Professional Recognition & Practice Rights

2010

Annual Report of the Public Representatives

MAY 27, 2011

Serving on the Council of the
Applied Science Technologists and Technicians of BC

Jim Blake, MBA, CA
John Murphy

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ASTTBC Overview – Professional Regulation of Technology Professionals

The Applied Science Technologists and Technicians of BC (ASTTBC) is a self-governing association of technology professionals including technologists, technicians and technical specialists. Formed in 1958 under the Society Act, ASTTBC was reincorporated in 1985 under the *Applied Science Technologists and Technicians Act (ASTT Act),* the third province in Canada to enact stand-alone legislation governing technologists and technicians.

ASTTBCôs Mission Statement:
To serve the public by regulating and supporting Technology Professionals' commitment to a safe, healthy, and sustainable society and environment

At the end of 2010 ASTTBC registrations totaled 10,066 technologists, technicians and technical specialists. ASTTBC operates with a budget of about $2.3 million. ASTTBCôs head office is located in Surrey, British Columbia. ASTTBC is referenced in the *Business in Vancouver* 2010 list of professional associations as the 8th largest in British Columbia by membership size. During 2010 ASTTBC celebrated its first 25 years under the *ASTT Act.*

Purpose and Scope of the 2010 Annual Report of the Public Representatives

The 2010 Annual Report focuses on ASTTBCôs initiatives to further serve the public interest by enhancing the professional recognition and practice rights of the technologists, technicians and technical specialists registered and regulated through ASTTBC.

The 2010 Annual Report represents a departure from the first two Reports in that we focus on a critical issue which impacts any group of professionals, namely their rights to work and independent practice. The Report was developed with input from members of Boards and Committees, Council, members and staff. The Report is an independent statement, ie. it will not be presented for the approval by ASTTBC Council. Where the Public Representatives are not in accord with statements in the Report the variance is noted.

This Annual Report of the Public Representatives for 2010 was presented during the 52nd ASTTBC Annual General Meeting on May 27, 2011 and will be forwarded to the BC Minister Responsible for the *ASTT Act*, Members of the BC Legislature, BC Members of Parliament and other interested stakeholders. The Report will be posted to ASTTBCôs web site for easy access by the public. A summary of the Report will be included in *ASTT e-NEWS* and *ASTT NEWS.*

The Professional Foundation is Established

ASTTBC has a strong foundation for professional regulation. Fostered by, and modeled after, other "senior" professional associations notably the Association of Professional Engineers & Geoscientists of BC (APEGBC), ASTTBC was formed in 1958 as the Society of Architectural and Engineering Technologists of BC, later changed to the Society of Engineering Technologists of BC (SETBC). In 1985 the Association changed to the current name with the introduction of the *ASTT Act.*

Certification & Registration of Technologists and Technicians

ASTTBC, as with all other associations of technologists and technicians in Canada, was founded on certification for architectural and engineering technologists and technicians. While there was a brief hiatus in the 60s when ASTTBC did not register "architectural" technologists and technicians, the Association has certified and registered architectural / building and engineering technologists and technicians until 1985 when, with the *ASTT Act,* the Association embraced a broader mandate and engaged practitioners in the "applied sciences" including architectural, biomedical, bioscience, building, engineering, environmental, geomatics, and information technologies.

Professional Titles ï Technologists and Technicians

Certification has evolved over the years as the Association moved from its fledgling days in the late 1950s to a fully self-governing professional association with the *ASTT Act* of 1985. Early certification was awarded in four classifications, Technician I, II, III and Technologist. These were subsequently changed to Technician, Senior Technician and Technologist. With the *ASTT Act* of 1985 the Association changed once again, this time to two classifications, Technician and Technologist.

Titles have changed over the years as well. Certification titles were fairly simple in the early days of the Association, with "CET" used to identify both Certified Engineering Technologist and Certified Engineering Technician. A significant change was introduced in 1985 when the *ASTT Act* broadened the fields in which certification and registration would be granted and reduced the protected titles to two. Since 1985 ASTTBC has certified, registered and regulated two classes:

Applied Science Technologist	AScT
Certified Technician	CTech

ASTTBC is considering how best to manage and certify in fields where there is over-lapping competencies between disciplines. This "blurring" of disciplines poses challenges when considering education and experiential qualification for certification. This matter warrants further study.

ASTTBC staff introduced the idea of "limited" AScT or CTech which could serve to recognize technologists and technicians who by virtue of their education and experience have acquired a high level of competency commensurate with that of a technologist or technician but would not usually qualify for registration as such under the current requirements. As staff have not fully developed the concept, it is not possible to comment except to suggest that the concept be explored.

