓					✓				✓	✓								×		
Strategic Planning Task Force																							
August 23, Virtual				×									✓				✓	✓			✓	✓	
October 4, Virtual				×									✓				✓	✓			✓	✓	
December 20, Virtual				×									✓				✓	×			✓	✓	
January 22, Virtual				×									✓				✓	✓			✓	✓	

Attendance Required	✓
Attendance Not Required / Completed	✓
Attendance for Partial Meeting / In progress	✓
Attendance required, regrets	×
Not applicable	-

BRIEFING NOTE: For information

Q1 Interim Strategic Performance Report to the Board	2.3
Purpose:	To provide an interim report on the progress against the 2022-2024 Strategic Plan
Link to the Strategic Plan / Purposes:	Board responsibility: Provides ongoing strategic direction for Engineers Canada by monitoring implementation of the Strategic Plan.
Link to the Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Prepared by:	Mélanie Ouellette, Manager, Strategic and Operational Planning
Presented by:	Gerard McDonald, Chief Executive Officer

Background

- The 2022-2024 Strategic Plan and its objectives and outcomes resulted from extensive consultation with Regulators and was approved by the Members in May 2021.
- The new strategic reporting template was presented to and endorsed by the Governance Committee in March 2021.
- The performance measures were approved by the Board at its June 2021 strategic workshop.
- This interim strategic performance report covers Q1 of 2024 (January 1 – March 31, 2024).
- The report focuses on the achievement of objectives set in the 2022-2024 Strategic Plan.
- The outcomes set in the 2022-2024 Strategic Plan will be evaluated at the end of the plan.

Status update

- All Strategic Priorities are on target to be completed in 2024.

Next steps

- The Board will receive the Q2 update in October 2024.

Appendix

- **Appendix 1:** 2024-Q1 Interim strategic performance report

Interim Strategic Performance Report: Q1-2024

This strategic reporting template was reviewed and endorsed by the Governance Committee in 2021. Indicators were approved at the Board Strategic Workshop in June 2021. Performance is benchmarked against the 2022-2024 Strategic Plan that came into effect on January 1st, 2022.

Legend

	Status of strategic priority
Overall activities on track to be completed by 2024	
Overall activities experiencing some delays, no foreseen impact on completing the strategic priority by 2024	
Overall activities experiencing some delays which could impact the ability to complete the strategic priority by 2024	

Reporting Information Sources

The information included in this report has been obtained from the following sources:

Section	Source
Planned activities (as set in June 2021)	Copied from Board June 2021 strategic workshop presentation
2024 quarterly reporting	Staff updates as part of quarterly internal reporting
What we will do	Copied from 2022-2024 Strategic Plan
What does success look like	Copied from Board June 2021 strategic workshop presentation
How will we measure success in 2024*	

**A summary of indicators, by strategic priority, is located at the end of this report*

SP1.1, Investigate and validate the purpose and scope of accreditation												
Status:												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. Benchmark accreditation												
2. Report on state of engineering education												
3. Investigate academic requirement for licensure												
4. Examine the purpose of accreditation												
5. Set a path forward												

2024 quarterly reporting	Q1
1. Develop a benchmark of the accreditation system report	• Completed in 2022. Reports are available on the futures of engineering accreditation website.
2. Develop a state of education research report	• Completed in 2022. Reports are available on the futures of engineering accreditation website.
3. Develop an academic requirement for licensure	• The Academic Requirement Task Force produced and submitted a report to the Future of Engineering Accreditation (FEA) Steering Committee, which recommends the development of a Full-Spectrum Competency Profile (FSCP) encompassing 34 competencies divided into eight domains and designed to span the entirety of an engineer's career journey, from undergraduate studies to the practice of engineering. • 16 of the 34 FSCP competencies are recommended to form the National Academic Requirement for Licensure which are intended to be acquired through an engineer's academic training and determined by the point of graduation, serving as foundational skills necessary for advancement from undergraduate studies to the practice of engineering. • The report also identifies gaps between the current and the desired state, as well as potential solutions to close them. • This content will serve as the foundation for the April Path Forward Co-Design session. Additional gaps and recommendations to be identified.
4. Develop a foundational statement about the purpose of accreditation	• The Purpose of Accreditation Task Force published a report, which recommends a revised purpose of accreditation: Accreditation provides assurance that an engineering program is designed and delivered such that its graduates meet the [academic requirement]* to be licensed as professional engineers in Canada. The report also identifies gaps between the current and the desired state, as well as potential solutions to close them. **The term "[academic requirement]" is a placeholder for*

	the name of the specific academic conditions determined by the FEA's Academic Requirement Task Force. Once the academic requirement for licensure is clearly defined, it is expected to be consistent with the expectations of applicants who do not hold a degree accredited by the CEAB. • This content will serve as the foundation for the April Path Forward Co-Design session. Additional gaps and recommendations to be identified.
5. Set a path forward	• The Path Forward Co-Design session is planned for April 17-18. Participants include Steering Committee members, Regulator Advisory Group, the CEAB and CEQB Executive Committees, and EDC members (or designates) who have served or are serving on FEA Task Forces. • The purpose of this session is to leverage the two reports above to evaluate the implications of the recommended: o Purpose of accreditation o National academic requirement for licensure. • Participants will explore potential changes, identify key gaps, and recommend priorities for the Steering Committee to address in the Path Forward report.
Summary of strategic priority	
What we will do	We will conduct a fundamental review of the accreditation process, investigate the best practices in engineering education, and work with Regulators and stakeholders to understand if there is a desire to adopt a new, national academic requirement for licensure as well as an updated purpose of accreditation. If there is, we will reconsider the accreditation system.
What does success look like?	A. All stakeholders have visibility of the modes of accreditation in use nationally and internationally B. All stakeholders have visibility of the current and future realities of engineering education C. Regulators have an academic requirement for licensure, applicable to all D. All stakeholders understand the purpose of accreditation E. Engineers Canada, including the CEAB and CEQB, have direction to implement systems aligned with the purpose and the academic requirement for licensure

SP1.2, Strengthen collaboration and harmonization												
Status: ⟫												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. Collaborate with Regulator staff to identify barriers and opportunities												
2. Develop a national statement of collaboration with all jurisdictions												
3. Identify specific areas of harmonization for collaboration												

2024 quarterly reporting	Q1
1. Collaborate with Regulator staff to identify barriers and opportunities	• Completed in 2022.
2. Develop a national statement of collaboration with all jurisdictions	• Statement was approved by the Engineers Canada Board in Q2 and is on track to be approved by Members in May.
3. Identify specific areas of harmonization for collaboration	• Areas were identified in 2023. • Work is underway to complete the implementation of the first area. • The 2025-2029 Strategic Plan also includes future areas of regulatory collaboration.
Summary of strategic priority	
What we will do	Fostering collaboration and consistency of requirements, practices, and processes across jurisdictions is at the heart of our mandate. We will work with Regulators to understand barriers and success factors leading to harmonization and facilitate the adoption of a national agreement that will establish the principles and areas where pan-Canadian harmonization will be sought.
What does success look like?	A. Engineers Canada has a clear mandate and key focus areas for regulatory harmonization B. Regulators benefit from collaboration and resource sharing, supporting improved practices

SP1.3, Support the regulation of emerging areas												
Status: 												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. Identify and investigate new and overlapping areas of engineering practice that will have a long-term impact on the public												
2. Continue to work with the federal government to promote the role of engineers in emerging areas												

2024 quarterly reporting	**Q1**
1.Identify and investigate new and overlapping areas of engineering practice that will have a long-term impact on the public	• An RFP is being drafted to hire a contractor to write a Research paper on Machine Learning and Data Science and its ties to engineering. • An advisory group has been created to inform the content. • The final paper is expected to be completed by the end of 2024.
2.Continue to work with the federal government to promote the role of engineers in emerging areas	• Engineers Canada continued to promote the role of engineers in emerging areas through already published national position statements.
Summary of strategic priority	
What we will do	Technological advances move much faster than legislative change and engineers who work in emerging areas of practice may not fully understand or consider the long-term professional and ethical impacts and obligations. We will provide information to Regulators on the long-term impacts of engineering practice in emerging areas and a framework for the evaluation of professional and ethical obligations. This will enable Regulators to educate license holders in these emerging areas of practice and to regulate more effectively.
What does success look like?	A. Regulators receive information that helps them adapt their admission, enforcement, and practice-related processes and uphold the framework for ethical practice B. The federal government is made aware of the importance of the work of engineers in emerging areas

SP2.1, Accelerate 30 by 30												
Status: ⟫												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. National research strategy												
2. Facilitate collaboration and information exchange for Regulators												
3. 30 by 30 annual national conference												
4. Reporting on national and regional metrics												
5. Engaging employers												
6. National resources												

2024 quarterly reporting	**Q1**
1. National research strategy	• Findings and recommendations from the strategy will be presented at the national 30 by 30 conference in Q2.
2. Facilitate collaboration and information exchange for Regulators	• We distributed the monthly 30 by 30 newsletter to Champions and engineering interest holders. • Provided updates to the Regulators on Engineers Canada's research and initiatives (i.e. QB Guideline, EDI training for regulators) • Sponsored the Canadian Coalition of Women in Engineering, Science, Trades and Technology (CCWESTT) summit.
3. 30 by 30 annual national conference	• Registration for the 2024 conference opened and over $92K in sponsorship has been secured.
4. Reporting on national and regional metrics	• Survey has been distributed to Regulators and data has been received.
5. Engaging employers	• We are working with the Employer Task Force to draft criteria for the establishment of an employer champion program.
6. National resources	• We finalized research on women in leadership within engineering and are starting to review gaps based on needs identified by the 30 by 30 champion network.
Summary of strategic priority	
What we will do	To support progress towards 30 by 30 and to develop Engineers Canada's capacity to address the underlying issues holding back the progress of 30 by 30.
What does success look like?	A. Regulators have information and support that enables them to increase inclusion and the number of engineering graduates who proceed through the licensure process B. Representation of women is increasing within every step of the pipeline: students at HEIs, graduates, engineers-in-training (EITs), newly licensed engineers, and engineers C. Employers have information that enables them to make their workplaces more equitable, diverse, and inclusive D. Lessons learned from the 30 by 30 work inform initiatives in support of increasing representation of under-represented groups including but not restricted to Indigenous, racialized, and LGBTQ2+ persons

SP2.2, Reinforce trust and the value of licensure												
Status: ⟫												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. Marketing campaign												
2. Value of licensure messaging												
3. Engineering grad and EIT outreach programming												
4. Foundational research												

2024 quarterly reporting	**Q1**
1. Marketing campaign	• Campaign plan has been approved, and production on updates to the Building Tomorrows creative is underway. • Spring flight is planned for launch in Q2.
2. Value of licensure messaging	• Tools continue to be available. • Check-in with advisory group on usage postponed until Q2 to ensure advisory group can focus on the marketing campaign development and launch of Pathway to Engineering.
3. Engineering graduate and EIT outreach programming	• Pathway to Engineering was launched and the first webinar held. • Focus in Q2 will be on growing engagement and establishing the years' editorial and creative calendar.
4. Foundational research	• No work this quarter, as planned.
Summary of strategic priority	
What we will do	We will create and promote a consistent, national message that will showcase the diversity of the profession, the breadth of engineering in both traditional and new disciplines, and the value of engineering licensure to the public, engineering graduates, engineers-in-training (EITs), and employers.
What does success look like?	A. Targeted public audiences perceive engineers as trustworthy and recognize engineering as a licensed profession B. Engineering graduates and EITs recognize value in licensure C. Regulators have a valuable national messaging framework and marketing support tools

SP3.1, Uphold our commitment to excellence												
Status: ⟫												
Planned activities *(as set in June 2021)*	**2022**				**2023**				**2024**			
1. Sustain an excellence culture												
2. Identify and implement continual improvements												
3. Confirm measurements and sustainability												
4. Achieve Platinum level certification from Excellence Canada												

2024 quarterly reporting	**Q1**
1. Sustain an excellence culture	• Orientation sessions and the submission for our Excellence Canada certification were completed.
2. Identify and Implement continual improvements	• All continual improvement items are incorporated in operational work.
3. Confirm measurements and sustainability	• An internal self assessment was completed as well as a review by an Excellence Canada staff member to confirm readiness to apply.
4. Achieve Platinum certification	• Application completed and verification planned for Q2.
Summary of strategic priority	
What we will do	The demand for change continues and we are facing pressure to deliver on the diverse and changing needs of Regulators, Higher Education Institutions (HEIs), and the engineering community. To continually adapt, we need an effective and sustainable approach that ensures that we are a high-performing organization. By 2024, we will achieve platinum level certification from Excellence Canada by demonstrating measurable, sustained, and continually-improved performance over at least a three-year period, as measured against the Excellence, Innovation, and Wellness Standard.
What does success look like?	A. Regulators, HEIs, and the engineering community benefit from effective delivery of products and services B. Staff benefit from increased engagement and retention, working in motivated teams, and improved health C. Engineers Canada benefits from sustainment of a high level of performance

Summary - How will we measure success in 2024?

Strategic priority	What does success look like	How will we measure success in 2024?
SP1.1, Investigate and validate the purpose and scope of accreditation	A. All stakeholders have visibility of the modes of accreditation in use nationally and internationally	A1. Publication of the accreditation system benchmarking report
	B. All stakeholders have visibility of the current and future realities of engineering education	B1. Publication of the engineering education report
	C. Regulators have an academic requirement for licensure, applicable to all	C1. The Engineers Canada Board passes a motion affirming the academic requirement for licensure C2. Regulators receive the academic requirement for licensure and all CEOs commit to sharing and implementing it with all necessary groups C3. CEAB receives the academic requirement for licensure and commits to incorporating it in their documents C4. CEQB receives the academic requirement for licensure and commits to incorporating it in their documents C5. HEIs receive the academic requirement for licensure
	D. All stakeholders understand the purpose of accreditation	D1. The Engineers Canada Board passes a motion affirming the purpose of accreditation D2. Regulators receive the affirmed purpose of accreditation, and all CEOs commit to sharing it with all necessary groups D3. CEAB publishes the affirmed purpose of accreditation D4. CEQB members receive the affirmed purpose of accreditation D5. Higher Education Institutions (HEIs) receive the affirmed purpose of accreditation D6. Students, through the CFES, receive the affirmed purpose of accreditation
	E. Engineers Canada, including the CEAB and CEQB, have direction to implement systems aligned with	E1. Path-forward report is published and distributed to Regulators, CEAB, CEQB, Engineers Canada CEO, EDC, and CFES

Strategic priority	What does success look like	How will we measure success in 2024?
	the purpose and the academic requirement for licensure	
SP1.2, Strengthen collaboration and harmonization	A. Engineers Canada has a clear mandate and key focus areas for regulatory harmonization	A1. Consultation reports that document all Regulators' perspectives A2. Production of a national statement of collaboration signed by Regulators A3. The Regulator CEOs defining one or more areas for future harmonization
	B. Regulators benefit from collaboration and resource sharing, supporting improved practices	B1. The number of Regulators contributing to the development of programs, products, services, information, or processes B2. The number of Regulators using programs, products, services, information, or processes that are nationally promoted
SP1.3, Support the regulation of emerging areas	A. Regulators receive information that helps them adapt their admission, enforcement, and practice-related processes and uphold the framework for ethical practice	A1. Regulatory research papers on emerging areas of engineering practice are published and distributed to Regulators A2. Regulators report that they are reading the reports, considering them in their decision making, or that they helped them fulfill their mandate A3. Perceived value of research papers by the Regulators
	B. The federal government is made aware of the importance of the work of engineers in emerging areas	B1. One new National Position Statement relating to emerging disciplines is developed, as appropriate B2. Number of engagements (written consultations and in-person meetings) with parliamentarians or senior federal officials, on matters relating to emerging areas of engineering practice
SP2.1, Accelerate 30 by 30	A. Regulators have information and support that enables them to increase inclusion and the number of engineering graduates who proceed through the licensure process	A1. Completion and use of a national research strategy on diversity data demographics and qualitative research on equity, diversity, and inclusion A2. The number of Regulators contributing to the development and implementation of the strategy; Regulators involved in

Strategic priority	What does success look like	How will we measure success in 2024?
		development only; Regulators not engaged A3. Publication of research reports on Engineers Canada website A4. Number of partners engaged in the development of the research report(s) (i.e., development and participation; participation only; not engaged) A5. Facilitation of collaboration and information exchange for Regulators (e.g., continued coordination of 30 by 30 working group, communications that address Regulator needs) A6. We held 3 to 4 annual meeting with Regulators
	B. Representation of women is increasing within every step of the pipeline: students at HEIs, graduates, engineers-in-training (EITs), newly licensed engineers, and engineers	B1. Reporting on national and regional metrics: • Provide tools for Regulator tracking and reporting on metrics related to 30 by 30 B2. Annual publication of National Membership Report B3. Annual collection of Regulator scorecard metrics B4. Annual scorecard summary presented to Board and CEO Group B5. 3-4 Regulators are involved in the development and use of target
	C. Employers have information that enables them to make their workplaces more equitable, diverse, and inclusive	C1. Completing addressing of the recommendations in the GBA+ report* regarding engaging employers C2. Creating a national strategy to engage employers with buy-in from the Regulators and building on the existing 30 by 30 network of Champions C3. All Regulators contribute a national 30 by 30 employer strategy C4. Recognizing employer excellence in 30 by 30
	D. Lessons learned from the 30 by 30 work inform initiatives in support of increasing representation of under-represented groups including but	D1. Execution of annual 30 by 30 conference from 2022 to 2024 and inviting Regulators, HEIs and employers to contribute to a culture change in the engineering profession at a high profile,

Strategic priority	What does success look like	How will we measure success in 2024?
	not restricted to Indigenous, racialized, and LGBTQ2+ persons	widely accessible national event, featuring best practices, key research, and actionable tools D2. The number of Regulators contributing and participating to the development of the conference D3. The number of employers: contributing and participating in the conference D4. Completion of national resources that respond to recommendations and best practices outlined in previous research. For example, a resource that can be used by Regulators to improve their licensure assistance and employer awareness programs based on the 2021 GBA+ report* on national Licensure Assistance Program and Employee Awareness Program D5. The number of Regulators participating and promoting the national resources *Definition: GBA+ is an analytical process created by Status of Women Canada; used across the country by the federal government and also well-known across most sectors; considers multiple and diverse intersecting identity factors that impact how different people understand and experience initiatives
SP2.2, Reinforce trust and the value of licensure	A. Targeted public audiences perceive engineers as trustworthy and recognize engineering as a licensed profession	A1. Pre- and post-campaign audience perception research A2. Number of impressions and actions A3. Value of earned media* A4. Number and sentiment* of online interactions *Definitions: • Earned media – news coverage in media • Earned media value – the estimated value of news coverage • Sentiment analysis – an analysis of the tone of comments
	B. Engineering graduates and EITs recognize value in licensure	B1. Pre- and post-campaign perception research targeting engineering graduates and EITs B2. Number of impressions and actions

Strategic priority	What does success look like	How will we measure success in 2024?
		B3. Number and sentiment of online interactions
	C. Regulators have a valuable national messaging framework and marketing support tools	C1. Number of Regulators engaged in the development of the framework and tools and the nature of their involvement C2. Identification by Regulators of where and how the messaging and support tools will be used and follow up to confirm use C3. Ongoing feedback received on the project
SP3.1, Uphold our commitment to excellence	A. Regulators, HEIs, and the engineering community benefit from effective delivery of products and services	A1. Achieve platinum certification as part of external benchmarking
	B. Staff benefit from increased engagement and retention, working in motivated teams, and improved health	B1. Achieve platinum certification as part of external benchmarking
	C. Engineers Canada benefits from sustainment of a high level of performance	C1. Achieve platinum certification as part of external benchmarking

MINUTES OF THE 224th ENGINEERS CANADA BOARD MEETING

March 1, 2024, 08:30am-4:30pm (ET)

Hybrid meeting: Chateau Laurier, Ottawa, ON | Zoom

The following Directors were in attendance:	
N. Hill, President (Chair), PEO	T. Joseph, APEGA
M. Winch, President-Elect, Engineers & Geoscientists BC	H. Kennedy, APEGA (Virtual)
K. Baig, Past President, OIQ (Virtual)	T. Kirkby, PEO
A. Anderson, Engineers Yukon (Virtual)	S. Larivière-Mantha, OIQ
A. Arenja, PEO	M. Mekomba, OIQ (Virtual)
N. Avila, APEGA	D. Nedohin-Macek, Engineers Geoscientists MB
E. Barber, APEGS	M. Rose, APEGNB
C. Bellini, PEO	D. Spracklin-Reid, PEGNL (Virtual)
G. Connolly, Engineers PEI	M. Sterling, PEO
C. Cumming, Engineers Nova Scotia	N. Turgeon, OIQ
A. English, Engineers & Geoscientists BC (Virtual)	J. Van der Put, APEGA
S. Jha, NAPEG	
The following Directors sent regrets:	
The following CEO Group Advisor was in attendance:	
L. Daborn, Chair, CEO Group	
The following Direct Reports to the Board were in attendance:	
F. Collins, Chair, CEQB (Virtual)	G. McDonald, CEO
P. Cyrus, Chair, CEAB (Virtual)	L. Go, General Counsel and Corporate Secretary
The following observers were in attendance:	
Dan Abrahams, VP, PEO (Virtual)	Pal Mann, CEO, Engineers Nova Scotia
Gerry Antle, President, PEGNL (Virtual)	Jay Nagendran, CEO, APEGA
Kathryn Atamanchuk, President, Engineers Geoscientists MB (Virtual)	Marianne LeBlanc, president, Engineers PEI
Adam Donaldson, President, Engineers Nova Scotia	Jeff Pieper, Vice Chair, CEAB (Virtual)
Mark Fewer, CEO, PEGNL (Virtual)	Manon Plante, APEGA, President
Michael Gregoire, CEO, Engineers Geoscientists MB	Jennifer Quaglietta, CEO, PEO
Stormy Holmes, APEGS, Executive Director & Registrar	Tracey Stock, Incoming President, APEGA (Virtual)
Kimberley King, Engineers Yukon, Executive Director	Adam Wallace, Engineers Yukon, Vice President
Jim Landrigan, Engineers PEI, Executive Director / Registrar	Mary Wells, Chair, EDC (Virtual)
Catherine Betancourt Lee, VP, CFES (Virtual)	Heidi Yang, CEO, Engineers & Geoscientists BC
Michelle Mahovlich, President, EGBC	(Virtual)
The following staff were in attendance:	
Joan Bard Miller, Manager, Governance, Board Services	Michaela Ryan, Executive Assistant
Juliet Chou, Governance Coordinator	Julie Sendrowicz, Planning, Event, and Change
Nathan Durham, Manager, Public Affairs	Practitioner
Megan Falle, Manager, Regulatory Liaison (Virtual)	Kyle Smith, Manager, Regulatory Research and
Elise Guest, Assistant Manager, Accreditation (Virtual)	International Mobility (Virtual)
Trina Hubley, VP, Regulatory Affairs	Jeanette Southwood, VP, Corporate Affairs
Ryan Melsom, Secretary, CEQB	& Strategic Partnerships
Derek Menard, Director, Finance	Heidi Theelen, Director, Strategic Planning and
Melanie Ouellette, Manager, Strategic and Operational Planning (Virtual)	Organizational Excellence
Nicole Proulx, Director, Human Resources	Mya Warken, Secretary, CEAB

1. Opening

1.1 Call to order and approval of agenda

N. Hill, Engineers Canada President, called the meeting to order at 08:30 am ET. Participants were welcomed, the land was acknowledged, and Professional Engineers Day in Ontario was recognized.

Motion 2024-03-1D
Moved and seconded
THAT the agenda be approved and the President be authorized to modify the order of discussion.
Carried

Meeting rules and norms were reviewed.

N. Hill shared a diversity moment, focussed on Black History Month in February.

1.2 Declaration of conflict of interest

No conflicts were declared. Participants were reminded to declare a conflict at any time during the meeting, as necessary.

1.3 Review of previous Board meeting

a) Action item list
b) Board attendance list

The Board was satisfied with the action and attendance lists, as pre-circulated.

2. Executive reports

2.1 President's report

N. Hill updated the Board on her activities as the President of Engineers Canada since the previous Board meeting and shared a personal experience with regard to the importance of sharing pronouns with others. She also described how the generative discussion topic was selected for the Board meeting.

ACTION: The President will provide feedback to those Directors who suggested topics for the generative discussion.

2.2 CEO update

G. McDonald provided the Board with highlights of operational activities since the Board's December 4, 2023, meeting. Directors provided feedback on the "Pathway to ENGineering" portal which had been released during the past week as a "soft launch". Directors also sought further details on the agreement for Engineers Canada to provide support for Geoscientists Canada on a cost-recovery basis. It was clarified that the fees charged will be commensurate with the services provided and the order of magnitude is small. Moreover, staff answered clarifying questions with respect to the relationship with ChatterHigh.

2.3 CEO Group report

L. Daborn, CEO Group Advisor to the Board, updated the Board on the CEO Group's meeting held on February 29, 2024.

Through questions from the Board, it was clarified that support for the *National Statement of Collaboration* will be sought from the Regulators' respective governing bodies and not from the CEO Group as a whole. It was also suggested that at the Annual Meeting of Members (AMM) the Regulators would appreciate more rather than less information with regard to the Board's recommendation to increase per capita assessment fee in 2026.

2.4 Presidents Group report

M. Plante, President, APEGA, updated the Board on the President Group's meeting held on February 29, 2024. Clarifying questions about the presentation were asked and answered.

3. Consent agenda

3.1 Approval of minutes

THAT the minutes of the December 4, 2023 Board meeting be approved.

3.2 National Position Statements

THAT the following new National Position Statements be approved:

a) Building a Safer Future and more Resilient Future: Engineers' Role Strengthening Canada's Building Codes

b) Engineers' Contributions to Inclusive Design: Creating Accessible Environments

THAT the following updated National Position Statements be approved:

a) Transforming Indigenous Peoples Access to Post-Secondary Engineering Education

Motion 2024-03-2D
Moved and seconded
THAT consent agenda item 3.1 to 3.2 be approved.
Carried

4. Board business / required decisions

4.1 Annual Strategic Performance Report

G. McDonald presented the Annual Strategic Performance Report that was pre-circulated to the Board. He noted that the version of the report presented to the Members for information at the AMM in May would be revised to reflect the following corrections:

- SP1.3, Support the regulation of emerging areas:
  - 2023 budget = $12.5K
  - 2023 spending = $28.6K
- SP3.1, Uphold our commitment to excellence:
  - 2023 budget = $6.5k
  - 2023 spending = $2.5k
  - Variance a result of lower than anticipated travel costs.

The Board suggested minor edits for Q4 reporting for SP2.1 and 2.2 to ensure consistency in reporting with other initiatives. Clarifying questions were answered by the CEO.

Motion 2024-03-3D
Moved and seconded
THAT the Board approve the 2023 Annual Strategic Performance Report, as amended, for circulation to the Members for information at the 2024 Annual Meeting of Members.
Carried

With a view to continuous improvement, it was suggested that the goals for the next strategic plan be specific, measurable, achievable, relevant, and time-bound (SMART).

4.2 2025-2029 Strategic Plan

N. Hill presented the draft 2025-2029 Strategic Plan, on behalf of the Strategic Planning task force. The Plan and accompanying briefing note outlining the Plan's development were pre-circulated to the Board. The Plan's development was overseen by the Strategic Planning task force and encompasses feedback gathered through consultations.

Clarifying questions were asked and answered. Directors noted the need to adapt the Plan from time-to-time over its five-year implementation period. Under the strategic direction, Realizing our role in sustainability, the Board agreed to an amendment to indicate that Engineers Canada will "explore becoming" carbon neutral.

Motion 2024-03-4D
Moved and seconded
THAT the Board, on recommendation of the Strategic Plan Task Force, recommend to the Members approval of the 2025-2029 Strategic Plan, as amended.
Carried with two-thirds majority

Reflecting on the Board's equity, diversity and inclusion (EDI) training the day prior, it was suggested that as part of the forthcoming governance review, consideration be given to updating Engineers Canada's core purposes, which were included on page 3 of the Strategic Plan.

4.3 Collaboration Task Force (CTF)

C. Bellini provided an update on CTF activities. In his report, he confirmed for the Board that feedback on the *National Statement of Collaboration* to date had been positive overall and the requests for revisions had been minor. Further feedback is expected from the Regulators prior to the Statement being presented to the Board for approval at the April Board meeting.

ACTION: That the current draft of the *National Statement of Collaboration* be circulated to the Board for information.

4.4 Governance Committee report

A. Anderson, Governance Committee Chair, provided an update on behalf of the Governance Committee.

4.5 Board policy updates

A. Anderson presented for approval policy revisions proposed by the Governance Committee, all of which had been pre-circulated to the Board.

A request was made to adjust the formatting in Board policy 4.8, *Board Competency Profile,* section 4.8.3.A. to clarify the intent of the last line in the section. Directors acknowledged the operational nature of Board policy 7.4, *Board relationship with other organizations*. However, Directors also noted risks associated with external partnerships and suggested that the policy remain in force until alternative guidelines may be established.

ACTION: That the Governance Committee consider a plan to establish guidelines for organizational partnerships that may replace Board policy 7.4, *Partnerships with other organizations*.

Motion 2024-03-5D
Moved and seconded
THAT the Board split the motion into two separate items: first to approve revised Board policies, and secondly to consider rescinding Board policy 7.4, Partnerships with other organizations.
Carried

Motion 2024-03-6D
THAT the Board, on recommendation of the Governance Committee approve the following revised Board policies:

i. ***4.1, Board responsibilities***
ii. ***4.8, Board competency profile***
iii. ***4.9, Role of the Presidents (President-Elect, President, and Past President)***
iv. ***5.3, Financial condition***
v. ***5.7, Compensation and benefits***
vi. ***6.1, Board committees and task forces***
vii. ***7.12, Net assets***

Carried with two-thirds majority

Motion 2024-03-7D
THAT the Board, on recommendation of the Governance Committee
rescind Board policy 7.4, Board relationship with other organizations
Defeated

Post-script: It was announced in the meeting that the motion had carried. On Monday, March 4, 2024, L. Go, General Counsel and Corporate Secretary emailed the Board to clarify that the motion to rescind Board policy 7.4 had been defeated. While the motion received approval by a simple majority, section 5.7 of the bylaw states that a 2/3 majority is required to rescind a Board policy.

4.6 HR Committee report

A. Arenja provided an update on behalf of the HR Committee.

Questions about President-Elect eligibility requirements were answered by the President. It was also noted that further details can be found in the call for nominations sent via email by staff on behalf of the Past President.

4.7 2024 CEO objectives

A. Arenja, HR Committee Chair, presented the CEO objectives that were discussed by the HR Committee at its meeting on September 7, 2023, and pre-circulated to the Board. At the request of a Director, the CEO provided further details on staff efforts in advocating to the federal government.

The 2024 CEO objectives were amended under Strategic priority 1.2: Strengthen collaboration and harmonization, to include an objective to define the process to develop a system to identify and select national regulatory harmonization initiatives.

Motion 2024-03-8D
Moved and seconded
THAT the Board, on recommendation of the HR Committee, approve the 2024 CEO objectives, as amended.
Carried.

ACTION: That as part of its 2024-2025 work plan, the HR Committee will consider for the new CEO stretch objectives linked with the Strategic Plan.

4.8 CEO Search Committee report

A. Arenja, CEO Search Committee Chair, provided an update on behalf of the CEO Search Committee. Further updates were provided in-camera.

4.9 FAR Committee report

D. Nedohin-Macek, Finance, Audit, and Risk (FAR) Committee Chair, provided an update on behalf of the FAR Committee.

4.10 CEAB

P. Cyrus provided an update on behalf of the CEAB. It was confirmed that stakeholders would have an opportunity to provide feedback on the new software system for accreditation, Tandem, through the Accountability in Accreditation Evaluation.

ACTION: The Chair of the CEAB to confirm with staff that an evaluation strategy has been developed for Tandem.

4.11 CEQB

F. Collins provided an update on behalf of the CEQB.

4.12 Board's 30 by 30 Champion

T. Joseph provided an update on behalf of the 30 by 30 network. Clarifying questions were asked and answered.

ACTION: Staff will re-circulate to the Board the registration details for the 2024 30 by 30 Conference, along with the 30 by 30 signature block that may be added to Directors' email signatures.

ACTION: Staff to update the links included in the pre-circulated slides.

5. Generative discussion

Upon the President's recommendation, the Board agreed to defer the generative discussion.

6. Next meetings

The next Board meetings are scheduled as follows:

- April 3, 2024 (virtual)
- May 24, 2024 (Winnipeg, MB)
- June 17, 2024 (Osoyoos, BC)

7. In-camera sessions

7.1 Board Directors and Direct Reports

Motion 2024-03-9D
Moved and seconded
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, the Engineers Canada CEO, the chairs of the CEAB and CEQB, and the Secretary.
Carried

7.2 Board Directors, CEO, Board Secretary and external counsel

Motion 2024-03-10D
Moved and seconded
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, the Engineers Canada CEO, the Secretary, and external counsel.
Carried

ACTION: The President will provide an update to the CEO Group.

7.3 Board Directors and CEO

Motion 2024-03-11D
Moved and seconded
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, and the Engineers Canada CEO.
Carried

7.4 Board Directors only

Motion 2024-03-12D
Moved and seconded

THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors and HR Committee members.
Carried

8. Closing

With no further business to address, the meeting closed at 4:19pm ET.

Minutes prepared by J. Bard Miller, Manager, Governance, Board Services for:
Nancy Hill, B.A.Sc., LL.B., FCAE, FEC, P. Eng., President
Light Go, General Counsel and Corporate Secretary

MINUTES OF THE 225th ENGINEERS CANADA BOARD MEETING

April 3, 2024, 11:00am-1:00pm (ET)

Virtual meeting | Zoom

The following Directors were in attendance:	
N. Hill, President (Chair), PEO M. Winch, President-Elect, Engineers & Geoscientists BC A. Anderson, Engineers Yukon A. Arenja, PEO N. Avila, APEGA C. Bellini, PEO G. Connolly, Engineers PEI C. Cumming, Engineers Nova Scotia S. Jha, NAPEG	T. Joseph, APEGA H. Kennedy, APEGA T. Kirkby, PEO D. Nedohin-Macek, Engineers Geoscientists MB M. Rose, APEGNB M. Sterling, PEO N. Turgeon, OIQ J. Van der Put, APEGA
The following Directors sent regrets:	
K. Baig, Past President, OIQ E. Barber, APEGS A. English, Engineers & Geoscientists BC	S. Larivière-Mantha, OIQ M. Mekomba, OIQ D. Spracklin-Reid, PEGNL
The following CEO Group Advisor was in attendance:	
P. Mann, Chair, CEO Group	
The following Direct Reports to the Board were in attendance:	
F. Collins, Chair, CEQB P. Cyrus, Chair, CEAB	G. McDonald, CEO L. Go, General Counsel and Corporate Secretary
The following observers were in attendance:	
Dan Abrahams, VP, PEO Kathryn Atamanchuk, President, Engineers Geoscientists MB Lia Daborn, CEO, APEGNB Adam Donaldson, President, Engineers Nova Scotia Mark Fewer, CEO, PEGNL Jamie Grasley, interest holder, CFES Stormy Holmes, APEGS, Executive Director & Registrar Kimberley King, Engineers Yukon, Executive Director	Pal Mann, CEO, Engineers Nova Scotia Jeff Pieper, Vice Chair, CEAB Manon Plante, APEGA, President Jennifer Quaglietta, CEO, PEO Sarah Sternbergh, Engineers Yukon, President Heidi Yang, CEO, Engineers & Geoscientists BC Holly Young, President, APEGNB
The following staff were in attendance:	
Joan Bard Miller, Manager, Governance, Board Services Juliet Chou, Governance Coordinator Nathan Durham, Manager, Public Affairs Megan Falle, Manager, Regulatory Liaison Elise Guest, Assistant Manager, Accreditation Trina Hubley, VP, Regulatory Affairs Ryan Melsom, Secretary, CEQB Derek Menard, Director, Finance Ivan Ntale, Information Systems Analyst	Melanie Ouellette, Manager, Strategic and Operational Planning Nicole Proulx, Director, Human Resources Kyle Smith, Manager, Regulatory Research and International Mobility Jeanette Southwood, VP, Corporate Affairs & Strategic Partnerships Mya Warken, Secretary, CEAB

1. Opening

1.1 Call to order and approval of agenda

N. Hill, Engineers Canada President, called the meeting to order at 011:00 am ET. Participants were welcomed, and the land was acknowledged.

N. Hill noted that the generative discussion postponed from the March 1 Board meeting will be included on the agenda for the May Board meeting, which will be hybrid.

Motion 2024-04-1D
Moved and seconded
THAT the agenda be approved and the President be authorized to modify the order of discussion.
Carried

Meeting rules and norms were reviewed.

1.2 Declaration of conflict of interest

No conflicts were declared. Participants were reminded to declare a conflict at any time during the meeting, as necessary.

2. Board business / required decisions

2.1 2023 audited financial statements

D. Nedohin-Macek presented the 2023 audited financial statements that were pre-circulated to the Board. In her remarks, she noted that the auditors, Raymond Chabot Grant Thornton (RCGT), had reported a clean audit and expressed appreciation for the staff's work in supporting the audit process.

Staff confirmed that RCGT's audit process had been thorough and well done. Efficiencies are expected in future audits as RCGT becomes familiar with Engineers Canada.

The Board expressed its appreciation to management for the work completed on the audit.

Motion 2024-04-2D
Moved and seconded
THAT the Board, on recommendation of the FAR Committee, approve the Engineers Canada financial statements for the year ending December 31, 2023, as audited by Raymond Chabot Grant Thornton, and be placed before the Members at the 2024 Annual Meeting of Members.
Carried

2.2 Statement of Collaboration

C. Bellini presented the Statement of Collaboration that was pre-circulated to the Board, on behalf of the Collaboration Task Force. He noted that to date, most changes requested from the Regulators have been minor and did not impact the intent of the Statement. The proposed

motion allowed for a provision for the Collaboration Task Force to make changes secretarially if needed given that the Councils of a few Regulators will be discussing the Statement prior to the May Board meeting.

It was confirmed that the intent was for the Regulators to make an initial five-year commitment to the statement; renewals may follow. It was also confirmed that there is no real conflict of interest for Directors who also serve on Regulator Councils to vote on the proposed motion.

Motion 2024-04-3D
Moved and seconded
THAT the Board recommend to the Members approval of the National Statement on Collaboration and mandate the Collaboration Task Force to make changes secretarially if required.
Carried with two-thirds majority

3. Next meetings

The next Board meetings are scheduled as follows:

- May 24, 2024 (Winnipeg, MB)
- June 17, 2024 (Osoyoos, BC)
- October 10, 2024 (Ottawa, ON)
- December 9, 2024 (virtual)
- February 28, 2025 (Ottawa, ON)
- April 2, 2025 (virtual)
- May 23, 2025 (TBD, BC)

With regard to the Board's workshop in June, the CEO noted that his team would follow up with the Board to coordinate ridesharing amongst Directors.

4. In-camera sessions

4.1 Board Directors and Direct Reports

Motion 2024-04-4D
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors, the Engineers Canada CEO, the chairs of the CEAB and CEQB, and the Secretary.
Carried

4.2 Board Directors and CEO

Motion 2024-04-5D
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors and the Engineers Canada CEO.
Carried

4.3 Board Directors only

Motion 2024-04-6D
THAT the meeting move in-camera and be closed to the public at the recommendation of the Board. The attendees at the in-camera session shall include Board Directors.
Carried

5. Closing

With no further business to address, the meeting closed at 11:48 am ET.

Minutes prepared by J. Bard Miller, Manager, Governance, Board Services for:
Nancy Hill, B.A.Sc., LL.B., FCAE, FEC, P. Eng., President
Light Go, General Counsel and Corporate Secretary

BRIEFING NOTE: For information

List of partnership organizations	3.2
Purpose:	To update the Board on Engineers Canada partnerships with external organizations
Link to the Strategic Plan / Purposes:	Work contributes to various strategic priorities, operational imperatives, and Board responsibilities
Link to the Corporate Risk Profile:	Decreased confidence in the governance functions
Prepared by:	Kim Bouffard, Manager, Belonging and Engagement Jeanette Southwood, Vice President, Corporate Affairs and Strategic Partnerships
Presented by:	Gerard McDonald, Chief Executive Officer

Background

- Board policy 7.4, *Board Relationship with External Organizations*, directs the Engineers Canada CEO to submit periodically to the Board, for information, a list of partnership relationships with external organizations. In accordance with the policy, this list shall include the cost, if any, as well as the purpose of the relationship and its outcomes to date.
- Board policy 7.4 defines a partnership as "any relationship between Engineers Canada and an external organization that has an impact on achievement of the Strategic Plan or a significant financial or resource impact."

Status update

- A list of Engineers Canada's current partnerships has been prepared and is included as an appendix. The list excludes operational service providers and vendors, and our affinity partners.

Next steps

- Partnerships are reviewed periodically by the Engineers Canada CEO to ensure that they continue to meet the criteria in Board policy 7.4, deliver on the intended purpose, and deliver value through achievement of the intended outcomes.
- An updated partnership list will be submitted to the Board, for information, in May 2025.

Appendix

- **Appendix 1:** List of partnership organizations

Board policy support document

List of Engineers Canada partnerships with external organizations

A partnership is defined as "any relationship between Engineers Canada and an external organization that has an impact on achievement of the Strategic Plan or a significant financial or resource impact."

Current Engineers Canada partnerships

Please note: the partnership list excludes service and vendor providers and our affinity partners.

