

Engineers Canada's Submission to Global Affairs Canada

Renegotiation of the North American Free Trade Agreement with the United States and Mexico

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Overview

The Government of Canada is seeking the views of Canadians on the scope of the renegotiation and modernization of the existing North American Free Trade Agreement (NAFTA) with the United States and Mexico.

NAFTA has served as a strong anchor for Canadian markets in North America and has helped to expand trade opportunities for Canadian products, goods, and services. NAFTA created the largest free trade region in the world when it came into effect on January 1, 1994, generating economic growth and helping to raise the standard of living for the people of the three member countries.

A total of 2.4 million Canadian jobs depend on trade with the United States, and more than \$2 billion worth of goods and services cross the border every day. Canada and Mexico are each other's third largest trading partner, with steadily growing two-way merchandise trade.

In this submission, Engineers Canada expresses its views on key parts of NAFTA that could be clarified and updated, and on new provisions that should form part of a modernized agreement. This document includes recommendations to the federal government on the parts of NAFTA that have been most beneficial for the engineering profession. Overall, Engineers Canada believes that Canada should oppose any move to backtrack the existing benefits of NAFTA. Current benefits should be, at the least, maintained, but ideally improved. The modernization of NAFTA should also aim to increase the services sector's efficiency and competitiveness, regionally and globally.

Engineers Canada continues to be part of the federal government's ongoing domestic consultation process with stakeholders, which includes the provinces and territories, businesses, civil society organizations, labour unions, academia, Canada's Indigenous peoples, and individual Canadians.

What should be a priority for the Government of Canada in the renegotiation of NAFTA?

International mobility of licensed professionals

Globalization and advances in international trade and business services have resulted in an increased need for engineers to have their credentials recognized around the world. Engineers Canada's *Engineering Labour Market in Canada: Projections to 2025* report, which includes province-level projections of supply and demand for engineers over the next decade, serves to highlight the continued importance of engineers to the Canadian economy, showing that there is a large and growing need to replace retiring engineers. The report concludes that inter-provincial mobility, inclusion of diverse engineers, and immigration will be paramount in filling the positions left open by retiring engineers.

National and international labour mobility of engineering services is therefore important for Canada's economy. Yet there are no provisions in the existing NAFTA that relate to the mobility of licensed professionals. Chapter 16 of NAFTA, which provides for the temporary entry of business persons and professionals, explicitly excludes any licensing or certification requirements. The only provisions that impact engineers are the facilitated temporary entry based on either a relevant degree or certification. Currently, a licensed engineer in Canada (a P.Eng. designation) is able to temporarily enter the United States; however, their Canadian licence does not grant them the ability to practise as a professional engineer (a PE designation) in the United States as a result of that entry.

While the international mobility of engineers must be facilitated in order for Canada to take advantage of the benefits of the globalization of engineering services, it is also essential that licensure and regulation of engineers operate effectively to maintain the high ethics, qualifications, and practice standards that define the engineering profession in Canada. In this way, the public can continue to feel confident that professional engineers, regardless of where they received their degree or their work experience, have the right education and skills to practise engineering with competence and integrity.

The Washington Accord is an agreement that was put in place by a number of international signatories, recognizing their approaches and systems for accrediting engineering programs as comparable. The purpose of the accord is to facilitate the expeditious review of the academic credentials of an applicant engineer from one party by the licensing/regulatory body of another party. Canada, represented by Engineers Canada, and the United States, represented by the Accreditation Board for Engineering and Technology, Inc., are both signatories of the Washington Accord. Consejo de Acreditación de la Enseñanza de la Ingeniería (CACEI), Mexico's representative for accreditation of engineering education, is a provisional signatory to the Washington Accord. Provisional members, such as Mexico, do not receive recognition from the signatories; however, Engineers Canada has actively taken steps to facilitate international mobility of professional engineers between Canada and Mexico. Engineers Canada is currently CACEI's official mentor to ensure they receive signatory status by 2019, which will ultimately bring them into the Washington Accord.

Given this reality, Engineers Canada believes that the mobility of engineers between Canada, the United States, and Mexico should be a priority in the renegotiation of NAFTA. In order for NAFTA to work as intended, alignment or formalized recognition between the three member countries on accreditation of engineering education and licensing of engineers is needed to strengthen labour mobility. NAFTA should provide a set of guiding principles or rules for achieving the alignment and recognition of engineering licensure, and for providing the supporting resources and financial support to the responsible engineering regulatory bodies. In addition, temporary entry provisions should be supported and made more explicit to enable project-specific local or cross-border practice in any provincial or state jurisdiction in any of the three member countries.

Regulatory Cooperation

The continued regulatory cooperation and alignment between the three member countries is also of importance. This component is critical in guaranteeing that engineering regulators can continue to

protect the public interest and ensure public safety. NAFTA, which includes the trade of goods and service, speaks directly to engineering services and the mobility of engineers as professionals. NAFTA needs to continue to provide the framework for the mutual recognition of professional qualifications, including those of engineers, along with a basis upon which country-specific mutual recognition agreements (MRAs) at the academic and professional level may be negotiated. Mutual recognition assures the applicant that no further evaluation of their technical competence will be required, which facilitates the mobility of individuals.

Are there elements of NAFTA that are working well and should be preserved or improved upon?

Chapter 12 of the current NAFTA encourages "the relevant bodies in their respective territories to develop mutually acceptable standards and criteria for licensing and certification of professional service providers and to provide recommendations on mutual recognition to the (NAFTA) Commission." Currently, mutual recognition agreements (MRAs) can be established between two or more countries to permit the recognition of credentials (academic and/or professional) and are intended to foster mobility for engineers looking to practise in other jurisdictions. Engineers Canada currently has MRAs between two jurisdictions in the United States, which include a set of guiding principles or rules for achieving the alignment and recognition of engineering licensure, and for providing the supporting resources and financial support to the responsible engineering regulatory bodies.

Engineers Canada believes that MRAs should be preserved and improved upon during the renegotiations. Ideally, Engineers Canada would have MRAs at the professional level with every state in the United States and with Mexico in order to facilitate international mobility. Engineers Canada and its constituent associations recognized the barriers that exist for inter-provincial and inter-territorial labour mobility for professionally licensed engineers in Canada and took steps to address the problem. There are currently limited reciprocal ("comity") agreements between states for PE designation recognition in the United States. US states argue that Canadian professional engineers cannot have any form of credential recognition that exceeds the provisions of comity that exists between states. These challenges will need to be addressed by the United States and Mexico in order for NAFTA to work more efficiently with regards to the international mobility of engineers.

Who we are

Engineers Canada is the national organization of the 12 provincial and territorial associations that regulate the practice of engineering in Canada and license Canada's 290,000 professional engineers. Together, we work to advance the engineering profession in the public interest.