"Professional Technologist" (PTech) was added to the *ASTT Regulations* in 2005 for those Technologists aspiring to an advanced standing and considering independent practice. The titles and designations have not been enacted by the ASTTBC Council as the Council decided it preferred to see a national approach in the use of the PTech prior to fully engaging the PTech. With new legislation in Alberta governing the PTech, the ASTTBC Council in 2010 made the decision to implement PTech in 2011.

As ASTTBC looked to implementation of PTech the Council decided it would be best to work with APEGBC in order to ensure the most effective application and implementation of this new designation. During 2010 ASTTBC joined with APEGBC to form a special Task Force to consider and make recommendations on the implementation of PTech in BC. The Task Force was formed and commenced its work early in 2011. More on the PTech later in this Report.

Commendation: ASTTBC has made significant and steady progress over its more than 50 years in offering professional certification and regulation of technologists and technicians.

Recommendation:

1. *ASTTBC should review the disciplines in which certification is offered and in this review consider disciplines where there is a 'blending' of fields. ASTTBC should ensure its technology fields consider 'hybrid' fields and meet the contemporary requirements of business, industry, regulatory bodies and society.*
2. *ASTTBC should consider the current certification requirements and, if not fully applied, to require a measure of sustainability ('green') education and training as part of certification requirements for all disciplines. This will become increasingly critical as society matures its view of sustainability, aligned with rapid technological advances.*
3. *ASTTBC should study the concept of a 'limited' certification for technologists and technicians, applicable for practitioners with a high level of technical expertise in a narrow field but without the education and experience normally required for registration as an AScT or CTech.*

Certification & Registration of Technical Specialists

In the mid 1990s ASTTBC was approached by various regulatory bodies and industry groups to introduce another classification of ótechnology professionalô, now known as the óTechnical Specialistô. ASTTBC currently certifies and registers in eight (8) fields including Building Design, Construction Safety, Fire Protection, House & Property Inspection, Onsite Wastewater, Public Works Inspection, Site Improvements Surveying and Steel Detailing. Each stands alone with a distinct Board and professional certification and regulation standards, policies, and procedures.

Professional Titles ï Technical Specialists

Certification of Technical Specialists was an initiative of external groups or regulatory authorities which viewed ASTTBC as a logical body to assume responsibility for a special class of practitioner not normally associated with technologist or technician certification and yet where a standard of qualification was required to better serve the public interest. In each of the technical specialist programs ASTTBC relied upon the industry to define the required education and training standards and to partner with ASTTBC in establishing professional certification and regulation.

ASTTBC has in place today eight (8) technical specialist programs and others are actively being considered as external parties continue to look to ASTTBC to set standards and protect the public interest through professional certification and regulation.

The current technical specialist fields and the titles and designations are:

Building Design	Certified Residential Designer	CRD
	Registered Building Designer	RBD
Construction Safety	Construction Safety Officer	CSO
	Trades Safety Coordinator	TSC

Fire Protection	Registered Fire Protection Technician	RFPT
House & Property Inspection	Certified House Inspector Certified Property Inspector	CHI CPI
Onsite Wastewater	Registered Onsite Wastewater Practitioner	ROWP
Public Works Inspection	Certified Public Works Inspector (I - IV)	CPWI
Site Improvements Surveying	Registered in Site Improvements Surveying	RSIS
Steel Detailing	Certified Steel Detailer Registered Steel Detailer	CSD RSD

ASTTBC has made steady and at times remarkable progress in developing and implementing these Technical Specialist Programs. Technical Specialist certification and professional regulation will most likely be the subject of a future report of the Public Representatives.

Commendation: ASTTBC has carried out is mandate to serve and protect the public interest in providing technical specialist certification and professional regulation.

Recommendation:

1. *ASTTBC should strengthen existing technical specialist programs as needed to ensure the best practices in professional regulation.*
2. *ASTTBC should consider adding new technical specialist programs based on the needs of business, industry and regulatory bodies. Such programs should be fully sustainable.*

Scope of Practice Defined

This Section relates specifically to the practice of Technologists and Technicians.

The Association has, in an evolutionary path similar to most other professional organizations, advanced over the years in defining a scope of practice for ASTTBC registrants. With protected rights to title established and growing in recognition, the Association dedicated resources (over many decades) to developing and placing within the Associationôs legislative framework a definition of scope of practice appropriate to the knowledge, skills and abilities of those registered.