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
ABET (Accreditation Board for Engineering and Technology)	**Nature of commitment**: Informal **Cost:** ~$7,000 (participation in F2F meeting)	**Increase organization success:** Ongoing exchange of knowledge and access to like organization has informed and guided accreditation.	CP1, SP1.1, CP7
AISES (American Indian Science and Engineering Society) in Canada	**Nature of commitment**: Sponsorship **Cost:** $5,000 (Travel sponsorship for students to attend annual conference)	**Increase organizational success:** Ongoing exchange of knowledge and understanding of needs of Indigenous engineers. **Drive broader social and systems change:** Building community and supporting success for Indigenous engineers.	CP9
Association of Accrediting Agencies of Canada	**Nature of commitment:** Membership **Cost:** $920 (membership)	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided accreditation.	CP1, SP1.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Association of Consulting Engineering Companies-Canada (ACEC)	**Nature of commitment:** Informal **Cost**: $0	**Drive broader social and systems change:** 30 by 30 Champion and working on supporting the increase of women in engineering.	CP5, CP8, CP9, SP2.1
Black Engineers of Canada	**Nature of commitment:** Formal - MOU **Cost**: $0	**Increase organizational success:** Ongoing exchange of knowledge and understanding of needs of Black engineers. Specifically, we previously provided one-time funding to support the development and launch of their website and to hire a consultant to support research and development of strategic plans for charitable status. **Drive broader social and systems change:** Building community and supporting success for Black engineers.	CP6, CP9
Canadian Academy of Engineering (CAE)	**Nature of commitment**: Informal **Cost**: $0	**Increase organizational success:** Ongoing exchange of knowledge and access to network of engineering experts for participation in Future City and National Engineering Month, and in the development of National Position Statements.	CP5, CP7, CP8, CP9, SP2.1
Canadian Council for Aboriginal Business (CCAB)	**Nature of commitment:** Membership **Cost:** $1,000	**Increase organizational success:** Increase access to Indigenous businesses, leaders, professionals, and reconciliation best practices. **Drive broader social and systems change:** Building awareness and supporting success for Indigenous engineers.	CP9

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Canadian Centre for Women in Science, Engineering, Trades and Technology (WinSETT)	**Nature of commitment**: Informal **Cost**: $0	**Increase organizational success:** Able to increase accessibility of WinSETT Leadership Program for women in engineering. **Drive broader social and systems change:** Supporting SP2.1.	CP9, SP2.1
Canadian Chamber of Commerce	**Nature of commitment:** Membership **Cost:** $3,500	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided work related to public policy, government relations, regulatory research and foreign credential recognition.	CP5, CP6, CP7
Canadian Coalition of Women in Engineering, Science, Trades and Technology (CCWESTT)	**Nature of commitment**: Sponsorship **Cost**: $1,000 Member at Large position for Engineers Canada on CCWESTT Board	**Maximize resources:** Able to provide women in engineering a national conference, networking opportunities, and professional development. **Increase organizational success:** Ongoing exchange of knowledge and access to network of organizations supporting women in engineering. **Drive broader social and systems change:** Supporting SP2.1.	CP5, CP8, CP9, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Canadian Engineering Education Association (CEEA)	**Nature of commitment**: Sponsorship **Cost:** $20,000	**Increase organizational success:** Direct access to Associate Deans, Faculty, and other staff engaged in the accreditation system, including involvement in networking groups for the development and implementation of graduate attribute/continual improvement systems. Supports knowledge exchange, access to Canadian scholarship in engineering education, provides an annual opportunity to provide training to higher education institutions (HEIs) and potential volunteers. In-person communication vehicle by having a physical presence in the Canadian engineering education space. Access to special interest groups (SIGS) related to Engineers Canada's Strategic Plan and goals.	SP1.1, CP1, CP9
Canadian Federation of Engineering Students (CFES)	**Nature of commitment:** MOU, and sponsorship of the CFES' four key meetings: Leadership Congress, Conference on Diversity in Engineering, Conference on Sustainability in Engineering, and the Canadian Engineering Competition **Cost:** $25,000	**Increase organizational success:** Access and direct engagement of undergraduate engineering students increasing our reach and brand recognition to promote the value of licensure.	CP8, CP9, SP1.1, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Canadian Indigenous Advisory Council to AISES (CIAC)	**Nature of commitment:** We are a voting member **Cost:** $0	**Increase organizational success:** Ongoing exchange of knowledge and understanding of needs of Indigenous engineers and students. **Drive broader social and systems change:** Building community and supporting success for Indigenous engineers.	CP9
Canadian Institute of Planners / Canadian Society of Landscape Architects / Royal Architecture Institute of Canada	**Nature of commitment:** Letter of understanding **Cost:** $0	**Increase organizational success:** Ongoing exchange of knowledge, thought and access to network of peers.	CP5, CP8, CP9, SP2.1
Canadian Network of Agencies for Regulation	**Nature of commitment:** Membership **Cost:** $1,200 (membership)	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided regulatory work, in particular for regulatory research to provide information to the Regulators of best and new practices.	CP2, CP6
Canadian Society of Association Executives	**Nature of commitment**: Membership **Cost:** $1,750 (membership)	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided internal operations and governance.	Board responsibilities, Operations
Council of Engineering and Scientific Society Executives	**Nature of commitment:** Membership **Cost:** $180 US (membership)	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided operations and governance.	Board responsibilities, Operations

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Council on Licensure Enforcement and Regulation	**Nature of commitment:** Membership **Cost:** $525 US (membership)	**Increase organizational success:** Ongoing exchange of knowledge and access to network of peers has informed and guided regulatory work, in particular, for regulatory research to provide information to the Regulators of best and new practices.	CP2, CP6
DiscoverE	**Nature of commitment:** Letter of understanding **Cost:** $0	**Increase organizational success:** Through access to Future City resources offered by DiscoverE, we engage over 3,500 teachers and elementary students annually with minimal effort and resources. The design of the program is based in best practices around intersectionality and youth engagement. **Drive broader social and systems change:** Engineers Canada nominates Canadian engineers to be featured on Persist Series webinars, promoting women in engineering and their success stories. Promotional partner of Global Marathon in Canada as free professional development for women engineers.	CP8, CP9, SP2.1
Electricity Human Resources Council	**Nature of commitment:** Participation in steering and advisory committees **Cost:** $0	**Increase organizational success:** Ongoing exchange of knowledge, thought and access to network of peers has informed and guided our best practices in diversity and inclusion (e.g., staying on top of current information and benchmarking practices).	CP9, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Engineers of Tomorrow	**Nature of commitment:** Letter of understanding and sponsorship **Cost:** $20,000	**Increase organizational success:** This organization specializes in recruiting, training, and placing engineers in classrooms for the purpose of engineering career awareness. In addition to managing the execution of the Future City Experience Program, Engineers of Tomorrow provides year-round support for engineer placements in classrooms through their Engineers in Residence Program. **Maximize resources:** Through this organization we recruit, train, place and provide ongoing support to over 200 engineer volunteers and 100 classrooms annually across Canada through the Future City Program. We are supporting a pilot expanding this support service to Regulators with EngGeoMB.	CP8
Engendering Success in STEM (ESS)	**Nature of commitment:** Sponsorship **Cost:** $7,500/year over 5 years; $1,800/year (participation in F2F meetings)	**Increase organizational success:** Ongoing exchange of research and data. **Drive broader social and systems change:** Supporting research on diversity and inclusion, implicit bias, and gender stereotypes in engineering.	CP8, CP9, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Engineering Deans Canada (EDC)	**Nature of commitment:** Informal **Cost:** ~$10,000 (participation in F2F meetings) and in-kind hours **Revenue**: $40,000	**Increase organizational success:** Direct access to deans of engineering faculties across the country. Supports knowledge exchange and communication vehicle to reach a large number of accreditation stakeholders. In-person communication vehicle by having a physical presence at biannual EDC meetings and by having EDC presence at CEAB meetings, sub-committee meetings, and participation in working groups and taskforces. **Drive broader social and systems change:** A key player in consultations on change to CEAB accreditation criteria, policies, and procedures. A source of feedback on accreditation improvements. Collaboration on diversity, equity, and inclusion work including 30 by 30 and Indigenous access to engineering. **Provide services to EDC:** Including secretariat services, banking and account management, and provision of customized resource reports as part of the Enrolment and Degrees Awarded annual survey. Secretariat services are contracted out, so the $40,000 revenue is a flow-through.	SP 1.1, SP2.1, CP1, CP8, CP9

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
EngiQueers	**Nature of commitment:** Informal **Cost:** $10,000 (sponsorship for conference)	**Increase organizational success**: Access to and direct engagement of undergraduate engineering students increasing our reach and brand recognition particularly during National Engineering Month. **Drive broader social and systems change:** Supporting inclusion of 2SLGBTQ+ students and professionals in engineering.	CP8, CP9, SP2.1
Girl Guides	**Nature of commitment:** Letter of understanding **Cost:** $5,000 annually via Girl Guide Crest Program	**Maximize resources**: Able to provide young girls with engineering activities and opportunities to directly engage with an engineer without having to organize, manage or financially support the activities. **Increase organizational success:** Ongoing exchange of knowledge, thought and access to network of young girls and educational professionals outside of the school system across Canada. Alignment of Girl Guides Canada's STEM programing with engineering. **Drive broader social and systems change**: Opportunities to experiment with different solutions to a problem (increase women in engineering).	CP8, CP9, SP2.1
Geoscientists Canada	**Nature of commitment:** Informal **Cost:** $6,100(internal staff effort) **Revenue:** $6,100	**Increase organizational success:** many of our regulators also regulate Geoscientists and ask that where appropriate that we include Geoscientists. **Provide services to Geoscientists Canada:** Including full IT support, payroll processing, mailing address and general facilities services.	CP8, CP9, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
International Engineering Alliance	**Nature of commitment:** Membership **Cost:** $7,500 (membership) ~$66,000 (participation in F2F meetings)	**Increase organizational success:** Ongoing exchange of knowledge, and access to network of peers has informed and guided regulatory work, in particular for international mobility, to provide means to streamline Regulators' licensure processes. **Drive broader social and systems change**: To be party to and have influence in international agreements at the academic and professional level.	SP 1.1, CP1, CP2, CP6, CP7
National Council of Examiners for Engineering and Surveying (NCEES)	**Nature of commitment:** Informal **Cost:** ~$8,000 (participation in F2F meeting)	**Increase organizational success:** Ongoing exchange of knowledge and access to like organization has informed and guided regulatory affairs and governance.	CP2, CP3, CP6, CP7
National Society of Professional Engineers (NSPE)	**Nature of commitment:** Informal **Cost:** ~$8,000 (participation in F2F meeting)	**Increase organizational success:** Ongoing exchange of knowledge and access to like organization has informed and guided regulatory affairs.	CP2, CP3, CP6, CP7
Ontario Network of Women in Engineering (ONWiE)	**Nature of commitment:** Informal **Cost:** $0	**Increase organizational success:** Ongoing exchange of research and data on women in engineering. **Drive broader social and systems change:** Supporting Go ENG Girl promoting engineering women young girls.	CP8, CP9, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Ontario Society of Professional Engineers (OSPE)	**Nature of commitment:** Formally 30 by 30 Champion and informally for National Engineering Month **Cost:** $0	**Increase organizational success**: Sharing of resources on diversity and inclusion. Strengthens consultation network by providing perspective on advocacy issues within Canada's largest jurisdiction. **Drive broader social and systems change**: Active member of 30 by 30 Champions network to increase women in engineering.	CP5, CP8, CP9, SP2.1
Ontario Tech University (OTU)	**Nature of Commitment:** Formal **Cost: $**0	**Increase organizational success:** Partnered with OTU to provide a national Future City Experience Showcase. OTU has taken the lead in the organization and implementation of the showcase for the Future City Experience Program.	CP8
Polytechnique Montreal	**Nature of commitment:** Partnership agreement for massive open online course (MOOC) – Sustainability in Practice, **Cost:** $0	**Increase organizational success:** Broadening awareness and uptake of QB National Practice Guideline on Sustainable Development and Environmental Stewardship by engineers in all jurisdictions and increasing the profile of Engineers Canada. **Drive broader social and systems change:** Provides widely accessible CPD in Canada and internationally to foster change and excellence in engineering practice to consider sustainable development, climate change and environmental stewardship.	CP8, SP2.1

Organization	Partnership commitment	Purpose and outcomes of partnership	Strategic alignment
Society of Women Engineers (SWE)	**Nature of commitment:** Informal **Cost:** $0	**Increase organizational success**: Sharing of research and information on women in engineering. **Drive broader social and systems change**: Creating and supporting a network and community for women engineers.	CP9, SP2.1
Women in Engineering (WES) Summit	**Nature of commitment:** 30 by 30 Champion **Cost**: $0	**Increase organizational success**: Sharing of knowledge and information on women in engineering. **Drive broader social and systems change**: Creating and supporting a network and community for women engineers.	CP9, SP 2.1
World Federation of Engineering Organizations	**Nature of commitment:** Membership **Cost:** $8,000	**Maximize resources:** Maintain contact and foster relationships with national member engineering organizations in more than 90 countries. Information on strategies, practices and policies for engineering education in these countries, and the promotion of engineering to women and youth. **Drive broader social and systems change:** Work together with secretariat and member countries to expand and enhance the profile of engineers and engineering at the international level and with Canadian federal government.	CP1, CP7, CP8, CP9, SP2.1

engineerscanada
ingénieurscanada

Legend

Subcategory (Area)	Description
Partnership commitment	Includes the nature of relationship (formal, informal) and overhead cost associated with maintaining this relationship.
Purpose of relationship and outcomes to date	**The purpose of our strategic partnerships can be summarized as follows:** 1. **Maximize resources (boost organizational efficiency):** as an organization through this partnership we can accomplish our work more quickly and with fewer resources. "How this partnership helps us to maximize the desirable results, using the least amount of money and time" (Examples: cost savings, shared resources) 2. **Increase organizational success (effectiveness)**: how this partnership has contributed to the success and advancement of our stated objectives. (Examples: collective influence (joint programs, marketing), shared knowledge and thought exchange, awareness and recognition). 3. **To drive broader social and systems change**: leveraging our own efforts to achieve broader systems change in conjunction with other players. **Outcomes to date** refers to specific examples of how we have/are realizing the purpose of the partnership.
Strategic alignment	Refers to alignment of the partnership as it relates to Engineers Canada's *2022-2024 Strategic Plan* and objectives.

BRIEFING NOTE: For information

Update on the 50-30 Challenge	3.3
Purpose:	To provide an update on Engineers Canada's participation in the federal government's 50-30 Challenge
Link to the Strategic Plan / Purposes:	2022-2024 strategic priority 2.1 (SP2.1): Accelerate 30 by 30 Core purpose 9: Promote diversity and inclusion in the profession that reflects Canadian society
Link to Corporate Risk Profile	Insufficient representation of marginalized groups
Prepared by:	Jeanette Southwood, Vice President, Corporate Affairs and Strategic Partnerships Kim Bouffard, Manager, Belonging and Engagement
Presented by:	Gerard McDonald, Chief Executive Officer

Background

- Engineers Canada's Board committed to the 50-30 Challenge in May 2021.
- In October 2020, the Minister of Innovation, Science and Industry launched the federal government's "50-30 Challenge". The objective of the challenge is to advance diversity and inclusion with the aim of improving representation of women and underrepresented groups on corporate boards and in senior management, over time.
- The 50-30 Challenge asks participating organizations to voluntarily take action and make two commitments, towards which they will report regularly on progress:
  1. **Gender** parity ("50 per cent women and/or non-binary people") on boards and in senior management; and
  2. Significant representation ("30 per cent") on boards and in senior management of other **underrepresented groups**, including racialized Canadians, Indigenous people, people with disabilities, and members of 2SLGBTQ+ communities.
- Currently, there are 2,531 participating organizations in total.

Status update

- Engineers Canada is working to raise awareness of equity, diversity, and inclusion (EDI) amongst staff, the Board, and Regulators through training and sharing of resources. Several activities have been undertaken since the last 50-30 Challenge update to the Board in May 2023.
- As part of our work on SP2.1, Engineers Canada launched an Employer Task Force as well as the development of a national research strategy. In addition, Engineers Canada published an updated Managing Transitions Guide to support the creation of safe, open, and inclusive environments to ensure maternity and parental leaves are positive and enjoyable experiences.
- In 2024, Engineers Canada also presented at and participated in EngiQueers Canada's conference for a second year in a row.
- Engineers Canada signed a Memorandum of Understanding with Black Engineers of Canada.

- Included in the call for nominees to the Board, Regulators were asked to consider Engineers Canada's commitment to the 50-30 Challenge. Moreover, Regulators were encouraged to submit a list of nominees to fill upcoming vacancies as opposed to only one nominee as has been done in the past.
- Board Directors participated in EDI training on February 29, 2024, in Ottawa, delivered by EDI thought partner, Amorell Saunders N'Daw. As part of the training, Directors were asked to consider the Board's role in realizing inclusivity in the boardroom.
- Engineers Canada held its annual 30 by 30 Conference: Turning Knowledge Into Action for Gender Equity in Engineering in two parts, a virtual session on April 24 and an in-person summit on May 22. The conference focused on leadership by higher education institutions (HEIs), regulators, and employers.
- The following tables illustrate demographics for the Board and the senior leadership team (SLT), collected through 2022, 2023, and 2024 self-assessment surveys.

Gender

	Board Directors			Senior Leadership Team		
	2022	2023	2024	2022	2023	2024
% Women and gender non-conforming	39%	-*	-*	63%	50%	-*
% Women (including women with trans experience)	-*	26%	37.5%	-*	50%	50%
% Men (including men with trans experience)	30%	53%	50%	25%	50%	50%
% Prefer not to say	4%	5%	0%	13%	0%	0%
% Gender-non-conforming/non-binary/gender fluid	-*	5%	6.25%	0%	0%	0%
% Another category of gender	-*	11%	6.25%	-*	-*	0%
Number that **did not answer** the question	6	4	7	0	0	1

** Indicates that this question was not asked in the survey*

Underrepresented groups

	Board Directors			Senior Leadership Team		
	2022	2023	2024	2022	2023	2024
% Underrepresented groups (i.e. racialized Canadians, Indigenous people, people with disabilities, and members of 2SLGBTQ+ communities, black, person of colour)	17%	7%	31.25%	25%	25%	50%
% Do not identify as a member of an underrepresented group	61%	73%	68.75%	75%	75%	50%
I prefer not to say	-*	20%	-*	0%	0%	0%
Number that **did not answer** the question	5	4	7	0	0	1

** Indicates that this question was not asked in the survey*

Results Summary

As mentioned in the Background section, the 50-30 Challenge asks participating organizations to report regularly on progress towards:

- gender parity ("50 per cent women and/or non-binary people") on boards and in senior management; and
- significant representation ("30 per cent") of other underrepresented groups, including racialized Canadians, Indigenous people, people with disabilities, and members of 2SLGBTQ+ communities on boards and in senior management. The following is a summary of 2022, 2023 and 2023 results collected through 2022, 2023, and 2024 self-assessment surveys.

	Board Directors			Senior Leadership Team		
	2022	2023	2024	2022	2023	2024
Gender parity (% Women and/or non-binary people)	39%	31%	43.75%	63%	50%	50%
Significant representation (% Underrepresented groups; i.e. racialized Canadians, Indigenous people, people with disabilities, and members of 2SLGBTQ+ communities, black, person of colour)	17%	7%	31.75%	25%	25%	50%
Number that **did not answer** the question	6* 5**	4	7	0	0	1

** Gender parity question*

*** Significant representation question*

Next Steps

- Engineers Canada's HR Director is developing an internal EDI training plan for staff and volunteers and exploring how we measure and benchmark our work to existing EDI workplace standards.

Appendix

- None.

BRIEFING NOTE: For decision

CEAB appointments	3.4
Purpose:	To approve four new appointments and two re-appointments to the CEAB for terms starting July 1, 2024
Link to the Strategic Plan / Purposes:	Core purpose 1: Accrediting undergraduate engineering programs
Link to the Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Motion(s) to consider:	*THAT the following CEAB appointments be approved for the period July 1, 2024 to June 30, 2027:* • Adel Omar Dahmane, member from Quebec (new member) • Aparna Verma, member from the North (new member) • Morteza Esfehani, member-at-large (new member) • Marie-Isabelle Farinas, member-at-large (new member) • James (Jim) K. W. Lee, member-at-large (second term) • Christine Moresoli, member-at-large (new member) • Ramesh Subramanian for Ontario (third term)
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Mya Warken, Manager, Accreditation and CEAB Secretary
Presented by:	Ernest Barber, Senior Director Appointee to the CEAB

Problem/issue definition

- As per Board policy 6.9, *Canadian Engineering Accreditation Board* (CEAB), James (Jim) K.W. Lee is eligible for a second 3-year term and Ramesh Subramanian is eligible for a third 3-year term. APEGS confirmed James (Jim) K.W. Lee's good standing and PEO confirmed support for Ramesh Subramanian's re-appointment.
- A national call for expressions of interest was distributed through *Engineering Matters, Accreditation Matters,* Engineers Canada's weekly CEO Update, to members of Engineering Deans Canada (EDC), and to members of the CEAB who were encouraged to share the call within their networks. The call was also sent to individuals who responded to previous calls for members-at-large who met at least one of the skills and/or qualifications sought.
- The CEAB's Nominating Committee reviewed all nominations and determined that Morteza Esfehani, Marie-Isabelle Farinas, and Christine Moresoli best fit the desired profile for members-at-large. The candidates have confirmed their willingness to serve, should they be appointed by the Engineers Canada Board. Their regulators have confirmed their good standing.
- Working with l'Ordre des ingénieurs du Québec (OIQ), the CEAB Nominating Subcommittee sought the appointment of a representative from Québec as suggested under Board policy 6.9. OIQ has put forward Adel Omar Dahmane to serve in this capacity.

- Working with Engineers Yukon and NAPEG, the CEAB Nominating Subcommittee sought the appointment of a representative from Yukon, the Northwest Territories, or Nunavut, as suggested under Board policy 6.9. Engineers Yukon and NAPEG have put forward Aparna Verma to serve in this capacity.
- The CEAB's Nominating Subcommittee supports all appointments as above.

Proposed action/recommendation

- That the Board approve the appointments, for the noted terms.

Other options considered

- None.

Risks

- Given that all nominees have received their Regulator's support and/or confirmation of their good standing, there is no risk with proceeding with the appointments.

Financial implications

- There are no financial implications associated with the appointments.

Benefits

- The CEAB will benefit from having a sustained membership to support its work.

Consultation

- Regulator support and/or confirmation of good standing was received for the nominations.

Next steps (if motion approved)

- The Chair of the CEAB Nominating Subcommittee, Senior Director Appointee Ernest Barber, will advise the individuals of their appointments.

Appendix

- **Appendix 1:** New nominee profiles (summary of key facts)

New nominee profiles
CEAB nominations 2024

Key facts about Morteza Esfehani, ing., P.Eng., Ph.D.

- Director of Geotechnical Expertise, WSP Canada
- Has a geotechnical engineering background.
- Is fluent in both French and English

Key facts about Marie-Isabelle Farinas, ing. Ph.D

- Professor, Université du Québec à Chicoutimi
- Has served on one accreditation visiting team, most recently in 2024.
- Has a mechanical engineering background
- Is fluent in French and English.

Key facts about Christine Moresoli, Dr es Sc. Tech, ing.

- Professor, University of Waterloo
- Has served on six accreditation visiting teams, most recently in 2022
- Has a chemical engineering background
- Is fluent in French and English.

Key facts about Adel Omar Dahmane, ing., Ph.D.

- Interim Vice-recteur of Academic Affairs and Training, Université du Québec à Trois-Rivières
- Has served on two accreditation visiting teams, most recently in 2024
- Has an electrical engineering background
- Is fluent in French and English.

Key facts about Aparna Verma

- Manager & Chief Operations Officer – and Gas Operations, Energy, Mines and Resources, Government of Yukon
- Has a mechanical engineering background

BRIEFING NOTE: For decision

CEQB appointments	3.5
Purpose:	To approve four CEQB appointments and reappointments for period July 1, 2024 to June 30, 2027
Link to the Strategic Plan / Purposes:	Core purpose 3: Providing services and tools that; enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada
Link to the Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Motion(s) to consider:	*THAT the following CEQB appointments be approved for the period July 1, 2024 to June 30, 2027:* • John Diiwu, Member-at-large (new member) • Rishi Gupta, representative for British Columbia (new member) • Kamran Behdinan, member-at-large (second term) • Marcie Cochrane, member-at-large (second term)
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Ryan Melsom, Manager, Qualifications and CEQB Secretary
Presented by:	Marisa Sterling, Director from Ontario, Senior Director Appointee to the CEQB

Problem/issue definition

- As per Board policy 6.10, *Canadian Engineering Qualifications Board (CEQB),* Kamran Behdinan and Marci Cochrane are eligible for 3-year term renewals. Requirements for this re-appointment were confirmed by the CEQB's Nominating Committee, and the member's home Regulators (PEO and EGBC, respectively) confirmed support for the nomination, in keeping with requirements of the nominations process outlined in Board policy 6.10.
- Under the current Board policy 6.10, *Canadian Engineering Qualifications Board (CEQB),* the nominations of John Diiwu and Rishi Gupta were confirmed by their respective home regulators (APEGA and EGBC), as per the requirements established in Board policy 6.10.

Proposed action/recommendation

- That the Board approve the appointments, for the noted terms.

Other options considered

- None.

Risks

- Given that all nominees have received their Regulator's support, there is no risk with proceeding with the appointments.

Financial implications

- There are no financial implications associated with the appointments.

Benefits

- The CEQB will benefit from having a sustained membership to support its work.

Consultation

- Regulator support was received for the nominations.

Next steps (if motion approved)

- The Chair of the CEQB Nominating Committee, Senior Director Appointee Chris Zinck, will advise the individuals of their appointments.

Appendix

- **Appendix 1:** New nominee profiles (summary of key facts)

Summary of Nominees

John Diiwu, Ph.D., FEC, P.Eng.(AB & BC), E.P. (Member-at-Large)

- P.Eng. for 15 years
- Extensive combination of industry, academia, and public sector experience
- Member of APEGA Investigations Committee for 10 years
- Extensive technical expertise and publishing record in hydrology, sustainable water management, water resource engineering, and related topics
- Registered in Alberta and British Columbia

Rishi Gupta, Ph.D., FEC, P.Eng (BC), (BC Regional Representative)

- P.Eng. for 16 years
- Professor and Director of CAMTEC at University of Victoria
- Civil engineer by training
- Member, Academic Examiners Subcommittee (formerly the Board of Examiners) at Engineers and Geoscientists BC (since July 2018)
- Holder of 4 patents, and track record of over 110 academic publications

BRIEFING NOTE: For information

Risk register / Corporate Risk Profile	4.1
Purpose:	To provide risk oversight
Link to the Strategic Plan/Purposes:	Board responsibility: Provides risk identification and oversight
Link to Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Prepared by:	Mélanie Ouellette, Manager, Strategic and Operational Planning
Presented by:	Dawn Nedohin-Macek, Chair of the Finance, Audit and Risk (FAR) Committee

Background

- The Board is informed of risks through:
  - briefing notes that guide decision making at meetings,
  - the Corporate risk profile and Risk registers which are presented at least annually, and
  - updates by the FAR Committee when required.
- In-depth reviews of the Corporate risk profile and Risk registers are conducted as follows:
  - **Annually –** As per Board policy 6.4, *Finance, Audit, and Risk (FAR) Committee terms of reference*, the FAR Committee is responsible for conducting an annual review of the Corporate Risk Profile before it is shared with the Board in May.
  - **Quinquennial –** As per *Board policy 1.4. Strategic Plan*, a SWOT and strategic risks analysis are performed to inform the selection of strategic directions, which are meant to mitigate major strategic risks. Engineers Canada has now completed two full strategic planning cycles with this risk management system, and so it has reached maturity.
- The FAR Committee also reviews the risk register on a quarterly basis and reports any significant changes to the Board at their next meeting.

Status update

- The last time that significant changes to Board risks were brought to the Board was in October 2023.
- Since then, Engineers Canada staff and the FAR Committee performed their annual in-depth review. Major changes are:
  - A risk appetite statement has been added to highlight the risks Engineers Canada is willing to take, and its potential impact on our core elements. This type of statement is typical for organizations (section 3, p. 2).
  - As part of the strategic planning process, the Board identified that sustainability should be added to the 2025-2029 strategic plan as not addressing this strategic issue would constitute a reputation risk for Engineers Canada. As a result, operational risk **7 - Tarnished reputation** content was moved from operation to the Board risk register to capture more

adequately the Board's role in this area. Sustainability content was also added to this risk. The risk score did not change from when it was an operational risk.

- Operational risk **8 - Insufficient client satisfaction** score was lowered from 9 to 6, given feedback received from the *SP 1.2. Collaboration and Harmonization* consultations.

- All Board risks address major risks that are being mitigated by the 2022-2024 strategic priorities. It is expected that once the current strategic plan is implemented, some Board risk scores should be lowered accordingly.

Next steps

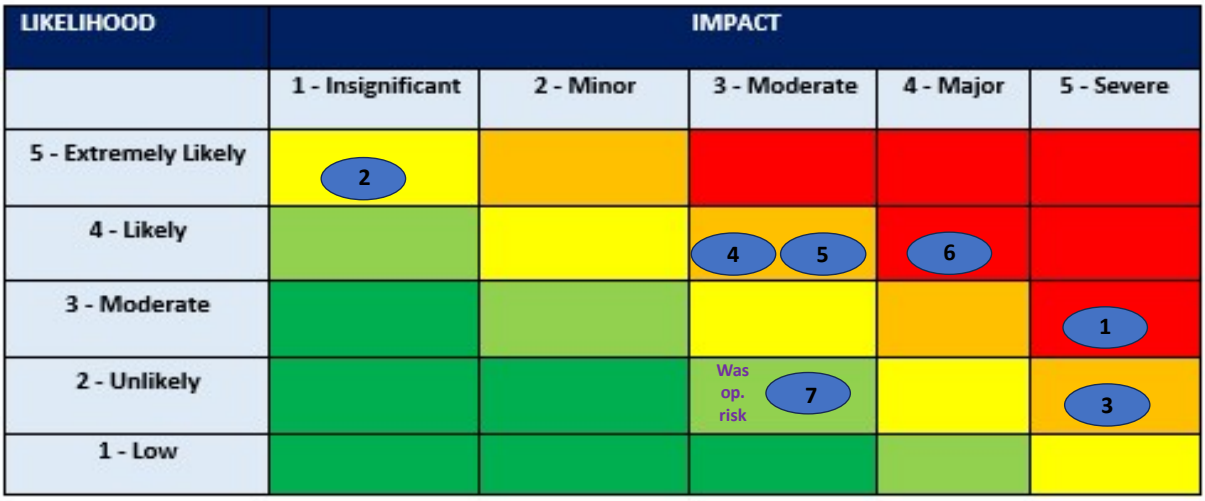
- The FAR, as well as Engineers Canada staff will continue to monitor changes to the environment and update the Risk Registers accordingly.

Appendices

- **Appendix 1:** Board and operational risk register revisions at a glance
- **Appendix 2:** Corporate risk profile and Risk registers

Appendix 1: Board and operational risk register revisions at a glance

Board risks



1 - Decline in the value of accreditation

2 - Decreased confidence in the governance functions

3 - Diminished national collaboration

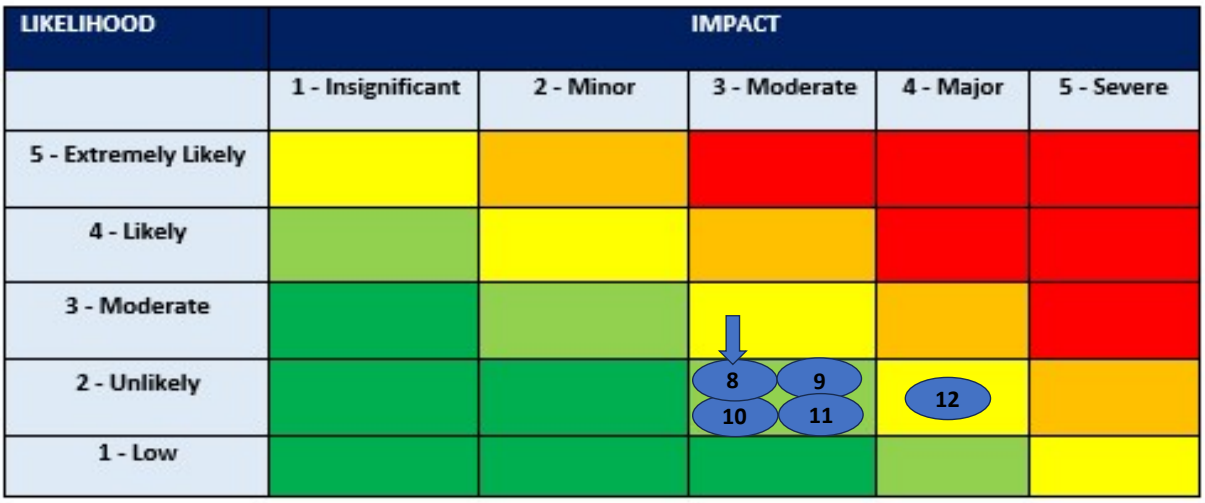
4 - Diminished scope and value of engineering regulation

5 - Engineering is unwelcoming and exclusionary to under-represented people in engineering

6 - Reduced long term financial viability

7 – Tarnished reputation

Operational risks



8 – Insufficient client satisfaction

9 – Breach in corporate compliance

10 – Mismanagement of finances

11 – Mismanagement of human Resources

12 – Compromised infrastructure, information technology and cybersecurity integrity

Corporate Risk Profile

This corporate risk profile establishes Engineers Canada's risk management approach for Board and operational risks.

1. BACKGROUND

Engineers Canada serves the Regulators and upholds the honour, integrity, and interests of Canadian engineering by supporting consistent high standards in regulation, encouraging the growth of the profession in Canada, and inspiring public confidence. Our work is focussed on ten core purposes, as established by Engineers Canada's Members, the Engineering Regulators:

1. Accrediting undergraduate engineering programs.
2. Facilitating and fostering working relationships between and among the Regulators.
3. Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
4. Offering national programs.
5. Advocating to the federal government.
6. Actively monitoring, researching, and advising on changes and advances that impact the Canadian regulatory environment and the engineering profession.
7. Managing risks and opportunities associated with mobility of work and practitioners internationally.
8. Fostering recognition of the value and contribution of the profession to society and sparking interest in the next generation of professionals.
9. Promoting diversity and inclusivity in the profession that reflects Canadian society.
10. Protecting any word(s), mark, design, slogan, or logo, or any literary, or other work, as the case may be, pertaining to the engineering profession or to its objects.

We are not a regulatory body, but we support Regulators in fulfilling their mandates. Risk management is how we proactively and transparently demonstrate that we are anticipating opportunities and threats and are addressing or have plans to address their consequences.

2. INTEGRATED RISK MANAGEMENT PROCESS

The corporate risk profile comprises two sections:

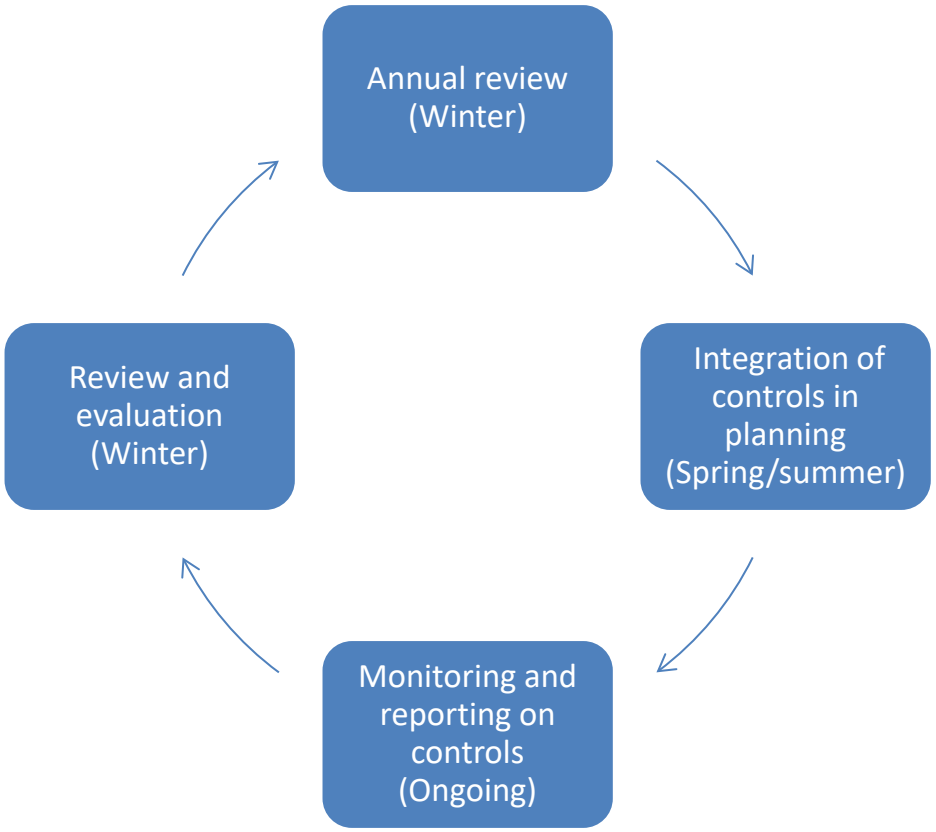
I. **Roles and responsibilities:** states expected roles and responsibilities for involved parties.
II. **Risk registers:** includes the templates describing all risks, their evaluation, and controls, and a heat map for the Board and for the operational risks separately.

There are two risk levels at Engineers Canada:

- *Board risks* are risks that are managed by the Engineers Canada Board; and,
- *Operational risks***:** are risks that are managed by the CEO, with oversight from the Engineers Canada Board.

While there is a distinction between Board and operational risks, we are all collectively responsible for proactively identifying, integrating, and mitigating risks. This figure summarizes our risk management process:

Figure 1.: Integrated Risk Management Process



3. APPETITE RISK STATEMENT

Engineers Canada, in alignment with our vision and mission, accepts a total level of risk that allows the achievement of our strategic and operational objectives while providing a high level of confidence that we:

- Honour our obligations to our members;
- Preserve Engineers Canada's brand; and,
- Meet commitments to other interest holders.

4. ROLES AND RESPONSIBILITIES

The following individuals have specific responsibilities related to the maintenance of the corporate risk profile:

- **Engineers Canada Board** receives the corporate risk profile annually and adopts additional controls through the strategic plan. The Board also considers the impact of their decisions on existing risk(s) through the briefing notes that accompany all decisions presented to the Board.
- **Finance, Audit, and Risk Committee (FAR)** reviews the risk register quarterly, makes recommendations about adding risks any time a new one arises, and evaluates the corporate risk profile annually, prior to the Board's review in May.
- **Chief Executive Officer** reviews operational risks at least quarterly and incorporates Board direction regarding additional controls into operational planning and budgeting.
- **Authors of for-decision briefing notes** demonstrate to the Board how their recommendation(s) impact existing risk(s), when appropriate.

4. SCHEDULE

The following table highlights the schedule of the annual risk management process:

Month	Action
March	Staff and FAR performs the annual in-depth review the corporate risk profile (comprised of both roles and responsibilities and the risk register).
May	Board receives the corporate risk profile. Staff and FAR perform a quarterly review of the risk registers.
August	Staff and FAR perform a quarterly review of the risk registers. FAR considers the risk register (with focus made on additional controls) along with the budget.
December	Staff and perform a quarterly review of the risk register.

5. PROCESS TO ADD RISKS TO THE REGISTER

The following section highlights the process to add a new risk or element to an existing risk:

- **Board risks:** Potential risks or new events related to an existing risk can be presented to FAR for its consideration by any Board Director or staff. Prior to submitting it to FAR, a briefing note should be drafted to present a rationale as to why it should be added. If the nature of the new risk or event is urgent, the FAR Chair can choose to hold a special meeting to address the issue.
- **Operational risks:** At the discretion of the CEO, any new operational risk or new events related to an existing risk can be added at any time. The CEO must inform FAR of the change at their next regularly scheduled review.

RISK REGISTERS

Board risks

The following heat map provides an overview of the risks managed by the Board. The matrix identifies risks that are part of the ongoing responsibilities of the Board as well as risks that were identified as part of the development of the current Strategic Plan. No changes were made to the scores between April 2021 and August 2023. In August 2023, the scores of the Decreased confidence in the governance functions and the Reduced long term financial viability risks were increased in response to recent events. In February 2024, the tarnished reputation risk was moved from operational to Board risks. Four out of seven Board risks have not yet met their target score but are expected to meet them by the end of the current 2022-2024 Strategic Plan as they are mitigation strategies for identified Board risks.

LIKELIHOOD	IMPACT				
	1 **Insignificant** If occurs, will have little or no impact on delivering strategic priority(ies) or purpose(s)	**2** **Minor** If occurs, will have an impact on delivering 1 strategic priority or 1 purpose; Engineers Canada would recover with existing controls	**3** **Moderate** If occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes; Engineers Canada would recover with existing controls	**4** **Major** If occurs, will have an impact on delivering on 2+ strategic priorities or 2+ purposes; Engineers Canada could only recover with additional controls	**5** **Severe** If occurs, will require a restructuring of the purposes, governance, finances or operations of Engineers Canada in order to recover
5 **Extremely Likely** - Almost certain to occur	**2 - Decreased confidence in the governance functions (BR)**				
4 **Likely** - More likely to occur than not			**4 - Diminished scope and value of engineering regulation (BR)** **5 - Engineering is unwelcoming and exclusionary to under-represented people in engineering (BR)**	**6 - Reduced long term financial viability (BR)**	
3 **Moderate** - Fairly likely to occur					**1 - Decline in the value of accreditation (BR)**
2 **Unlikely -** Unlikely but not unforeseeable			**7 - Tarnished reputation**		**3 - Diminished national collaboration (BR)**
1 **Low** -Unlikely to occur					

1. DECLINE IN THE VALUE OF ACCREDITATION (BOARD RISK)

Likelihood (1-5)	3 – Moderate (fairly likely to occur)	**Total**
Impact (1-5)	5 – Severe (if occurs, will require a restructuring of the purposes, governance, finances or operations of Engineers Canada in order to recover)	**15**
Target	Reduce the likelihood to 2 (unlikely) by the end of the Strategic Plan in 2024.	**10**

Trend *(When was the risk first identified, what is the trend)*	This risk was first put on the register in 2017. It has consistently remained in the high-risk category since it has been on the register.
Current situation *(How did the risk emerge)*	• Engineers Canada accredits undergraduate engineering programs on behalf of Regulators. Graduates of accredited programs do not have to pass an entry-to-practice exam to meet the academic requirement for licensure, as they are deemed to have completed the minimum path, content measured in accreditation units (AUs). • The introduction of graduate attribute and continual improvement (GA/CI) criteria in 2015, which are a requirement to remain part of the Washington Accord, has increased the workload of volunteers and of higher education institutions (HEIs) to both prepare for and maintain accreditation. • Some HEIs were under the impression that the introduction of the GA/CI criteria would lead to the elimination of input measures (currently measured in AUs) and continue to suggest that the input measures (AUs) should be eliminated. • As less than half of CEAB graduates seek licensure, some HEIs have questioned why Engineers Canada is requiring an onerous accreditation process and have questioned if they should continue seeking accreditation. The Regulators must ensure that all applicants for licensure meet the same academic requirement for licensure within their jurisdictions and establishing an evaluation methodology that is equivalent to the current accreditation system is challenging. • A 2022 Benchmarking exercise unveiled that the Canadian engineering accreditation model is similar to other Canadian professions' accreditation systems, and to engineering accreditation bodies across the world. Differences found indicate that other models include experiential learning requirement, and the Canadian model is the only one with a minimum path requirement and a detailed time-length input requirement for degree length. It also has less industry involvement than the similar accreditation systems. • Programs are increasingly incorporating competencies, non-technical skills, and personalized program delivery path which are difficult for HEIs to offer under the current model. • The current accreditation system was not designed to adapt to some of the regulatory changes to the scope of the definition and/or the practise of engineering that is occurring or will likely be implemented in some jurisdictions.
Potential event(s)	• One or more currently accredited undergraduate engineering programs elect not to pursue re-accreditation because they no longer see value and find the accreditation

(What threats or opportunities could trigger the realization of this risk)	model inflexible and costly. Creation of a parallel engineering accreditation process by HEIs.
Potential consequences *(What could happen if the potential event(s) take(s) place*	• Regulators would have to use alternative methods to assess whether graduates of Canadian undergraduate engineering programs are academically qualified to begin the licensure process. • Quality of engineering education could vary across jurisdictions. • Value of Engineers Canada for Regulators could diminish. • Canada's status as a Washington Accord signatory and signatory to other international mobility agreements could be at risk.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• Strategic priority 1.1: *Investigate and validate the purpose and scope of accreditation* • Implementation of the Tandem data management system for accreditation visits and decisions. The tool is designed to decrease workload and improve the efficiency of accreditation processes. • Temporary exemption to specific accreditation criteria to remove accreditation barriers to students going on international exchange.
Evidence *(How success of the major and continuous improvements is measured)*	• Annual results in the Accountability in Accreditation Report and follow up actions. • Trends in requests for accreditation submitted by new and currently accredited programs. • Feedback from Regulators, HEIs, and CFES to consultations. • Consultation feedback as part of the futures of engineering accreditation work.
Residual risk *(Remaining risks after existing control measures)*	• A certain level of dissatisfaction is to be expected between any accrediting body and the organizations seeking accreditation. • HEIs perceive the workload to be high and the system as inflexible. • Accreditation changes take considerable time to implement due to the length of the accreditation cycle, and the capacity of HEIs to undertake significant changes. • Provincial and territorial engineering acts continue to change, and regulators' licensure processes continue to evolve, putting pressure on accreditation processes to remain aligned.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is above the risk tolerance of the Board.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• The Board has been implementing Strategic priority 1.1: *Investigate and validate the purpose and scope of accreditation*, which is expected to be completed by end of 2024. • Industry and engineering students have been incorporated in the consultation process for SP 1.1. *Investigate and validate the purpose and scope of accreditation*. • The Board is expected to implement the strategic direction *Realizing accreditation and academic assessments* as part of the 2025-2029 strategic plan.

Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Application of the consultation program to all CEAB changes, involving both Regulators and HEIs. • Increased collaboration of the CEAB's Policies and Procedures Committee (P&P) with the Deans' Liaison Committee, a subcommittee of Engineering Deans Canada. • The annual Accountability in Accreditation assessment measures the transparency and effectiveness of the accreditation process from the point of view of Regulators, HEIs, and interested parties in the system. • Development of a web-based data management system (Tandem) to enable the submission and maintenance of accreditation documents. • Continual focus on strategies to manage the heavy workload assigned to volunteers. Revised required materials for CEAB visits based on the minimum path and weakest link principles and audit good practices. This establishes clear and consistent expectations for HEIs while minimizing the information they need to provide and ensures visiting teams have the information they need to conduct a rigorous evaluation

2. DECREASED CONFIDENCE IN THE GOVERNANCE FUNCTIONS (BOARD RISK)

Likelihood (1-5)		5 - Extremely Likely (Almost certain to occur)	**Total**
Impact (1-5)		1 – Insignificant (If occurs, will have little or no impact on delivering strategic priority(ies) or purpose(s)	**5**
Target		Reduce the likelihood to 4 (likely) by the end of the Strategic Plan in 2024.	**4**

	Trend *(When was the risk first identified, what is the trend)*	The score of this risk (4) was the same in between 2021 and the second quarter of 2023. The score increased to 5 during the third quarter of 2023.
	Current situation *(How did the risk emerge)*	• The Board governs the organization and makes governance decisions in the best interests of Engineers Canada, which serves the engineering Regulators. • The Board has obligations to supervise the management of Engineers Canada, to put in place and adhere to Board policies, to demonstrate transparency to Regulators, to adopt and monitor financial controls, and to ensure effectiveness of the Board. • The Board is also responsible for self-assessing its work and monitoring the work of its Direct Reports: the CEO, and the CEAB and CEQB chairs. • The Engineers Canada Board, as well as the members of the CEAB and CEQB, are volunteers. • For the second year in a row, some Members have put forward motions related to the governance of Engineers Canada. In May 2022 a motion was introduced to reduce the size of the EC Board, while this past May a motion was introduced to change voting procedures at Members Meetings. For this most recent action Members agreed to withdraw the motion if the Board committed to a governance review as part of the 2025-2029 strategic plan. • In May 2023, the Members defeated a motion regarding the per capita

		assessment fee, as a signal to communicate their disapproval with the Board's recent financial management decision to regarding the reimbursement of business class travel for Board members.
	Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• The Board does not effectively monitor and spend financial resources. • Reliance on volunteers and governance structure does not allow quick response to events. • Regulators do not understand how to work within the governance framework. • Lack of Director representation and/or skills diversity. • One or more Board members do not comply with Board policies. • Reliance on CEAB and CEQB volunteers to deliver core products and services results in a lack of accountability and ability to deliver products in a timely fashion. • Lack of common understanding of what Regulators' want from Engineers Canada.
	Potential consequences *(What could happen if potential event(s) take place)*	• Diminished or lost Regulator confidence in Engineers Canada (including CEAB and CEQB) • Regulator dissatisfaction or Regulator(s) leaving Engineers Canada.
	Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	None required at this time.
	Evidence *(How success of the existing controls is measured)*	• Results of annual self-evaluation. • Results of annual evaluation of the CEO and committee chairs. • Quarterly performance reports from Direct Reports. • Audit reports. • Board competency profile. • Governance effectiveness survey. • No more motion submitted by Presidents at the Annual Meetings of Members (AMM).

	Residual risk *(Remaining risks after existing control measures)*	• Governance structure cannot respond quickly to events or ad hoc Regulators' requests. • No control over Director nominees, including their diversity or skills.
	Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	The risk is above the tolerance level of the Board and is expected to decrease following the implementation of the governance strategic priority of the 2025-2029 strategic plan.
	Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	An investigation of the governance structure is expected to be undertaken and recommendations implemented as part of the *Realizing a stronger federation direction* in the 2025-2029 strategic plan.
	Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Regular and ongoing policy reviews. • Approval of budget and CEAB and CEQB work plans. • Annual approval of the Board committee and task force work plans. • Strategic performance monitoring and reporting. • Annual Board self-evaluation. • Annual evaluation of CEO and committee chairs (including CEAB and CEQB). • Annual third-party, financial audit. • Succession plan for CEO. • On-boarding process (orientation) and Director education. • Open meetings and publication of Board and committee minutes on the public website. • Annual approval of the CEAB and CEQB recruitment and succession plans. • Implementation of a Board management tool.

3. DIMINISHED NATIONAL COLLABORATION (BOARD RISK)

Likelihood (1-5)	2 – Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	5 – Severe (if occurs, will require a restructuring of the purposes, governance, finances or operations of Engineers Canada in order to recover)	**10**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**5**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Engineers Canada's success rests on its ability to understand and meet Regulators' expectations, incorporate their perspective in its activities, and foster national collaboration and consistency across jurisdictions. • There is increasing international and national mobility of individuals and entities, without a clear, coordinated strategy between Canadian engineering regulators. • The proportion of non-CEAB graduates applying for an engineering license compared to CEAB applicants is increasing. • Public, government and fairness commissioners' pressures to treat all applicants the same and within a limited timeframe is growing. • Regulators have limited human and financial resources to meet rising expectations. Collaborating and harmonization helps reduce duplication of work and reduce inefficiencies. • In 2023, the consultation process for the collaboration and harmonization strategic priority unveiled a consensus on a willingness to further work on national initiatives together in targeted areas. • A process to identify and prioritize work on collaboration project(s) will start in 2024.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• One or more Regulators ask that Engineers Canada take a collective stance on strategic issue and sufficient collaboration is not reached. • One or more Regulators being unable or unwilling to take part in or support national collaboration work and initiatives. • Perception that collaboration is not possible due to legislative variations.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Inability to reach consensus on major strategic issues. • Loss of value for Regulators. • Loss of membership in one or more international agreements. • Decrease or loss of Regulators' confidence. • Additional barriers to national or international mobility.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• The Board has been implementing Strategic priority 1.2, *Strengthen collaboration and harmonization* to define Regulators' desired degree of harmonization and identify areas for collaboration. Support for increased collaboration and regulatory harmonization has been expressed by all regulators. A national statement of collaboration will be proposed in 2024.

Evidence *(How success of the existing controls is measured)*	• Signed statement of collaboration from all regulators • Attendance at national meetings of Regulators. • Consultation feedback (Log-in required to access the consultation webpage).
Residual risk *(Remaining risks after existing control measures)*	• Lack of control over Regulators' actions (participation in consultation, adoption of consistent practices, use of programs, products and services, etc.). • Lack of time or interest from Regulators to develop consensus on programs, products and services. • Lack of direction from Regulators in terms of degree of consistency and areas for collaboration. • Lack of control over Regulators' laws, policies and procedures. • Lack of control over provincial and territorial government – imposed legislative changes.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is above the risk tolerance of the Board.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• The Board is expected to formalize a mechanism to identify areas of national collaboration and harmonization as part of the strategic direction *Realizing a stronger federation* under the 2025-2029 strategic plan.

Continuous improvements
(Operational activities without a beginning or an end underway to prevent or mitigate the risk)
	• Several processes are in place to foster ongoing collaboration:
	  • Strategic plan development process and consultation program.
	  • Facilitate knowledge sharing and collaboration among Regulator staff during meetings (Chief Executive Officers, Admission, Practice, Discipline & Enforcement, Communications, Finance, and IT Officials and Outreach communities of practice).
	  • Use of Microsoft Teams for Regulator's officials groups to continuously collaborate.
	• Programs, products and services that serve multiple Regulators and are developed and improved with them (e.g. accreditation, 30 by 30, competency-based assessment, national position statements, national membership database, international institutions and degrees database, national engineering month).
	• Seek to foster collaboration outside regulatory requirements (e.g. tools for regulators staff; non-regulatory tools such as learning management system, best practices around organizational excellence etc.)

4. DIMINISHED SCOPE AND VALUE OF ENGINEERING REGULATION (BOARD RISK)

Likelihood (1-5)	4 – Likely (more likely to occur than not)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2+ strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**12**
Target	Reduce likelihood to 3 (moderate) by the end of the Strategic Plan in 2024.	**9**

Trend *(When was the risk first identified, what is the trend)*	This risk was first put on the register in May 2020 following the discussion of the environmental scan for the 2022-2024 Strategic Plan. The score of this risk has been the same since 2021.
Current situation *(How did the risk emerge)*	• Government legislative reviews have resulted in increased pressure for regulators to demonstrate how engineering regulation protects the public. • Rapid technological advances have challenged Regulators to adapt their processes to effectively regulate and enforce in non-traditional areas of engineering practice. • The proportion of CEAB graduates that seek licensure is decreasing. There may be a perception that licensure is not required in some fields and this perception may be shared by some governments, businesses and other organizations. • Engineers Canada supports Regulators in demonstrating the value of engineering licensure and regulation to the public, governments, potential engineers, and engineering businesses.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Engineering students and/or engineering entities do not become licensed, do not require their employees to be licensed and/or do not pay engineering graduates more than others. • A provincial or territorial government or a legal court case allows unregistered individuals to call themselves engineers and/or practise engineering. • Engineers Canada does not provide adequate or timely support Regulators in all the cases above as requested.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Regulators cannot demonstrate to their governments, public, individuals, or employers the value and need for licensure and/or regulation. • Decreasing number of individuals and entities becoming licensed. • Loss of authority, reputation and influence for engineering regulators. • Media and/or public and/or government questioning the value of engineering regulation. • Provincial/territorial governments impose new governance models on engineering Regulators.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• Strategic priority 1.3, *Support regulation of emerging areas* provides more frequent reporting and a higher profile of emerging areas of practice. • Strategic priority 2.2, *Reinforce trust and the value of licensure* is developed and is disseminating national value-of-licensure messaging in collaboration with Regulators with the goal of raising the profession's profile with engineering graduates, EITs and the public.

	• The CEQB's new paper on emerging areas will seek to provide guidance on the monitoring, recognition and regulation of emerging areas of engineering practice.
Evidence *(How success of the existing controls is measured)*	• New or revised Engineers Canada Papers provided to Regulators. • Regulatory research reports provided to Regulators. • National position statements, national issues statements, government submissions and government relations meetings and events related to licensure and regulation in emerging areas. • Ongoing public opinion research that monitors public trust in the profession
Residual risk *(Remaining risks after existing control measures)*	• Lack of control over government and court decisions. • Inconsistent participation in and use of programs, products or services by Regulators. • Lack of control over the licensing of individuals and entities. • Lack of control over inconsistency in Regulators' actions regarding enforcement or their decision on whether to provide a path to licensure in emerging areas or for entrepreneurs.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is above the risk tolerance of the Board.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• As part of the *Realizing a fuller awareness of engineers direction* under the 2025-2029 strategic plan, Engineers Canada will raise the profile of the engineering profession and support engineering graduates in becoming engineers. • Engineers Canada will continue to stay abreast of challenges facing regulators through our work with the Officials Group and will continue to support when requested.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	Engineers Canada shares with Regulators the CEAB's list of engineering educational programs in development, to help anticipate emerging areas of practice. Several core purposes provide programs, products and services that mitigate this risk: • 2: Facilitating and fostering working relationships between and among the Regulators. • 3: Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada. • 5: Advocating to the federal government. • 6: Actively monitoring, researching, and advising on changes and advances that impact the Canadian regulatory environment and the engineering profession. • 8: Fostering recognition of the value and contribution of the profession to society and sparking interest in the next generation of professionals.

5. ENGINEERING IS UNWELCOMING AND EXCLUSIONARY TO UNDER-REPRESENTED PEOPLE IN ENGINEERING (BOARD RISK)

Likelihood (1-5)	4 – Likely (more likely to occur than not)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2+ strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**12**
Target	Reduce the impact to 2 (minor) by the end of the Strategic Plan in 2024.	**8**

Trend *(When was the risk first identified, what is the trend)*	This risk was first put on the register in May 2020 following the discussion of the environmental scan for the 2022-2024 Strategic Plan. The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Female engineers made up 15 percent of members and 19.2 percent of newly licensed engineers nationally, according to the 2023 National Membership Report. Thirty per cent is the current representation goal we have set out for newly licensed female engineers. • Gender-based discrimination and harassment exists at every stage in the engineering path (i.e. formative years, post-secondary, early-, mid-, and late-career) from their peers and colleagues than their male counterparts). • Increasingly the profession is also looking at Equity, Diversity and Inclusion, which includes female, Indigenous, racialized, internationally trained individuals, and LGBTQ2S+ individuals. • Indigenous peoples prefer to be considered beyond the typical scope of EDI, to recognize the specific history of colonization and genocide against Indigenous peoples. Indigenous engineers represent 0.73 percent of the engineering labour force, according to a 2022 Engineers Canada report. This is significantly lower than the representation of Indigenous peoples in the overall labour force, which is at 3.15 percent. • There is currently no national data available on the numbers of other under-represented groups in engineering.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Increase in female engineering graduates does not correspond to increase in licensure attainment. Decrease in Regulators' and/or key players' support in increasing the equity, diversity, inclusion of the engineering profession. • Withdrawal of support from key players including champions, volunteers, Higher Education Institutions (HEIs), employers and students. • Increasing percentage of female undergraduate enrolment and graduation. • The engineering profession is not welcoming to members of marginalized groups nor internationally trained individuals. • Continuation of undervalue of the engineering license particularly within engineering disciplines that are of most interest to women (i.e. chemical, environmental).
Potential consequences	• The profession does not reach the 30 percent of female engineers newly licensed by 2030.

(What could happen if the potential event(s) take(s) place)	• The profession remains unwelcoming to marginalized groups, representation and retention targets are not met, and talent is lost. • Reputation loss for Engineers Canada with Regulators, government, external stakeholders, and partners. • Profession does not fully protect public safety and public interest since it does not represent the full diversity of the perspectives and Canadian population.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• The Board has been implementing Strategic priority 2.1, *Accelerate 30 by 30*, which is expected to be completed by the end of 2024. • The Board has also been implementing Strategic priority 2.2, *Reinforce trust and the value of licensure*, which will showcase the diversity of the profession. • EDI Training for Engineers and Geoscientists. • CEAB investigation of incorporating 30 by 30 into the accreditation process. • CEQB development of Guideline on workplace gender equity. • Developed and published the 2023 Engineers Canada guideline on Indigenous consultation and engagement. • Revised the Managing Transitions guide in 2023. • Developed and published the 2020 Guide to acknowledging First Peoples and traditional land: Land acknowledgements for staff and volunteers.
Evidence *(How success of the existing controls is measured)*	• Data published in the Annual national membership report. • Data published in the Annual Enrolment and Degrees Awarded report.
Residual risk *(Remaining risks after existing control measures)*	• Role limited to providing information and convening players, as Regulators manage the relationship with applicants for licensure, engineers, employers and local K-12 representatives. • Lack of control regarding the recruitment or retention of K-12 female-identifying students taking science and math in school. • Lack of control on how HEIs recruit or retain students, and limited influence in how HEIs promote licensure. • Lack of control on how employers recruit and retain female-identifying individuals and promote licensure to them.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is above the risk tolerance of the Board.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• As per the Board's request, additional capacity will be added to the EDI department to investigate and develop an additional tactic regarding internationally trained graduates. • The Board will be able to direct the CEO to suggest additional controls as part of the development of the 2025-2030 strategic plan. • SP2.1 Employer Task Force to define what it means to be an employer champion.

	• The Board is expected to implement the strategic direction *Realizing an inclusive profession* as part of the 2025-2029 strategic plan, which will continue to seek to make the engineering more welcoming to under-represented groups. • The Board is also expected to implement the strategic direction *Realizing a fuller awareness of engineers* as part of the 2025-2029 strategic plan, which will showcase under-represented groups.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• EDI training for engineers and geoscientists has been offered. • Engineers Canada fosters collaboration with engineering Regulators, strategic partners, and stakeholders to increase equity, diversity and inclusion (EDI) in the profession. • Advocate to the federal government in support of gender equity, pay equity, and policies that support women in engineering. • Undertaking the development of a new national research strategy to understand priorities regulators have and how to meet their needs on EDI research and data collection. • Creation of the Collective Impact Project and the 30 by 30 Employer Task Force to facilitate the 30 by 30 K-12, post-secondary, and early career working groups. • Represented on the boards of the Canadian Coalition of Women in Engineering Science Trades and Technology (CCWESTT) and AISES in Canada. • Participation in the Engendering Success in Stem (ESS) research consortium • MOUs with Black Engineers of Canada and EngiQueers Canada.

6. REDUCED LONG TERM FINANCIAL VIABILITY (BOARD RISK)

Likelihood (1-5)	4 – Likely (More likely to occur than not)	**Total**
Impact (1-5)	4 – Major (if occurs, will have an impact on delivering on 2+ strategic priorities or 2+ purposes and Engineers Canada could only recover with additional controls)	**16**
Target	Reduce the likelihood to 3 (moderate) by the end of the Strategic Plan in 2024.	**12**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk (12) was the same in between 2021 and the second quarter of 2023. The score increased to 16 during the third quarter of 2023.

Current situation *(How did the risk emerge)*	• In April, PEO made a decision to join the affinity program, therefore availing itself of the $2M that used to flow annually to Engineers Canada's reserve funds. The impact of this decision on Engineers Canada includes:
	  • A return to a balanced operational budget: Over the last few years, the Board had asked the CEO to reduce reserve funds and submit budget deficits. EC will need to ensure at least a minimum of a balanced budget moving into the future to ensure sufficient funds are available to undertake operational requirements and fund strategic priorities.
	  • Reduction of investment revenues: As part of the reserve funds invested, a reduction of reserve funds will also decrease investment revenues.
	  • Scoping of 2025-2029 strategic priorities: Reserve funds have been used to fund strategic priorities. While there are enough reserve funds to complete the 2022-2024 strategic plan, Engineers Canada will have to work with Regulators over the next few years to scope and fund the work to be conducted as part of the 2025-2029 strategic priorities.

Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Marked decrease in any one revenue source. • Having lowered the per capita assessment fee, the Members are unwilling or unable to raise it following a Board recommendation to do so. • Low rate of return of investments. • A Regulator leaves the affinity program, resulting in a decrease of revenue over time. • Fluctuation in the number of registrants nationally. • Board or the CEO decisions go against managing financial resources responsibly.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Loss of revenues. • Loss of reputation with providers of financial and insurance products. • Regulators dissatisfaction or loss of confidence. • Additional Regulator(s) leave the affinity program. • Operational budget declines significantly in the long term, resulting in inability to deliver on the core purposes of Engineers Canada and/or a need to terminate staff. • Significant increase in the per capita assessment fees.
Major improvements *(Projects with a beginning and an end*	• Reduce operating expenses and increase membership fees over the next few years.

underway to prevent or mitigate the risk)	
Evidence *(How success of the existing controls is measured)*	• Revenue as predicted in the budget and reported in the audit. • Increase in reserve funds over time to fund major initiatives. • Affinity program performance reporting. • Forecast of national membership
Residual risk *(Remaining risks after existing control measures)*	• There is currently a risk regarding the TD affinity revenues in the long-term as the percentage of revenue going to the Regulator has increased from 51% to 90% for new policyholders. It is anticipated that the impact will be a 1% decrease in TD revenue each year. • Members vote against a raise in membership (per capita) fees.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	Risk is above the tolerance level.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• Starting in May 2024, Engineers Canada will propose per capita fee increases to Members. • Starting in 2025, additional consultations will be conducted to define if a national marketing campaign will proceed, and if so, its scope associated costs.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Relationship management with affinity program providers. • Discussion and projection of expected membership numbers (i.e. future dues revenues) with Regulators. • Investment policy. • Use of long-term contracts with affinity providers. • Use of actuarial expertise to assess and continually improve affinity programs. • Increase the size of Engineers Canada's reserves through annual review of the per capita assessment fee. • Net asset structure and policy, and active management of reserves. • The TD agreement is a twelve-year contract, up for renewal in 2030.

7. TARNISHED REPUTATION (BOARD RISK)

Likelihood (1-5)	2 - Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**6**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**6**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been the same since 2021. This risk was previously operational, until was moved to a Board risk during the first quarter of 2024 to more adequately reflect the role of the Board in preserving the reputation of Engineers Canada.
Current situation *(How did the risk emerge)*	• Engineers Canada's reputation depends on clients' satisfaction, quality of services and products, treatment of employees, effectiveness of governance, financial management, environmental performance and diversity and inclusion.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Negative media coverage about Engineers Canada or negative social media content by influential figures, volunteers, or staff. • Conflicting stances communicated to Regulators or stakeholders. • Inability to present as a forward-looking, welcoming organization. • Federal government consults or publicly acknowledges other organizations on national engineering regulatory issues and the engineering profession. • Realization of other risks captured in the risk register, that affect Engineers Canada's reputation.
Potential consequences *(What could happen if the potential event(s) take(s) place*	• Loss of credibility with Regulators, engineers, federal government, interest holders, or the public. • Engineers Canada is not perceived as the appropriate organization to represent Regulators. • Decreased willingness to work with, collaborate or fund Engineers Canada
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	As part of the 2022-2024 strategic plan, Engineers Canada is also seeking to obtain a Platinum-Level certification from Excellence Canada, and working with regulators to establish the principles and areas where pan-Canadian harmonization will be sought.
Evidence *(How success of the existing controls is measured)*	• Lack of incidents in the media. • Number of federal government requests for input. • Regular check-ins with clients and interest holders. • National Capital Region Top Employer • Achievement of Gold-Level certification from Excellence Canada • The Annual list of partners • The Members' vote on per capita assessment fee recommendation
Residual risk	• Cannot prevent 100% of all public negative comments. • Cannot influence media stories after publication.

(Remaining risks after existing control measures)	• Cannot prevent other organizations from trying to brand themselves as the national engineering advocacy body.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	• This risk is acceptable, but continual improvement is necessary to retain this level.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	Many 2025-2029 strategic directions support mitigate this risk, including *Realizing our role in sustainability*, where we will adopt a new ESG policy, decide whether or not to become a carbon neutral organization and scope our national role in helping Regulators support the engineering profession in achieving their part of the United Nations Sustainable Development Goals (UNSGs).
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Regular government advocacy activities and interventions (e.g., House of Commons and Senate committees, meetings with elected officials or senior federal officials). • Communications policies: social media, brand management, media relations, official languages, process to respond to public and media enquiries.

Operational risks

The following heat map provides an overview of operational risks (risks managed by the CEO with oversight by Engineers Canada Board). No changes were made to operational risk scores between April 2021 and January 2024. In February 2024, the score for the insufficient client satisfaction risk was lowered from a score of 9 to 6.

LIKELIHOOD	IMPACT				
	1 **Insignificant** If occurs, will have little or no impact on delivering strategic priority(ies) or purpose(s)	**2** **Minor** If occurs, will have an impact on delivering 1 strategic priority or 1 purpose; Engineers Canada would recover with existing controls	**3** **Moderate** If occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes; Engineers Canada would recover with existing controls	**4** **Major** If occurs, will have an impact on delivering on 2+ strategic priorities or 2+ purposes; Engineers Canada could only recover with additional controls	**5** **Severe** If occurs, will require a restructuring of the purposes, governance, finances or operations of Engineers Canada in order to recover
5 **Extremely Likely** - Almost certain to occur					
4 **Likely** - More likely to occur than not					
3 **Moderate** - Fairly likely to occur					
2 **Unlikely -** Unlikely but not unforeseeable			**8 - Insufficient client satisfaction (OR)** **9 - Breach in corporate compliance OR)** **10 - Mismanagement of finances (OR)** **11- Mismanagement of human resources (OR)**	**12 - Compromised infrastructure, information technology and cybersecurity integrity (OR)**	
1 **Low** -Unlikely to occur					

8. INSUFFICIENT CLIENT SATISFACTION (OPERATIONAL RISK)

Likelihood (1-5)	2- Moderate (Fairly likely to occur)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**6**
Target	Reduce the likelihood to 2 (unlikely) by the end of the Strategic Plan in 2024.	**6**

Trend *(When was the risk first identified, what is the trend)*	Starting in 2021, the score of this risk was 9 until the first quarter of 2024, when it was lowered to 6.
Current situation *(How did the risk emerge)*	• Engineers Canada's ability to deliver high quality and effective programs, products and services rests on its ability to identify and meet client expectations, innovate and continually improve our programs, products and services, • While Regulators are the owners and primary clients of Engineers Canada, the organization has also identified the following additional external clients: Engineering Deans Canada and HEIs (includes educators and administrators), and the engineering community (includes students and graduates of CEAB-accredited programs, non-CEAB engineering graduates, engineers in training, engineers, and engineering businesses).-Engineers Canada also has internal clients: the Board, CEAB, CEQB, volunteers and staff. • Engineers Canada has multiple approaches to meet clients' needs.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Delivery of program, product or service that does not meet major client needs. • Competitors offer alternative programs, products or services that better meet client needs. • Lack of clarity on the needs, requirements or priorities of clients. • Staff's inability to deliver as indicated by measurements, monitoring and/or feedback indicating: o Decreasing effectiveness of consultation program; o Decreasing effectiveness of internal communications; o Not achieving intended outcomes of programs, products, services; and/or, o Poor client service.
Potential consequences *(What could happen if the potential event(s) take(s) place*	• Programs, products or services are only partially used or not used at all by clients. • Dissatisfied client(s). • Clients leave program(s). • Inefficient resource allocation or lack of clear direction for core purposes and internal services. • Staff disengagement or low morale.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• The Board has been implementing Strategic priority 3.1, *Uphold our commitment to excellence,* that supports effective client satisfaction, process and project management. • Implementation of systems to operationalize regulatory harmonization and collaboration in the 2025-2029 strategic plan.

Evidence *(How success of the existing controls is measured)*	• Measurement (organizational benchmarking) against the Excellence Canada Platinum standard. • Positive retention rate of clients (e.g. regulators, accreditation, affinity, etc.). • Consultation on SP1.2. Harmonization and Collaboration, work plans, general directions, draft documents (Log-in required to access the consultation website). • Use of programs, products and services (tracked for some programs, products and services). • Accountability in accreditation reports.
Residual risk *(Remaining risks after existing control measures)*	• Inconsistent and sometimes conflicting direction from groups of clients. • No organization-systematic approach to client management (e.g. proactively identifying client needs, sharing client knowledge, responding to client feedback). • Reliance on volunteers can result in slow response to client needs. • No clarity regarding overall client priorities and its impact on planning and resource allocation. • Dependency on volunteers for some functions can result in not meeting expectations, and/or significant delays to deliver some products and services. • Long national consultations make development of timely of some products and services challenging.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	The risk is within acceptable tolerance levels and must be continually managed.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• None required at this stage.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Consultation program which includes continual improvement of the consultation process based on annual report, internal reviews and CEOG touchpoints. • Internal communications strategy. • Informal information gathering among staff and between staff and clients. • Integration of Regulator communications activities into corporate communications framework.

9. BREACH IN CORPORATE COMPLIANCE (OPERATIONAL RISK)

Likelihood (1-5)	2 - Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2+ strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**6**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**6**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Engineers Canada has an obligation to comply with various statutory and common law obligations and requirements.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Legal or regulatory action brought against or sustained by Engineers Canada. • Failure to monitor and/or ensure compliance with corporate policies. • Failure to meet or comply with legal obligations.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Application of damages, fines, and/or penalties, resulting in financial hardship. • Reputation loss. • Loss of trust with the Board or Regulators.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	No major improvements required at this stage.
Evidence *(How success of the existing controls is measured)*	• Training and audit results. • No current (or recent past) legal actions filed.
Residual risk *(Remaining risks after existing controls)*	• Corporate bodies are always susceptible to some legal challenge, whether real or threatened.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is acceptable, but continual improvement is recommended to retain this level.

Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	Continuous improvements are ongoing.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Internal legal department oversees compliance and works with staff to ensure legally sound practices. • Internal policies and procedures, with processes defined for regular reviews and training. • Legal reviews of all contractual agreements, including employment contracts, requests for proposals and memorandum of understanding. • Privacy audit completed annually, and training provided to all staff.

10. MISMANAGEMENT OF FINANCES (OPERATIONAL RISK)

Likelihood (1-5)	2 - Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**6**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**6**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Engineers Canada must ensure that financial resources are effectively managed and reported accurately.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Misreporting to the Board, auditors or other compliance bodies. • Employee(s) commit fraud. • Substantive errors in the budget. • Significant technology failure.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Inaccurate reporting to the Board. • Financial loss. • Litigation. • Loss of trust or dissatisfaction of the Board or Regulators. • Improper filings (e.g. payroll taxes). • Data loss.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	No major improvements required at this stage.
Evidence *(How success of the existing controls is measured)*	• Annual audit report. • Quarterly financial reports. • Month-end financial statements. • Annual budget with three-year projections.
Residual risk *(Remaining risks after existing controls)*	• Limited ability to segregate duties due to size of finance team.
Risk tolerance *(Remaining risk accepted or not)*	The risk is within acceptable tolerance levels.

Additional Controls *(Future actions to mitigate risk, if not tolerated)*	None required, continual improvement is ongoing.
Continuous improvements *(Operational activities without a beginning or an end underway to prevent or mitigate the risk)*	• Annual external audit process. • Month-end close procedures. • Expense and cash approval processes. • Policies for staff on travel and expense reimbursement, financial commitments and expenditures, corporate credit card, procurement, financial signing authority and delegation, and fraud. Finance database and environment settings are automatically backed up by Microsoft and kept for 28 days.

11. MISMANAGEMENT OF HUMAN RESOURCES (OPERATIONAL RISK)

Likelihood (1-5)	2 – Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	3 – Moderate (if occurs, will have an impact on delivering 2 + strategic priorities or 2+ purposes but Engineers Canada would likely recover with existing controls)	**6**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**6**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Engineers Canada's ability to deliver high quality and effective programs, products and services rests on its ability to recruit and retain quality staff. • Staff performance and knowledge retention is critical to deliver products and services to Regulators and stakeholders. • Higher inflation rate results in staff's expectation for a salary increase. • There is increasing competition and benefits (e.g., flexible work arrangements, work hours, shortened work week) for skilled workers in the National Capital Region.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• CEO or executive leadership team member leaves abruptly. • Critical mass of staff leaves within a short period of time / high staff turn-over. • Inability to recruit or retain competent staff in core positions. • New legislative obligations. • Staff who have access to key operational technology tool (HR, finance) leave, with no trained back-up. • A high demand for new hires.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Lack of organizational staff in key leadership positions. • Skills shortage or lack of skills in critical areas. • Delay(s) and/or decreased quality of programs, products or services. • Regulators and stakeholders dissatisfaction with projects, products or services. • Loss of core knowledge. • Positions remain vacant or positions need to be reclassified to accommodate less experience workforce. • Staff disengagement or low morale. • Challenge to recruit bilingual staff.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• Implementing an annual succession plan approach for staff in 2024. • Implementing a multi-year training program to foster continuous learning and skill development in 2024. • Improving individual performance and training program. • Formalizing EDI implementation across Engineers Canada's work areas. • Implementing an Awards and Recognition program in 2024.

	• Implementing regular Health and Harmony check-ins with employees to identify areas of concern, promote overall well-being, and foster a supportive work environment. • Created an HR Plan to streamline talent acquisition, enhance employee development initiatives, and optimize overall organizational effectiveness. • Implemented an employee wellness site that provides comprehensive resources, interactive tools, and the latest information to support physical, mental and emotional well-being at work. • The organization has been implementing Strategic priority 3.1, *Uphold our commitment to excellence,* that support ensuring effective Human Resource practices satisfaction.
Evidence *(How success of the existing controls is measured)*	• CEO and annual staff succession plan. • Feedback captured in the performance management system. • Triennial review of compensation and annual review of benefits program and benchmark results against other similar organization. • Staff turnover rates. • Triennial employee engagement survey results (Last one conducted was in 2022). • Annual review of staff's individual learning plans on professional development forms. • Survey results of new hires on onboarding process survey. • Exit interviews results. • Excellence Canada benchmarking results. • Completion of individualized learning plans • Percentage of employees promoted from within. • Participation in Wall of Fame, and annual awards and recognition ceremony.
Residual risk *(Remaining risks after existing control measures)*	• Improvements to the information repository on SharePoint are not completed. • Inability to retain some employees due to lack of advancement in a small, flat organization. • Difficulties to recruit bilingual candidates in National Capital Region. • Lack of knowledge retention.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is acceptable, but continual improvement is necessary to retain this level.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	• Improve prioritization of work and planning.
Continuous improvements *(Operational activities without a beginning or*	• Triennial CEO 360° assessment and annual CEO performance evaluation by the HR Committee. • Succession planning for the CEO. • Succession planning as identified in HRIS system.

an end underway to prevent or mitigate the risk)	• Triennial review of compensation and annual review of benefits program to ensure competitiveness. • Comprehensive onboarding program to integrate and remain in the workplace. • Ongoing improvements to the performance management program and processes. • Ongoing Wellness Program. • Formalizing equitable hiring procedures and recruitment practices in a policy and a guide for hiring managers. • Improved knowledge management through IT strategy. • Flexile remove work approach (when appropriate). • Implementing Wisdom Wednesdays to encourage knowledge sharing.

12. COMPROMISED INFRASTRUCTURE, INFORMATION TECHNOLOGY, AND CYBERSECURITY INTEGRITY (OPERATIONAL RISK)

Likelihood (1-5)	2 - Unlikely (unlikely but not unforeseeable)	**Total**
Impact (1-5)	4 - Major (if occurs, will have an impact on delivering on 2+ strategic priorities or 2+ purposes and Engineers Canada could only recover with additional controls)	**8**
Target	The current level is acceptable but attention and continual improvement are required to sustain this level.	**8**

Trend *(When was the risk first identified, what is the trend)*	The score of this risk has been unchanged since 2021.
Current situation *(How did the risk emerge)*	• Engineers Canada is vulnerable to technological, infrastructure and cyber security threats and breaches. • All systems and data storage was migrated to the cloud. • The organization is protected organization against cyber security and information breaches.
Potential event(s) *(What threats or opportunities could trigger the realization of this risk)*	• Staff do not understand or comply with information management requirements. • Staff do not understand or comply with IT policies and procedures. • Damage to physical infrastructure. • Cyber security attack. • Destruction or theft of information or equipment. • Corruption or modification of information. • Removal or loss of information or equipment. • Disclosure of information. • Interruption or denial of services.
Potential consequences *(What could happen if the potential event(s) take(s) place)*	• Loss of core information. • Inability to communicate with staff. • Privacy breaches. • Damage or destruction of physical or technological infrastructure. • Reputation loss. • Unreliable services to staff, Regulators and stakeholders. • Inability to deliver on programs, products or services.
Major improvements *(Projects with a beginning and an end underway to prevent or mitigate the risk)*	• No additional improvements are required at this point in time.
Evidence *(How success of the existing controls is measured)*	• Frequent breach attempts have occurred on Engineers Canada's digital properties in the last year, but none has been successful. Cyber security protocols were followed to handle breach events and attack vectors were mitigated.

	• Despite inevitable hardware failures, no data has been lost or corrupted. All backup systems and other fail-safe mechanisms have allowed data integrity to be maintained.
Residual risk *(Remaining risks after existing control measures)*	• Unknown security or information breach with staff working remotely. • Servers could unexpectedly stop working, potentially causing data loss, unreliable service or staff, Regulators and stakeholder dissatisfaction. • Some information continues to be stored on aging servers. • New emerging (zero day) threats to data/digital infrastructure. • Limited time for IT to devote to security hardening, prevention and monitoring.
Risk tolerance *(Remaining risk is accepted or is above tolerance level)*	This risk is acceptable, but continual improvement is necessary to retain this level.
Additional Controls *(Future actions to mitigate risk, if risk not tolerated, with expected timeframe)*	None required, continual improvement is ongoing.
Continuous improvements (Operational activities without a beginning or an end underway to prevent or mitigate the risk)	• IT policies on Information technology security incidents, (including protocols for any breaches to our digital properties), Acceptable Use of IT, and Password requirements. • Business continuity plan and process for annual reviews. • Emergency response procedure and staff training. • Vendor management process and contracts. • Staff awareness of phishing and other social engineering threats. • Onsite/offsite backup strategy and monitoring. • Nagios monitoring system to forewarn of failures. • Cloud backup systems put in place for possible “internal” bad actors. • Automatic virus software update system. • Laptop automatic file backup in case of laptop failure/loss. • All staff use multi-factor authentication for 365 logins. • Maintenance of firewall software and firewall AV/malware protection. • IT team’s continued expansion of knowledge in areas of cloud service management and security, through courses, webinars and online learning. • Acquisition of specialists to instruct and guide IT team for sensitive deployments or security sensitive implementations. • Implementation of a new NMDB solution that is cloud based. • Upgrades to O365 licensing allows us to leverage new security features and endpoint controls.

BRIEFING NOTE: For decision

New public Guideline on duty to report	4.3a
Purpose:	To approve the revised Guideline on duty to report for publication on Engineers Canada's website.
Link to the Strategic Plan / Purposes:	Core purpose 3: Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
Link to Corporate Risk Profile:	Diminished scope and value of engineering regulation (Board risk) Diminished national collaboration (Board risk) Client satisfaction (Operational risk)
Motion(s) to consider:	THAT the Board, on recommendation of the CEQB, approve the Guideline duty to report.
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Ryan Melsom, Manager, Qualifications and CEQB Secretary
Presented by:	Frank Collins, CEQB Chair

Problem/issue definition

- To safeguard the safety, health and welfare of the public, including people in the work environment, engineers must ethically apply engineering judgement, risk assessment, decision making and practice across all aspects of their work.
- The duty to report is a legal, professional or ethical obligation or expectation to report the conduct, activities, or behaviour or professional practice of another person or group of persons in order to protect or prevent harm to the public or the environment. This duty is a fundamental responsibility of all engineering registrants in Canada as part of their licenses to practice.
- Since the duty to report is fundamental, many engineers may not realize they are fulfilling it daily as they identify designs, processes, and procedures that could negatively impact the safety, health, and welfare of the public.
- If engineers do not fully understand their legal obligations with regard to the duty to report, they cannot adequately ensure protection of public interest and fulfil their duties.
- Given this context, Regulators have expressed the need for a guideline on duty to report that includes key topics such as best practices around managing "informal" reporting, the limits of the duty to report vs. the duty to warn, considerations in the protection of "whistleblowers", and reporting of non-technical workplace issues.

Proposed action/recommendation

- That the Board, on recommendation of the CEQB, approve the new public *Guideline on duty to report* for publication on Engineers Canada's website.

Risks

- Regulators requested this work under the 2022 CEQB work plan. If it is not approved, there may be diminished confidence in Engineers Canada's ability to deliver on its mandate on agreed upon timelines.

Financial implications

- N/A

Benefits

- The new guideline will assist Regulators in helping engineers, engineering firms and other registrants understand and meet their ethical and professional duties as outlined in the Code of Ethics in each provincial and territorial jurisdiction.
- Will help registrants understand key aspects of their duty to report, including, but not limited to:
    - existing duties for registrants;
    - when regulatory reports could and/or should be made;
    - reporting requirements and processes;
    - reporting consequences and challenges;
    - the difference between mandatory and permissive reports; and
    - limitations of regulatory reports.
- Will provide a roadmap for regulators, consistent with Right Touch principles, to help registrants understand and meet reporting requirements, and in facilitating the reporting process.

Consultation

- Engineers Canada's Board requested in early 2022 that the CEQB undertake the development of the Guideline on duty to report. The CEQB assigned its standing Practice Committee to advise on the development of this guideline.
- Following an RFP process, through which the services of consultants at Rosen Sunshine LLP were engaged, the CEQB Practice Committee began advising on the development of a national virtual workshop held in October 2022 (with ~35 attendees included representatives of Regulators, CEQB, and the Practice Committee) as well as a pre-workshop survey. The workshop, survey results and the Committee's expertise provided the foundation for the development of the general direction document.
- Three regulators (EGBC, PEGNL, APEGA) provided formal comments on the general direction of the guideline. Following revisions based on these comments, the general direction was approved by the CEQB in April 2023, and the consultants began developing the guideline.
- Following the CEQB's approval for consultation in September 2023, the draft guideline was sent to the regulators for consultation in September-November 2023. Minor changes were suggested by Engineers Canada Staff, CEQB members, the National Practice Officials Group, the National Discipline and Enforcement Officials Group, and 5 regulators (EGBC, Engineers Nova Scotia, APEGS, PEO and APEGA), and these have been incorporated into the final guideline presented today.

Next steps (if motion approved)

- The new public Guideline on duty to report will be published on the public website.

Appendices

- New public Guideline on duty to report

I. INTRODUCTION....2
II. LIMITATIONS, JURISDICTION, AND AUDIENCE....2
A. Overview of the Role of the Regulator....3
B. Overview of the Registrant's Role....3
III. LEGAL OVERVIEW AND DEFINITIONS....3
A. Existing Common or Widespread Reporting Requirements....4
IV. EXISTING LEGAL FRAMEWORK AND DUTIES FOR REGISTRANTS....5
V. WHEN A REGULATORY REPORT COULD AND/OR SHOULD BE MADE....6
A. Reporting of Registrants....6
1. General Considerations....6
2. Self-Reporting, by Individual or Firm Registrants....11
3. Reporting of Other Registrants, by Individual Registrants....11
4. Reporting of Other Registrants, by Firm Registrants....11
B. Reporting of Non-Registrants....12
1. General Considerations....12
2. Reporting of non-Registrants, by Individual Registrants....13
3. Reporting of Non-Registrants, by Firm Registrants....14
VI. REPORTING PROCESS....14
A. Before Reporting....14
B. Who makes a Regulatory Report....15
C. To Whom are Regulatory Reports made....16
D. What should be included in Regulatory Reports....17
E. Timing of Regulatory Reports....17
F. Possible Outcomes of Regulatory Reports....17
VII. REPORTING CONSEQUENCES AND CHALLENGES....18
A. Failing to make a Regulatory Report....18
B. Making an improper Regulatory Report....19
C. Protections for Reporters....20
D. Participation in the complaint or discipline process....21
VIII. CONCLUSION....21
APPENDIX A....23

I. INTRODUCTION

The duty to report is a legal, professional or ethical obligation or expectation to report the conduct, activities, or behaviour or professional practice of another person or group of persons in order to protect or prevent harm to the public or the environment. This duty is a fundamental responsibility of all engineering registrants[1] in Canada as part of their licenses to practice.

This Guideline is intended to provide assistance to engineers, engineering firms and other registrants (collectively, "**Registrants**") and seeks to help Registrants connect their professional and ethical duties with reporting conduct and behaviour. Conduct or behaviour may warrant reporting if it is unethical, illegal, demonstrates a risk to the public and/or more generally, is contrary to the values embedded in the Codes of Ethics in each provincial and territorial jurisdiction and the Engineers Canada Code of Ethics.

This Guideline is also intended to serve as a tool for the provincial and territorial regulators of the engineering profession in Canada (collectively the "**Regulators**") to help them enhance, adopt or implement best practices with respect to the duty to report, and regulate their Registrants accordingly. It will outline considerations for mandatory and permissive reports (collectively, "**Regulatory Reports**") while continuing to place paramount importance on protecting the health and welfare of the public and the environment, and promoting health and safety within the workplace as it translates into Registrants' day-to-day lives.

II. LIMITATIONS, JURISDICTION, AND AUDIENCE

This Guideline has limits with respect to its applicability and enforceability on a national scale. It cannot create, mandate, or enforce regulations or rules, but will instead be a practical tool for Registrants and Regulators. This Guideline is designed to support Registrants in understanding their duty and options with respect to reporting certain behaviour, conduct, or activity.

The scope of this Guideline is also limited to providing guidance to Registrants and Regulators with respect to Regulatory Reports by Registrants, in accordance with their obligations under the Regulators' legislation, regulations, by-laws, and/or policies. While members of the public may make reports to the Regulators, it is rare that there would be a "duty" for them to do so (although such duties do sometimes exist, for example, non-Registrant employers in some jurisdictions have a legislative duty to report Registrant employee misconduct).[2]

[1] "Registrant" means an individual registered with an engineering regulator, and can include but is not limited to engineers, engineers-in-training, members-in-training, engineering interns, permit holders, and licensees.
[2] For example, employers of Registrants in British Columbia are subject to such a requirement.

A. OVERVIEW OF THE ROLE OF THE REGULATOR

The Regulators have a legislated mandate to protect the public interest, which is paramount. This mandate includes safeguarding life, health, property, economic interests, the public welfare, and the environment. The Regulators regulate the practice of the profession and govern their Registrants so that the public interest is served and protected. The public trusts that engineers have the technical and ethical competence to serve society and have a willingness to put the public interest first. That public trust is carefully conferred and must be protected; trust is fragile and easily lost. Regulatory Reports play an important role in protecting that public trust, and safeguarding the integrity of the profession.

As part of their mandate to protect the public, Regulators may be granted through legislation, or can create through policy or guidelines, a requirement or expectation for Regulatory Reports. Regulators may choose or be required to implement Regulatory Reports for a number of reasons, including that Regulatory Reports help to:

- ensure the public interest is protected;
- govern Registrants and emphasize their professional and ethical obligations to protect the public; and
- protect the integrity of the profession and its Registrants.

B. OVERVIEW OF THE REGISTRANT'S ROLE

Regulatory Reports are consistent with the Registrants' ethical duties outlined in the Codes of Ethics established by each Regulator, which generally include duties on Registrants to act with fairness, courtesy, and in good faith; to safeguard human life and welfare; and to protect the environment.

During the course of providing professional services, or sometimes even outside of their professional roles, Registrants may become aware of various circumstances or conduct by another Registrant that could pose a risk to the public. Examples of conduct or circumstances that could pose a risk to the public are discussed below in Section V. Often times, this conduct and associated risk may not come to the attention of the Regulator unless a Regulatory Report is made, or may come to the attention of the Regulator only after risks have materialized. This is precisely why Regulatory Reports are so important.

III. LEGAL OVERVIEW AND DEFINITIONS

A duty to report includes a legal, professional, or ethical obligation or expectation to report the conduct, activities, or behaviour of another person or group of persons in order to protect or prevent harm to the public or environment.

The duty to report can be either mandatory or permissive (collectively, "**Regulatory Reports"**).

A **mandatory report** means that a person is required by law to make a report. This legal requirement will often also include or dictate the circumstances under which a report must be made, a time period in which this report must be made and the nature of the report. Typically, there are also legal consequences (such as fines, charges, or misconduct proceedings) for failing to comply with a mandatory duty to report.

As an example of a mandatory report, Registrants in British Columbia are required by legislation to report other identified Registrants if there are reasonable or probable grounds to believe that the identified Registrant is engaged in the practice of engineering in a manner that may pose a risk of significant harm to the health or safety of the public or to a group of people, or to the environment.

A **permissive report** means that there is no legal requirement for a person to make the report. However, the person is permitted (and/or encouraged) to make the report if they believe that it is reasonable to do so. Permissive reporting can still be legislated but the language will typically say "may" instead of "shall."

As an example of a permissive report, Registrants in Ontario are permitted, but not required, to report the professional misconduct or incompetence of other Registrants.

Broadly speaking, the purpose of Regulatory Reports is to facilitate or encourage risky or problematic conduct being brought to the attention of authorities with jurisdiction to mitigate the risk and protect the public. Registrants should refer to their respective Regulator's current legislation, by-laws, and policies to determine whether reporting in a specific circumstance is mandatory or permissive.

A. EXISTING COMMON OR WIDESPREAD REPORTING REQUIREMENTS

There are many duties to report embedded in legislation, and policies applicable to specific professions or industries, and even some that apply to the Canadian population at large. As an example of the latter, every person has a duty to report child abuse or neglect under Canadian child welfare laws. Other widespread reporting obligations include obligations to report unsafe working conditions to either the federal or provincial ministry of labour and obligations to report a privacy breach to the federal or provincial privacy commissioner.

Some reporting obligations relate to the type of information that professionals are likely to come across in the course of their practice of the profession. For example, physicians and other health professionals in some jurisdictions are required to report to the appropriate government body

certain communicable diseases, or patients with conditions that make it unsafe for them to operate a motor vehicle.

In the context of reports to professional regulators, there is sometimes a legislated duty on the employers of professionals to report to the regulator when an action is taken with respect to the employed professional (including termination, suspension, or an imposed leave of absence) as a result of the professional's unethical or unsafe conduct.

Legislation can sometimes impose an obligation on professionals to self-report to their regulatory body if they are the subject of criminal, civil, and/or regulatory proceedings and/or findings. A broader duty can also be imposed on registered professionals to report concerns about their fellow registered professionals, where the reported professional is engaged in unethical or unsafe conduct.

IV. EXISTING LEGAL FRAMEWORK AND DUTIES FOR REGISTRANTS

With the general principles outlined in sections II and III in perspective, this Section will now discuss Regulatory Reports in the context of the regulation of engineering in Canada, and will include a concise summary of the current legal framework related to Regulatory Reports for Registrants. It is important to note that this is only a summary, and full review of the legal framework related to Regulatory Reports for each Regulator is beyond the scope of this Guideline. It is also important to note that the legal framework governing Regulatory Reports to the Regulators is subject to change, as the Regulators' enabling legislation, as well as regulations, by-laws, and policies made thereunder, are subject to change. Accordingly, it is important for Registrants to consider the general recommendations contained in this Guideline in conjunction with their respective Regulator's current legislation, by-laws, and policies.

With these important limitations in mind, most Regulators currently include in their Code of Ethics an expectation that Registrants must report to their Regulator, or to other appropriate authorities, regarding certain conduct by Registrants or others. While specific reporting criteria differs by jurisdiction, this generally includes conduct that is unethical, illegal, and/or unsafe. Although not every jurisdiction explicitly addresses Regulatory Reports in their Code of Ethics,[3] Regulatory Reports can still be viewed as consistent with and flowing from other express obligations included in the Code of Ethics, such as obligations for Registrants to:

- hold paramount the health, safety, and welfare of the public and have regard for the environment;

[3] The Code of Ethics for the Association of Engineers and Geoscientists of Alberta does not explicitly address Regulatory Reports, but does interpret a duty to report as flowing from express obligations included in its Code of Ethics, https://www.apega.ca/docs/default-source/pdfs/standards-guidelines/code-of-ethics-5-rules-of-conduct-reference-guide-march-2023.pdf?sfvrsn=ef0d8c00_3

- conduct themselves with integrity, honesty, fairness, and objectivity in their professional activities; and
- uphold and enhance the honour, dignity, and reputation of their professions and thus the ability of the professions to serve the public interest.

In addition to reporting obligations in the Codes of Ethics, some jurisdictions have legislated requirements with respect to Regulatory Reports. In some jurisdictions, this includes an obligation for Registrants to self-report to their Regulator with respect to criminal, civil, and/or regulatory investigations or proceedings.[4] Even Regulators that do not have a specific legislated requirement to disclose such proceedings may require Registrants to disclose these proceedings as part of their initial license applications and annual renewal applications.[5]

One jurisdiction, Engineers and Geoscientists British Columbia, has a legislated requirement for Registrants to report other identified Registrants if there are reasonable or probable grounds to believe that the identified Registrant is engaged in the practice of engineering in a manner that may pose a risk of significant harm to the health or safety of the public or to a group of people, or to the environment. The legislation governing Registrants in British Columbia[6] also contain provisions protecting reporting Registrants and employers of Registrants who make reports (or the "reporters") from retaliatory actions, which are commonly referred to as "whistleblower protections." Examples of retaliatory actions that are prohibited include terminating the employment of the reporter or filing a lawsuit against the reporter related to making the report, such as a lawsuit for defamation.

V. WHEN A REGULATORY REPORT COULD AND/OR SHOULD BE MADE

A. REPORTING OF REGISTRANTS

1. GENERAL CONSIDERATIONS

Regulators have a legislative mandate to protect the public interest, and Regulatory Reports are implemented by Regulators in support of fulfilling this legislative mandate. Protection of the public interest includes ensuring that Registrants are practicing engineering in a safe, ethical, and professional manner and guarding against tangible risks to the public, such as a risk to life, health, the environment, property, economic interests, and the public welfare.

It is important to note that the risk posed should relate to the Registrant's failure to meet the standards of practice of engineering in a manner that creates this risk, not to inherent risks with

[4] Currently, these obligations exist for Registrants of the Association of Engineers and Geoscientists of Manitoba; l'Ordre des Ingénieurs du Québec; and the Northwest Territories and Nunavut Association of Professional Engineers.
[5] For example, New Brunswick currently requires disclosure of proceedings as part of their annual renewal application.
[6] *Professional Governance Act*, [SBC 2018] CHAPTER 47

respect to a particular area of practice. Risk management is an integral part of the practice of engineering and it is generally understood that engineering works often cannot be accomplished with zero risk, but must be accomplished within an acceptable level of risk, in accordance with the standards of practice with respect to that particular area of practice.[7] Engineers Canada's *Public Guideline on Risk Management* provides helpful guidance on risk management processes and strategies that Registrants can use to ensure that engineering works are accomplished within an acceptable level of risk.[8] However, where a Registrant fails to meet these standards of practice and the risks posed exceed the generally accepted level, the Regulator may need to take action to protect the public interest.

For example, nuclear energy poses a small but controlled risk to the environment. Where a nuclear engineer meets the standards of practice and keeps the level of risk within generally accepted levels, no regulatory action will likely be warranted. On the other hand, if the nuclear engineer fails to meet the standards of practice in a manner that poses risks above the generally accepted level, the Regulator may need to take action to protect the public interest.

Protection of the public interest also includes protecting less tangible interests, including protecting the public perception in the professionalism and integrity of engineers and engineering as a profession. Accordingly, the regulation of unprofessional conduct, even where it does not create an obvious and tangible risk to the public, still falls within the Regulator's public interest mandate. This is because unprofessional conduct can degrade or damage the public's perception of engineering as a profession. [9]

The following are examples of circumstances where a Regulator may determine that a Regulatory Report is required or encouraged, although this list is not exhaustive:

a. **Criminal Proceedings or Findings:** With respect to criminal proceedings, or findings, crimes of moral turpitude are generally the primary concern of Regulators. Moral turpitude is generally defined as conduct that is considered contrary to community standards of justice, honesty or good morals.[10] Where a Registrant is charged with, or is found guilty of committing, a crime of moral turpitude, this gives rise to concern that the Registrant is not of "good character", which is a requirement that all Registrants must meet upon registration and throughout their professional practice.[11] A list of crimes that involve moral turpitude can

[7] https://engineerscanada.ca/public-guideline-on-risk-management
[8] https://engineerscanada.ca/public-guideline-on-risk-management#-background
[9] *See e.g. Green v. Law Society of Manitoba,* 2017 SCC 20 (CanLII), [2017] 1 SCR 360, <https://canlii.ca/t/h2wx1>, para. 79.
[10] *Re Button and Minister of Manpower and Immigration*, 1975 CanLII 2246 (FCA), [1975] 1 FC 277, <https://canlii.ca/t/gwgrs>,
[11] Most professions have a requirement that the professional be able to practice with defined as: "1. the collective qualities or characteristics, especially mental and moral, that distinguish a person or thing. 2. moral strength. 3. reputation". Good character connotes moral and ethical strength and includes traits such as integrity, candour, honesty and trustworthiness.

be found in the Engineers Canada Guideline on good character. Sometimes a criminal conviction may, in and of itself, be viewed as an act of misconduct. As such, Registrants may be required or encouraged to self-report or report others who are convicted of such findings. Specific reporting obligations vary by jurisdiction; a report may be required or encouraged at the initiation of proceedings, or it may only be required or encouraged at the conclusion of proceedings, when findings are made.

b. **Civil Proceedings or Findings:** With respect to civil proceedings or findings, lawsuits directly related to the Registrant's practice (such as malpractice lawsuits) can give rise to a concern that the Registrant is not practicing in a competent, safe, and/or ethical manner. In addition, as with criminal proceedings, civil proceedings may also raise concerns with respect to the Registrant's good character, even where the allegations are not directly related to the Registrant's practice. For example, civil proceedings alleging human rights violations (such as discriminatory conduct based on protected grounds) can give rise to concerns with respect to the Registrant's good character. Consult the Engineers Canada Guideline on good character for details about discrimination and protected grounds. While specific reporting obligations vary by jurisdiction, unlike criminal proceedings, usually Registrants are not required or encouraged to report upon the initiation of civil proceedings. Instead, Registrants are usually required or encouraged to report at the conclusion of the proceeding, and only when findings are made. While a final decision where findings have been made may potentially be relied on by a Regulator to take regulatory action, it is important to note that all of the evidence submitted in the course of a proceeding is generally subject to the "implied undertaking" rule, meaning that it cannot be used for any purpose outside of the civil proceeding without leave of the court. This means that any evidence obtained in the course of a civil proceeding cannot be submitted to a Regulator in connection with a Regulatory Report without leave of the court.

c. **Regulatory Investigations, Proceedings, or Findings:** With respect to regulatory investigations, proceedings, or findings, it is not uncommon for Registrants to register and practice engineering in more than one Canadian jurisdiction. Where there is an investigation, proceeding, or finding by a Regulator in one jurisdiction with respect to whether the Registrant has committed professional misconduct or is fit to practice, this will be a relevant concern for Regulators in other jurisdictions where the Registrant also practices engineering.

   In addition, investigations, proceedings, or findings by other regulatory bodies may also raise concerns about whether the Registrant's practice is competent, safe, and ethical, or concerns about whether the Registrant is of good character. For example:

   - an investigation by a provincial or federal privacy commissioner involving a breach of client personal information;

- an investigation by an environmental regulator with respect to concerns about environmental damage caused by a project for which the Registrant is or was responsible;
- an investigation by a municipality with respect to building code violations related to a project for which the Registrant is or was responsible; or
- a proceeding before a human rights tribunal alleging that the Registrant has committed human rights violations, such as discrimination or harassment based on protected grounds.

As with criminal and civil matters, the specifics of whether a report is required or encouraged will vary by jurisdiction; Registrants may be required or encouraged to report when investigations are initiated, and/or at the conclusion of proceedings when findings are made. There may be times where an investigation is underway and the allegations or complaint could be frivolous or vexatious or without merit or does not result in any action. The existence of an investigation therefore should never be taken as proof positive of professional misconduct. Where Regulators do require or encourage reporting at the investigation stage, a best practice would be to ensure that there is also follow-up reporting regarding the outcome of the investigation.

d. Competence: Competence generally means having the knowledge, skill or judgment to provide the engineering services in question. Registrants should only offer services, advise on, or undertake engineering assignments in areas of their competence by virtue of their training and experience.

Examples of providing engineering services in an incompetent manner include:

- failing to provide adequate supervision for engineering works that the Registrant is responsible for;
- providing services that are beyond the scope of the engineer's training, expertise, or scope of practice;
- failing to comply with regulatory requirements in relation to the use of the Registrant's professional seal; and
- failing to execute necessary due diligence that demonstrates unskilled practice.

e. Unethical or Unprofessional Conduct: Each Regulator has an established Code of Ethics setting out expectations for the ethical practice of engineering. Ensuring that all Registrants adhere to these ethical practices is especially important for ensuring public trust in the integrity of engineers and engineering as a profession. Examples of unethical practices include:

- providing professional engineering services with an undisclosed conflict of interest;

- engaging in inappropriate conduct such as sexual harassment, discrimination, or bullying;
- accepting or offering covert payment or other considerations for the purpose of securing, or as remuneration for, engineering assignments; and
- billing in a fraudulent manner or submitting a false or misleading account for services.

f. Fitness to Practice: Fitness to practice in the Canadian regulatory context usually refers to having the necessary physical and mental health to provide safe, competent, careful, diligent and ethical services to the public. A Registrant is not fit to practice if they are incapacitated, which means that the Registrant:

a. has a medical, physical, or mental condition, disorder, or illness; and
b. their medical condition either:
   i. makes them unable to carry out their professional responsibilities entirely; or
   ii. impacts their ability to carry out their professional duties such that their license or certificate of registration should be subject to terms, conditions, or limitations.

It is important to note that a Registrant is not incapacitated simply because the Registrant has a medical, physical, or mental condition that could impact their ability to practice. If the Registrant has insight and understanding into how their condition could or does impact their ability to practice, and voluntarily manages their condition or limits their practice such that they are providing services in a competent and safe manner, the Registrant is not incapacitated.

Incapacity issues generally become problematic when the Registrant lacks insight or refuses to accept that their condition is impacting their ability to practice in a competent and safe manner. Since Registrants lack insight into how their condition is impacting their ability to practice, often a Regulatory Report may be necessary to mitigate the risk to the public. Examples of conditions that could result in an incapacity finding include:

- Substance use or abuse (e.g., drugs, alcohol);
- Cognitive health issues (e.g., dementia, Alzheimer's);
- Physical health issues (e.g., brain injury, cancer, neurological conditions, physician limitations); and
- Mental health (e.g., depression, anxiety, PTSD).

Requiring or encouraging Registrants to self-report or to report other Registrants for fitness matters can be very complex and raise a number of legal and ethical issues. For this reason, in jurisdictions where Regulators require or encourage Registrants to report themselves or other Registrants for fitness matters, there would typically be legislative requirements and supports or significant guidance to the profession regarding reporting of fitness matters.

2. SELF-REPORTING, BY INDIVIDUAL OR FIRM REGISTRANTS

Some jurisdictions have a legislated duty for Registrants to self-report to their Regulator when they are subject to criminal, civil, and/or regulatory investigations, proceedings, or findings in other jurisdictions.[12] Regulators could also request self-reports about investigations, proceedings or findings by way of policy, which could occur at the time of registration with the Regulator, upon annual renewal, or even within a specified time of a certain event occurring.

3. REPORTING OF OTHER REGISTRANTS, BY INDIVIDUAL REGISTRANTS

Regulatory Reports may be made (or be required to be made) by one Registrant about another[13].

The overarching question that a Registrant should ask when considering whether to make a Regulatory Report is whether the circumstances give rise to a reasonable concern that the Registrant's practice poses a significant risk to the public interest. In making this assessment, it is important for the Registrant to consider that protecting the public interest includes safeguarding both tangible and intangible interests. Safeguarding the public interest includes mitigating tangible risks to the public, such as a risk to life, health, the environment, property, economic interests, and the public welfare. Protection of the public interest also includes protecting less tangible interests, including protecting the public perception in the professionalism and integrity of engineers and engineering as a profession.[14]

Generally, a mandatory reporting requirement will be based on a reasonableness standard (or similar wording contained in the applicable legislation).[15] This standard means that the reporter does not need to be certain that there is a risk to the public interest in order for the Regulatory Report to be warranted. If the facts available to the reporter give rise to a reasonable belief that there may be a risk to the public interest, that is sufficient to warrant a Regulatory Report. This is a relatively low threshold.

4. REPORTING OF OTHER REGISTRANTS, BY FIRM REGISTRANTS

[12] Currently, these legislative obligations exist for Registrants of the Association of Engineers and Geoscientists of Manitoba; l'Ordre des Ingénieurs du Québec; and the Northwest Territories and Nunavut Association of Professional Engineers.

[13] Registrants should always have regard to any legal requirements when making a report and may wish to seek legal advice about whether a report needs to be made and /or in what manner the report should be made.

[14] *See e.g. Green v. Law Society of Manitoba,* 2017 SCC 20 (CanLII), [2017] 1 SCR 360, <https://canlii.ca/t/h2wx1>, para. 79.

[15] Where there is no legal guidance about or requirement to make a Regulatory Report, the considerations should be similar.

Firm Registrants should apply the same principle as outlined above in Subsection V.A.3 for individual Registrants when determining whether or not a Regulatory Report regarding another Registrant is required or appropriate.

Firm Registrants should also recognize that they are specially placed to facilitate and support Regulatory Reports because they are more likely than the average individual Registrant to become aware of conduct that could pose a risk to the public interest. Firm Registrants might receive reports about concerning conduct of one of their employed Registrants from fellow employees, clients, or others, or may become aware of such conduct through other means.

In British Columbia, firm Registrants are specifically required to have a written Code of Conduct that sets out how the firm Registrants will ensure compliance with legislative requirements, including the duty to report.

When an employed individual Registrant reports concerns about a firm Registrant's conduct to the firm, such action alone may not fulfill the individual Registrant's professional and ethical obligations to make a Regulatory Report. It is essential to consult and consider specific provincial and territorial requirements in this regard. However, even without a legal requirement do to so, if an individual Registrant is not satisfied with or privy to the steps taken by a firm to address the concerning conduct and the resulting risk to the public, the individual Registrant may wish to then make a report directly to the Regulator.

B. REPORTING OF NON-REGISTRANTS

1. GENERAL CONSIDERATIONS

The Codes of Ethics, in many jurisdictions, extend the duty to report beyond self-reporting and reporting of other Registrants. Registrants may be required or encouraged to report any conduct that poses a risk to the public, whether the person engaged in this conduct is an engineering professional or not.

The appropriate authority to receive a report about a non-Registrant will depend on factors including whether there is any applicable legislation, the nature of the conduct and the risk posed to the public. For example, if the conduct poses an environmental risk, the federal or applicable provincial ministry of the environment would be the appropriate authority. For fraud or other illegal activities, local law enforcement would be the appropriate authority. Registrants may wish to get advice about reporting non-Registrants in terms of whether a report should be made, to whom and in what manner.

The following are examples of circumstances where a Regulatory Report may be required or encouraged, although this list should not be viewed as exhaustive:

1. **Employers or Clients:** A Registrant's employer or client may choose to overrule or ignore an engineering decision or recommendation. Where that choice poses a risk to the public interest, it will be in conflict with the Registrant's duty to safeguard the public.

2. **Unlicensed Practice of Engineering:** Each jurisdiction prohibits the practice of engineering or the use of titles such as "professional engineer" by an individual or entity who is not registered to practice with the Regulator in that jurisdiction. Other actions that could lead the public to believe that the individual is licensed to practice engineering, such as the use of a seal, are also generally prohibited. Each Regulator's enabling legislation authorizes the Regulator to take enforcement action against individuals or entities for the unlicensed practice of engineering, which could result in the individual or entity having to pay significant fines. Unlicensed practice of engineering can pose a risk to the public, and accordingly reporting to the Regulator may be warranted or required.

3. **Other Licensed Professionals**: Registrants may be working in inter-disciplinary settings where they are working alongside professionals licensed by other regulatory bodies (e.g., architects, land surveyors, foresters, lawyers, etc.). Where the Registrant becomes concerned that another professional is practicing in a way that is unethical or otherwise poses a risk to the public, it may be required or appropriate for the Registrant to report their concerns to the professional's regulatory body.

2. REPORTING OF NON-REGISTRANTS, BY INDIVIDUAL REGISTRANTS

In the context of reporting non-Registrants, the overarching question that a Registrant should ask is whether the non-Registrant's conduct poses a risk to the public interest. This will usually involve tangible risks, such as a risk to life, health, the environment, property, economic interests, and the public welfare.

Engineers Canada's Guideline on Code of Ethics provides guidance on how to manage circumstances where a Registrant's employer and/or client intend to overrule or ignore an engineering decision in a manner that poses a risk to the public:

- The Registrant should clearly explain to the employer and/or client the potential consequences of overruling or ignoring the Registrant's decision or recommendation.

- Where the Registrant is employed, the Registrant should first notify the employer.

- Where the employer does not adequately respond to the Registrant's concern, the Registrant must raise this concern with the client directly. If the Registrant is acting as a consultant and there is no employer, the concern can be raised with the client at first instance.

- If attempts to have the concern addressed by the employer and/or client are unsuccessful, the Registrant should report the concern to the Regulator and/or other appropriate authority.

- Care should be taken by Registrants not to enter into legal arrangements which compromise this obligation to report.

Generally, a mandatory reporting requirement will be based on a reasonableness standard (or similar wording contained in the applicable legislation).[16] This standard means that the reporter does not need to be certain that there is a risk to the public interest in order for the Regulatory Report to be warranted. If the facts available to the reporter give rise to a reasonable belief that there may be a risk to the public interest, that is sufficient to warrant a Regulatory Report. This is a relatively low threshold.

3. REPORTING OF NON-REGISTRANTS, BY FIRM REGISTRANTS

Firm Registrants should apply the same principle as outlined above in Subsection V.B.2 for individual Registrants when determining whether or not a Regulatory Report regarding a non-Registrant is required or appropriate. As outlined in that Subsection, where a client intends to overrule or ignore an engineering decision or recommendation in a manner that poses a risk to the public, the firm Registrant may have an obligation to notify the client that the client's decision is in conflict with the firm Registrant's duty to safeguard the public. The Registrant should clearly explain to the client the potential consequences of overruling or ignoring the Registrant's decision or recommendation.

If attempts to have the concern addressed by the employer and/or client are unsuccessful, the Registrant may be required or encouraged to report the concern to the Regulator and/or other appropriate authority. Care must be taken by Registrants not to enter into legal arrangements which compromise their legal or ethical duty to report. It is advisable for the Registrant to seek legal advice on any such confidentiality provisions in contracts.

VI. REPORTING PROCESS

A. BEFORE REPORTING

Registrants who are uncertain about whether or not to make a report can look to the Regulator or other appropriate regulatory body's legislation, by-laws, and published guidance related to reporting. Registrants may also seek guidance from the Regulator or other regulatory body directly with respect to when a report is required or encouraged, or seek legal advice.

[16] Where there is no legal guidance about or requirement to make a Regulatory Report, the considerations should be similar.

Before making a Regulatory Report, it may be appropriate for the reporter to raise their concerns directly with the other Registrant (or other person) engaged in conduct that is considered to pose a risk to the public. A reporter may also wish to seek legal advice or assistance. As discussed in further detail in Section VII.C below, insurance coverage for this legal consultation may be available under Engineers Canada's Secondary Professional Liability Policy.

When reporting the conduct of another Registrant, some Regulators require a Registrant who is making a report to first raise concerns with the other Registrant directly.[17] Some Regulators also require or expect Registrants to raise their concerns with their employer or client directly, before reporting their concerns to an appropriate regulatory body. This is sometimes referred to as the "duty to inform." As outlined in further detail above in Subsections V.B.2 and V.B.3, Guidance from Engineers Canada recommends that in circumstances when an employer and/or client intends to overrule an engineering decision in a manner that poses a risk to the public, the Registrant should first explain to employer and/or client that the decision is contrary to Registrant's duty to safeguard the public. If the Registrant is not successful in persuading the employer and/or client, then the Registrant should make a Regulatory Report to the appropriate authority.

Where notifying the impacted party is not strictly required, the reporter should still consider whether it would be appropriate to do so. It is important to recognize that there may be some circumstances where a concern could be based on a misunderstanding of the facts, in which case an honest discussion with the impacted party could lead to a conclusion that the Regulatory Report is not in fact warranted.

However, if the reporter has reason to fear retaliatory action from the impacted party or a physical safety concern, it may be preferable to forego a discussion with the impacted party and proceed directly to making a Regulatory Report.

A Registrant may have concerns that another legal obligation that they have conflicts with making a Regulatory Report. For example, the Registrant may be subject to a confidentiality agreement or may have learned of the information giving rise to the concern in the course of a legal proceeding. In circumstances where the Registrant is uncertain about the impact of conflicting legal obligations, the Registrant should seek legal advice.

B. WHO MAKES A REGULATORY REPORT

Regulatory Reports (in this context) are made by individual or firm Registrants because they are governed by the Regulators.[18]

[17] This is currently an expectation of Registrants in Alberta and Prince Edward Island.

[18] Members of the public may make reports to the Regulators but it is rare that there would be a "duty" for them to do so (excluding employers or employing or affiliating entities who may have a legislative duty to report Registrant employee conduct).

C. TO WHOM ARE REGULATORY REPORTS MADE

To whom a Regulatory Report should be made will depend on 1) who has engaged in conduct posing a risk to the public, 2) the specific facts and the risk(s) posed to the public, and 3) governing legislation in the jurisdiction where the conduct occurred.

For instance, where a Registrant is concerned that another Registrant has engaged in the practice of engineering in a manner that is incompetent, unsafe, or unethical, the concerned Registrant may be required or encouraged to make a report to the Registrant's Regulator. There is often a difference between a Regulatory Report and a complaint. However, depending on the Regulator's enabling legislation, reports may be dealt with as complaints, or the Regulator may have legislated jurisdiction to deal with reports separately. Where there is legislated jurisdiction to deal with reports separately, the reporting Registrant may not have to act as a complainant or participate in the complaints process, and may not be entitled to any information about the investigation.

A best practice for Regulators is to ensure that reporters have clear guidance about which department or entity in the regulatory body is authorized to receive reports. Often regulators will include this information in a policy, guideline, FAQ, or advice to the profession document. Where a Regulator does not have a legislative process to deal with reports outside of the complaints process, the Regulator may have to address the situation where information is provided to the Regulator but the individual does not wish to participate in the complaints process.

Depending on the particular facts and the specific risk(s) posed to the public, a concurrent report to another regulatory body or authority may also be appropriate. For example, where there is an environmental risk, it may be appropriate to make a concurrent report to the federal or provincial Ministry of the Environment. Where there is a concern that the Registrant may have committed fraud, it may be appropriate to make a concurrent report to local law enforcement authorities.

Where the conduct posing a risk to the public is by a non-Registrant, the Regulator will not have jurisdiction to deal with the report and address potential risk to the public, unless the conduct involves the unlicensed practice of engineering. In those circumstances, a report should be made to the authority with jurisdiction to mitigate the risk to the public. Registrants should generally be aware of the regulatory bodies that are relevant to their particular area of practice. If the reporter is uncertain about which authority or regulatory body concerning conduct should be reported to, they should seek legal advice.

It is important for Registrants who consider bringing their concerns to the media, or raising their concerns on social media or other online forums, to note that these actions do not absolve them of their obligation to make a Regulatory Report where one is required. Regulators may have general requirements or policies related to statements made to the public, advertising, or the use of social media. Where applicable, these should be considered to ensure that the content of statements to

the media or online are appropriate and in accordance with the Registrant's professional obligations.[19] Further, a social media post can be subject to defamation claims. Unlike the protections available to individuals filing a complaint with a Regulator or a Regulatory Report, posting on one's social media lacks similar safeguards.

D. WHAT SHOULD BE INCLUDED IN REGULATORY REPORTS

Often legislation or policy will specify what needs to be included in a Regulatory Report. Regulatory Reports should typically include:

- a clear, chronological, and concise summary of the facts giving rise to the reporter's concern that there is a risk to the public;
- where a concurrent report has been made to another regulatory body with jurisdiction to address the risk, and details about the concurrent report;
- the name and contact information of other individuals in a position to provide information relevant to the concern raised in the Regulatory Report; and
- Copies of all documentary evidence supporting the allegation.

Regulators should make it clear what information is required to be included in the report and not seek to collect more information than is necessary.

E. TIMING OF REGULATORY REPORTS

Regulatory Reports will be most effective when they are made promptly. This places Regulators and other regulatory authorities in the best position to mitigate potential risks to the public. Timelines for legislated Regulatory Reports range from forthwith upon a certain event (i.e., immediately) to 30 days. For Regulatory Reports that are not specifically set out in legislation, the principle of "sooner is better" should be applied since a delay in reporting can lead to, among other things, challenges in investigations.

F. POSSIBLE OUTCOMES OF REGULATORY REPORTS

Once a report has been made to the Regulator, it will be up to the Regulator to determine what further actions are necessary. Likely, this will include an investigation into the conduct of the Registrant alleged to be practicing in an incompetent, unsafe, or unethical manner. The results of that investigation will determine whether further action is necessary, and what that further action may

[19] For example, under the Code of Ethics for the Professional Engineers of Ontario, Registrants are required to "endeavour at all times to enhance the public regard for the practitioner's profession by extending the public knowledge thereof and discouraging untrue, unfair or exaggerated statements with respect to professional engineering".

be. The type of action will depend on the nature of the conduct at issue. The following are examples of possible outcomes (which are not exhaustive):

- where the Regulator has reasonable grounds to believe that the Registrant may be guilty of professional misconduct, next steps may include disciplinary proceedings;
- where the Regulator has a concern that the Registrant may be incapacitated, next steps may include referring the Registrant for an independent medical examination;
- where the Regulator believe that an individual or entity may have engaged in unlicensed practice, next steps may include an enforcement action; and
- where the Regulator is satisfied that the alleged conduct does not pose a risk to the public interest or finds that the conduct is not within the Regulator's jurisdiction, the Regulator will not take any further action. For conduct that is outside of the Regulator's jurisdiction, the Regulator may refer the matter to appropriate authorities with jurisdiction over the conduct in question.

Depending on the outcome of an investigation into a Regulatory Report, the reporter may not be entitled to receive any further information.

Regulators may wish to consider process maps or flow charts to demonstrate what can happen as a result of regulatory reports. Regulators should also consider including notification that the reporter may not be able to be informed as to the outcome of their report. The reporter's potential role in regulatory proceedings should also be considered (and is discussed in further detail below).

Where reports are made to regulatory bodies other than the Regulators (such as law enforcement agencies, human rights tribunals, environmental compliance regulators, etc.), outcomes will depend on the jurisdiction and powers of that regulatory body and applicable legislation.

VII. REPORTING CONSEQUENCES AND CHALLENGES

A. FAILING TO MAKE A REGULATORY REPORT

Regulatory Reports are a professional and ethical duty of all Registrants. Registrants may be reluctant to make a Regulatory Report for a number of reasons, including a sense of camaraderie or loyalty to fellow professionals, resulting in a reluctance to "turn in one of our own."

However, failing to make a Regulatory Report where one is warranted is a breach of the Codes of Ethics, and may also be a breach of the legislation, depending on the jurisdiction in which the Registrant is practicing. It is possible that failing to make a Regulatory Report where one is warranted could constitute professional misconduct, which could have disciplinary consequences for the

Registrant. Disciplinary consequences or legislative penalties will generally only be appropriate for a failure to make a mandatory report, since professionals have discretion to decide whether to make a permissive report. It is also possible that members of the public harmed by the conduct could bring a lawsuit against the Registrant for failing to report.

Registrants should ensure that they understand their Regulator's legislation, regulations, by-laws and policies related to Regulatory Reports. To support Registrants in making Regulatory Reports, Regulators should endeavour to provide clear policies and guidance to Registrants setting expectations about what types of conduct must be reported (i.e., is a mandatory report) and what types of conduct may be reported (i.e., is a permissive report).

B. MAKING AN IMPROPER REGULATORY REPORT

Regulatory Reports should be made in good faith. This regulatory process should not be weaponized or used to harm Registrants or others with whom the reporter has personal or professional disagreements or problems (e.g., business competitors, former employers, former romantic partners, political adversaries, etc.). The regulatory process is also not the appropriate forum to address ideological disagreements with the type of work that a Registrant is engaged in (e.g., oil refining, fracking, nuclear energy, etc.) or as a means of political activism.

Where a Regulatory Report is made and the resulting investigation reveals that the report was completely unfounded, and the overall facts suggest that the report was made for ulterior and improper purposes, there may be professional or personal consequences for the reporter. Registrants are required to act with honour and integrity and making a false report does not accord with these duties. Making a false report could result in disciplinary consequences for the reporter, as this type of conduct is likely to be found as conduct that the profession would generally find to be disgraceful, dishonourable, or unprofessional and may result in disciplinary consequences, up to and including loss of licensure.

In addition, Registrants making a false report could face lawsuits from reported individuals or entities. As noted above, whistleblower provisions may protect reporters from retaliatory actions, including lawsuits. However, these protections will typically only apply to reports made in good faith. To determine whether a report was made in good faith, the overall facts and circumstances would be considered. Where the circumstances demonstrate that the allegations made in the report are without merit, and suggest that the reporter had an ulterior motive for the report, such as a personal vendetta against the reported Registrant, the Regulator is likely to conclude that the report was not made in good faith.

This warning should not dissuade would-be reporters with a reasonable belief that a Registrant or other person has engaged in conduct that poses a risk to the public. As outlined in Subsection V.A.3, the reasonableness standard does not require absolute certainty that there is a risk to the public. If

an objective third party, in considering the known facts and circumstances, believes that there may be a risk to the public, then it is appropriate to make a Regulatory Report.

C. PROTECTIONS FOR REPORTERS

Reporters may be concerned about retaliatory actions, particularly when the reported person or entity is in a position of power over the reporter, such as an employer.

A reporter faced with retaliatory conduct as a result of making a Regulatory Report should report the retaliatory conduct to the regulatory body where the initial report was made.

If a Registrant engages in retaliatory conduct, the Registrant could face regulatory consequences for this conduct. Registrants have an ethical duty to act with honour and integrity and engaging in retaliatory actions is contrary to this duty. Engaging in retaliatory conduct could be found to be professional misconduct, as it is conduct that would generally be viewed as disgraceful, dishonourable, or unprofessional.

Depending on the specific facts and jurisdiction in which the retaliatory conduct occurs, the retaliatory conduct could be a breach of engineering legislation with other consequences as well.[20]

Similarly, under particular circumstances, other legislation may also provide whistleblower protections against retaliatory actions. For example, some provincial employment statutes include whistleblower protections for employees who report unsafe or illegal conduct.

These protections typically ensure that if a report is made in good faith, no action or proceeding shall be taken against the person making the report. Engaging in retaliatory actions against a reporter who has made a report in good faith would be regarded as a violation of these protections. Such actions could result in fines and other possible repercussions for the party involved in the retaliatory conduct. These types of legislative protections would be a considered a best practice to provide protection to reporters.

While legislated whistleblower protections provide the strongest form of protection and support for would-be reporters, whistle-blower insurance can be helpful in providing economic support. Whistle-blower insurance cannot prevent retaliatory actions from happening, it can provide monetary support to help the reporter manage the consequences of retaliatory actions. For example, as part of its Secondary Professional Liability Coverage, Engineers Canada offers

[20] In British Columbia, retaliatory actions against a reporter (which could be either a Registrant or an employer of a Registrant) is an offence under the legislation that is subject to a fine of up to $200,000 for individual Registrants and up to $500,000 for firms Registrants.

whistleblowing coverage, which provides coverage for the economic costs associated with whistleblowing, including: legal costs, loss of employment, and the expenses of finding new work.[21]

D. PARTICIPATION IN THE COMPLAINT OR DISCIPLINE PROCESS

The reporting Registrant may be asked to participate further in the investigation process, or to act as a witness where the Regulator determines that disciplinary proceedings are appropriate. While the Regulator will consider requests from reporting Registrants to remain anonymous, and may honour these requests where possible, it will not always be possible for Regulators to guarantee anonymity.

Where the reported Registrant is facing disciplinary proceedings, because of the potential serious consequences for the reported Registrant, they are entitled by law to a full and fair hearing. This will generally include full disclosure of the information that is being relied upon by the Regulator, so that the Registrant can understand and fully respond to the allegations that have been made against them.

Similarly, an individual or entity prosecuted for unlicensed practice of engineering will be entitled to broad discovery of relevant documents and information under the rules of the court in the jurisdiction where the enforcement proceeding occurs.

In certain situations, it is unlikely for the reporter to be asked for further involvement or to be provided any additional information on the reported matter. For example, in cases concerning fitness to practice, where the professional's personal health information is involved, the reporter might not be called upon as a witness. It is also unlikely that the reporter would have the opportunity to observe the fitness hearing as such hearings are usually closed to the public in order to protect the Registrant's privacy, who is the subject of the report. Additionally, only the outcome would typically become public knowledge, and only if it resulted in the removal of the professional from practice or restrictions on their ability to practice. Specific details about the situation usually remain undisclosed to the public.

VIII. CONCLUSION

Regulatory Reports are an important professional and ethical obligation that Registrants must abide by in order to do their part to safeguard the public interest. While this Guideline provides general guidance and best practices, Registrants should always consider the best practices outlined above in conjunction with the specific requirements of the jurisdiction(s) in which they are registered to practice engineering.

[21] https://engineerscanada.ca/services/insurance-financial-and-other-benefits/secondary-professional-liability-insurance/whistleblowing-coverage.

Regulators are appreciative of the essential role that Registrants play in making Regulatory Reports, which supports Regulators' mandates to protect the public interest. Regulators should continue to work towards making the reporting process clear, streamlined, and supportive for Registrants.

APPENDIX A

Glossary

Good character: most professions have a requirement that the professional be able to practice with defined as: "1. the collective qualities or characteristics, especially mental and moral, that distinguish a person or thing. 2. moral strength. 3. reputation". Good character connotes moral and ethical strength and includes traits such as integrity, candour, honesty and trustworthiness.

Mandatory report: means that a person is required by law to make a report. This legal requirement will often also include or dictate the circumstances under which a report must be made, a time period in which this report must be made and the nature of the report. Typically, there are also legal consequences (such as fines, charges, or misconduct proceedings) for failing to comply with a mandatory duty to report.

As an example of a mandatory report, Registrants in British Columbia are required by legislation to report other identified Registrants if there are reasonable or probable grounds to believe that the identified Registrant is engaged in the practice of engineering in a manner that may pose a risk of significant harm to the health or safety of the public or to a group of people, or to the environment.

Moral turpitude: is generally defined as conduct that is considered contrary to community standards of justice, honesty or good morals.

Permissive report: means that there is no legal requirement for a person to make the report. However, the person is permitted (and/or encouraged) to make the report if they believe that it is reasonable to do so. Permissive reporting can still be legislated but the language will typically say "may" instead of "shall."

As an example of a permissive report, Registrants in Ontario are permitted, but not required, to report the professional misconduct or incompetence of other Registrants.

Registrants: an individual registered with an engineering regulator, and can include but is not limited to engineers, engineers-in-training, members-in-training, engineering interns, permit holders, and licensees.

Regulators: the provincial and territorial regulators of the engineering profession in Canada.

Regulatory Reports: mandatory reports and permissive reports (see above for definitions of mandatory reports and permissive reports).

BRIEFING NOTE: For decision

Revised Guideline on code of ethics	4.3b
Purpose:	To approve the revised Guideline on code of ethics for publication on Engineers Canada's website
Link to the Strategic Plan / Purposes:	Core purpose 3: Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
Link to Corporate Risk Profile:	Diminished scope and value of engineering regulation (Board risk) Diminished national collaboration (Board risk) Client satisfaction (Operational risk)
Motion(s) to consider:	THAT the Board, based on recommendation of the CEQB, approve the revised Guideline on code of ethics for publication.
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Ryan Melsom, Manager, Qualifications and CEQB Secretary
Presented by:	Frank Collins, CEQB Chair

Problem/issue definition

- Ethics is the study of moral duty and obligation. It involves a set of principles or values that are used to evaluate the appropriateness of behavior. These principles can be presented in two ways: 1) broad guiding principles that inspire, or 2) detailed rules of conduct that are enforceable.
- Professions with the authority to regulate themselves, such as engineering, typically choose the former approach. They establish codes of professional ethics based on underlying principles intended to guide responsible professional practice. Arising from this context, professional codes of ethics are sometimes incorrectly interpreted as a set of rules, rather than dynamic principles intended to guide all manner of decisions in daily practice.
- A national code of ethics for engineering in Canada, while not binding to registrants, provides a common ground for regulators to develop their own codes. The national code also symbolizes the greater commitment of the engineering profession, regardless of jurisdiction, to a principled protection of the public.
- The Guideline complements work being done under *Strategic priority: 1.2 Strengthen collaboration and harmonization*.

Proposed action/recommendation

That the Board, based on recommendation of the CEQB, approve the final revised Guideline on code of ethics for publication on Engineers Canada's website.

Risks

Regulators requested this work under the 2022 CEQB work plan. If it is not approved, there may be diminished confidence in Engineers Canada's ability to deliver on its mandate on agreed upon timelines.

Financial implications

- None

Benefits

- Revisions include a complete reformatting of the guideline, revised language and definitions, and new terminology and examples. The aim of these changes is to improve the guideline's usability.
- The Guideline can help registrants uphold their ethical and professional duties that relate to code of ethics and maintain the integrity of the profession by ensuring that they have the tools to act in the best interest of the public, their clients, and employers.
- The Guideline can help strengthen public trust in the engineering profession by highlighting the profession's commitment to accountability, impartiality, transparency, and ethical practice.
- The Guideline can be useful to Regulators in their discipline and enforcement activities.

Consultation

- Admissions, practice, and discipline and enforcement officials were invited to provide feedback in a preliminary survey, identifying strengths and weaknesses of individual jurisdictions' codes. While no major flaws were identified, several of the six respondents indicated that the Guideline on code of ethics would benefit from revisions focused on reducing redundancies, clarifying language, and seeking points of natural alignment with jurisdictions' codes. Each of these suggestions informed the revisions undertaken.
- Following the CEQB's approval for consultation in July 2023, the draft revised guideline was sent to the regulators for consultation in July-September 2023, along with a survey. Changes were suggested by three regulators (Engineers Nova Scotia, APEGS, PEO), and one CEQB member, and revisions based on these recommendations have been incorporated into the final revised guideline.

Next steps (if motion approved)

- The revised Guideline on code of ethics will be published on the Engineers Canada website.

Appendices

- **Appendix 1:** Revised Guideline on code of ethics - track change versions highlighting areas of adjustment and clean copies.

Notice

Disclaimer

Engineers Canada's national guidelines and Engineers Canada papers were developed by engineers in collaboration with the provincial and territorial engineering regulators. They are intended to promote consistent practices across the country. They are not regulations or rules; they seek to define or explain discrete topics related to the practice and regulation of engineering in Canada.

The national guidelines and Engineers Canada papers do not establish a legal standard of care or conduct, and they do not include or constitute legal or professional advice.

In Canada, engineering is regulated under provincial and territorial law by the engineering regulators. The recommendations contained in the national guidelines and Engineers Canada papers may be adopted by the engineering regulators in whole, in part, or not at all. The ultimate authority regarding the propriety of any specific practice or course of conduct lies with the engineering regulator in the province or territory where the engineer works, or intends to work.

About this Engineers Canada paper

This national Engineers Canada paper was prepared by the Canadian Engineering Qualifications Board (CEQB) and provides guidance to regulators in consultation with them. Readers are encouraged to consult their regulators' related engineering acts, regulations and bylaws in conjunction with this Engineers Canada paper.

About Engineers Canada

Engineers Canada is the national organization of the provincial and territorial associations that regulate the practice of engineering in Canada and license the country's ~~295~~300,000 members of the engineering profession.

About the Canadian Engineering Qualifications Board

CEQB is a committee of the Engineers Canada Board and is a volunteer-based organization that provides national leadership and recommendations to regulators on the practice of engineering in Canada. CEQB develops guidelines and Engineers Canada papers for regulators and the public that enable the assessment of engineering

qualifications, facilitate the mobility of engineers, and foster excellence in engineering practice and regulation.

1 Fundamental principles

~~In what follows, the fundamental principles of ethics are applied in relation to the Engineers Canada Code of Ethics, and then interpretative comments and illustrative examples are presented.~~

Ethics is ~~generally understood as the discipline or field of~~ the study ~~dealing with~~of moral duty ~~or~~and obligation. ~~This typically gives rise to~~It involves a set of ~~governing~~ principles or values ~~which in turn~~that are used to ~~judge~~evaluate the appropriateness of ~~particular conduct or behaviour.~~behavior. These principles ~~are usually~~can be presented ~~either as~~in two ways: broad guiding principles ~~of an idealistic or inspirational nature or, alternatively, as a~~ that inspire or detailed ~~and specific set of~~ rules ~~couched in legalistic or imperative terms to make them more~~ of conduct that are enforceable. Professions that have been given the right and responsibility of self-regulation, including the engineering profession, have tended to opt for the first alternative, espousing sets of underlying principles as codes of professional ethics which form the basis and framework for responsible professional practice~~.~~ a~~A~~rising from this context, professional codes of ethics ~~have~~are sometimes ~~been~~ incorrectly interpreted as a set of ~~"~~rules~~" of conduct~~ , rather than dynamic principles intended ~~for passive observance. A more appropriate use by practicing professionals~~to guide all manner of decisions in daily practice. The intention is ~~to interpret~~that the ~~essence of the underlying principles within their daily decision-making situations in a dynamic manner, responsive to the needs of the situation. As a consequence, a code of professional ethics is more than a minimum standard of conduct; rather, it is a set of principles which should guide engineers in their daily work~~Engineers Canada Guideline on code of ethics~~Code~~ be applied across registrants' practices, going beyond specific examples contained herein.

The ~~*Code*~~Engineers Canada *Guideline on code* *of* ~~*Ethics*~~ *ethics* (hereafter ~~presented below expresses~~ "**the** ~~expectations from~~ **Code**") represents a synthesis of the individual regulators' codes and is intended to provide a general guide for registrants ~~as they discharge their professional responsibilities. The~~ regardless of jurisdiction. While offering guidance specific to engineering, the Code is based on ~~broad~~underlying principles of integrity, truth, honesty, and trustworthiness, respect for human life and welfare, respect for the environment, fairness, ~~openness~~transparency, competence, and accountability.

~~Some of these broader ethical principles or issues deemed more universally applicable are not specifically stated in the Code, though they are understood to apply as well; only those tenets deemed particularly applicable to the practice of engineering are listed. Nevertheless, ethical principles or issues not commonly considered to be part~~

For the purposes of ~~professional ethics may sometimes have implications on the registrant's professional role.~~

~~In~~ this ~~code~~guideline, “registrant” means an individual registered with a regulator, and could ~~be~~refer to an engineer, engineer-in-training, member-in-training, engineering intern, or licensee.

2 The code of ethics

Registrants ~~shall~~ should conduct themselves with integrity, in an honourable and ethical manner. Registrants ~~shall~~should uphold the values of truth, honesty, and trustworthiness, and they shall safeguard human life and welfare ~~and~~as well as the environment. In keeping with these basic tenets, registrants ~~shall~~should:

1. Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace.
2. ~~Offer services, advise on or undertake~~Practice engineering ~~assignments~~ only in areas of their competence, carefully, diligently, and ~~practise in a careful and diligent manner and in~~ with honest conviction.
3. ~~2.~~Act in compliance with applicable legislation ~~andprofessional.~~, bylaws, and professional standards.
4. Provide professional statements that distinguish between facts, assumptions, and opinions.
5. ~~3.~~Act as faithful agents of their clients or employers, ~~maintain~~maintaining confidentiality and ~~avoid~~ disclosing where conflicts of interest~~, but, where such conflict arises, fully disclose the circumstances~~ arise without delay ~~to the employer or client~~and in a manner that is fair and just for all affected parties.
6. ~~4. Keep themselves informed in order to maintain their competence and strive to advance the body of knowledge within which they practise.~~

6. Maintain competence in relevant specializations, including an awareness of advances in the regulated practice and relevant science, to continuously develop their skills and effectively guide those who they oversee.

~~5.~~7. Conduct themselves with integrity, ~~equity~~equitability, fairness, courtesy, and good faith towards clients, colleagues, and others~~,~~; be cooperative, collegial, and acknowledge the contributions of others; give ~~credit where it is due,~~ and accept~~, as well as give,~~ honest and fair professional criticism.

8. ~~Present~~ Assume responsibility only for work that they have prepared or that has been prepared under direct supervision and control, and for which they can validate outputs used in its development.

~~6.~~9. Report clearly to employers ~~and~~, clients~~,~~ , and, in cases affecting public safety, suitable stakeholders, the possible consequences if engineering decisions ~~or~~, judgements, or recommendations are overruled or disregarded.

~~7.~~10. Report to their regulator and/or other appropriate agencies regarding any illegal, dangerous, or unethical engineering decisions or practices by registrants or others ~~their regulator other appropriate agencies any illegal or unethical engineering decisions or practices by registrants or others.~~

~~8.~~11. Monitor and report ~~societal and environmental~~ consequences of actions ~~or projects and endeavour to interpret engineering issues to the public in an objective and truthful manner.~~both of and from projects, including risks associated with the environment.

~~9.~~12. ~~Treat equitably and promote~~Promote the equitable and dignified treatment of people in accordance with human rights legislation.

~~10.~~13. ~~Uphold and enhance the honour and dignity of the profession~~Act in ways that enhance public knowledge and appreciation of engineering.

3 Interpretation of the code of ethics

The ~~interpretive articles which follow~~following interpretations are intended to expand on and discuss some of the more difficult and interrelated components of the Code~~. The objective is to broaden the interpretation~~, rather than ~~narrow its focus. The ethics~~providing a set of ~~the profession is an integrated whole and cannot be reduced to fixed "~~prescriptive

or exhaustive rules". Therefore, the more common issues and questions arising from the Code are discussed in a general framework, drawing on portions of the Code to demonstrate their interrelationship and to expand on the basic intent of the Code.

Registrants. Generally speaking, registrants have a duty to practice in a careful and diligent manner and accept responsibility and accountability for their actions. This duty is not limited to design, supervision or management;; it applies to all areas of practice.

For example, it includes (e.g., construction supervision and management, preparation of shop drawings, engineering reports, feasibility studies, environmental impact assessments, engineering developmental work, etc.professional behaviour, consulting, etc.).

The signingWhen engineers sign and sealing of engineeringseal documents indicates the taking, they indicate their acceptance of responsibility for the work. and that the work can be relied upon. This practice is required for all types of engineering endeavour,applies regardless of where or for whomwhether the work is done, including, as an employee of or consultant to privately andor publicly owned firms, crown corporations, andor government agencies or departments. There are no exemptions;Without exemption, signing and sealing documents is appropriate whenever engineering principles have been used and public welfare may be at risk.

Taking responsibility for engineering activity includes being accountable for one's ownWhether engineers ere supervising work and, in the case of a senior engineer, acceptingor doing it directly themselves, they are obligated to act ethically and take responsibility for the work of an engineering team. The latter implies responsible supervision where the engineer is actually in a position to review, modify, and direct the entirety of the engineering work. This concept requires setting. When supervising others, an engineer should set reasonable limits on the extent of activities, and the number of registrants and others, whose work can be supervised by the responsible engineer. The practice of a "supervisees to ensure an adequate degree of oversight. Due to the engineer's ethical obligations, a symbolic" form of role in supervision is inappropriate because it runs contrary to the intentconcept of "taking professional responsibility". An. For example of "symbolic" responsibility or supervision is the situation where an engineer, say with the , a title of "chief engineer", takes full responsibility for all such as "engineering on behalf ofmanager" or "director of engineering" in a large corporation, utility, or government agency or department, even though is only ethical if the engineer may not becan adequately remain aware of many of the engineering activities or decisions being made daily throughout the organization. The essence of this approach is that the organization is taking

~~the responsibility by default, whether engineering supervision and direction is applied or not.~~

~~Registrants shall hold paramount the safety, health and welfare of the public and the protection of the environment. This obligation to the safety, health and welfare of the general public, which includes the work environment, is often dependent upon engineering judgements, risk assessments, decisions and practices incorporated into structures, machines, products, processes, and devices. Therefore, registrants must ensure that works they are involved with conform to accepted engineering practice, standards, and applicable codes, and would be considered "safe" based on peer adjudication. This responsibility includes all situations which an engineer encounters, and includes an obligation to advise the appropriate authority if there is reason to believe that any engineering activity or its products, processes, etc. are not in compliance in a significant manner.~~

~~The meaning of "~~Principle 1: Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace.

In this principle, “paramount~~" in this basic tenet is~~” indicates that all other requirements of the Code are subordinate if protection of public safety, the environment, or other substantive public interests are involved.

Principle 2: Practice engineering only in areas of their competence, carefully, diligently, and with honest conviction.

Registrants ~~shall~~should only offer services, advise on, or undertake engineering assignments ~~only~~ in areas of their competence by virtue of their ~~training and~~education, experience, and ability. This includes exercising care and communicating clearly in accepting or interpreting assignments, and in setting expected outcomes. It also includes the responsibility to obtain the services of a specialist or expert if required, or, if the required knowledge ~~is unknown~~does not exist, to proceed only with full disclosure ~~of the experimental nature of the activity~~ to all parties involved~~.~~

. Hence, this requirement is more than simply duty to a standard of care; it also involves honesty with one's client or employer and ~~one's self. An integral part of competent practice is an awareness of, and compliance with, applicable legislation.~~oneself.

Principle 3: Act in compliance with applicable legislation, bylaws, and professional standards.

It is the registrant's responsibility to develop and maintain an awareness of legislation, bylaws, and professional standards, and to act in accordance with these. This is important as an ethical principle, because engineering occurs within the context of legal and regulatory frameworks that evolve over time in response to public need.

Principle 4: Provide professional statements that distinguish between facts, assumptions, and opinions.~~viewpoints~~

Registrants ~~shall~~are consulted for their expertise and judgment on a wide range of issues. Because of this reliance on registrants, it is very important that they clearly indicate whether they are providing an opinion, making assumptions, or stating facts. Each is accompanied by a different level of certainty. If these types of comments are not differentiated clearly in a registrant's work, serious consequences and misunderstandings can result.

Registrants should make it clear whether they are providing an opinion, making assumptions, or stating facts regarding engineering ~~and geoscience~~ in all spoken and written communications. Facts stated in professional documents must be supported by data or credited to a reliable source. Representations of facts must be precise and must be provided with careful attention and diligence to ensure their accuracy and reliability. Sensitivity analyses should be carried out if conclusions are derived based on assumed parameters.

Registrants should make an effort to state what assumptions they are making in the absence of data. If called upon to provide a professional opinion, registrants should remain objective, fair, and independent, while relying on facts the greatest degree possible.[1]

[1] Sections of this exposition draw on EGBC's "Guide to the code of ethics". www.egbc.ca. Accessed June 8, 2023.

Principle 5: Act as faithful agents of their clients or employers, maintaining confidentiality and disclosing where conflicts of interest arise without delay and in a manner that is fair and just for all affected parties.

Registrants should act as faithful agents or trustees of their clients and employers and act with objectivity, fairness, and justice to all parties. The exception to this is in cases where there is risk to public safety and other parties outlined in Principle 1. With respect to the handling of confidential ~~or proprietary~~ information or intellectual property, the ~~concept~~concepts of ~~"~~"ownership~~" of the information~~" and protecting ~~that party's~~the owner's rights is appropriate. Registrants shall not reveal facts, data, or information obtained in a professional capacity without prior consent of their owner. ~~The only exception to respecting confidentiality and maintaining a trustee's position is in instances where the public interest or the environment is at risk as discussed in the preceding section; but even in these instances~~In instances where there is a risk to the public, the registrant should endeavour to have the client and/or employer appropriately redress the situation~~, or at least should make every effort to contact them prior to informing the appropriate authority~~ before escalating concerns to the public or to regulators while respecting the client's and employer's rights to confidentiality and safeguarding their proprietary information.~~.~~

Registrants ~~shall~~should avoid conflict of interest situations with employers and clients but, should such ~~conflict~~conflicts arise, it is the registrant's responsibility to fully disclose, without delay, the nature of the conflict to ~~the party or~~potentially affected parties ~~with whom the conflict exists.~~. In those circumstances where full disclosure is insufficient, or could be seen to be insufficient, to protect all parties' interests, the registrant shall withdraw totally from the issue and/or use extraordinary means, involving independent parties, if possible, to monitor the situation. For example, it is inappropriate to act as agent for both the provider and recipient of professional services. If a client's and ~~employer's~~an employer's interests are at odds, the registrant ~~shall~~should attempt to deal fairly with both. If the conflict of interest is between the intent of a corporate employer and a regulatory standard, the registrant ~~must~~should attempt to reconcile the difference, and if that is unsuccessful, it may become necessary to inform the regulator for the sake of public safety.

Being a faithful agent or trustee includes the obligation of engaging, or advising to engage, experts or specialists when such services are deemed to be in the client's or employer's best interests. It also means being accurate, objective, and truthful in making public statements on behalf of the client or employer when required to do so, while respecting the client's and employer's rights of confidentiality and proprietary information.

~~Being~~ In addition, being a faithful agent includes not using a previous employer's or client's specific privileged or proprietary information ~~and~~, trade practices, or process information~~,~~ without the owner's consent. ~~However, general technical knowledge, experience and expertise gained by the registrant through involvement with the previous work may be freely used in subsequent undertakings, without consent.~~

Principle 6: Maintain competence in relevant specializations, including advances in the regulated practice and relevant science, to continuously develop their skills and effectively guide those who they oversee.

Registrants have ~~the~~a responsibility to remain ~~abreast~~informed of developments ~~and~~ in their areas of expertise throughout their careers. This includes maintaining current knowledge ~~in their area of expertise, that is, to maintain their own competence.~~and understanding of scientific advancements, best practice standards, and regulatory changes. Should ~~there be a technologically driven or individually motivated shift in the~~ the registrant's area of technical ~~activity, it is~~focus shift due to technical or personal reasons, the ~~registrant's~~registrant has a duty to attain and maintain competence in ~~all areas of involvement.~~the new area. In effect, ~~it~~following this principle requires a personal commitment to ongoing professional development and continuing education.[2]

~~In addition to maintaining their own competence, registrants have an obligation to strive to contribute to the advancement of the body of knowledge within which they practice, and to the profession in general.~~ Additionally, within the framework of the practice of their profession, ~~they~~registrants are expected to ~~participate in providing~~provide opportunities to further the professional development of their subordinates and colleagues.

~~3.5 Act~~

Principle 7: Conduct themselves with integrity, equitability, fairness, courtesy, and good faith towards clients, colleagues, and others; be cooperative, collegial, and acknowledge the contributions of others; give and accept honest and fair professional criticism. ~~with integrity equitability~~equity, fairness, courtesy and good faith

When called upon to review another engineer's work, there is an obligation to inform (or make every effort to inform) the other engineer, whether ~~he or she~~the engineer is still actively involved or not. In this situation, and in any circumstance, the engineer shall give

[2] Sections of this exposition draw on EGBC's "Guide to the code of ethics". www.egbc.ca. Accessed June 8, 2023.

proper ~~recognition~~acknowledgement and ~~credit where credit is due~~give and accept~~, as well as give,~~ honest and fair criticism on professional matters, ~~all the while maintaining~~in such a manner that maintains dignity and respect for everyone involved.

When working on projects with other engineers or professionals, a registrant should endeavor to cooperate on the timely and thorough completion of the work, and to act in such way that shows professionalism and collegiality at all stages of the project (e.g. by providing necessary information and materials such as drawing and documentation in a forthright manner, by signing off on and closing out projects in a professional manner, by openly and accurately representing information as needed, etc.)

This ~~competence requirement of the Code~~ethical principle extends to ~~include an obligation to~~ interactions with the public, the profession, and one's peers~~, that opinions on engineering issues be expressed honestly and only in areas of one's competence. It applies equally to reporting or advising on professional matters and to issuing public statements.~~. This requires honesty with ~~one's self~~oneself and complements Principle 4. ~~in that it requires the registrant to present issues fairly, accurately, and with appropriate disclaimers, and to avoid personal, political, and other non-technical biases. The latter is particularly important for public statements or when involved in a non-technical forum.~~It also includes ~~abiding by the terms of non-disclosure agreements and contractual obligations, even after the professional relationship is no longer in effect (e.g., resignation from a position).~~

Principle 8: Assume responsibility only for work that they have prepared or that has been prepared under direct supervision and control, and for which they can validate outputs used in its development.

Engineers assume the responsibility both for their own work and the work of those who they supervise. Although the advent of revolutionary technologies (e.g., those impacted by artificial intelligence and robotization) have the potential to significantly streamline engineering work, in the use of these, a registrant is still ultimately responsible for the outputs, and so must consider and appropriately manage the implications and potential impacts. If the work of a tool that has potential applications in engineering work cannot be verified and validated, on an ongoing basis if appropriate (i.e., in consideration that tools and technologies evolve), then it puts the public at significant risk.

Principle 9: Report clearly to employers, clients, and, in cases affecting public safety, suitable stakeholders, the possible consequences if engineering decisions, judgements, or recommendations are overruled or disregarded.

Registrants have a duty to ~~advise their employer and, if necessary,~~report risks of engineering work to their employers and clients, and ~~even their regulator,~~ in ~~that order, in situations when~~cases where the overruling of an engineering decision may ~~result in breaching their duty to safeguard the public.~~cause risks to the public, registrants may be required to report more broadly to stakeholders and ultimately regulators. The initial action is generally to discuss the problem with the supervisor or employer. If the supervisor or employer does not adequately respond to the registrant's concern, then, in a consultancy situation, the client must be advised; in a manufacturing process plant or government agency, the most senior officer should be informed. If these attempts fail to rectify the situation, the registrant must present the concerns to the regulator, even at the risk of loss of employment.

~~Registrants shall not accept nor offer covert payment or other considerations for the purpose of securing, or as remuneration for, engineering assignments. Registrants should prevent their personal or political involvement from influencing or compromising their professional role or responsibility.~~

~~Consistent~~Principle 10: Report to their regulator and/or other appropriate agencies regarding any illegal, dangerous, or unethical engineering decisions or practices by registrants or others.

Acting in accordance with the Code, and having attempted to redress any situation within their organization, registrants are obliged to report to their regulator or other appropriate agency any illegal or unethical engineering decisions or practices by registrants or others. Care must be taken not to enter into legal arrangements which compromise this obligation.

~~In the same order as mentioned above~~Following the reporting hierarchy outlined in Principle 9, the registrant must report unethical engineering activity undertaken by other registrants or by non-registrants. This extends to, for example, situations in which senior officials of a firm make "“executive”" decisions which clearly and substantively alter the engineering aspects of the work~~, or protection of~~ and could potentially pose a risk to safeguarding the public welfare or the environment ~~arising from~~.

Principle 11: Monitor and report consequences of actions both of and from projects, including risks associated with the environment. ~~both of and from the work.~~

Because of the rapid advancements in technology and the increasing ~~ability~~impact of engineering ~~infrastructure to have an impact~~work on the environment, registrants have an obligation to be mindful of the effect that their decisions will have on the environment and the well-being of society, and to report any concerns of this nature in the same manner as ~~previously mentioned.~~outlined in Principle 9. Furthermore, with the rapid advance of technology and the possible societal impacts on large populations of people, registrants must endeavour to foster the public's understanding of technical issues more than ever before.

Registrants should strive to comprehend and address both the immediate and long-term environmental effects of their work. This encompasses tangible impacts that occur during the work's execution and future considerations regarding potential harm to the public if the work fails due to climate change-related factors. It ~~also~~ encompasses the need to consider the impacts climate change may have on the work itself. This principle aligns with Principle 6, which emphasizes the importance of maintaining competence and staying informed about advancements in scientific fields relevant to the work.

Principle 12: ~~Treat people equitably and promote their equitable and dignified treatment in accordance with human rights legislation~~ Promote the equitable and dignified treatment of people in accordance with human rights legislation.

~~Promote the equitable and dignified treatment of people in accordance with human legislation.~~Registrants should treat all people equitably and with dignity. Registrants must also respect evolving human rights legislation and the prohibited grounds of discrimination such as race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identification, marital status, family status, disability, and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered or any other grounds.

This interpretation encapsulates the equitable and dignified treatment of Indigenous people, including acting with respect when considering traditional and cultural uses of land.

Principle 13: Act in ways that enhance public knowledge and appreciation of engineering.

Honesty, integrity, competence, devotion to service, and dedication to generally enhancing the quality of life are cornerstones of professional responsibility. Within this framework, registrants shall be objective and truthful and include all relevant and pertinent information in professional reports, statements, and testimony. They shall accurately and objectively represent their clients, employers, associates, and themselves consistent with their academic, experience, and professional qualifications. Registrants are expected to respect the law in their personal conduct and must not engage in acts that compromise their professional reputation or bring discredit to their profession (e.g. inappropriate social media posts). This tenet is more than ""not misrepresenting"" as it also implies disclosure of all relevant information and issues, especially when serving in an advisory capacity or as an expert witness.

Similarly, fairness, honesty ~~and~~, accuracy in advertising, and business conduct are expected. Registrants are expected to respect the law in their personal conduct and must not engage in acts that compromise their professional reputation or bring discredit to their profession. Except in pro bono cases, registrants should not underbill for their services, as this compromises the reputation of the profession's value.

Notice

Disclaimer
Engineers Canada's national guidelines and Engineers Canada papers were developed by engineers in collaboration with the provincial and territorial engineering regulators. They are intended to promote consistent practices across the country. They are not regulations or rules; they seek to define or explain discrete topics related to the practice and regulation of engineering in Canada.

The national guidelines and Engineers Canada papers do not establish a legal standard of care or conduct, and they do not include or constitute legal or professional advice.
In Canada, engineering is regulated under provincial and territorial law by the engineering regulators. The recommendations contained in the national guidelines and Engineers Canada papers may be adopted by the engineering regulators in whole, in part, or not at all. The ultimate authority regarding the propriety of any specific practice or course of conduct lies with the engineering regulator in the province or territory where the engineer works, or intends to work.

About this Engineers Canada paper
This national Engineers Canada paper was prepared by the Canadian Engineering Qualifications Board (CEQB) and provides guidance to regulators in consultation with them. Readers are encouraged to consult their regulators' related engineering acts, regulations and bylaws in conjunction with this Engineers Canada paper.

About Engineers Canada
Engineers Canada is the national organization of the provincial and territorial associations that regulate the practice of engineering in Canada and license the country's 300,000 members of the engineering profession.

About the Canadian Engineering Qualifications Board
CEQB is a committee of the Engineers Canada Board and is a volunteer-based organization that provides national leadership and recommendations to regulators on the practice of engineering in Canada. CEQB develops guidelines and Engineers Canada papers for regulators and the public that enable the assessment of engineering

qualifications, facilitate the mobility of engineers, and foster excellence in engineering practice and regulation.

1 Fundamental principles

Ethics is the study of moral duty and obligation. It involves a set of principles or values that are used to evaluate the appropriateness of behavior. These principles can be presented in two ways: broad guiding principles that inspire or detailed rules of conduct that are enforceable. Professions that have been given the right and responsibility of self-regulation, including the engineering profession, have tended to opt for the first alternative, espousing sets of underlying principles as codes of professional ethics which form the basis and framework for responsible professional practice arising from this context, professional codes of ethics are sometimes incorrectly interpreted as a set of rules, rather than dynamic principles intended to guide all manner of decisions in daily practice. The intention is that the Engineers Canada Guideline on code of ethics be applied across registrants' practices, going beyond specific examples contained herein.

The Engineers Canada *Guideline on code of ethics* (hereafter "**the Code**") represents a synthesis of the individual regulators' codes and is intended to provide a general guide for registrants regardless of jurisdiction. While offering guidance specific to engineering, the Code is based on underlying principles of integrity, truth, honesty, and trustworthiness, respect for human life and welfare, respect for the environment, fairness, transparency, competence, and accountability.

For the purposes of this guideline, "registrant" means an individual registered with a regulator, and could refer to an engineer, engineer-in-training, member-in-training, engineering intern, or licensee.

2 The code of ethics

Registrants should conduct themselves with integrity, in an honourable and ethical manner. Registrants should uphold the values of truth, honesty, and trustworthiness, and they shall safeguard human life and welfare as well as the environment. In keeping with these basic tenets, registrants should:

1. Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace.
2. Practice engineering only in areas of their competence, carefully, diligently, and with honest conviction.
3. Act in compliance with applicable legislation, bylaws, and professional standards.
4. Provide professional statements that distinguish between facts, assumptions, and opinions.

5. Act as faithful agents of their clients or employers, maintaining confidentiality and disclosing where conflicts of interest arise without delay and in a manner that is fair and just for all affected parties.
6. Maintain competence in relevant specializations, including an awareness of advances in the regulated practice and relevant science, to continuously develop their skills and effectively guide those who they oversee.
7. Conduct themselves with integrity, equitability, fairness, courtesy, and good faith towards clients, colleagues, and others; be cooperative, collegial, and acknowledge the contributions of others; give and accept honest and fair professional criticism.
8. Assume responsibility only for work that they have prepared or that has been prepared under direct supervision and control, and for which they can validate outputs used in its development.
9. Report clearly to employers, clients, and, in cases affecting public safety, suitable stakeholders, the possible consequences if engineering decisions, judgements, or recommendations are overruled or disregarded.
10. Report to their regulator and/or other appropriate agencies regarding any illegal, dangerous, or unethical engineering decisions or practices by registrants or others
11. Monitor and report consequences of actions both of and from projects, including risks associated with the environment.
12. Promote the equitable and dignified treatment of people in accordance with human rights legislation.
13. Act in ways that enhance public knowledge and appreciation of engineering.

3 Interpretation of the code of ethics

The following interpretations are intended to expand on and discuss some of the more difficult and interrelated components of the Code, rather than providing a set of prescriptive or exhaustive rules. Generally speaking, registrants have a duty to practice in a careful and diligent manner and accept responsibility and accountability for their actions. This duty is not limited to design, supervision or management; it applies to all areas of practice (e.g., construction supervision and management, preparation of shop drawings, engineering reports, feasibility studies, environmental impact assessments, engineering developmental work, professional behaviour, consulting, etc.).

When engineers sign and seal documents, they indicate their acceptance of responsibility for the work and that the work can be relied upon. This applies regardless of whether the work is done as an employee of or consultant to privately or publicly owned firms, crown corporations, or

government agencies or departments. Without exemption, signing and sealing documents is appropriate whenever engineering principles have been used and public welfare may be at risk.

Whether engineers ere supervising work or doing it directly themselves, they are obligated to act ethically and take responsibility for the work. When supervising others, an engineer should set reasonable limits on the number of supervisees to ensure an adequate degree of oversight. Due to the engineer's ethical obligations, a symbolic role in supervision is inappropriate because it runs contrary to the concept of taking professional responsibility. For example, a title such as "engineering manager" or "director of engineering" in a large corporation, utility, or government agency or department is only ethical if the engineer can adequately remain aware of engineering activities or decisions being made daily throughout the organization.

Principle 1: Hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace.

In this principle, "paramount" indicates that all other requirements of the Code are subordinate if protection of public safety, the environment, or other substantive public interests are involved.

Principle 2: Practice engineering only in areas of their competence, carefully, diligently, and with honest conviction.

Registrants should only offer services, advise on, or undertake engineering assignments in areas of their competence by virtue of their education, experience, and ability. This includes exercising care and communicating clearly in accepting or interpreting assignments, and in setting expected outcomes. It also includes the responsibility to obtain the services of a specialist or expert if required, or, if the required knowledge does not exist, to proceed only with full disclosure to all parties involved . Hence, this requirement is more than simply duty to a standard of care; it also involves honesty with one's client or employer and oneself.

Principle 3: Act in compliance with applicable legislation, bylaws, and professional standards.

It is the registrant's responsibility to develop and maintain an awareness of legislation, bylaws, and professional standards, and to act in accordance with these. This is important as an ethical principle, because engineering occurs within the context of legal and regulatory frameworks that evolve over time in response to public need.

Principle 4: Provide professional statements that distinguish between facts, assumptions, and opinions.

Registrants are consulted for their expertise and judgment on a wide range of issues. Because of this reliance on registrants, it is very important that they clearly indicate whether they are providing an opinion, making assumptions, or stating facts. Each is accompanied by a different level of certainty. If these types of comments are not differentiated clearly in a registrant's work, serious consequences and misunderstandings can result.

Registrants should make it clear whether they are providing an opinion, making assumptions, or stating facts regarding engineering in all spoken and written communications. Facts stated in professional documents must be supported by data or credited to a reliable source. Representations of facts must be precise and must be provided with careful attention and diligence to ensure their accuracy and reliability. Sensitivity analyses should be carried out if conclusions are derived based on assumed parameters.

Registrants should make an effort to state what assumptions they are making in the absence of data. If called upon to provide a professional opinion, registrants should remain objective, fair, and independent, while relying on facts the greatest degree possible.[1]

Principle 5: Act as faithful agents of their clients or employers, maintaining confidentiality and disclosing where conflicts of interest arise without delay and in a manner that is fair and just for all affected parties.

Registrants should act as faithful agents or trustees of their clients and employers and act with objectivity, fairness, and justice to all parties. The exception to this is in cases where there is risk to public safety and other parties outlined in Principle 1. With respect to the handling of confidential information or intellectual property, the concepts of "ownership" and protecting the owner's rights is appropriate. Registrants shall not reveal facts, data, or information obtained in a professional capacity without prior consent of their owner. In instances where there is a risk to the public, the registrant should endeavour to have the client and/or employer appropriately redress the situation before escalating concerns to the public or to regulators while respecting the client's and employer's rights to confidentiality and safeguarding their proprietary information.

Registrants should avoid conflict of interest situations with employers and clients but, should such conflicts arise, it is the registrant's responsibility to fully disclose, without delay, the nature of the conflict to potentially affected parties. In those circumstances where full disclosure is insufficient, or could be seen to be insufficient, to protect all parties' interests, the registrant shall withdraw totally from the issue and/or use extraordinary means, involving independent parties, if possible, to monitor the situation. For example, it is inappropriate to act as agent for both the provider and recipient of professional services. If a client's and an employer's interests are at odds, the registrant should attempt to deal fairly with both. If the conflict of interest is between the intent of a corporate

[1] Sections of this exposition draw on EGBC's "Guide to the code of ethics". www.egbc.ca. Accessed June 8, 2023.

employer and a regulatory standard, the registrant should attempt to reconcile the difference, and if that is unsuccessful, it may become necessary to inform the regulator for the sake of public safety.

Being a faithful agent or trustee includes the obligation of engaging, or advising to engage, experts or specialists when such services are deemed to be in the client's or employer's best interests. It also means being accurate, objective, and truthful in making public statements on behalf of the client or employer when required to do so, while respecting the client's and employer's rights of confidentiality and proprietary information. In addition, being a faithful agent includes not using a previous employer's or client's specific privileged or proprietary information, trade practices, or process information without the owner's consent.

Principle 6: Maintain competence in relevant specializations, including advances in the regulated practice and relevant science, to continuously develop their skills and effectively guide those who they oversee.

Registrants have a responsibility to remain informed of developments in their areas of expertise throughout their careers. This includes maintaining current knowledge and understanding of scientific advancements, best practice standards, and regulatory changes. Should the registrant's area of technical focus shift due to technical or personal reasons, the registrant has a duty to attain and maintain competence in the new area. In effect, following this principle requires a personal commitment to ongoing professional development and continuing education. [2]

Additionally, within the framework of the practice of their profession, registrants are expected to provide opportunities to further the professional development of their subordinates and colleagues.

Principle 7: Conduct themselves with integrity, equitability, fairness, courtesy, and good faith towards clients, colleagues, and others; be cooperative, collegial, and acknowledge the contributions of others; give and accept honest and fair professional criticism.

When called upon to review another engineer's work, there is an obligation to inform (or make every effort to inform) the other engineer, whether the engineer is still actively involved or not. In this situation, and in any circumstance, the engineer shall give proper acknowledgement and give and accept honest and fair criticism on professional matters, in such a manner that maintains dignity and respect for everyone involved.

When working on projects with other engineers or professionals, a registrant should endeavor to cooperate on the timely and thorough completion of the work, and to act in such way that shows professionalism and collegiality at all stages of the project (e.g. by providing necessary information and materials such as drawing and documentation in a forthright manner, by signing off on and

[2] Sections of this exposition draw on EGBC's "Guide to the code of ethics". www.egbc.ca. Accessed June 8, 2023.

closing out projects in a professional manner, by openly and accurately representing information as needed, etc.)

This ethical principle extends to interactions with the public, the profession, and one's peers. This requires honesty with oneself and complements Principle 4.

Principle 8: Assume responsibility only for work that they have prepared or that has been prepared under direct supervision and control, and for which they can validate outputs used in its development.

Engineers assume the responsibility both for their own work and the work of those who they supervise. Although the advent of revolutionary technologies (e.g., those impacted by artificial intelligence and robotization) have the potential to significantly streamline engineering work, in the use of these, a registrant is still ultimately responsible for the outputs, and so must consider and appropriately manage the implications and potential impacts. If the work of a tool that has potential applications in engineering work cannot be verified and validated, on an ongoing basis if appropriate (i.e., in consideration that tools and technologies evolve), then it puts the public at significant risk.

Principle 9: Report clearly to employers, clients, and, in cases affecting public safety, suitable stakeholders, the possible consequences if engineering decisions, judgements, or recommendations are overruled or disregarded.

Registrants have a duty to report risks of engineering work to their employers and clients, and in cases where the overruling of an engineering decision may cause risks to the public, registrants may be required to report more broadly to stakeholders and ultimately regulators. The initial action is generally to discuss the problem with the supervisor or employer. If the supervisor or employer does not adequately respond to the registrant's concern, then, in a consultancy situation, the client must be advised; in a manufacturing process plant or government agency, the most senior officer should be informed. If these attempts fail to rectify the situation, the registrant must present the concerns to the regulator, even at the risk of loss of employment.

Principle 10: Report to their regulator and/or other appropriate agencies regarding any illegal, dangerous, or unethical engineering decisions or practices by registrants or others.

Acting in accordance with the Code, and having attempted to redress any situation within their organization, registrants are obliged to report to their regulator or other appropriate agency any

illegal or unethical engineering decisions or practices by registrants or others. Care must be taken not to enter into legal arrangements which compromise this obligation.

Following the reporting hierarchy outlined in Principle 9, the registrant must report unethical engineering activity undertaken by other registrants or by non-registrants. This extends to, for example, situations in which senior officials of a firm make “executive” decisions which clearly and substantively alter the engineering aspects of the work and could potentially pose a risk to safeguarding the public welfare or the environment.

Principle 11: Monitor and report consequences of actions both of and from projects, including risks associated with the environment.

Because of the rapid advancements in technology and the increasing impact of engineering work on the environment, registrants have an obligation to be mindful of the effect that their decisions will have on the environment and the well-being of society, and to report any concerns of this nature in the same manner as outlined in Principle 9. Furthermore, with the rapid advance of technology and the possible societal impacts on large populations of people, registrants must endeavour to foster the public's understanding of technical issues more than ever before.

Registrants should strive to comprehend and address both the immediate and long-term environmental effects of their work. This encompasses tangible impacts that occur during the work's execution and future considerations regarding potential harm to the public if the work fails due to climate change-related factors. It encompasses the need to consider the impacts climate change may have on the work itself. This principle aligns with Principle 6, which emphasizes the importance of maintaining competence and staying informed about advancements in scientific fields relevant to the work.

Principle 12: Promote the equitable and dignified treatment of people in accordance with human rights legislation.

Registrants should treat all people equitably and with dignity. Registrants must also respect evolving human rights legislation and the prohibited grounds of discrimination such as race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identification, marital status, family status, disability, and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered or any other grounds.

This interpretation encapsulates the equitable and dignified treatment of Indigenous people, including acting with respect when considering traditional and cultural uses of land.

Principle 13: Act in ways that enhance public knowledge and appreciation of engineering.

Honesty, integrity, competence, devotion to service, and dedication to generally enhancing the quality of life are cornerstones of professional responsibility. Within this framework, registrants shall be objective and truthful and include all relevant and pertinent information in professional reports, statements, and testimony. They shall accurately and objectively represent their clients, employers, associates, and themselves consistent with their academic, experience, and professional qualifications. Registrants are expected to respect the law in their personal conduct and must not engage in acts that compromise their professional reputation or bring discredit to their profession (e.g. inappropriate social media posts). This tenet is more than "not misrepresenting" as it also implies disclosure of all relevant information and issues, especially when serving in an advisory capacity or as an expert witness.

Similarly, fairness, honesty, accuracy in advertising, and business conduct are expected. Registrants are expected to respect the law in their personal conduct and must not engage in acts that compromise their professional reputation or bring discredit to their profession. Except in pro bono cases, registrants should not underbill for their services, as this compromises the reputation of the profession's value.

BRIEFING NOTE: For decision

Revised Guideline on conflict of interest	4.3c
Purpose:	To approve the revised Guideline on conflict of interest for publication on Engineers Canada's website.
Link to the Strategic Plan / Purposes:	Core purpose 3: Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
Link to Corporate Risk Profile:	Diminished scope and value of engineering regulation (Board risk) Diminished national collaboration (Board risk) Client satisfaction (Operational risk)
Motion(s) to consider:	THAT the Board, on the recommendation of the CEQB, approve the revised Guideline on conflict of interest.
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Ryan Melsom, Manager, Qualifications and CEQB Secretary
Presented by:	Frank Collins, CEQB Chair

Problem/issue definition

- Conflicts of interest can affect a professional's objectivity and the practice of engineering. Whether a conflict is real, potential, or perceived, the consequences remain the same. Avoiding all conflicts of interest is fundamental to ensuring the highest levels of integrity and public trust.
- This guideline, which was developed to help individual registrants manage their practice with respect to conflicts of interest, includes an expanded definition of conflicts of interest, information on how to recognize, avoid and manage them, best practices, as well as examples illustrating different types of conflicts of interest they may face.
- In 2021, the Regulators requested that the revision of the Guideline on conflict of interest be prioritized.
- The Guideline contributes to *Strategic priority: 1.2 Strengthen collaboration and harmonization*.

Proposed action/recommendation

- That the Board, on recommendation of the CEQB, approve the revised *Guideline on conflict of interest* for publication on Engineers Canada's website.

Risks

- Regulators requested this work under the 2022 CEQB work plan. If it is not approved, there may be diminished confidence in Engineers Canada's ability to deliver on its mandate on agreed upon timelines.

Financial implications

- N/A

Benefits

- The revised Guideline provides a clearer definition of what constitutes a conflict of interest and why it is important, and provides examples to help registrants understand how conflicts of interest can arise.
- The revised Guideline includes two new sections (i.e., 2.4 *Obligation to disclose and duty to report*, and 2.5 *Honoraria, gifts and other benefits*) which provide a more robust overview of the duties and obligations of registrants as they relate to conflicts of interest.
- Other revisions include a complete reformatting of the guideline, revised language and definitions, and new terminology and examples.
- The Guideline can help registrants uphold their ethical and professional duties that relate to conflicts of interest and maintain the integrity of the profession by ensuring that they have the tools to act in the best interest of the public, their clients, and employers.
- The Guideline can help strengthen public trust in the engineering profession by highlighting the profession's commitment to accountability, impartiality, transparency, and ethical practice.
- The Guideline can be useful to regulators in their discipline and enforcement activities.

Consultation

- Following an initial CEQB review before July 2023, the draft revised guideline was sent to the regulators for consultation in July-September 2023. Minor changes were suggested by four regulators (Engineers Nova Scotia, OIQ, APEGS, PEO), and these have been incorporated into the revised guideline.

Next steps (if motion approved)

- The revised Guideline on conflict of interest will be published on the public website.

Appendices

- Revised Guideline on conflict of interest - track change versions highlighting areas of adjustment and clean copies.

Guideline on conflict of interest

1 Introduction

Conflicts of interest can affect a professional's objectivity, and the practice of a profession, including engineering. [1] ~~Engineers~~ Registrants[1] must therefore be aware of conflicts of interest and how to avoid or manage them. This guideline was developed to help individual ~~engineers~~ registrants manage their practice with respect to conflicts of interest. ~~It includes an expanded definition of conflicts of interest~~ It provides a comprehensive definition of conflicts of interest[2] as it pertains to engineering, and includes information on how to recognize, avoid and manage them, best practices, and examples illustrating different ~~It concludes with examples illustrating some of the~~ types of conflicts of interest that they ~~engineers~~ may face~~.~~.

~~This Model Guide will introduce~~There are three important **types~~aspects~~** of conflicts of interest that can arise and ~~seven~~ key types of **interests** which registrants ~~the professional needs to~~must be aware of in their work and engineering practice.

Three important ~~**aspects**~~ **types** of conflicts:

- **real (or actual)**[3];
- **potential**[4]~~;~~ ~~,~~ and
- **perceived**[5].

~~A~~*Whether it is ~~voiding~~ real~~actual~~, potential, or ~~and~~ perceived, all three types of conflicts of interest are equally detrimental to the profession's honour, dignity, and credibility, and can undermine confidence in the person, the organization they represent, or the profession. Conflicts of interest may arise regardless of registrants' intentions. As such, recognizing, avoiding, and managing all three types of conflicts of interest is fundamental to ensuring the highest levels of integrity and public trust. Registrants must uphold values of truth, honesty and trustworthiness, and have an obligation to fully disclose their conflicts of interest.*

While various types of interest can affect registrants, this guideline is primarily focused on two key categories~~The seven key types of **interest** introduced are~~:

~~;~~

- **individual/personal interests; and,**
- **client interests.~~;~~**
- ~~professional;~~

[1] "Registrant" means an individual registered with an engineering regulator, and can include but is not limited to engineers, engineers-in-training, members-in-training, engineering interns, permit holders, and licensees.
[2] This guideline includes additional relevant definitions listed as footnotes and in the Glossary (Appendix B).
[3] A "real" or "actual" conflict of interest exists at the present time where a registrant's actions, decisions or judgement could prevent them from fulfilling their duties and/or could compromise the public's trust.
[4] A "potential" conflict of interest exists when a registrant's interests could influence their actions, decisions or judgement, and can reasonably be foreseen to lead to a real conflict of interest in the future.
[5] A "perceived" conflict of interest exists when a registrant's interests would appear to a reasonable person to impact their actions, decisions or judgement, which could prevent them from fulfilling their duties and/or could compromise the public's trust, even though there may not be a real conflict.

- ~~employer;~~
- ~~organizational;~~
- ~~profession;~~
- ~~public;~~
- ~~recipients of engineering services; and~~
- ~~owners and relevant authorities.~~

~~*Avoiding actual, potential, and perceived conflicts of interest is fundamental to ensuring the highest levels of integrity and public trust.*~~*Registrants should also remain cognizant of* ***other types of interests*** *which could prevent them from fulfilling their duties impartially. These include the interests of employers, fellow registrants and other professionals, organizations, owners, the engineering profession, the general public, recipients of engineering services, and relevant authorities, among others.*

2 Defining c~~C~~onflicts of interest

2.1 Definition

Conflicts of interest are real, perceived, or potential situations or circumstances in which the judgments, decisions and actions of individuals, institutions or other entities could be affected because of multiple or competing **interests**. Such competing interests can prevent an individual from fulfilling their duties impartially.

A conflict of interest can exist~~s~~ even if no unethical or improper act results from it. When conflicts of interest exist and are not properly managed, they can lead the public to question the honesty and trustworthiness of ~~engineers~~ registrants. The appearance of a conflict of interest is ~~as~~ equally detrimental to the profession's honour, dignity, and credibility as is a real conflict of interest and can undermine confidence in the person, the organization they represent, or the profession. In addition, serious mismanagement of conflicts of interest (real, potential, and perceived) can lead to findings of professional misconduct. For this reason, all **types** of ~~potential~~ conflicts of interest must be properly declared and managed. ~~The introduction listed seven interests and three conflicts that will now be explored. It must be remembered that although the focus of this document is on the engineer/client conflict of interest, the conflict may trigger a number of other consequences resulting in conflicts with the other five **interests** such as professional, employer, organizational, the profession or primarily the public.~~

Guideline on conflict of interest

2.2 Importance

As stated in the Engineers Canada Guideline on ~~C~~code of ~~E~~ethics, registrants must "hold paramount[6] the safety, health and welfare of the public and the protection of the environment, and promote health and safety within the workplace". Any actions that prioritize secondary interests[7] over this ethical duty would be considered a breach of the ~~C~~code of ~~E~~ethics.

In addition, the Engineers Canada Guideline on the code of ethics states that registrants must "Act as faithful agents of their clients or employers, maintain confidentiality and avoid conflicts of interest, but, where such conflict arises, fully disclose the circumstances without delay to the employer or client". As professionals, registrants must act to maintain the trust of each client individually, and the public collectively.

2.3 Understanding how conflicts of interest can arise

Conflicts of interest arise when there is a~~n actual~~ real or perceived risk that ~~an engineer's~~ a registrant's actions or decisions for a~~one~~ client or the public interest will be materially and adversely affected by another client's interest or by a personal interest. [2]

The following are examples of situations where registrants' secondary interests can cause ~~P~~potential conflicts of interest ~~often~~ to arise ~~in situations where engineers~~:

- work~~ing~~ for more than one client on the same project or interrelated projects;
- leavin~~g~~ an ~~organizations~~ organization to join a competitor, or to start one's own, competing ~~their own~~ firm~~s~~;
- ~~participate~~ participating in a bid selection process where the registrant has personal connections with the bidders (i.e., family, friendships, business connections, or other personal relationships)~~family members are bidding~~;
- ~~are~~ being involved in hiring decisions ~~regarding~~ that involve the registrant's ~~family members~~personal connections; or
- owning personal property or havin~~g~~ business interests that may be affected by the registrant's ~~e~~work.

The following scenario is an example of a registrant's secondary interest causing a conflict of interest to arise:

A civil engineer is hired to advise a client on the selection of a construction firm to build a new bridge. One of the bidding firms is owned by the engineer's sister. The engineer feels inclined to recommend their sister's

[6] The meaning of "paramount" in this basic tenet is that all other requirements of the Code are subordinate if protection of public safety, the environment or other substantive public interests are involved.

[7] Secondary interests include things such as personal, financial gain, the desire for professional advancement, the wish to help family, friends, and other personal connections, the desire to secure future contracts, or the wish to advance a second client's interest.

firm, as this would benefit the family. This engineer's secondary interest (i.e., participating in a bid selection process where the registrant has personal connections with the bidders) causes a conflict of interest to arise as they might put their personal interests ahead of the client's and public's best interests.

In order to best manage this conflict of interest, the engineer must disclose the personal connection to their client, and should recommend to involve an impartial third party to advise on the selection of a construction firm (see section 3. Managing conflicts of interest).

Secondary interests may not be wrong *per se*, but they can raise public doubts and suspicions about the integrity and impartiality of registrants~~professionals~~. Conflicts of interest become objectionable when ~~the~~ secondary interests are believed to have influence over the decisions regarding the primary interests[8]. The "conflict" in a conflict of interest exists whether or not the ~~engineer~~ registrant is actually influenced by the secondary interest. It exists if the circumstances are reasonably believed to create a risk that actions or decisions may be unduly influenced by secondary interests.

Conflicts of interest are not only restricted to individuals ~~only~~. Organizational conflicts of interest may also exist.

For example, if a company provides two different services to a client that have conflicting interests or appear objectionable, ~~such as~~(i.e., supplying manufacturing parts and participating on a selection committee comparing parts manufacturers), then an organizational conflict of interest exists. In the same way that individuals must guard against conflicts of interest, organizations should also have procedures to identify, avoid, and manage them.

2.4 Obligation to disclose and duty to report

Registrants must act in good faith and conduct themselves with equity, fairness, courtesy, and integrity, in an honourable and ethical manner. They must uphold the values of truth, honesty, and trustworthiness. Conflicts of interest may arise regardless of registrants' intentions, and these must be recognized, avoided and managed. Registrants have an obligation to fully disclose their conflicts of interest.

In addition to this, registrants have a duty to report[9] illegal and unethical practices by registrants or others to senior decision makers, regulators and/or other appropriate agencies [3]. This can include situations where conflicts of interest exist.

It is important to note that a conflict of interest does not necessarily mean that the registrant has improper or unethical motivations, or has acted inappropriately.

If a registrant is involved in a conflict of interest situation, they must assess whether they have a

[8] Primary interests refer to the principal goals of the profession or activity. In this case, it is the duty of registrants to protect the public interest in the first place and to serve their clients with due diligence.
[9] An Engineers Canada Guideline on duty to report will be made available in 2024.

duty to report the conflict. Registrants should consult their jurisdiction's Code of Ethics, their Engineering Acts, and professional practice guidelines, to ensure they fulfill their duties and obligations. Registrants should also consult their workplace policies regarding conflicts of interest.

If a registrant is aware of a conflict of interest situation in which they aren't directly involved, they are encouraged to inform the partie(s) involved and to make them aware of their obligations as outlined in this guideline. The registrant should also advise them of the duty to report and encourage the partie(s) involved to report, if necessary. Although the registrant who has a conflict of interest holds the greatest responsibility to manage it, ~~T~~the registrant that identifies the~~o~~ conflict of interest situation should determine what ~~can~~ follow-up ~~is responsible for following up~~is required to ensure they meet their own obligations with respect to the code of ethics and the duty to report in their jurisdiction(s). ~~to see that appropriate action or resolution is being taken.~~

2.5 Honoraria, gifts, and other benefits

Registrants must be able to use their judgement to determine whether it is appropriate or unethical to give or accept gifts[10], honoraria[11], and other benefits. Before giving or accepting honoraria, gifts, and/or other benefits, registrants should consider the following aspects:

- their relationship with the individuals/entities;
- the cultural context of these offerings;
- the frequency of these offerings;
- the monetary value of these offerings;
- their employer's policies (recognizing these will differ between different organizations); and,
- the appropriateness of these offerings.
    - *What is the reason for these offerings?*
    - *Are these offerings consistent with what is typically given in similar situations?*
    - *Is there an expectation for reciprocity, favours, or compensation in exchange for these offerings?*

The following is an example of a situation where it would be inappropriate and unethical to give an honorarium:

[10] The term "gifts" refers to a voluntary and deliberate transfer of value from one person or entity to another without expecting anything in return (e.g., objects, money, services, items of value such as event tickets, etc.). In some cultures, gift-giving is an important practice, but they can also have ethical and legal implications in certain situations.

[11] An honorarium represents a gesture of respect and gratitude for the knowledge, time, and resources that have been shared. The term "honoraria" can refer to a gift in exchange for Traditional Indigenous Knowledge, can be given to an Indigenous knowledge holder or to a community in recognition of their contributions, and should not be simply viewed as a payment for services rendered.

While it may be appropriate to provide an honorarium to a Community Representative for presenting opening remarks at the beginning of a community consultation meeting (and within cultural norms), it may not be appropriate to do so if there is an expectation from the engineering firm or client organization that the Community Representative will subsequently influence others in the community to support a contentious project. Registrants should assess the appropriateness of the honorarium by considering the above aspects and determining whether there are any expectations for reciprocity, favours, or compensation in exchange for providing the honorarium.

3 ~~How to manage~~Managing conflicts of interest

It is important to have an effective procedure for managing conflicts of interests as they arise. ~~Although all engineers would prefer to avoid all conflicts of interest, it is likely that some will arise. In those cases, it is important to have an effective procedure for managing them.~~

The requirements for successfully managing conflicts of interest are ~~quite basic~~as follows:

- being aware of obligations;~~,~~
- exercis~~e~~ing good judgment;~~,~~ and
- effectively communicating~~e~~ and documenting the decisions made and actions taken when dealing with conflicts of interest. [4]

3.1 Identifying and assessing conflicts of interest

It is critical for ~~engineers~~ registrants to have clear principles to apply and rules to follow when they assess whether or not a conflict exists. Assessing possible conflicts of interest should be a regular part of the practice of engineering.

The first step is ~~to have a procedure~~ to look for and have the ability to recognize conflicts of interest. These are often easy to spot in hindsight but tend to start in such an innocuous way that the problem is not noticed as it is developing. [5~~3~~]

~~Therefore, e~~Each new potential client or work activity should be considered from a conflict of interest point of view. Individuals and organizations should have processes in place to facilitate this. The first series of questions to ask is:

- who is the client,~~?~~ and/or what is the personal relationship?

- what am I being asked to do?
- who could be affected by this work?

With this information, it is now possible to ask more detailed questions:

- are there current clients whose interests are related or in conflict?
- are there current personal relationships whose interests are related or in conflict?
- is there current or past work that is related or in conflict?
- are there personal connections~~or family ties~~ to the client or anyone affected by the client's work?
- is there any personal or organizational gain that is inequitable and/or unfair?

When answering these questions, it is important to look at them from different perspectives: from the client's perspective, from the public's perspective, from the perspective of other clients, and from the perspective of the organization overall.

Some questions that can help identify a personal conflict of interest include:

- what is the client's interest?
- what is my interest?
- what is the interest of other parties that are involved or~~n~~ are in positions to gain from the situation?
- will maximizing my interest negatively affect the client's interest?
- will I always be able to place the interests of my client first?
- is there potential for a falling out with the client in connection with the matter?

Every time that a potential conflict is identified, the ~~engineer~~ registrant must then consider it in greater detail to determine if the conflict could lead to a substantial risk that the duty of due diligence owed to the client would be affected. The specific questions to examine are:

- what type of potential conflict exists?
- is there a risk of disclosing or misusing confidential information that is either already in-house or that would be obtained through the new client or work assignment?
- is there a risk of this work being undermined or being inconsistent with any other work (and vice versa)?
- would the personal interest of any individual or of the organization as a whole affect the performance of this new work?

3.2 Possible actions and next steps

Once the answers to these questions are known, then it is possible to decide how to act. There are four possible actions that can be taken, as outlined. Regardless of the decision, ~~:~~the registrant

must consider any applicable workplace or regulator disclosure obligations and/or duty to report requirements.

1. **Proceed with the work.** After analysis, if the ~~engineer~~registrant and organization agree that there is no potential conflict of interest, the work can proceed. It is wise to document this decision and the information that was considered in arriving at this conclusion.

2. **Proceed with the work and erect any necessary confidentiality screens.** This could be, for example, between the manufacturing and consulting arms of a company. Note that this course of action is only suitable for professional/professional conflicts. It is not possible to effectively create confidentiality screens in personal situations (e.g., when a spouse is evaluating their partner's bid). It is wise to document this decision and the information that was considered in arriving at this conclusion.

3. **Proceed with the work after having informed the client(s) (both new and existing, if applicable) and obtained consent.** This is often the simplest and most effective way to deal with potential conflicts of interest. Talk to all parties about the identified circumstances that could lead them to question the ~~engineer~~registrant's judgment. In most cases, there will either be no perceived conflict (i.e., the parties are willing to accept the situation) or steps can be taken to eliminate the possibility of one occurring. [~~64~~]
   By obtaining the agreement of all interested parties that there is no conflict of interest, registrants ~~engineers~~ reduce the possibility of litigation and charges of professional misconduct. If agreement cannot be found, ~~engineers~~ registrants have no option but to withdraw their services, thereby avoiding a problematic~~n embarrassing~~ investment in services by clients and eliminating the possibility of costly litigation. [~~75~~] In either case, the process and information that was considered in the decision to continue the work should be documented; from the ~~engineer's~~ registrant's analysis to the conclusion.

4. **Do not proceed with the work.** In some circumstances it will be clear that a conflict would likely arise if the work were undertaken. In these cases, it is best to not accept the work. Registrants ~~Engineers~~ owe a duty of due diligence to their clients and to the public, and if this cannot be provided, the work should be declined or not continued. It is wise to document this decision and the information that was considered in arriving at this conclusion.

Where the decision is made to continue with work (cases 1, 2 and 3), it is important to remain attentive to any changes in the work that would have affected the original decision. It may be necessary to re-analyze the potential for a conflict of interest as the work proceeds.

Appendix A:~~4~~ Examples

The following examples illustrate some of the conflicts of interest that ~~engineers~~registrants may face when providing engineering services or products. All examples are drawn from PEO's "Professional Engineering Practice" guideline of January 20~~12~~20.

Case A

[~~6~~8]

Engineers can most often become involved in conflicts of interest when they are confronted with the possibility of working for more than one client on the same project.

For example, a land owner hires an engineer to carry out a planning study regarding the development of a piece of land. The engineer prepares the report, time passes, and the developer does not request or need any further information from the engineer. The engineer is paid for all the work done. The municipality in which the development exists is in need of an engineering opinion that involves, among other things, this same land. It therefore contacts the engineer who prepared the report for the developer because of the engineer's expertise in the type of work and previous experience with the municipality. The engineer is now faced with the problem of possibly working for two different parties, each of whom is involved with the same issue. What should the engineer do?

Before accepting an assignment from the second party, the engineer must recognize there is a potential conflict of interest. A prudent engineer will explain to the municipality's representative that a report was prepared for one of the land developers. The municipality might well deem this to be a conflict and select another engineer for the assignment, thereby ending the potential conflict. Alternatively, the municipality could decide there is no conflict and be willing to continue with the engineer. However, this does not resolve the engineer's potential conflict, because the developer, who is the first client, is not party to this decision. The engineer should advise the municipality that the assignment will be accepted only if the developer agrees in writing that there is no conflict. Once that written agreement is obtained, the second assignment can be accepted. If no waiver is provided, the municipality may agree to retain the engineer generally but obtain a different one for this specific land owner.

Case B

[~~9~~7]

In some circumstances, an engineer might be requested by one client to provide expert opinion against another client for whom the engineer had regularly provided services in the past. The dispute does not involve any services provided previously by the engineer, but is simply a case of one loyal client retaining the engineer on a matter that involves another ~~previous~~ loyal client on the

other side. The engineer has no previous knowledge of the issue. Clearly, there is no conflict of interest in this example, but there is an important business decision for the engineer to deal with. Prudent registrants may decide to step away from this assignment.

Case C

[108]

This case illustrates a conflict of interest that might occur in circumstances involving a situation in which ~~engineers~~ practitioners are privy to privileged or confidential information.

Engineering firm ABC is retained to investigate the collapse of a large warehouse on behalf of the contractor who constructed it. A senior engineer employed by ABC is assigned to this project to work closely with the contractor's lawyer and chief engineer. The owners of the warehouse also retain an engineering expert through their lawyer. This engineer is employed by XYZ Engineering and works closely with the owner's lawyer and building manager.

During litigation investigations, ABC's senior engineer is assisted by a junior engineer who carries out calculations, reviews drawings, and accompanies the senior engineer at the occasional meeting with the contractor's lawyer and chief engineer. Both experts prepare reports, and litigation drags out for a considerable time. ABC's junior engineer is assigned to several other projects in the interim, and years pass without any further participation on the warehouse collapse.

Eventually, the junior engineer leaves ABC and is hired by XYZ to work in the bridge design department. The contractor's lawyer learns that XYZ has the junior engineer on staff. The contractor's lawyer applies to the court seeking a declaration that the firm XYZ is ineligible to continue to act for the owners because it is now in possession of the contractor's privileged and confidential information through the junior engineer who worked on the case for the contractor.

The Supreme Court of Canada concluded that such a situation constitutes a conflict of interest in certain instances involving law firms; it has been suggested that engineering firms could be exposed to the same conditions. For instance, even though the junior engineer in this example was never assigned to the warehouse case by new employer XYZ, there is a strong presumption that confidences are shared among engineers; to the courts, this could be enough to create the appearance of a conflict of interest.

This situation is difficult to prepare for, yet can potentially be very damaging to the engineering firm's client, since years of effort could be devalued. This would leave the client very vulnerable as the trial date approached. To avoid problems, XYZ should either obtain the agreement of ABC and its relevant clients or set up at the time of hiring a formal~~, efficient and measured~~ administrative separation of the junior engineer from all information and discussions on the matter. Legal advice should be sought.

Case D

[11~~9~~]

Engineers are often active outside their particular engineering activities, serving with charitable groups, boards of directors, political parties, etc. From time to time, while participating in one of these non-engineering groups, circumstances will put engineers in positions where they might be required to participate in selecting or appointing an engineer to provide engineering services to the non-engineering group. This could put engineers working with the non-engineering group in a conflict of interest if their own engineering firm is in competition for this assignment. Engineers should recognize this conflict and refuse to participate in the selection process, after explaining the circumstances to the group they are serving.

Case E

[12]

It is not uncommon for small municipalities that cannot afford to have a permanent municipal engineer on staff to retain a consulting engineer to fill that role. That engineer, for all intents and purposes, fulfills the duties of the municipal engineer. In this example, an engineer providing these services to the municipality has another client who is in the land development business. The developer requests the engineer to provide services on a project that the developer intends to carry out on land owned within the municipality for which the engineer provides the ongoing municipal engineering duties.

In this particular situation, municipal approvals are required. The engineer recognizes there is a potential conflict of interest if assistance were provided to the developer, because of the confidential information the engineer has with respect to the ongoing work done previously for the municipality. Also, in approving work carried out by the developer on behalf of the municipality, the engineer would be trying to serve two clients on the same work and therefore would be in further conflict. The engineer decides correctly to turn down the work for the developer, so the ongoing work for the municipality can be performed without such conflict.

Case F~~E~~

[13~~0~~]

Engineer M works in company XYZ that develops and sells products and services to a wide variety of customers. Friend N runs ABC Services, a small company that sells a specialized product very different from those produced by XYZ. Engineer M has ideas for improving the product sold by ABC Services and offers to assist N. Engineer M develops the design on her own time using resources made available at ABC Services by N.

Because the product is not a competitor for those sold by XYZ and M is not using XYZ resources, M's work on the product does not directly conflict with her obligations to her employer. However, it is best practice, and is legislated in some jurisdictions, for engineer M to notify her employer about these "moonlighting" activities. This is necessary so the employer can be advised of circumstances that might appear to be a conflict if discovered in the future. The best course of action is to make all

parties aware of the situation at once and allow the parties the opportunity to be assured that a conflict does not exist.

Appendix B:~~5~~ Glossary

~~Definitions~~

Client: A client generally means a person, including a public officer, corporation, association or other organization or entity, either public or private, who is rendered services by a service provider, or who consults a service provider with an intention of obtaining services from ~~him/her~~them.

Conflict of Interest: ~~Conflicts of interest are real, perceived or potential situations in which the judgments and actions of individuals, institutions or other entities could be affected because of multiple or competing interests. Such competing interests can make it difficult for someone to fulfill his or her duties impartially. A reasonable perception of a conflict of interest is where a fair minded person, properly informed as to the nature of the interests held by the decision maker, might reasonably perceive that the decision maker might be influenced in the performance of his or her official duties and responsibilities. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, the organization he or she represents or the profession.~~Conflicts of interest are real, perceived, or potential situations or circumstances in which the judgments, decisions and actions of individuals, institutions or other entities could be affected because of multiple or competing interests. Such competing interests can prevent an individual from fulfilling their duties impartially.

Guideline on conflict of interest

A conflict of interest can exist even if no unethical or improper act results from it. When conflicts of interest exist and are not properly managed, they can lead the public to question the honesty and trustworthiness of registrants. The appearance of a conflict of interest is equally detrimental to the profession's honour, dignity, and credibility as is a real conflict of interest and can undermine confidence in the person, the organization they represent or the profession. In addition, serious mismanagement of conflicts of interest (real, potential, and perceived) can lead to findings of professional misconduct. For this reason, all types of conflicts of interest must be properly declared and managed.

Employer: An employer is a person or entity who hires another to perform a service under an express or implied agreement and has control, or the right to control, over the manner and means of performing the services.

~~**Individual:** An individual is a single human being, as distinguished from a group.~~

Moonlighting: Having a side job in addition to one's primary employment, outside of their normal working hours. These jobs are often taken by employees in secret, without informing the employer and without paying tax on the extra income earned.

Organization: A~~Organization means "a~~ corporation, trust, estate, partnership, cooperative, association, or government entity or instrumentality.~~"~~

Owners: Individuals, institutions, or entities who own the project or infrastructure being worked on.

Personal/individual~~professional~~ conflicts: A personal/individual ~~professional~~ conflict exists where the ~~engineer~~registrant's personal interests conflict with their professional ones (for example, where the value of your own personal property is influenced by engineering work that you do).

Primary interest: This interest refers to the principal goals of the profession or activity. In this case, it is the duty of ~~engineer~~registrants to protect the public interest in the first place and to serve their clients with due diligence.

Profession: A vocation requiring knowledge of some department of learning or science.

Professional: A professional is an individual who has obtained specialized knowledge, skills, and qualifications in a particular field or department of learning science.

Guideline on conflict of interest

~~**Professional engineer**: A person who is registered as a professional member in one of the twelve provincial or territorial regulators.~~

Professional/professional conflicts: Professional/professional conflicts are where the interests of one client conflict with another client, or where the ~~engineer~~registrant acts in two different roles for the same client (e.g., preparing bid documents and then bidding on the job).

Public: The definition of public is the whole body politic, or the aggregate of the citizens of a state, nation, or municipality. Public also can mean the community at large, without reference to the geographical limits of any corporation like a city, town, or county; the people.

Recipients of engineering services: Individuals, institutions, or entities who benefit from or rely on engineering services.

Relevant authorities: Regulatory associations, governmental bodies, and any other organizations and agencies that oversee engineering activities.

Secondary interest: This interest could include things such as personal financial gain, the desire for professional advancement, the wish to help family, ~~and~~ friends, and other personal connections, the desire to secure future contracts, or the wish to advance a second client's interest.

~~6~~ References

Buttigieg, Bryan J. and Thomson, Miller. “Conflict of Interest: consulting engineering need to be vigilant”. Canadian Consulting Engineer, March 2004.

Canadian Bar Association, Task Force on Conflicts of Interest, at https://www.cba.org/Publications-Resources/Practice-Tools/Conflicts-of-Interest-Toolkit/Materials.

Federation of Law Societies of Canada, Report on Conflicts of Interest, November 2011, at https://flsc-s3-storage-pub.s3.ca-central-1.amazonaws.com/CodeStanding-Committee20112.pdf?_rt=N3wxfGNvbmZsaWN0IG9mIGludGVyZXN0fDE2NjYxMTc2NTg&_rt_nonce=2e73ca5a81.

Government of British Columbia, Assessing & addressing conflicts of interest – Guideline for Managers, Ethics Advisors and Deputy Ministers, May 2023, at https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/ethics/conflict_interest_guidelines_managers_ea_dm.pdf

Government of Canada, Treasury Board Secretariat – FAQs: Directive on Conflict of Interest, May 2023, at https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/conflict-interest-post-employment/frequently-asked-questions.html

Government of Canada, Values and Ethics Code of the Department of Justice: Chapter II: Conflict of Interest and Post-employment, May 2023, at https://www.justice.gc.ca/eng/rp-pr/cp-pm/vec-cve/c2.html

Guideline on conflict of interest

Law Society of Ontario, Steps for Dealing with Conflicts of Interest Rules, May 2023, at https://lso.ca/lawyers/practice-supports-resources/practice-management-topics/the-lawyer-client-relationship/conflicts-of-interest/steps-for-dealing-with-conflicts-of-interest-rules

OIQ, “Would you be able to recognize a conflict of interest?” from PLAN, March 2011, page 42.

PEO, Professional Engineering Practice, November 2020, at https://www.peo.on.ca/sites/default/files/2020-12/PEPGuideline_Nov2020.pdf.

University of Alberta, Elder Protocol and Guidelines, May 2023 at https://www.ualberta.ca/media-library/ualberta/students/first-peoples-house/documents/elder-protocol.pdf

Endnotes

[1] The Association of Professional Engineers and Geoscientists of Alberta, Ethical Practice, https://www.apega.ca/docs/default-source/pdfs/standards-guidelines/ethical-practice.pdf?sfvrsn=78261e0b_14

[2] Federation of Law Societies of Canada~~LSC~~, https://flsc-s3-storage-pub.s3.ca-central-1.amazonaws.com/CodeStanding-Committee20112.pdf?_rt=N3wxfGNvbmZsaWN0IG9mIGludGVyZXN0fDE2NjYxMTc2NTg&_rt_nonce=2e73ca5a81
~~http://www.flsc.ca/_documents/Conflicts-of-Interest-Report-Nov-2011.pdf~~
[3]~~[2]~~ Engineers Canada, Guideline on the Code of Ethics, https://engineerscanada.ca/publications/public-guideline-on-the-code-of-ethics

[4] All content in this section is thanks to the Canadian Bar Association (CBA), Conflicts of Interest Toolkit, and in particular the analysis framework at https://www.cba.org/Publications-Resources/Practice-Tools/Conflicts-of-Interest-Toolkit/Materials~~http://www.cba.org/cba/groups/pdf/conflicts_analysis_framework.pdf~~

~~[3]~~
[5] Buttigieg, Bryan J. and Thomson, Miller. “Conflict of Interest: consulting engineers need to be vigilant”. Canadian Consulting Engineer, March 2004.

[6~~4~~] PEO, Professional Engineering Practice, ~~January 2012~~November 2020.

[~~7~~5] PEO, ibid

~~[6] PEO, ibid~~

[~~8~~7] PEO, ibid

[~~9~~8] PEO, ibid

[10~~9~~] PEO, ibid

[11~~0~~] PEO, ibid

[12] PEO, ibid

[13] PEO, ibid

1 Introduction

Conflicts of interest can affect a professional's objectivity, and the practice of a profession, including engineering. [1] Registrants[1] must therefore be aware of conflicts of interest and how to avoid or manage them. This guideline was developed to help individual registrants manage their practice with respect to conflicts of interest. It provides a comprehensive definition of conflicts of interest[2] as it pertains to engineering, and includes information on how to recognize, avoid and manage them, best practices, and examples illustrating different types of conflicts of interest that they may face.

There are three important **types** of conflicts of interest that can arise and key types of **interests** which registrants must be aware of in their work and engineering practice.

Three important **types** of conflicts:

- **real (or actual)**[3];
- **potential**[4]; and
- **perceived**[5].

Whether it is real, potential, or perceived, all three types of conflicts of interest are equally detrimental to the profession's honour, dignity, and credibility, and can undermine confidence in the person, the organization they represent, or the profession. Conflicts of interest may arise regardless of registrants' intentions. As such, recognizing, avoiding, and managing all three types of conflicts of interest is fundamental to ensuring the highest levels of integrity and public trust. Registrants must uphold values of truth, honesty and trustworthiness, and have an obligation to fully disclose their conflicts of interest.

While various types of interest can affect registrants, this guideline is primarily focused on two key categories:

- **individual/personal interests; and,**
- **client interests.**

*Registrants should also remain cognizant of **other types of interests** which could prevent them from fulfilling their duties impartially. These include the interests of employers, fellow registrants and other*

[1] "Registrant" means an individual registered with an engineering regulator, and can include but is not limited to engineers, engineers-in-training, members-in-training, engineering interns, permit holders, and licensees.
[2] This guideline includes additional relevant definitions listed as footnotes and in the Glossary (Appendix B).
[3] A "real" or "actual" conflict of interest exists at the present time where a registrant's actions, decisions or judgement could prevent them from fulfilling their duties and/or could compromise the public's trust.
[4] A "potential" conflict of interest exists when a registrant's interests could influence their actions, decisions or judgement, and can reasonably be foreseen to lead to a real conflict of interest in the future.
[5] A "perceived" conflict of interest exists when a registrant's interests would appear to a reasonable person to impact their actions, decisions or judgement, which could prevent them from fulfilling their duties and/or could compromise the public's trust, even though there may not be a real conflict.

professionals, organizations, owners, the engineering profession, the general public, recipients of engineering services, and relevant authorities, among others.

2 Defining conflicts of interest

2.1 Definition

Conflicts of interest are real, perceived, or potential situations or circumstances in which the judgments, decisions and actions of individuals, institutions or other entities could be affected because of multiple or competing **interests**. Such competing interests can prevent an individual from fulfilling their duties impartially.

A conflict of interest can exist even if no unethical or improper act results from it. When conflicts of interest exist and are not properly managed, they can lead the public to question the honesty and trustworthiness of registrants. The appearance of a conflict of interest is equally detrimental to the profession's honour, dignity, and credibility as is a real conflict of interest and can undermine confidence in the person, the organization they represent, or the profession. In addition, serious mismanagement of conflicts of interest (real, potential, and perceived) can lead to findings of professional misconduct. For this reason, all **types** of conflicts of interest must be properly declared and managed.

2.2 Importance

As stated in the Engineers Canada Guideline on code of ethics, registrants must "hold paramount[6] the safety, health and welfare of the public and the protection of the environment, and promote health and safety within the workplace". Any actions that prioritize secondary interests[7] over this ethical duty would be considered a breach of the code of ethics.

In addition, the Engineers Canada Guideline on the code of ethics states that registrants must "Act as faithful agents of their clients or employers, maintain confidentiality and avoid conflicts of interest, but, where such conflict arises, fully disclose the circumstances without delay to the employer or client". As professionals, registrants must act to maintain the trust of each client individually, and the public collectively.

[6] The meaning of "paramount" in this basic tenet is that all other requirements of the Code are subordinate if protection of public safety, the environment or other substantive public interests are involved.

[7] Secondary interests include things such as personal, financial gain, the desire for professional advancement, the wish to help family, friends, and other personal connections, the desire to secure future contracts, or the wish to advance a second client's interest.

2.3 Understanding how conflicts of interest can arise

Conflicts of interest arise when there is a real or perceived risk that a registrant's actions or decisions for a client or the public interest will be materially and adversely affected by another client's interest or by a personal interest. [2]

The following are examples of situations where registrants' secondary interests can cause potential conflicts of interest to arise:

- working for more than one client on the same project or interrelated projects;
- leaving an organization to join a competitor, or to start one's own, competing firm;
- participating in a bid selection process where the registrant has personal connections with the bidders (i.e., family, friendships, business connections, or other personal relationships);
- being involved in hiring decisions that involve the registrant's personal connections; or
- owning personal property or having business interests that may be affected by the registrant's work.

The following scenario is an example of a registrant's secondary interest causing a conflict of interest to arise:

A civil engineer is hired to advise a client on the selection of a construction firm to build a new bridge. One of the bidding firms is owned by the engineer's sister. The engineer feels inclined to recommend their sister's firm, as this would benefit the family. This engineer's secondary interest (i.e., participating in a bid selection process where the registrant has personal connections with the bidders) causes a conflict of interest to arise as they might put their personal interests ahead of the client's and public's best interests.

In order to best manage this conflict of interest, the engineer must disclose the personal connection to their client, and should recommend to involve an impartial third party to advise on the selection of a construction firm (see section 3. Managing conflicts of interest).

Secondary interests may not be wrong *per se*, but they can raise public doubts and suspicions about the integrity and impartiality of registrants. Conflicts of interest become objectionable when secondary interests are believed to have influence over the decisions regarding the primary interests[8]. The "conflict" in a conflict of interest exists whether or not the registrant is actually influenced by the secondary interest. It exists if the circumstances are reasonably believed to create a risk that actions or decisions may be unduly influenced by secondary interests.

Conflicts of interest are not only restricted to individuals. Organizational conflicts of interest may also exist.

[8] Primary interests refer to the principal goals of the profession or activity. In this case, it is the duty of registrants to protect the public interest in the first place and to serve their clients with due diligence.

For example, if a company provides two different services to a client that have conflicting interests or appear objectionable, (i.e., supplying manufacturing parts and participating on a selection committee comparing parts manufacturers), then an organizational conflict of interest exists. In the same way that individuals must guard against conflicts of interest, organizations should also have procedures to identify, avoid, and manage them.

2.4 Obligation to disclose and duty to report

Registrants must act in good faith and conduct themselves with equity, fairness, courtesy, and integrity, in an honourable and ethical manner. They must uphold the values of truth, honesty, and trustworthiness. Conflicts of interest may arise regardless of registrants' intentions, and these must be recognized, avoided and managed. Registrants have an obligation to fully disclose their conflicts of interest.

In addition to this, registrants have a duty to report[9] illegal and unethical practices by registrants or others to senior decision makers, regulators and/or other appropriate agencies [3]. This can include situations where conflicts of interest exist.

It is important to note that a conflict of interest does not necessarily mean that the registrant has improper or unethical motivations, or has acted inappropriately.

If a registrant is involved in a conflict of interest situation, they must assess whether they have a duty to report the conflict. Registrants should consult their jurisdiction's Code of Ethics, their Engineering Acts, and professional practice guidelines, to ensure they fulfill their duties and obligations. Registrants should also consult their workplace policies regarding conflicts of interest.

If a registrant is aware of a conflict of interest situation in which they aren't directly involved, they are encouraged to inform the partie(s) involved and to make them aware of their obligations as outlined in this guideline. The registrant should also advise them of the duty to report and encourage the partie(s) involved to report, if necessary. Although the registrant who has a conflict of interest holds the greatest responsibility to manage it, the registrant that identifies the conflict of interest situation should determine what follow-up is required to ensure they meet their own obligations with respect to the code of ethics and the duty to report in their jurisdiction(s).

2.5 Honoraria, gifts, and other benefits

Registrants must be able to use their judgement to determine whether it is appropriate or unethical to give or accept gifts[10], honoraria[11], and other benefits. Before giving or accepting honoraria, gifts,

[9] An Engineers Canada Guideline on duty to report will be made available in 2024.

[10] The term "gifts" refers to a voluntary and deliberate transfer of value from one person or entity to another without expecting anything in return (e.g., objects, money, services, items of value such as event tickets, etc.). In some cultures, gift-giving is an important practice, but they can also have ethical and legal implications in certain situations.

[11] An honorarium represents a gesture of respect and gratitude for the knowledge, time, and resources that have been shared. The term "honoraria" can refer to a gift in exchange for Traditional Indigenous Knowledge, can be given to an Indigenous

and/or other benefits, registrants should consider the following aspects:

- their relationship with the individuals/entities;
- the cultural context of these offerings;
- the frequency of these offerings;
- the monetary value of these offerings;
- their employer's policies (recognizing these will differ between different organizations); and,
- the appropriateness of these offerings.
    - *What is the reason for these offerings?*
    - *Are these offerings consistent with what is typically given in similar situations?*
    - *Is there an expectation for reciprocity, favours, or compensation in exchange for these offerings?*

The following is an example of a situation where it would be inappropriate and unethical to give an honorarium:

While it may be appropriate to provide an honorarium to a Community Representative for presenting opening remarks at the beginning of a community consultation meeting (and within cultural norms), it may not be appropriate to do so if there is an expectation from the engineering firm or client organization that the Community Representative will subsequently influence others in the community to support a contentious project. Registrants should assess the appropriateness of the honorarium by considering the above aspects and determining whether there are any expectations for reciprocity, favours, or compensation in exchange for providing the honorarium.

3 Managing conflicts of interest

It is important to have an effective procedure for managing conflicts of interests as they arise. The requirements for successfully managing conflicts of interest are as follows:

- being aware of obligations;
- exercising good judgment; and
- effectively communicating and documenting the decisions made and actions taken when dealing with conflicts of interest. [4]

3.1 Identifying and assessing conflicts of interest

It is critical for registrants to have clear principles to apply and rules to follow when they assess whether or not a conflict exists. Assessing possible conflicts of interest should be a regular part of the practice of engineering.

knowledge holder or to a community in recognition of their contributions, and should not be simply viewed as a payment for services rendered.

The first step is to look for and have the ability to recognize conflicts of interest. These are often easy to spot in hindsight but tend to start in such an innocuous way that the problem is not noticed as it is developing. [5]

Each new potential client or work activity should be considered from a conflict of interest point of view. Individuals and organizations should have processes in place to facilitate this. The first series of questions to ask is:

- who is the client, and/or what is the personal relationship?
- what am I being asked to do?
- who could be affected by this work?

With this information, it is now possible to ask more detailed questions:

- are there current clients whose interests are related or in conflict?
- are there current personal relationships whose interests are related or in conflict?
- is there current or past work that is related or in conflict?
- are there personal connections to the client or anyone affected by the client's work?
- is there any personal or organizational gain that is inequitable and/or unfair?

When answering these questions, it is important to look at them from different perspectives: from the client's perspective, from the public's perspective, from the perspective of other clients, and from the perspective of the organization overall.

Some questions that can help identify a personal conflict of interest include:

- what is the client's interest?
- what is my interest?
- what is the interest of other parties that are involved or are in positions to gain from the situation?
- will maximizing my interest negatively affect the client's interest?
- will I always be able to place the interests of my client first?
- is there potential for a falling out with the client in connection with the matter?

Every time that a potential conflict is identified, the registrant must then consider it in greater detail to determine if the conflict could lead to a substantial risk that the duty of due diligence owed to the client would be affected. The specific questions to examine are:

- what type of potential conflict exists?

- is there a risk of disclosing or misusing confidential information that is either already in-house or that would be obtained through the new client or work assignment?
- is there a risk of this work being undermined or being inconsistent with any other work (and vice versa)?
- would the personal interest of any individual or of the organization as a whole affect the performance of this new work?

3.2 Possible actions and next steps

Once the answers to these questions are known, then it is possible to decide how to act. There are four possible actions that can be taken, as outlined. Regardless of the decision, the registrant must consider any applicable workplace or regulator disclosure obligations and/or duty to report requirements.

1. **Proceed with the work.** After analysis, if the registrant and organization agree that there is no potential conflict of interest, the work can proceed. It is wise to document this decision and the information that was considered in arriving at this conclusion.

2. **Proceed with the work and erect any necessary confidentiality screens.** This could be, for example, between the manufacturing and consulting arms of a company. Note that this course of action is only suitable for professional/professional conflicts. It is not possible to effectively create confidentiality screens in personal situations (e.g., when a spouse is evaluating their partner's bid). It is wise to document this decision and the information that was considered in arriving at this conclusion.

3. **Proceed with the work after having informed the client(s) (both new and existing, if applicable) and obtained consent.** This is often the simplest and most effective way to deal with potential conflicts of interest. Talk to all parties about the identified circumstances that could lead them to question the registrant's judgment. In most cases, there will either be no perceived conflict (i.e., the parties are willing to accept the situation) or steps can be taken to eliminate the possibility of one occurring. [6] By obtaining the agreement of all interested parties that there is no conflict of interest, registrants reduce the possibility of litigation and charges of professional misconduct. If agreement cannot be found, registrants have no option but to withdraw their services, thereby avoiding a problematic investment in services by clients and eliminating the possibility of costly litigation. [7] In either case, the process and information that was considered in the decision to continue the work should be documented; from the registrant's analysis to the conclusion.

4. **Do not proceed with the work.** In some circumstances it will be clear that a conflict would likely arise if the work were undertaken. In these cases, it is best to not accept

the work. Registrants owe a duty of due diligence to their clients and to the public, and if this cannot be provided, the work should be declined or not continued. It is wise to document this decision and the information that was considered in arriving at this conclusion.

Where the decision is made to continue with work (cases 1, 2 and 3), it is important to remain attentive to any changes in the work that would have affected the original decision. It may be necessary to re-analyze the potential for a conflict of interest as the work proceeds.

Appendix A: Examples

The following examples illustrate some of the conflicts of interest that registrants may face when providing engineering services or products. All examples are drawn from PEO's "Professional Engineering Practice" guideline of January 2020.

Case A

[8]

Engineers can most often become involved in conflicts of interest when they are confronted with the possibility of working for more than one client on the same project.

For example, a land owner hires an engineer to carry out a planning study regarding the development of a piece of land. The engineer prepares the report, time passes, and the developer does not request or need any further information from the engineer. The engineer is paid for all the work done. The municipality in which the development exists is in need of an engineering opinion that involves, among other things, this same land. It therefore contacts the engineer who prepared the report for the developer because of the engineer's expertise in the type of work and previous experience with the municipality. The engineer is now faced with the problem of possibly working for two different parties, each of whom is involved with the same issue. What should the engineer do?

Before accepting an assignment from the second party, the engineer must recognize there is a potential conflict of interest. A prudent engineer will explain to the municipality's representative that a report was prepared for one of the land developers. The municipality might well deem this to be a conflict and select another engineer for the assignment, thereby ending the potential conflict. Alternatively, the municipality could decide there is no conflict and be willing to continue with the engineer. However, this does not resolve the engineer's potential conflict, because the developer, who is the first client, is not party to this decision. The engineer should advise the municipality that the assignment will be accepted only if the developer agrees in writing that there is no conflict. Once that written agreement is obtained, the second assignment can be accepted. If no waiver is provided, the municipality may agree to retain the engineer generally but obtain a different one for this specific land owner.

Case B

[9]

In some circumstances, an engineer might be requested by one client to provide expert opinion against another client for whom the engineer had regularly provided services in the past. The dispute does not involve any services provided previously by the engineer, but is simply a case of one loyal client retaining the engineer on a matter that involves another loyal client on the other side. The engineer has no previous knowledge of the issue. Clearly, there is no conflict of interest in this example, but there is an important business decision for the engineer to deal with. Prudent registrants may decide to step away from this assignment.

Case C

[10]

This case illustrates a conflict of interest that might occur in circumstances involving a situation in which practitioners are privy to privileged or confidential information.

Engineering firm ABC is retained to investigate the collapse of a large warehouse on behalf of the contractor who constructed it. A senior engineer employed by ABC is assigned to this project to work closely with the contractor's lawyer and chief engineer. The owners of the warehouse also retain an engineering expert through their lawyer. This engineer is employed by XYZ Engineering and works closely with the owner's lawyer and building manager.

During litigation investigations, ABC's senior engineer is assisted by a junior engineer who carries out calculations, reviews drawings, and accompanies the senior engineer at the occasional meeting with the contractor's lawyer and chief engineer. Both experts prepare reports, and litigation drags out for a considerable time. ABC's junior engineer is assigned to several other projects in the interim, and years pass without any further participation on the warehouse collapse.

Eventually, the junior engineer leaves ABC and is hired by XYZ to work in the bridge design department. The contractor's lawyer learns that XYZ has the junior engineer on staff. The contractor's lawyer applies to the court seeking a declaration that the firm XYZ is ineligible to continue to act for the owners because it is now in possession of the contractor's privileged and confidential information through the junior engineer who worked on the case for the contractor.

The Supreme Court of Canada concluded that such a situation constitutes a conflict of interest in certain instances involving law firms; it has been suggested that engineering firms could be exposed to the same conditions. For instance, even though the junior engineer in this example was never assigned to the warehouse case by new employer XYZ, there is a strong presumption that confidences are shared among engineers; to the courts, this could be enough to create the appearance of a conflict of interest.

This situation is difficult to prepare for, yet can potentially be very damaging to the engineering firm's client, since years of effort could be devalued. This would leave the client very vulnerable as the trial date approached. To avoid problems, XYZ should either obtain the agreement of ABC and its relevant clients or set up at the time of hiring a formal administrative separation of the junior engineer from all information and discussions on the matter. Legal advice should be sought.

Case D

[11]

Engineers are often active outside their particular engineering activities, serving with charitable groups, boards of directors, political parties, etc. From time to time, while participating in one of these non-engineering groups, circumstances will put engineers in positions where they might be

required to participate in selecting or appointing an engineer to provide engineering services to the non-engineering group. This could put engineers working with the non-engineering group in a conflict of interest if their own engineering firm is in competition for this assignment. Engineers should recognize this conflict and refuse to participate in the selection process, after explaining the circumstances to the group they are serving.

Case E

[12]

It is not uncommon for small municipalities that cannot afford to have a permanent municipal engineer on staff to retain a consulting engineer to fill that role. That engineer, for all intents and purposes, fulfills the duties of the municipal engineer. In this example, an engineer providing these services to the municipality has another client who is in the land development business. The developer requests the engineer to provide services on a project that the developer intends to carry out on land owned within the municipality for which the engineer provides the ongoing municipal engineering duties.

In this particular situation, municipal approvals are required. The engineer recognizes there is a potential conflict of interest if assistance were provided to the developer, because of the confidential information the engineer has with respect to the ongoing work done previously for the municipality. Also, in approving work carried out by the developer on behalf of the municipality, the engineer would be trying to serve two clients on the same work and therefore would be in further conflict. The engineer decides correctly to turn down the work for the developer, so the ongoing work for the municipality can be performed without such conflict.

Case F

[13]

Engineer M works in company XYZ that develops and sells products and services to a wide variety of customers. Friend N runs ABC Services, a small company that sells a specialized product very different from those produced by XYZ. Engineer M has ideas for improving the product sold by ABC Services and offers to assist N. Engineer M develops the design on her own time using resources made available at ABC Services by N.

Because the product is not a competitor for those sold by XYZ and M is not using XYZ resources, M's work on the product does not directly conflict with her obligations to her employer. However, it is best practice, and is legislated in some jurisdictions, for engineer M to notify her employer about these "moonlighting" activities. This is necessary so the employer can be advised of circumstances that might appear to be a conflict if discovered in the future. The best course of action is to make all parties aware of the situation at once and allow the parties the opportunity to be assured that a conflict does not exist.

Appendix B: Glossary

Client: A client generally means a person, including a public officer, corporation, association or other organization or entity, either public or private, who is rendered services by a service provider, or who consults a service provider with an intention of obtaining services from them.

Conflict of Interest: Conflicts of interest are real, perceived, or potential situations or circumstances in which the judgments, decisions and actions of individuals, institutions or other entities could be affected because of multiple or competing interests. Such competing interests can prevent an individual from fulfilling their duties impartially.

A conflict of interest can exist even if no unethical or improper act results from it. When conflicts of interest exist and are not properly managed, they can lead the public to question the honesty and trustworthiness of registrants. The appearance of a conflict of interest is equally detrimental to the profession's honour, dignity, and credibility as is a real conflict of interest and can undermine confidence in the person, the organization they represent or the profession. In addition, serious mismanagement of conflicts of interest (real, potential, and perceived) can lead to findings of professional misconduct. For this reason, all types of conflicts of interest must be properly declared and managed.

Employer: An employer is a person or entity who hires another to perform a service under an express or implied agreement and has control, or the right to control, over the manner and means of performing the services.

Moonlighting: Having a side job in addition to one's primary employment, outside of their normal working hours. These jobs are often taken by employees in secret, without informing the employer and without paying tax on the extra income earned.

Organization: A corporation, trust, estate, partnership, cooperative, association, or government entity or instrumentality.

Owners: Individuals, institutions, or entities who own the project or infrastructure being worked on.

Personal/individual conflicts: A personal/individual conflict exists where the registrant's personal interests conflict with their professional ones (for example, where the value of your own personal property is influenced by engineering work that you do).

Primary interest: This interest refers to the principal goals of the profession or activity. In this case, it is the duty of registrants to protect the public interest in the first place and to serve their clients with due diligence.

Profession: A vocation requiring knowledge of some department of learning or science.
Professional: A professional is an individual who has obtained specialized knowledge, skills, and qualifications in a particular field or department of learning science.

Professional/professional conflicts: Professional/professional conflicts are where the interests of one client conflict with another client, or where the registrant acts in two different roles for the same client (e.g., preparing bid documents and then bidding on the job).

Public: The definition of public is the whole body politic, or the aggregate of the citizens of a state, nation, or municipality. Public also can mean the community at large, without reference to the geographical limits of any corporation like a city, town, or county; the people.

Recipients of engineering services: Individuals, institutions, or entities who benefit from or rely on engineering services.

Relevant authorities: Regulatory associations, governmental bodies, and any other organizations and agencies that oversee engineering activities.

Secondary interest: This interest could include things such as personal financial gain, the desire for professional advancement, the wish to help family, friends, and other personal connections, the desire to secure future contracts, or the wish to advance a second client's interest.

References

Buttigieg, Bryan J. and Thomson, Miller. “Conflict of Interest: consulting engineering need to be vigilant”. Canadian Consulting Engineer, March 2004.

Canadian Bar Association, Task Force on Conflicts of Interest, at https://www.cba.org/Publications-Resources/Practice-Tools/Conflicts-of-Interest-Toolkit/Materials.

Federation of Law Societies of Canada, Report on Conflicts of Interest, November 2011, at https://flsc-s3-storage-pub.s3.ca-central-1.amazonaws.com/CodeStanding-Committee20112.pdf?_rt=N3wxfGNvbmZsaWN0IG9mIGludGVyZXN0fDE2NjYxMTc2NTg&_rt_nonce=2e73ca5a81.

Government of British Columbia, Assessing & addressing conflicts of interest – Guideline for Managers, Ethics Advisors and Deputy Ministers, May 2023, at https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/ethics/conflict_interest_guidelines_managers_ea_dm.pdf

Government of Canada, Treasury Board Secretariat – FAQs: Directive on Conflict of Interest, May 2023, at https://www.canada.ca/en/treasury-board-secretariat/services/values-ethics/conflict-interest-post-employment/frequently-asked-questions.html

Government of Canada, Values and Ethics Code of the Department of Justice: Chapter II: Conflict of Interest and Post-employment, May 2023, at https://www.justice.gc.ca/eng/rp-pr/cp-pm/vec-cve/c2.html

Law Society of Ontario, Steps for Dealing with Conflicts of Interest Rules, May 2023, at https://lso.ca/lawyers/practice-supports-resources/practice-management-topics/the-lawyer-client-relationship/conflicts-of-interest/steps-for-dealing-with-conflicts-of-interest-rules

OIQ, “Would you be able to recognize a conflict of interest?” from PLAN, March 2011, page 42.

PEO, Professional Engineering Practice, November 2020, at https://www.peo.on.ca/sites/default/files/2020-12/PEPGuideline_Nov2020.pdf.

University of Alberta, Elder Protocol and Guidelines, May 2023 at https://www.ualberta.ca/media-library/ualberta/students/first-peoples-house/documents/elder-protocol.pdf

Endnotes

[1] The Association of Professional Engineers and Geoscientists of Alberta, Ethical Practice, https://www.apega.ca/docs/default-source/pdfs/standards-guidelines/ethical-practice.pdf?sfvrsn=78261e0b_14

[2] Federation of Law Societies of Canada, https://flsc-s3-storage-pub.s3.ca-central-1.amazonaws.com/CodeStanding-Committee20112.pdf?_rt=N3wxfGNvbmZsaWN0IG9mIGludGVyZXN0fDE2NjYxMTc2NTg&_rt_nonce=2e73ca5a81

[3] Engineers Canada, Guideline on the Code of Ethics, https://engineerscanada.ca/publications/public-guideline-on-the-code-of-ethics

[4] All content in this section is thanks to the Canadian Bar Association (CBA), Conflicts of Interest Toolkit, and in particular the analysis framework at https://www.cba.org/Publications-Resources/Practice-Tools/Conflicts-of-Interest-Toolkit/Materials

[5] Buttigieg, Bryan J. and Thomson, Miller. “Conflict of Interest: consulting engineers need to be vigilant”. Canadian Consulting Engineer, March 2004.

[6] PEO, Professional Engineering Practice, November 2020.

[7] PEO, ibid
a
[8] PEO, ibid

[9] PEO, ibid

[10] PEO, ibid

[11] PEO, ibid

[12] PEO, ibid

[13] PEO, ibid

BRIEFING NOTE: For decision

Board policy updates	4.5
Purpose:	To approve revisions to existing Board policies
Link to the Strategic Plan/ Purposes:	Board responsibility: Formulates and periodically reviews Board policies that align with the organization's values and guide decision making.
Link to the Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Motion(s) to consider:	*THAT the Board, on recommendation of the Governance Committee:* *a) approve the following revised Board policies:* *i. 6.9, Canadian Engineering Accreditation Board (CEAB)* *ii. 6.10, Canadian Engineering Qualifications Board (CEQB)* *iii. 7.3, Board relationship with Engineering Deans Canada (EDC)* *iv. 7.11, Consultation*
Vote required to pass:	Two-thirds majority
Transparency:	Open session
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Alison Anderson, Chair of the Governance Committee

Problem/issue definition

- The Governance Committee (GC) has identified revisions to four (4) Board policies for Board approval.

Proposed action/recommendation

- That the Board review and approve the proposed revisions to the existing policies presented in Appendix 1.
    - **6.9, Canadian Engineering Accreditation Board (CEAB) and 6.10, Canadian Engineering Qualifications Board (CEQB):** Parallel revisions have been proposed for these two policies with the aim to clarify meaning, as needed, and align the policies with Engineers Canada's commitment to the federal government's 50-30 Challenge.

      The Governance Committee otherwise noted that a substantive review of these policies should be undertaken, whether it be through the forthcoming governance review or sooner, with input from the CEAB and CEQB and their respective secretariats.
    - **7.3, Board relationship with Engineering Deans Canada (EDC):** It is proposed that the review period for this policy be changed from biennial to triennial, as was approved by the Board for several Board policies in the past year. Also, a minor revision is suggested to better reflect that Engineers Canada does not set EDC's mandate but rather acknowledges it.

- **7.11, Consultation:** Significant revisions are proposed to the policy to reflect current best practices, provide staff with appropriate flexibility when conducting consultations, and align with recent revisions to other policies, including 4.1, *Board responsibilities*.

Other options considered

- Each member of the GC was assigned one policy to review in detail, with proposed revisions by staff, in advance of its March 7, 2024, meeting. GC members then presented further potential changes to the policies to the committee.

Risks

- Operating without clear and up-to-date policies puts Directors and the organization at risk in terms of compliance and the transfer of corporate knowledge. This risk is mitigated, in part, through regular and ongoing policy reviews.

Financial implications

- None of the proposed policy revisions have budgetary implications.

Benefits

- The proposed revisions aim to enhance the existing policies so that the Board and its key stakeholders have access to clear policies that govern Engineers Canada.

Consultation

- In addition to a preliminary review conducted by Engineers Canada's governance staff, the policies were reviewed by others as follows:
  - The CEAB and CEQB secretariat were consulted on policies 6.9 and 6.10, respectively.
  - The CEAB secretariat was also consulted on policy 7.3.
  - The CEO Group Advisor to the Board was consulted on policy 7.11.

Next steps

- Pending Board approval, the policy manual will be updated to include the revised policies.

Appendix

- **Appendix 1**: Marked-up (track change) versions of the policies and a clean version of policy 7.11.

6 Engineers Canada Board committees and task forces

6.9 Canadian Engineering Accreditation Board (CEAB)

Commented [JBM1]: Revisions are proposed to sections 6.9.1(C) and 6.9.3(E)(8) to align with revisions proposed to Board policy 6.10, CEQB.

Date of adoption: April 9, 2018 (Motion 5693)	*Review period: Annual*
Date of latest amendment: May 26, 2023 (Motion 2023-05-11D)	*Date last reviewed: May 26, 2023*

6.9.1 Terms of reference

The CEAB enhances the Board's effectiveness and efficiency on matters related to the accreditation of academic engineering programs.

A. Purpose/products

(1) The CEAB produces information needed for the Board to make decisions on matters relating to engineering education both in Canada and in other countries. The CEAB performs assessments of academic engineering programs to determine if they meet accreditation criteria approved by the Board. It grants accreditation to those programs that meet the criteria.

(2) In support of these purposes/products, the CEAB will:

a) Review on a regular basis the criteria, policies, and procedures for evaluating engineering programs for accreditation or substantial equivalency purposes;

b) Undertake an evaluation of engineering programs for accreditation upon request of academic institutions and based upon the Engineers Canada Board-approved criteria;

c) Determine the equivalency of accreditation systems in other countries based upon the Engineers Canada Board-approved criteria;

d) Conclude negotiated international mutual recognition agreements at the education level based upon direction from the Engineers Canada Board;

e) Provide regular reports to the Engineers Canada Board regarding the status of international mutual recognition agreements pertaining to engineering education;

f) Maintain effective liaison with engineering accrediting bodies in other countries, with other professions' accrediting bodies, and with other relevant organizations;

g) Provide information and, when appropriate, options and implications, to the Engineers

Canada Board on international matters relating to engineering accreditation and engineering education, including implementation and maintenance of international accreditation agreements;

h) Provide advice to Canadian higher education institutions regarding accreditation;

i) Accept feedback from relevant Canadian organizations regarding the Canadian engineering accreditation system;

j) Assure that administrators of assessed engineering programs are aware of the limitations of the assessment and their resulting responsibilities, including, but not limited to:

i. The higher education institution offering the engineering program shall adhere to all accreditation criteria and regulations, shall fully disclose with relevant documentation all aspects of the program, and shall advise the CEAB immediately of any significant changes to its accredited program(s); and,

ii. There is no legal right to accreditation. The CEAB assumes no responsibility and shall not be liable to students, graduates, or any other party who may be affected by the denial, termination, or revocation of accreditation.

k) Assure that administrators of those programs that are assessed as being insufficient to be accredited are aware of the reasons and the process to initiate a reassessment or an appeal.

B. Authority

(1) The CEAB's authority enables it to assist the Engineers Canada Board in its work. In addition to the authority granted through Policy 6.1, *Board Committees and Task Forces*, the CEAB also:

a) Accredits programs in Canada or recognizes equivalencies of engineering programs in other countries in accordance with the Engineers Canada Board's approved Accreditation Criteria and Procedures;

b) May establish Committees and Task Forces to assist in carrying out its work;

c) May deal directly with organizations and individuals; and

d) The CEAB representative at Washington Accord meetings is authorized to vote on behalf of Engineers Canada.

(2) The CEAB has no authority to:

a) Change Engineers Canada Board policies;

b) Approve changes to Accreditation Criteria and Procedures, except for those which are of an administrative (housekeeping) nature;

c) Enter into financial agreements;

d) Spend or commit organization funds, unless such funds are specifically allocated by the Engineers Canada Board;

e) Make representations that any graduate of an accredited program will be eligible for licensure;

f) Conduct a program accreditation prior to receipt of a request from a higher education institution;

g) Conduct substantial equivalency visits of engineering programs in other countries if the cost of such visits is not borne by the higher education institution without specific permission of the Board; or,

h) Make representation that it will identify every aspect of an assessed engineering program that does not meet its accreditation criteria and regulations.

C. Composition

(1) The CEAB is composed of the Chair, the Vice-Chair, the Past Chair and shall include one member from each of the following regions:

- British Columbia
- Alberta
- Saskatchewan or Manitoba
- Ontario
- Quebec
- ~~Newfoundland, Prince Edward Island, Nova Scotia, or New Brunswick~~

~~and should include one member from:~~

~~Yukon, the Northwest Territories, or Nunavut.~~

(2) The CEAB should also include one member from Yukon, the Northwest Territories, or Nunavut.

Commented [JBM2]: Updated to improve clarity of meaning.

~~(2)~~(3) The CEAB also includes members-at-large. The total number of members is based on the anticipated future workload.

~~(3)~~(4) Two Directors of the Engineers Canada Board shall be appointed to the CEAB by the Board.

~~(4)~~(5) All members of the CEAB must be licensed engineers in Canada.

~~(5)~~(6) Quorum shall be set at 50% of the members +1.

~~(6)~~(7) The Chair, the Vice-Chair, and the Past Chair constitute the Executive Committee of the CEAB.

~~(7)~~(8) The membership of the CEAB shall ideally be composed of:

a) 2/3 of its members either currently or formerly employed as a faculty member at a higher education institution; and,

b) 1/3 of its members either currently or formerly engaged in the practice of professional engineering as described below.

~~(8)~~(9) For the portion of the membership that is from outside of the field of academia, consideration should be given to candidates having one or more of the following attributes:

a) Experience as an employee of a government agency, crown corporation, or regulatory authority, in the review and/or approval of professional engineering work prepared by others;
b) Experience in the technical review of professional engineering work prepared by others; or,
c) Experience in the supervision, mentorship, or development of engineers-in-training or recently licensed engineers.

~~(9)~~(10) In the selection of members for the CEAB, ~~every~~ reasonable effort shall be made to achieve a diverse membership, representative of the Canadian population and in alignment with Engineers Canada's commitment to the federal government's 50-30 Challenge:~~. In so doing, Regulators will be encouraged to consider making appointments which will result in the CEAB:~~

a) ~~Including at least 30% women, with a long-term goal of gender parity, representative of the Canadian population~~50 per cent women and/or non-binary people; and,
b) ~~Including perspectives from Indigenous, Black, people of colour, and internationally educated engineers~~30 per cent representation of other equity-deserving groups, including those who identify as Racialized, Black, and/or People of colour, People with disabilities (including invisible and episodic disabilities), 2SLGBTQ+, and Indigenous Peoples (First Nations, Métis and Inuit).

Given the interconnected nature of identity categories such as gender, race, and ability, it is understood that these categories may be overlapping. Regulators are encouraged to follow the latest bias-free recruitment techniques and actively recruit equity-deserving groups.

~~(10)~~(11) The CEAB secretariat, appointed by the CEO, supports the CEAB and its members are non-voting participants in meetings of the CEAB and its subcommittees.

D. Term limits

(1) The term of appointment to the CEAB shall be for a period of three (3) years. Members may, subject to the approval of the Engineers Canada Board, be twice reappointed for an additional three-year term, for a total of up to nine (9) years of total service.

(2) The foregoing term limits shall not apply to a member who is elected or confirmed, as applicable, to hold office as Vice-Chair, Chair or Past Chair prior to the expiration of their second term, in which case they may continue until they have finished serving as Past Chair.

Commented [JBM3]: The proposed wording aims to align the CEAB with Engineers Canada's Board commitment to the federal government's 50-30 Challenge. The proposed wording is borrowed from recent revisions to Board policy 4.8, *Board composition profile.*

(3) The term of office for the positions of Chair, Vice-Chair, and Past Chair of the CEAB shall be for one (1) year.

E. Planning

(1) The CEAB is responsible for the preparation of a work plan and a volunteer recruitment and succession plan and will operate within those plans.

a) The CEAB shall produce and maintain a work plan that includes a list of the ongoing work and identifies the volunteer resources needed to accomplish the work.

b) The CEAB shall maintain a list of its members, including appointment dates and positions. This information shall be used as the basis for development of a volunteer recruitment and succession plan that identifies the desired profiles for new appointments.

(2) The plans must be submitted annually to the Engineers Canada Board for approval.

F. Observers at Meetings

(1) The CEAB shall invite the following representatives to its meetings, as observers, each of whom shall be granted the right to be recognized as a speaker in the CEAB's open sessions:
a) The president of the Canadian Federation of Engineering Students (CFES), or the CFES president's designate; and,
b) The chair of Engineering Deans Canada (EDC), or the EDC chair's designate.

(2) The CEAB may invite other observers to its meetings, including a member of the CEQB. Such observers do not have voting rights and shall only be granted speaking rights at the discretion of the meeting chair.

6.9.2 Role of the Chair of the CEAB

The Chair of the CEAB is crucial to the success of Engineers Canada. The Chair is directly accountable to the Engineers Canada Board for the achievements of the CEAB.

A. Responsibilities

(1) The Chair works closely with the secretariat and other Engineers Canada staff, and provides leadership to the CEAB in the delivery of valuable services, products, and tools for the Regulators. In addition to the responsibilities required of all Chairs in Policy 6.1, *Board Committees and Task Forces,* the CEAB Chair is also responsible for:

a) Chairing their Executive Committee and participating on the Nominating Subcommittee;

b) Reviewing the volunteer recruitment and succession plans, as developed by the secretariat;

c) Reviewing the budget (as developed by the secretariat) and working with the Engineers Canada CEO to deliver on their work plan within the Board-approved Budget and resource constraints;

d) Working with the Engineers Canada CEO and the secretariat to develop interim performance assessment reports and the annual performance report for the Engineers Canada Board and the Regulators;

e) Attending meetings of the Engineers Canada Board;

f) Contributing to the development, implementation, and achievement of Engineers Canada's Strategic Plan;

g) Being knowledgeable of and working to support the delivery of the work of the CEAB; and,

h) Ensuring that members behave consistently with their own rules and those imposed upon them from the Engineers Canada Board including endeavoring to establish consensus on issues and objectives while maintaining a national perspective.

B. Competencies

To deliver on these responsibilities, the Chair should demonstrate the skills, knowledge, and abilities defined for all committee Chairs in Policy 6.1, *Board Committees and Task Forces*. In addition, the CEAB Chair must have a demonstrated in-depth knowledge of accreditation, and an understanding of the application of the CEAB's criteria and processes.

6.9.3 Process to appoint members to the CEAB

A. General requirements

(1) The Nominating Subcommittee shall ensure that Regulators have sufficient time to process potential candidate requests within their own jurisdictional policies and procedures.

(2) The Nominating Subcommittee shall not consider, nor recommend to the Engineers Canada Board, any candidates who do not receive the support of their Regulator(s).

(3) The procedures outlined below shall be followed in the order they are written.

(4) All appointments to the CEAB shall be subject to the approval of the Engineers Canada Board.

B. Nominating Subcommittee

(1) The Nominating Subcommittee of the CEAB shall consist of the Chair, Past Chair, and the two Director appointees. The senior Director appointee shall serve as chair of the Nominating Subcommittee.

(2) The Director appointees shall have voting privileges on the Nominating Subcommittee. All candidates must receive majority support of Nominating Subcommittee. Any tied vote of the Nominating Subcommittee is a failed motion.

(3) All information considered by the Nominating Subcommittee shall be kept confidential.

C. New appointments and vacancies

(1) The Nominating Subcommittee must always select from amongst the candidates approved by the Regulators, the candidate who, in the Nominating Subcommittee's opinion, would best fit the desired profile.

(2) The Nominating Subcommittee shall contact the candidate to confirm their willingness to serve if they are appointed by the Engineers Canada Board.

(3) The Nominating Subcommittee shall recommend the selected candidate to the Engineers Canada Board.

(4) The Nominating Subcommittee shall contact all unsuccessful candidates to thank them for their expression of interest, explain the selection process, and indicate that their expression of interest shall be retained for consideration in case of any future vacancies.

(5) In addition to these requirements, the Nominating Subcommittee shall complete the following steps for all types of nominations:

a) Members from the regions

i. Each Regulator in the region shall be provided with the desired profile of the candidate(s) being sought.

ii. Each Regulator within the region shall be asked to provide the names of up to three (3) candidates who they would support for the position. The Regulators shall be asked to indicate their preference, or the rank of all candidates, if desired. All information will be considered in confidence by the Nominating Subcommittee.

b) Members at large

i. All of the Regulators shall be provided with the desired profile of the candidate(s) being sought.

ii. Each Regulator shall be invited to submit the names of candidates it would support for the position. The Regulators may submit as many names as they like. The Regulators shall be asked to indicate their preference, or the rank of all candidates, if desired. All information will be considered in confidence by the Nominating Subcommittee.

iii. The Nominating Subcommittee shall also prepare and publish a call for expressions of interest which shall be posted on Engineers Canada's website and in its newsletter, and

distributed to other relevant stakeholders, as identified by the Nominating Subcommittee. The call for expressions of interest shall include the desired profile of the candidates being sought.

iv. The names of all qualified candidates submitted to the Nominating Subcommittee by groups or individuals other than the Regulators shall be forwarded to all Regulators where the candidate is licensed and those Regulators shall be asked to identify which of those candidates they would support for the position.

D. Vacancies

(1) In the event of a vacancy occurring on the CEAB mid-year and/or prior to the completion of a term of office, the Nominating Subcommittee shall select from amongst the list of candidates provided by the Regulators and from those candidates who have received confirmation of support from their

Regulators, which were compiled during the previous most recent nomination cycles for the position in question.

(2) Where no list of previous candidates who have received the support of their Regulator exists for the vacated position, the Nominating Subcommittee shall follow the procedure for new appointments.

(3) In the event of a vacancy, the candidate selected to fill the vacancy shall be appointed for an initial term, which shall end on June 30 three (3) or more years after the appointment.

E. Reappointments

(1) When considering whether to recommend the reappointment of a current member for an additional term, the Nominating Subcommittee shall base its decision on the needs identified in the volunteer recruitment and succession plan, including the desired profile and the past performance of the member.

(2) The secretariat shall contact all members who are eligible for re-appointment to ask if they are willing to serve for another term, if selected. This message shall explain the process for re-appointment and clearly state that members may or may not be renewed based on many considerations as outlined in the process.

(3) The secretariat shall forward to the Nominating Subcommittee the names of all members who are interested in standing for re-appointment.

(4) The Nominating Subcommittee shall consider the performance of each member interested in re-appointment against the profile established in the volunteer recruitment and succession plan and decide if the re-appointment is justified.

(5) The Nominating Subcommittee shall distribute to all Regulators, annually, a list of the members licensed in their jurisdiction, and their current term. For those members whose terms are expiring and who are eligible for re-appointment, the Nominating Subcommittee shall also indicate if they are willing to serve and if the Nominating Subcommittee recommends re-appointment based on past performance.

(6) For members-at-large, all Regulators where the individual is licensed shall be asked to confirm their good standing. For members from the region(s), the Regulator(s) shall be asked to indicate whether it would support the re-appointment of the individual to the position. The Regulator does not need to provide any reasons for its decision.

(7) If Regulator support is not forthcoming, the member shall be informed that their term shall end without renewal and they shall be thanked for their service.

(8) If the Regulator supports the re-appointment of a member from its region, the Nominating Subcommittee shall then recommend the candidate to the Engineers Canada Board.

Commented [JBM4]: This addition aims to distinguish that it's only members from the regions who require support from the Regulators. As noted in (6) for members at large, Regulators are only required to confirm good standing.

6.9.4 Process to appoint members to the CEAB Executive Committee

(1) The Engineers Canada Board shall approve all appointments to the CEAB Executive Committee.

(2) Following completion of their terms, the Vice-Chair becomes the Chair and the Chair becomes Past Chair, subject to the approval of the Engineers Canada Board.

A. Nominating

(1) The Nominating Subcommittee shall be responsible for conducting the nominations and elections process for the position of Vice-Chair.

(2) The Nominating Subcommittee shall, wherever possible, seek more than one candidate for the position of Vice-Chair.

(3) The chair of the Nominating Subcommittee shall issue an invitation to all members of the CEAB to declare their willingness to be considered for election to position of Vice-Chair, not less than two (2) months prior to the date of elections.

(4) Members willing to stand for election shall confirm their willingness and provide their Regulator's support in writing to the Nominating Subcommittee, not less than one (1) month prior to the date of election.

(5) Where no declarations of willingness are received, the Nominating Subcommittee shall determine how to fill the position(s).

(6) The names of all candidates for the position of Vice-Chair shall be distributed to the members of the CEAB at least two (2) weeks prior to the date of election.

B. Elections

(1) Elections to the position of Vice-Chair shall be determined by secret ballot voting by the members of the CEAB. Voting may take place using in-person or electronic ballots.

(2) Each member present at the meeting may cast one vote. Proxy votes are not permitted.

(3) Any spoiled ballots will be discarded, and any ballots cast after the election has closed will not be counted.

(4) The secretary of the CEAB and the CEQB observer at the meeting (or another neutral party agreed to by the Nominating Subcommittee) shall act as the scrutineers for the election.

(5) In the event only one candidate is nominated for the position of Vice-Chair, the Past Chair will cast a second ballot. The members shall vote and confirm their support for the candidate by indicating "yea" or "nay".

a) If the majority of the votes cast indicate "yea", that candidate shall be declared elected.

b) In the event of a tie, the scrutineers shall open the Past Chair's second ballot and use the vote therein.

c) If the majority of votes indicate "nay", the Nominating Subcommittee shall seek new candidates and a new vote shall be conducted. The unsuccessful candidate shall not be eligible to stand for election for this re-vote.

d) If no other candidate is willing to let their name stand, the matter shall be referred to the Engineers Canada Board who shall have the authority to appoint someone, or to take whatever other action that they see fit to resolve the matter.

(6) In the event two candidates are nominated for Vice-Chair, the Past Chair will cast a second vote for one candidate.

a) If one candidate receives a majority of the votes, that candidate shall be declared elected.

b) In the event of a tie in the number of votes received, the scrutineers shall open the Past Chair's second vote and use the vote therein.

(7) In the event of three or more candidates for Vice-Chair, members will submit a ranked ballot (also known as a preferential ballot), ranking every candidate listed on the ballot in the matter instructed by the scrutineers. Ballots will be considered spoiled and discarded if they do not rank every candidate, do not rank candidates in sequential order, or duplicate rankings. The senior Director appointee and the Past Chair of the CEAB shall each submit a second ranked

ballot and place their ballot in a sealed envelope; these ballots shall only be examined and considered if required, as specified below.

a) If one candidate receives a majority (50% +1) of the first preference votes, that candidate shall be declared elected.

b) In the event no candidate has a majority of the first preference votes, the candidate receiving the lowest number of votes in any particular round shall be removed from consideration in future rounds and each ballot for that candidate will be reallocated to the highest ranked remaining candidate. This process will be repeated until one candidate receives a majority of the votes. If there are two candidates remaining and there is a tie, the scrutineers shall first open the Past Chair's sealed envelope and declare as the winner the remaining candidate who is higher ranked on the Past Chair's ballot. If there is still a tie (e.g. in the case of a spoiled ballot), the scrutineers shall open the senior Director appointee's sealed envelope and declare as the winner the remaining candidate who is higher ranked on the senior Director appointee's ballot. If there is still a tie, the scrutineers will select the winner by lot.

c) If, in any round, there is a tie in the lowest number of votes received by two or more candidates, the scrutineers shall first open the Past Chair's sealed envelope and, of the tied candidates, remove the candidate with the lowest ranking on the Past Chair's ballot from consideration in future rounds. If one candidate can still not be removed (e.g. in the case of a spoiled ballot), the scrutineers shall open the senior Director appointee's sealed envelope and, of the tied candidates, remove the candidate with the lowest ranking on the senior Director appointee's ballot from consideration in future rounds. If one candidate can still not be removed, the scrutineers will determine which of the tied candidates will be removed by lot.

(8) The scrutineers will report the name of the candidate who received the majority of the votes to the chair of the Nominating Committee. The scrutineers will not report the vote totals or whether the sealed envelopes were used.

(9) The chair of the Nominating Committee will thereafter announce the successful candidate.

(10) When the election is complete, the chair of the Nominating Committee will request a motion to destroy any in-person ballots. This may not be necessary where electronic ballots are used.

6.9.5 Engineers Canada appointments to the CEAB

The Engineers Canada Board appoints two Directors to the CEAB to act as "Director appointees". Director appointees serve for a two-year term and are appointed in alternate years to ensure continuity.

A. Responsibilities of the Director appointees

(1) The director appointees are the Engineers Canada Board's representatives on the CEAB. They serve a key role in helping the Engineers Canada Board to meet its responsibilities to:

"hold itself, its Directors and its Direct Reports accountable"

"provide ongoing and appropriate strategic direction"

(2) Director appointees shall attend all meetings of the CEAB.

(3) Director appointees provide advice and guidance to the CEAB regarding the Strategic Plan, Engineers Canada Board policy, and direction.

(4) Director appointees provide advice and guidance to the Engineers Canada Board on the work of the CEAB, and the performance of the Chair.

(5) The senior Director appointee (the Director with the longer term of service on the CEAB) serves as the chair of the Nominating Subcommittee.

(6) The senior Director appointee shall also attend the meetings of the Policies & Procedures Committee as an observer.

B. Authority of the Director appointees

(1) The Director appointees shall have voting rights on the CEAB and on any subcommittee to which they are appointed.

(2) Engineers Canada Director appointees may attend meetings of the subcommittees of CEAB as observers.

C. Restrictions on the Director appointees

The Chair of the CEAB reports to the Board as a whole. Director appointees have no authority to direct the CEAB.

6 Engineers Canada Board committees and Task Forces

6.10 Canadian Engineering Qualifications Board (CEQB)

Commented [JBM1]: Revisions proposed herein mirror revisions proposed to Board policy 6.9, CEAB.

Date of adoption: April 9, 2018 (Motion 5693) *Review period: Annual*

Date of latest amendment: May 26, 2023 (Motion 2023-05-12D) *Date last reviewed: May 26, 2023*

6.10.1 Terms of reference

The CEQB enhances the Engineers Canada Board's effectiveness and efficiency on matters related to qualifications for, and the practice of, engineering.

A. Purpose/products

(1) The CEQB provides services and tools to Regulators through the Engineers Canada Board that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.

(2) The CEQB provides research, guidelines, papers, and other guidance related to:

a) Admissions;
b) Foreign credential recognition;
c) The professional practice examination;
d) Engineers-in-training;
e) Continuing competence and professional development;
f) Practice of engineering;
g) Sustainability and the environment;
h) The code of ethics; and,
i) Other issues of national importance as identified by the Regulators.

All work is developed in cooperation with the Regulators as per policy 9.2, *Qualifications Board Guidelines*.

(3) The CEQB maintains the Syllabus of Examinations for candidates from programs other than CEAB-accredited or -recognized programs. CEAB-recognized programs are those programs located outside of Canada that the CEAB has evaluated and found to be substantially equivalent.

B. *Authority*

(1) The CEQB's authority enables it to assist the Engineers Canada Board in its work. In addition to the authority granted through Policy 6.1, *Board Committees and Task Forces,* the CEQB may also:

a) Establish Committees and Task Forces to assist in carrying out its work;
b) Deal directly with organizations and individuals;
c) Approve examination syllabi; and,
d) Maintain internal procedures for work such as document development and maintenance, communications, consultations, etc.

(2) The CEQB has no authority to:

a) Change Engineers Canada Board policies;
b) Enter into financial agreements; or,
c) Spend or commit organization funds, unless such funds are specifically allocated by the Engineers Canada Board.

C. *Composition*

(1) The CEQB is composed of the Chair, the Vice-Chair and the Past Chair and shall include one member from each of the following regions:

- British Columbia
- Alberta
- Saskatchewan or Manitoba
- Ontario
- Quebec
- Newfoundland, Prince Edward Island, Nova Scotia, or New Brunswick

~~(2) and should include one member from:~~
~~(3)~~(2) The CEQB should also include one member from Yukon, the Northwest Territories, or Nunavut.

Commented [JBM2]: Updated to improve clarity of meaning.

~~(4)~~(3) The CEQB also includes members-at-large. The total number of members is based on the anticipated future workload.

~~(5)~~(4) Two Directors of the Engineers Canada Board shall be appointed to the CEQB by the Board.

~~(6)~~(5) All members of the CEQB must be licensed engineers in Canada.

~~(7)~~(6) Quorum shall be set at 50% of the members +1.

~~(8)~~(7) The Chair, the Vice-Chair, and the Past Chair constitute the Executive Committee of the CEQB.

~~(9)~~(8) The membership of the CEQB shall ideally be composed of:

a) 1/3 of its members either currently or formerly employed as a faculty member at a higher education institution; and,

b) 2/3 of its members either currently or formerly engaged in the practice of professional engineering as described below.

~~(10)~~(9) For the portion of the membership that is from outside of the field of academia, consideration should be given to candidates having one or more of the following attributes:

a) Experience in the technical review of professional engineering work prepared by others;

b) Experience in the hiring, supervision, mentorship, or development of engineers-in-training or recently licensed engineers; or,

c) Experience as an employee of a government agency, crown corporation, or regulatory authority, in the review and/or approval of professional engineering work prepared by others.

~~(11)~~(10) In the selection of members for the CEQB, consideration is given to appointing individuals who are serving or have served on a board of examiners (or its equivalent) and to maintaining representation from various engineering disciplines.

~~(12)~~(11) In the selection of members for the CEQB, ~~every~~ reasonable effort shall be made to achieve a diverse membership, representative of the Canadian population and in alignment with Engineers Canada's commitment to the federal government's 50-30 Challenge:~~. In so doing, Regulators will be encouraged to consider making appointments which result in the CEQB:~~

a) ~~including at least 30% women, with a long-term goal of gender parity, representative of the Canadian population~~50 per cent women and/or non-binary people; and,

b) ~~Including perspectives from Indigenous, Black, people of colour, and internationally educated engineers~~30 per cent representation of other equity-deserving groups, including those who identify as Racialized, Black, and/or People of colour, People with disabilities (including invisible and episodic disabilities), 2SLGBTQ+, and Indigenous Peoples (First Nations, Métis and Inuit).

Given the interconnected nature of identity categories such as gender, race, and ability, it is understood that these categories may be overlapping. Regulators are encouraged to follow the latest bias-free recruitment techniques and actively recruit equity-deserving groups.

~~(13)~~(12) The CEQB may invite observers to its meetings, including a member of the CEAB. Observers do not have voting rights.

~~(14)~~(13) The CEQB secretariat, appointed by the CEO, supports the CEQB and its members are non-voting participants in meetings of the CEQB and its subcommittees.

Commented [JB3]: The CEQB is looking at ways to align with the Board's commitment to the 50-30 challenge and has asked about updating this section of the policy accordingly. This language is used regularly when reaching out to the Regulators and making open calls for members-at-large. The proposed revisions borrow from recent revisions to Board policy 4.8, *Board composition profile.*

D. Term limits

(1) The term of appointment to the CEQB shall be for a period of three (3) years. Members may, subject to the approval of the Engineers Canada Board, be reappointed for an additional three-year term, for a total of up to six (6) years of total service.

(2) The foregoing term limits shall not apply to a member who is elected or confirmed, as applicable, to hold office as Vice-Chair, Chair, or Past Chair prior to the expiration of their second term, in which case they may continue until they have finished serving as Past Chair.

(3) The Engineers Canada Board may, under exceptional circumstances, extend the term of appointment for a member of the CEQB beyond the six-year limit, up to a maximum of nine (9) years total service on the CEQB. For such an extension to be considered, the rationale must be provided to the Engineers Canada Board.

(4) The term of office for the positions of Vice-Chair, Chair, and Past Chair of the CEQB shall be for two (2) years.

E. Planning

(1) The CEQB is responsible for the preparation of a work plan and a volunteer recruitment and succession plan and will operate within those plans.

a) The CEQB shall produce and maintain a work plan that includes a list of the ongoing work and identifies the volunteer resources needed to accomplish the work.
b) The CEQB shall maintain a list of its members, including appointment dates and positions. This information shall be used as the basis for the preparation of a volunteer recruitment and succession plan that identifies the desired profiles for new appointments.

(2) The plans must be submitted annually to the Engineers Canada Board for approval.

6.10.2 Role of the Chair of the CEQB

The Chair of the CEQB is crucial to the success of Engineers Canada. The Chair is directly accountable to the Engineers Canada Board for the achievements of the CEQB.

A. Responsibilities

(1) The Chair works closely with the secretariat and other Engineers Canada staff, and provides leadership to the CEQB in the delivery of valuable services, products, and tools for the Regulators. In addition to the responsibilities required of all Chairs in Policy 6.1, *Board Committees and Task Forces,* the CEQB Chair is also responsible for:

a) Chairing their Executive Committee and participating on the Nominating Subcommittee;
b) Reviewing the volunteer recruitment and succession plans, as developed by the secretariat;

c) Reviewing the budget (as developed by the secretariat) and working with the Engineers Canada CEO to deliver on their work plan within the Board-approved Budget and resource constraints;
d) Working with the Engineers Canada CEO and the secretariat to develop interim performance assessment reports and the annual performance report for the Engineers Canada Board and the Regulators;
e) Attending meetings of the Engineers Canada Board;
f) Contributing to the development, implementation, and achievement of Engineers Canada's Strategic Plan;
g) Being knowledgeable of and working to support the delivery of the work of the CEQB; and,
h) Ensuring that members behave consistently with their own rules and those imposed upon them from the Engineers Canada Board including endeavoring to establish consensus on issues and objectives while maintaining a national perspective.

B. Competencies

To deliver on these responsibilities, the Chair should demonstrate the skills, knowledge, and abilities defined for all Committee Chairs in Policy 6.1, *Board Committees and Task Forces*. In addition, the CEQB Chair should have a demonstrated knowledge of engineering regulation and practice, and an understanding of the application of the CEQB's processes.

6.10.3 Process to appoint members to the CEQB

A. General requirements

(1) The Nominating Subcommittee shall ensure that Regulators have sufficient time to process potential candidate requests within their own jurisdictional policies and procedures.

(2) The Nominating Subcommittee shall not consider, nor recommend to the Engineers Canada Board, any candidates who do not receive the support of their Regulator(s).

(3) The procedures outlined below shall be followed in the order they are written.

(4) All appointments to the CEQB shall be subject to the approval of the Engineers Canada Board.

B. Nominating Subcommittee

(1) The Nominating Subcommittee of the CEQB shall consist of the Chair, Past Chair, and the two Director appointees. The senior Director appointee shall serve as Chair of the Nominating Subcommittee.

(2) The Director appointees shall have voting privileges on the Nominating Subcommittee. All candidates must receive majority support of Nominating Subcommittee. Any tied vote of the Nominating Subcommittee is a failed motion.

(3) All information considered by the Nominating Subcommittee shall be kept confidential.

C. New appointments and vacancies

(1) The Nominating Subcommittee must always select from amongst the candidates approved by the Regulators, the candidate who, in the Nominating Subcommittee's opinion, would best fit the desired profile.

(2) The Nominating Subcommittee shall contact the candidate to confirm their willingness to serve if they are appointed by the Engineers Canada Board.

(3) The Nominating Subcommittee shall recommend the selected candidate to the Engineers Canada Board.

(4) The Nominating Subcommittee shall contact all unsuccessful candidates to thank them for their expression of interest, explain the selection process, and indicate that their expression of interest shall be retained for consideration in case of any future vacancies.

(5) In addition to these requirements, the Nominating Subcommittee shall complete the following steps for all types of nominations:

a) Members from the regions

i. Each Regulator in the region shall be provided with the desired profile of the candidate(s) being sought.

ii. Each Regulator within the region shall be asked to provide the names of up to three (3) candidates whom they would support for the position. The Regulators shall be asked to indicate their preference, or the rank of all candidates, if desired. All information will be considered in confidence by the Nominating Subcommittee.

b) Members-at-large

i. All of the Regulators shall be provided with the desired profile of the candidate(s) being sought.

ii. Each Regulator shall be invited to submit the names of candidates they would support for the position. The Regulators may submit as many names as they like. The Regulators shall be asked to indicate their preference, or the rank of all candidates, if desired. All information will be considered in confidence by the Nominating Subcommittee.

iii. The Nominating Subcommittee shall also prepare and publish a call for expressions of interest which shall be posted on Engineers Canada's website and in its newsletter, and distributed to other, relevant stakeholders, as identified by the Nominating Subcommittee. The call for expressions of interest shall include the desired profile of the candidates being sought.

iv. The names of all qualified candidates submitted to the Nominating Subcommittee by groups or individuals other than the Regulators shall be forwarded to all Regulators where the candidate is licensed, and those Regulators shall be asked to identify which of those candidates they would support for the position.

D. Vacancies

(1) In the event of a vacancy occurring on the CEQB mid-year and/or prior to the completion of a term of office, the Nominating Subcommittee shall select from amongst the list of candidates provided by the Regulators and from those candidates who have received confirmation of support from their Regulators, that were compiled during the previous most recent nomination cycles for the position in question.

(2) Where no list of previous candidates who have received the support of their Regulator exists for the vacated position, the Nominating Subcommittee shall follow the procedure for new appointments.

(3) In the event of a vacancy, the candidate selected to fill the vacancy shall be appointed for an initial term, which shall end on June 30 three (3) or more years after the appointment.

E. Re-appointments

(1) When considering whether to recommend the re-appointment of a current member for an additional term, the Nominating Subcommittee shall base its decision on the needs identified in the volunteer recruitment and succession plan, including the desired profile and the past performance of the member.

(2) The secretariat shall contact all members who are eligible for re-appointment to ask if they are willing to serve for another term, if selected. This message shall explain the process for re-appointment and clearly state that members may or may not be renewed based on many considerations as outlined in the process.

(3) The secretariat shall forward to the Nominating Subcommittee the names of all members who are interested in standing for re-appointment.

(4) The Nominating Subcommittee shall consider the performance of each member interested in re-appointment against the profile established in the volunteer recruitment and succession plan and decide if the re-appointment is justified.

(5) The Nominating Subcommittee shall distribute to all Regulators, annually, a list of the members licensed in their jurisdiction, and their current term. For those members whose terms are expiring and who are eligible for re-appointment, the Nominating Subcommittee shall also indicate if they are willing to serve and if the Nominating Subcommittee recommends re-appointment based on past performance.

(6) For members-at-large, all Regulators where the individual is licensed shall be asked to confirm their good standing. For members from the region(s), the Regulator(s) shall be asked to indicate whether it would support the re-appointment of the individual to the representative position. The Regulator does not need to provide any reasons for its decision.

(7) If Regulator support is not forthcoming, the member shall be informed that their term shall end without renewal and they shall be thanked for their service.

(8) If the Regulator supports the re-appointment of a member from its region, the Nominating Subcommittee shall then recommend the candidate to the Engineers Canada Board.

Commented [JB4]: This addition aims to distinguish that it's only members from the regions who require support from the Regulators. As noted in (6) for members at large, Regulators are only required to confirm good standing. The Secretariat noted that last year there was some confusion with the policy as written. Hopefully, this minor revision will provide necessary clarity.

6.10.4 Process to appoint members to the CEQB Executive Committee

(1) The Engineers Canada Board shall approve all appointments to the CEQB Executive Committee.

(2) Following completion of their terms, the Vice-Chair becomes the Chair and the Chair becomes Past Chair, subject to the approval of the Engineers Canada Board.

A. Nominating

(1) The Nominating Subcommittee shall be responsible for conducting the nominations and elections process for the position of Vice-Chair.

(2) The Nominating Subcommittee shall, wherever possible, seek more than one candidate for the position of Vice-Chair.

(3) The Chair of the Nominating Subcommittee shall issue an invitation to all members of the CEQB to declare their willingness to be considered for election to position of Vice-Chair, not less than two (2) months prior to the date of elections.

(4) Members willing to stand for election must confirm their willingness and provide their Regulator's support in writing to the Nominating Subcommittee, not less than one (1) month prior to the date of election.

(5) Where no declarations of willingness are received, the Nominating Subcommittee shall determine how to fill the position(s).

(6) The names of all candidates for the position of Vice-Chair shall be distributed to the members of the CEQB at least two (2) weeks prior to the date of election.

B. Elections

(1) Elections to the position of Vice-Chair shall be determined by secret ballot voting by the members of the CEQB. Voting may take place using in-person or electronic ballots.

(2) Each member present at the meeting may cast one vote. Proxy votes are not permitted.

(3) Any spoiled ballots will be discarded, and any ballots cast after the election has closed will not be counted.

(4) The secretary of the CEQB and the CEAB observer at the meeting (or another neutral party agreed to by the Nominating Subcommittee) shall act as the scrutineers.

(5) In the event only one candidate is nominated for the position of Vice-Chair, the Past Chair will cast a second ballot. The members shall vote and confirm their support for the candidate by secret ballot, indicating "yea" or "nay".

a) If the majority of the votes cast indicate "yea", that candidate shall be declared elected.

b) In the event of a tie, the scrutineers shall open the Past Chair's ballot and use the vote therein.

c) If the majority of votes indicate "nay," the Nominating Subcommittee shall seek new candidates and a new vote shall be conducted. The unsuccessful candidate shall not be eligible to stand for election for this re-vote.

d) If no other candidate is willing to let their name stand, the matter shall be referred to the Engineers Canada Board who shall have the authority to appoint someone, or to take whatever other action that they see fit to resolve the matter.

(6) In the event two candidates are nominated for Vice-Chair, the Past Chair will cast a second vote for one candidate.

a) If one candidate receives a majority of the votes, that candidate shall be declared elected.

b) In the event of a tie, the scrutineers shall open the Past Chair's second ballot and use the vote therein.

(7) In the event of three or more candidates for Vice-Chair, members will submit a ranked ballot (also known as a preferential ballot), ranking every candidate listed on the ballot in the matter instructed by the scrutineers. Ballots will be considered spoiled and discarded if they do not rank every candidate, do not rank candidates in sequential order, or duplicate rankings. The senior Director appointee and the Past Chair of the CEQB shall each submit a second ranked ballot and place their ballot in a sealed envelope; these ballots shall only be examined and considered if required, as specified below.

a) If one candidate receives a majority (50% +1) of the first preference votes, that candidate shall be declared elected.

b) In the event no candidate has a majority of the first preference votes, the candidate receiving the lowest number of votes in any particular round shall be removed from consideration in future rounds and each ballot for that candidate will be reallocated to the highest ranked remaining candidate. This process will be repeated until one candidate receives a majority of the votes. If there are two candidates remaining and there is a tie, the scrutineers shall first open the Past Chair's sealed envelope and declare as the winner the remaining candidate who is higher ranked on the Past Chair's ballot. If there is still a tie (e.g. in the

case of a spoiled ballot), the scrutineers shall open the senior Director appointee's sealed envelope and declare as the winner the remaining candidate who is higher ranked on the senior Director appointee's ballot. If there is still a tie, the scrutineers will select the winner by lot.

c) If, in any round, there is a tie in the lowest number of votes received by two or more candidates, the scrutineers shall first open the Past Chair's sealed envelope and, of the tied candidates, remove the candidate with the lowest ranking on the Past Chair's ballot from consideration in future rounds. If one candidate can still not be removed (e.g. in the case of a spoiled ballot), the

scrutineers shall open the senior Director appointee's sealed envelope and, of the tied candidates, remove the candidate with the lowest ranking on the senior Director appointee's ballot from consideration in future rounds. If one candidate can still not be removed, the scrutineers will determine which of the tied candidates will be removed by lot.

(8) The scrutineers will report the name of the candidate who received the majority of the votes to the Chair of the Nominating Committee. The scrutineers will not report the vote totals or whether the sealed envelopes were used.

(9) The Chair of the Nominating Committee will thereafter announce the successful candidate.

(10) When the election is complete, the Chair of the Nominating Committee will request a motion to destroy any in-person ballots. This may not be necessary where electronic ballots are used.

6.10.5 Engineers Canada appointments to the CEQB

The Board appoints two Directors to the CEQB to act as "Director appointees". Director appointees serve for a two-year term and are appointed in alternate years to ensure continuity.

A. Responsibilities of the Director appointees

(1) The Director appointees are the Engineers Canada Board's representatives on the CEQB. They serve a key role in helping the Engineers Canada Board to meet their responsibilities to:

"hold itself, its Directors and its Direct Reports accountable"

"provide ongoing and appropriate strategic direction"

(2) Director appointees shall attend all meetings of the CEQB.

(3) Director appointees provide advice and guidance to the CEQB regarding the Strategic Plan, Engineers Canada Board policy, and direction.

(4) Director appointees provide advice and guidance to the Engineers Canada Board on the work of the CEQB, and the performance of the Chair.

(5) The senior Director appointee serves as the Chair of the Nominating Subcommittee.

B. Authority of the Director appointees

(1) The Director appointees shall have voting rights on the CEQB and on any subcommittee to which they are appointed.

(2) Engineers Canada Director appointees may attend meetings of the subcommittees of CEQB as observers.

C. Restrictions on the Director appointees

The Chair of the CEQB reports to the Board as a whole. Director appointees have no authority to direct the CEQB.

7 Board policies

7.3 Board relationship with Engineering Deans Canada

Date of adoption: March 1, 2019 (Motion 5736)
Date of latest amendment: May 27, 2022 (Motion 2022-05-4D)
Review period: ~~Biennial~~ Triennial
Date last reviewed: May 27, 2022

Commented [JB1]: The proposed extension in review period aligns with recent changes in review period to other Board policies.

(1) Engineering Deans Canada (EDC)~~,~~ is a group that includes deans of accredited undergraduate engineering programs~~.~~ Engineers Canada acknowledges EDC is committed to the continuous improvement of engineering education and research that enhances the innovation and leadership skills of Canadian engineering graduates.

Commented [JB2]: This addition has been suggested to more clearly reflect that Engineers Canada does not set but rather acknowledges EDC's mandate.

(2) EDC represents engineering programs that prepare students for professional practice and influences engineering research and innovation in Canada, and as such:

a) The Board maintains a relationship with the EDC to obtain their input on national issues of joint concern that align with the purposes of Engineers Canada.

i. A representative of the EDC, typically the Chair or the Chair's delegate, is invited to the Engineers Canada spring meetings (annual meeting of Members and Board meeting) and is asked to report on the EDC's activities to the Board for its information. Costs for the travel of this representative are covered by Engineers Canada.

b) The EDC is a Key Stakeholder of accreditation. The Accreditation Board is directed to maintain a relationship with EDC by:

i. Inviting the chair of Engineering Deans Canada (EDC), or the EDC chair's designate, to observe Accreditation Board meetings and requesting that the Chair or a designate provide a report on the EDC's activities to the Accreditation Board for its information. Such observer shall be granted the right to be recognized as a speaker in the CEAB's open session;

ii. When invited, attend the semi-annual meetings of EDC;

iii. Meeting at least semi-annually with the Deans' Liaison Committee, normally through the Accreditation Board's Policies and Procedures Committee;

iv. Establishing task forces and working groups, as required, to address issues raised at joint meetings of the Deans' Liaison and Policies and Procedures committees;

v. Inviting the EDC to observe open meetings and participate in workshops of the Accreditation Board; and,

vi. Soliciting EDC's feedback on the accreditation process through post-visit surveys and as part of the continual improvement process of the Accreditation Board.

c) Given their role as stakeholders and beneficiaries of some Engineers Canada programs and services, the CEO is directed to maintain a relationship with the EDC which includes:

i. Administrative support for their group, including with respect to meetings and finances;

ii. When invited, participating in their semi-annual meetings; and,

iii. Ongoing collaboration to ensure that its viewpoints are considered in the delivery of programs and services which impact it.

7 Board policies

7.11 Consultation

Date of adoption: December 9, 2019 (Motion 5808) | *Review period: Triennial*
Date of latest amendment: December 12, 2022 (Motion 2022-12-4D) | *Date last reviewed: December 12, 2022*

(1) ~~According to Board policy 4.1, *Board Responsibilities*, the Board must "sustain a process to engage with Regulators through regular communication that facilitates input, evaluation, and feedback."~~ Engineers Canada ~~'s~~ is most effective~~ness~~ in fulfilling its vision, mission and core purposes ~~is greatest~~ when:

a) ~~the~~ engaging with and learning from the Regulators and ~~the~~ broader engineering community, and

b) ~~when~~informing and regularly updating the Regulators' decision-makers ~~are well informed, consulted, and regularly updated~~ on Engineers Canada's activities and issues.

(2) This policy sets out the standards and expectations for consultations with those who have vested interest in the work of Engineers Canada. This policy is consistent with expectations set out in Board Policy 4.1, *Board Responsibilities*, and recognizes the organization's duties to its Members, the engineering regulators. ~~is accomplished through engagement by each Director of their home Regulator (as per Board policy 4.2, *Directors' Responsibilities*), and formal Consultation by the Board with Regulators. This policy provides guidance on the Consultation process used at Engineers Canada.~~

~~(1)~~ Through Consultations, Engineers Canada's Board obtains insights and input from the Regulators as well as individuals, groups or organizations who may affect, be affected by, or perceive itself to be affected by a decision, activity, or outcome of an initiative at Engineers Canada. Such insights help guide Board decision making.

(3)

~~(2)~~(4) Engineers Canada will endeavour to share the outcome of consultations with those who were consulted.

~~(3) Further, without limiting the scope of the above statement:~~

(5) Engineers Canada will consult with ~~Key Stakeholders~~ Interest Holders when developing new programs, products, services, or making significant modifications to existing ones.

(6) Consultations shall be conducted early in the development phase and as often as required so that the ~~received~~ feedback received meaningfully influences outcomes.

~~(4)~~

Commented [JB1]: The CEO Group was not in favour of rescinding the policy at this time. The policy is seen as a "fundamental piece of engagement and consultation". Instead, the Group proposed updating the policy "to reflect current or best practice and written in [a] way that provides the staff with greater flexibility". Thus, the proposed revisions aim to reflect an ongoing commitment to Consultations without the operational elements. Revisions were informed by recent revisions to other policies, including 4.1, *Board responsibilities,* and materials obtained from the Institute of Corporate Directors.

Commented [JB2]: This introductory statement aims to show the bi-directional nature of consultation.

Commented [JB3]: Added to highlight the organization's obligations to the Regulators.

Commented [JB4]: Recognizing the colonial connotations with Stake holder, Engineers Canada is adopting the term interest holders.

Commented [JB5]: Details in 5, 7, 8 and 10 have been carried forward from the prior version. The remaining lines replace operational details with principle-based commitments.

~~(5) The purpose of Consultation is to ensure that the Board's decision-making aligns with the needs and requirements of the Regulators.~~

~~The President-Elect shall provide oversight and guidance to the Engineers Canada consultation process with Regulators and other Key Stakeholders whose input is vital to the Board's work.~~

~~The President-Elect shall, annually, review the Board's Consultation plan (prepared by staff) and present it to the Board for approval.~~

~~The Consultation plan shall include the topic of Consultation, the proposed dates and duration for each Consultation, and the Consultation method(s).~~

~~Staff shall consult on operational matters while the Board shall consult on strategic matters.~~

~~The Consultation plan is distributed to the Regulators annually, to allow them to plan internal resources.~~

~~To the extent possible, all Consultations shall be pre-planned on an annual basis.~~

(7) Consultations may take place face-to-face, online, via email, or by any combination thereof to meet the needs and expectations of Engineers Canada and those who are being consulted.

~~(6)~~

(8) Consultations shall be transparent and accessible~~:~~.

(9) Consultations will be designed so that the level of participation of those being consulted is commensurate with the significance of the potential outcomes.

(10) Feedback received will be documented and shared with ~~all~~ participants.

(11) Any personal information collected, used, disclosed, or retained through Consultations will be handled in accordance with Engineers Canada's privacy policy.

~~Prior to the Consultation, participants shall be provided with background information regarding the topic of Consultation, the aim of the Consultation, and the specific questions to be asked. This material shall also be posted on the Consultation website;~~

~~All feedback received during the Consultation shall be documented, attributed (to the extent possible), and shared with all participants. This material shall also be posted on the Consultation website;~~

~~Responses and descriptions of the resulting actions taken by Engineers Canada shall be provided for all feedback. This material shall be posted on the Consultation website; and,~~

~~The Consultation website shall include a list of all current, previous, and future Consultations.~~

Commented [LG6]: Removed PE and Revised to 4).

Commented [JB7]: New statement

Commented [JC8]: The CEO Group advisor confirmed that email has been effective and would not like to see a returned use of the website.

7 Board policies

7.11 Consultation

Date of adoption: December 9, 2019 (Motion 5808)	*Review period: Triennial*
Date of latest amendment: December 12, 2022 (Motion 2022-12-4D)	*Date last reviewed: December 12, 2022*

(1) Engineers Canada is most effective in fulfilling its vision, mission and core purposes when:

a) engaging with and learning from the Regulators and broader engineering community, and

b) informing and regularly updating the Regulators' decision-makers on Engineers Canada's activities and issues.

(2) This policy sets out the standards and expectations for consultations with those who have vested interest in the work of Engineers Canada. This policy is consistent with expectations set out in Board Policy 4.1, *Board Responsibilities,* and recognizes the organization's duties to its Members, the engineering regulators.

(3) Through Consultations, Engineers Canada's Board obtains insights and input from the Regulators as well as individuals, groups or organizations who may affect, be affected by, or perceive itself to be affected by a decision, activity, or outcome of an initiative at Engineers Canada. Such insights help guide Board decision making.

(4) Engineers Canada will endeavour to share the outcome of consultations with those who were consulted.

(5) Engineers Canada will consult with Interest Holders when developing new programs, products, services, or making significant modifications to existing ones.

(6) Consultations shall be conducted early in the development phase and as often as required so that the feedback received meaningfully influences outcomes.

(7) Consultations may take place face-to-face, online, via email, or by any combination thereof to meet the needs and expectations of Engineers Canada and those who are being consulted.

(8) Consultations shall be transparent and accessible.

(9) Consultations will be designed so that the level of participation of those being consulted is commensurate with the significance of the potential outcomes.

(10) Feedback received will be documented and shared with participants.

(11)Any personal information collected, used, disclosed, or retained through Consultations will be handled in accordance with Engineers Canada's privacy policy.

BRIEFING NOTE: For decision

Completion of the CEO Search Committee mandate	4.7
Purpose:	To stand down the 2023-2024 CEO Search Committee following the completion of its mandate
Link to the strategic plan:	Board responsibility: Hires, supports, and evaluates the CEO so that they are better able to further Engineers Canada's purposes and achieve its vision.
Motion(s) to consider:	*THAT the 2023-2024 CEO Search Committee be stood down, with thanks.*
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Arjan Arenja, Chair, CEO Search Committee

Problem/issue definition

- In response to the announcement that Engineers Canada's CEO, G. McDonald, would be retiring from his position effective June 28, 2024, the Board struck the CEO Search Committee to oversee and guide the formal process to hire the next CEO.
- The CEO Search Committee's terms of reference (TOR) were approved by the Board via e-ballot on November 13, 2023 (motion 2023-11-1D), following a consultation period from November 2-7, 2023.
- Approval of the TOR gave the HR Committee authority to establish the CEO Search Committee's membership. It was decided that the CEO Search Committee's membership would mirror that of the 2023-2024 HR Committee.
- It is set out in the committee's terms of reference that "[T]o maintain consistency throughout the process, it is important for the CEO Search Committee to remain intact until the completion of the responsibilities listed herein." Now that the new CEO has been hired, it is timely for the Search Committee to be stood down.

Proposed action/recommendation

- That the CEO Search Committee be stood down, with thanks.

Other options considered

- It was considered that the CEO Search Committee continue to complete the remaining responsibility in the TOR: "[establish] short and long-term performance objectives with the incoming CEO including a process for a (3) three-month performance review." However, this work can be effectively managed by the HR Committee given its responsibility to, "Conduct regular CEO assessments and make recommendations to the Board regarding annual CEO compensation."

Risks

- None.

Financial implications

- None.

Benefits

- N/A

Consultation

- N/A

Next steps (if motion approved)

- No further action is required.

Appendices

- **Appendix 1:** CEO Search Committee terms of reference

Terms of reference

CEO Search Committee

Date of adoption: Pending approval by the Board	*Review period: Triennial*
Date of latest amendment: N/A	*Date last reviewed: N/A*

1. Role

The CEO Search Committee is an *ad hoc* sub-committee of Engineers Canada's Human Resources (HR) Committee. It works on behalf of Engineers Canada's Board of Directors to oversee and guide the formal CEO search process so that the selected CEO has the necessary skills and experience to lead Engineers Canada and aligns with the organization's values, vision, and core purposes to ensure the continued success of the organization.

2. Responsibilities

The following describe the responsibilities of the CEO Search Committee:

A. The search

(1) Will engage an executive search firm (Search Consultant) for the recruitment and selection process of a CEO through a request for proposal (RFP).

(2) Engage the Board in preparation of the candidate's profile and CEO's job description for Board approval.

(3) Approves the job posting and placement, and organizational profile.

(4) Considers any internal candidates identified in the annual CEO Succession Plan.

(5) With the Search Consultant, anticipate and mitigate risks associated with the search and selection process, and contingency plan if necessary.

B. Analysis of candidates

(6) Work with the Search Consultant to ensure that the latest bias-free hiring techniques are employed, as applicable.

(7) Conducts interviews of candidates pre-screened by Search Consultant.

(8) Oversees Search Consultant in their collection of information through references, background, and credit checks.

(9) Selects a successful candidate and presents the final candidate in accordance with Engineers Canada's Bylaw and Board Policy to the Board of Directors for approval.

(10) Establishes a total compensation package for the incoming CEO in accordance with the Board Policy.

(11) Supports the decision of the Board of Directors.

(12) Works with legal counsel to finalize the employment contract.

C. Onboarding

(13) Works with the Search Consultant to develop a transition and onboarding plan.

(14) Establishes short and long-term performance objectives with the incoming CEO including a process for a (3) three-month performance review.

3. Authority

As noted above, the Committee has the authority to engage, recruit, or contract internal and/or external resources to assist its work.

4. Composition and Competencies

Membership of the CEO Search Committee will be appointed by Engineers Canada's Human Resources (HR) Committee and may align with that of the HR Committee. As outlined in Board policy 4.8, *Board competency profile,* Engineers Canada strives for a diverse Board. Likewise, as a committee that supports the Board in its work, this goal cascades down to the Search Committee.

The CEO Search Committee should be comprised of a minimum of three (3) and no more than six (6) members, which includes Engineers Canada's President and President Elect, and a representative from the CEO Group.

The chair will be selected by the committee's members.

Collectively, the committee should possess an understanding of Engineers Canada's vision, strategic priorities and core purposes and familiarity with executive recruitment, oversight, and compensation.

At least one member of the committee should be proficient in French to assess the candidates' proficiency in French.

5. Term

To maintain consistency throughout the process, it is important for the CEO Search Committee to remain intact until the completion of the responsibilities listed herein.

Should a member need to resign from the committee, the HR Committee will decide if it is necessary to recruit a replacement member to ensure that the committee maintains its required competencies, i.e., proficiency in French.

6. Conflict of interest

Committee members in either a real or perceived conflict must disclose their conflict and potentially resign from the committee.

In accordance with Board policy 4.3, *Code of Conduct,* section 4.3.2(2), Board members and members of Board committees shall not use their Board or Committee position to obtain employment at Engineers Canada for themselves, family members, or close associates. Board and Committee members must resign from the Board or Board committee before applying for employment with Engineers Canada.

7. Confidentiality

All information and deliberations of the CEO Search Committee must be kept strictly confidential during and after the recruitment process.

BRIEFING NOTE: For decision

Election of the President-Elect (electronic voting)	6.1
Purpose:	To elect the 2024-2025 Engineers Canada President-Elect
Link to the Strategic Plan / Purposes:	Board responsibility: Ensures that policies and processes are established to monitor and enhance Board effectiveness.
Link to Corporate Risk Profile:	Decreased confidence in governance functions (Board risk)
Motion(s) to consider (preliminary/procedural motion):	*THAT the Board appoint Engineers Canada CEO, and hosting Regulator, Engineers Geoscientists Manitoba, as scrutineers for the 2024 President-Elect election*.
Vote required to pass:	Simple majority
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Kathy Baig, Past President

Background

- The President-Elect of Engineers Canada is elected annually at the May Board meeting and serves from the close of that meeting until the end of the following May Board meeting. Upon completion of this term, the President-Elect assumes the role of President of Engineers Canada Board.
- In accordance with Board policy 6.13, the Past-President has:
  - issued a call for nominations to each Director for the position of President-Elect;
  - received expressions of interest and curriculum vitae from all nominees;
  - confirmed that the nominees have been elected or are nominated to serve the required term; and,
  - provided the Board with the slate of candidates and their curricula vitae.
- Information regarding the candidates has been provided under separate cover to Directors only.
- Please review Board policy 4.9, *Role of the Presidents* and Board policy 6.2, *Board, committee, and task force chair assessment*.
- Since the May Board meeting will be held via hybrid delivery, the President-Elect election will also be hybrid. Directors voting in-person will cast paper ballots and Directors voting virtually will use a third-party online voting platform, Simply Voting.
- Two scrutineers have been identified in accordance with Board policy 6.13.

Proposed action/recommendation

- That the Board conduct its election for the role of President-Elect in accordance with Board policy 6.13, following appointment of the scrutineers:
  - Each candidate will address the Board for a maximum of five minutes, with the order of speaking to be alphabetical by last name.
  - The Past President will call the vote and Directors will be given a short period of time to submit their secret ballot.

- President and Past President shall each cast a second vote for all but one of the candidates and place the votes in sealed envelopes.
- If one candidate receives a majority of the votes, that candidate shall be declared elected.
- In the event no candidate is elected on the first ballot, the candidate receiving the lowest number of votes shall be removed from the slate and new ballots will be successively presented until on candidate receives a majority of the votes.
- In the event of a tie in the number of votes received by two or more candidates, as determined by the scrutineers, such that one candidate cannot be dropped from the slate for the next round of balloting, the scrutineers shall first open the President's sealed envelop and use the votes therein. If one candidate can still not be removed from the next round, the scrutineers shall open the Past President's sealed envelope and use the votes therein. If it is still not possible to remove one candidate, the result will be declared deadlocked and one or more further rounds of voting with all remaining candidates on the ballot will take place until the deadlock is broken.
- Upon receiving the final results from the scrutineers, the Chair shall declare the elected candidate, being the candidate that received a majority of the votes cast. The scrutineers will only receive the summarized election results and will not report the vote totals or whether the President or the Past-President's second votes were used.
- At the end of the election the chair will request a motion to destroy the paper ballots.
- Proxy votes will not be permitted, and only those Directors ***in attendance*** at the meeting, either in-person or virtually, are permitted to vote.

Other options considered

- Voting could be done by polling through the OnBoard platform, however the survey function is not CNCA-compliant and does not fully respect Engineers Canada's secret ballot process.

Risks/Financial implications

- None.

Benefits

- Continuity for the Engineers Canada Board.

Consultation

- N/A

Next steps

- Human Resources Committee membership to be finalized (agenda item 6.2).
- Administrative updates to be made by staff (such as website information, etc.).

Appendix

- Candidate CVs under separate cover, circulated to Directors only.

BRIEFING NOTE: For decision

Appointment of the 2024-2025 HR Committee	6.2
Purpose:	To appoint Directors to the 2024-2025 Human Resources (HR) Committee
Link to the Strategic Plan / Purposes:	Board responsibility: Hires, supports, and evaluates the CEO so that they are better able to further Engineers Canada's purposes and achieve its vision. If necessary, the Board has the authority to dismiss the CEO.
Link to Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Motion(s) to consider:	*THAT the Board, on recommendation of the HR Committee, appoint the following Directors to the 2024-2025 HR Committee:* *a. Ann English* *b. Arjan Arenja* *c. Darlene Spracklin-Reid (in the event that any of the previous are elected as President-Elect)*
Vote required to pass:	Simple majority
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Nancy Hill, Engineers Canada President

Problem/issue definition

- Board policy 6.12, *HR Committee Terms of Reference,* states:
  - The HR Committee is comprised of the President, President-Elect, and Past President, an appointed CEO Group member to serve as "Advisor", and a minimum of two other Directors.
  - The outgoing HR Committee shall, annually, nominate at least two Directors and one alternate to the next year's HR Committee. The alternate Director shall only serve if one of the other Directors is elected by the Board as President-Elect under agenda item 6.1.
- The HR Committee has provided a recommendation for two (2) Directors and an alternate to complete the composition of the 2024-2025 HR Committee.
- At the March 1, 2024, Board meeting, the CEO Group advised that Stormy Holmes, Executive Director and Registrar, APEGS, would continue to serve as CEO Group Advisor to the HR Committee.

Proposed action/recommendation

- That the Board appoint the following Directors to the 2023-2024 HR Committee:
  - Ann English
  - Arjan Arenja
  - Darlene Spracklin-Reid (in the event that any of the previous are elected as President-elect)

Other options considered

- None.

Risks

- None.

Financial implications

- None.

Benefits

- Once approved by the Board at the May meeting, the HR Committee can immediately begin nominating Directors for all other Board committees and appointments, for approval at the June Board meeting.

Consultation

- This process is as set out in Board policy 6.12, *HR Committee Terms of Reference*.
- Each Director was asked to identify the committees, task forces and other roles with which they would like to serve as part of the 2024 Director self-assessment survey. Responses were received from 17 of the 23 Directors with two (2) reminders sent. The HR Committee's recommendations were based on received survey responses, together with committee composition requirements, as set out in Board policy 6.12, and a desire to attain some level of knowledge continuity within the Committee.

Next steps (if motion approved)

- The 2024-2025 HR Committee to meet and nominate Directors for all other Board committees and appointments.
- Staff will update website information.

Appendix

- None.

BRIEFING NOTE: For decision

Director appointment to the CEAB	6.3
Purpose:	To appoint a Director to fill an impending vacancy on the Canadian Engineering Accreditation Board (CEAB)
Link to the Strategic Plan / Purposes:	Core purpose: Accrediting undergraduate engineering programs.
Link to Corporate Risk Profile:	Decreased confidence in the governance functions (Board risk)
Motion(s) to consider:	*THAT the Board, on recommendation of the HR Committee, appoint Lisa Doig to the CEAB for a two-year term beginning May 25, 2024, and ending at the June 22, 2026, Board meeting.*
Vote required to pass:	Simple majority
Transparency:	Open session
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Arjan Arenja, Chair, Human Resources Committee

Problem/issue definition

- As per Board policy 6.9, *Canadian Engineering Accreditation Board (CEAB),* the Engineers Canada Board appoints two Directors to the CEAB to act as "Director appointees" for a two year term.
- Director appointees are appointed in alternate years to ensure continuity. Appointments are usually made by the Board at its June meeting.
- As of the 2024 Annual Meeting of Members on May 25, the senior Director appointee, E. Barber, will retire from the Board, thus leaving a vacancy on the CEAB until the June Board meeting.
- The CEAB is scheduled to meet on May 31-June 2 to primarily make accreditation decisions related to the 23/24 visit cycle and to conduct other regular business. This meeting is core to the CEAB's mandate.
- Board policy 6.1, *Board committees and task forces,* establishes that in the event of a vacancy in one of the Director appointee roles, "the Board may fill the vacancy either temporarily or for the duration of the term, as appropriate".

Proposed action/recommendation

- That the Board appoint incoming Director Lisa Doig to the CEAB as of May 25, 2024, for a two-year term, thus filling the vacancy ahead of the upcoming CEAB meeting.
- L. Doig is nominated by APEGA to serve on the Board for a second three-year term. Her first term was from 2017-2020. This previous experience is of value to the CEAB at a time when renewal of the accreditation system continues to be a strategic direction for Engineers Canada.
- L. Doig also served as APEGA's president from 2022-2023.

Other options considered:

- The above recommendation takes into account potential appointments for other Directors as of the June Board meeting. These potential appointments aim to match the committees' needs with Director competencies, experience and preferences, as identified in the Board and Director assessment survey conducted in March. From this exercise, L. Doig was identified as the best match for the CEAB at this time.
- It was also considered that the position remain vacant until the Board selects a Director appointee in June. Given that the CEAB meeting planned for late May is core to the CEAB's mandate, it is recommended that the Board fill the vacancy.

Risks

- None identified.

Financial implications

- There are no additional costs associated with this recommendation.

Benefits

- Appointing a Director prior to June, will help ensure that the CEAB is fully resourced ahead of its upcoming meeting.

Consultation

- Governance staff consulted with the CEAB's Secretary.
- The President-Elect confirmed L. Doig's willingness to serve as Director appointee to the CEAB.

Next steps (if motion approved)

- L. Doig will begin her term on the CEAB as of her election to the Board on May 25, 2024.
- The HR Committee will recommend for Board approval in June Director appointments for all other Board committees and appointments.

Appendices

- None

BRIEFING NOTE: For discussion

Generative discussion: Emerging trends in regulation	7
Purpose:	To consider emerging trends in regulation that may affect the way(s) in which Engineers Canada serves the Regulators.
Link to the Strategic Plan / Purposes:	Core purpose 6: Actively monitoring, researching, and advising on changes and advances that impact the Canadian regulatory environment and the engineering profession.
Link to Corporate Risk Profile:	Diminished scope and value of engineering regulation (Board risk)
Transparency:	Open session
Prepared by:	Joan Bard Miller, Manager, Governance and Board Services
Presented by:	Nancy Hill, Board Chair

Problem/issue definition

- Engineers Canada's first guiding principle is to **serve the needs of the Regulators** (Board policy 1.2).
- To serve the Regulators' needs, it is important for Engineers Canada's Board to understand emerging trends in regulation. Doing so will help Engineers Canada evolve with the Regulators in an ever changing regulatory environment.

Background

- Attached in Appendix A is a short list of notable macro- (societal) and micro- (professional) trends affecting regulation. Some trends are overlapping. Not surprisingly, some of which appear at the micro-level stem out of the macro-level trends.
- The list was informed by the *Environmental scan for the Engineers Canada Strategic Plan 2025-2029*, an Engineering Matters article from January 2020, and industry experts Katrina Haymond, Field Law and Richard Steinecke, SML-LAW in their respective presentations to the CEQB (2023) and CNAR (2022).
- The list is *not* exhaustive by design but rather aims to stimulate discussion.

Proposed action/recommendation

- The Board is invited to engage in a generative discussion about emerging trends in regulation that may affect the way(s) in which Engineers Canada serves the Regulators.
- The discussion is intended to initiate dialogue on the topic and not necessarily lead to immediate outcomes.
- Generative discussions can help a board's work by:
  - Educating directors on future-focused topics.
  - Encouraging dialogue that brings out different perspectives.
  - Stimulating critical thinking that informs subsequent decision making.
  - Enhancing directors' engagement.

- It is suggested that the Board use a think, pair, and share approach to support discussion. Ahead of the meeting, Board members are asked to prepare answers to the following questions using the attached worksheet for discussion.
  - Reflecting on the trends in regulation outlined in Appendix 1:
    - Which trend do you think is most closely related to how Engineers Canada serves the Regulators?
    - Which trend do you think may bring the most change to regulation, albeit positive or negative?
    - Are you surprised to see any trends included on the list?
    - Are any trends missing?
- Responses to the questions will be shared in plenary.

Next steps

- No immediate next steps have been identified. The purpose of the discussion is not to come to immediate outcomes but rather to help the Board engage in deep inquiry of evolving trends in regulation that will impact the Regulators and inform future problem solving.

Appendices

- **Appendix 1:** Emerging trends in regulation
- **Appendix 2:** Discussion worksheet

Appendix 1: Emerging trends in regulation

Macro-level (societal) trends

- **New technologies / artificial intelligence (AI):** The rate at which new technologies, notably AI, is introduced to and integrated in daily life is unprecedented.
- **Mistrust:** In recent years, there has been an erosion of trust in public institutions.
- **Climate change:** The public increasingly expects organizations and professions to address climate change.
- **Equity, Diversity, and Inclusion (EDI):** Increasingly, organizations are aware of the need to ensure that the values of EDI are embodied in their work to allow for the full participation of all people, especially those who have been historically underrepresented or subject to discrimination.
- **Increased workforce mobility:** Remote work has become an expectation and norm for knowledge workers, which has the potential to impact retention rates and workforce mobility.

Micro-level (professional) trends

- **Increased regulation of entities:** Although engineering firms and entities are already regulated, the degree of regulatory oversight is variable.
- **Off-duty conduct:** Regulators have jurisdiction over “off duty conduct”.
- **Continuing professional development (CPD):** Mandatory lifelong learning is required of licensed professionals as a means to ensure public safety.
- **Increasing oversight of regulatory functions:** Provincial governments have introduced means such as legislation to oversee and standardize regulation.
- **Council/board composition:** There is an increasing focus on recruitment of competency-based councils/boards that include lay members of the public.

Appendix 2: Discussion worksheet

Instructions:

1. **Think:** Before the meeting, write down your thoughts on each question.
2. **Pair:** At the open Board discussion, take five minutes to share your ideas with the person next to you. Note any ideas you had in common and any ideas you learned.
3. **Share:** Select one idea that you discussed with your partner. Share that idea with the Board in a roundtable discussion.

Repeat these steps alternating your discussion for each question with the person seated on your right and left. For example, if you discussed question 1 with the person on your right, discuss question 2 with the person on your left.

Questions

Question 1: Which trend do you think is most closely related to how Engineers Canada serves the Regulators?

Question 2: Which trend do you think may bring the most change to regulation, albeit positive or negative?

Question 3: Are you surprised to see any trends included on the list?

Question 4: Are any trends missing?