The *ASTT Act* defines the óObjectsô of the Association:

> ñTo maintain, improve and increase the knowledge, ability and competence of the members of the association;
>
> ñTo regulate standards of training and practice of and for its members and to protect the interests of the public;
>
> ñTo establish, maintain and develop standards of ethics among its members;
>
> ñTo do all lawful things that are incidental or conducive to the accomplishment of these objectsò.

With these intentions, the Association assumed a responsibility to formulate a statement on the areas of practice incidental to professional certification and registration. When the *ASTT Regulations* pursuant to the *ASTT Act* were first adopted in 1985 the Association included a statement on practice:

> *"A certified member may provide services or carry out work in accordance with his academic qualifications, training and experience in the fields of applied science technology determined by council."*

This statement was adapted over time, in part to coincide with statements adopted nationally. The most recent definition is a much more comprehensive statement:

> *"A certified member may, in accordance with his or her academic qualifications, training and experience, provide services, carry out work and accept responsibility in an approved discipline for: inspecting, sampling, evaluating, testing, measuring, troubleshooting, servicing, repairing, maintaining, designing, manufacturing, installing, implementing, reporting on, preparing plans and specifications for, or directing the construction, technical inspection, maintenance or operation of, any structure, work or process, that,*
> *i) Safeguards life, health, property, environment, public interest or economic welfare; and,*
> *ii) Which is accomplished through the application of codes, standards and generally recognized procedures and practices appropriate to the endeavour."*

This "Definition of Scope of Practice" is current as at the end of 2010.

Guides to Professional Practice were approved by ASTTBC Council to clarify the typical scope of practice of members in a particular discipline.

Given that the *ASTT Act* does not prescribe a restricted field of practice ASTTBC has had to satisfy others that (a) ASTTBC members have a right to independent practice except where practice is restricted; and (b) that ASTTBC members should be recognized and allowed to practice independently in areas in which members are competent. This challenge is one of the most significant and resource-challenged that ASTTBC has had to deal with since its inception, and more notably in the past 20 years. There is a critical need for the BC Government together with other interested parties to reach agreement on an appropriate scope of practice for ASTTBC members and then to enshrine this in appropriate legislation. In each Public Representative's Report this issue has been identified as critical to the interest of the public. It is vital that tangible progress be demonstrated.

Commendation: ASTTBC has, in spite of the absence of a definition of practice in the ASTT Act*, incorporated in the* ASTT Regulations *a reasonable and fair definition of scope of practice*

Recommendation: That ASTTBC should work to secure the support of the BC Government and other interested stakeholders for an accepted and legislated definition of scope of practice for AScTs and CTechs.

Employer Recognition

ASTTBC recognized early in its mandate that a majority of the registrants would be employed by another party as they provide their services and carry out their work. As employees ASTTBC members usually work within a team of professionals, assuming responsibilities appropriate to the norms of the business for whom they are engaged and within their qualifications.

Support for professional certification by employers has been a focus for ASTTBC over its more than 50 years. This form of recognition has had a significant impact in terms of positive member growth and status as professionals within the applied science and engineering community.

Employers regularly call for ASTTBC certification and registration or eligibility for membership as a condition of employment. Collective agreements reference ASTTBC membership. Employers support ASTTBC membership by paying annual dues and supporting volunteer activities with ASTTBC and ASTTBC member professional development.

ASTTBC registrants enjoy a high degree of recognition as a result of employer support for professional certification and registration.

Commendation: ASTTBC has made steady progress in attracting the interest and support of employers for the certification of its Technologists, Technicians and Technical Specialists.

Recommendation: ASTTBC should further expand its relationship with employers to demonstrate the value of professional certification to their business interests.

Recognition by Industry and Business Associations and Organizations and Regulatory Authorities

ASTTBC has built strong working relationships with many related industry and business associations. The Association and its members enjoy a high degree of recognition for their high standards and professionalism. While not exhaustive, the following have been identified by ASTTBC as bodies having a positive working relationship with ASTTBC in its role as a professional regulatory body or in promoting technology education and careers. *Being referenced in this list does not indicate a statement of endorsement of ASTTBC by the organizations.*

Professional Associations:

- Association of Professional Engineers and Geoscientists of BC
- Association of BC Forest Professionals
- BC Society of Landscape Architects
- Building Officials Association of BC
- National Institute for the Certification in Engineering Technologies (USA)
- Planning Institute of BC

Regulatory Authorities

- BC Housing
- BC Safety Authority
- Homeowner Protection Office
- Office of the Fire Commissioner

Industry and Trade Associations and Training Organizations

- American Society of Certified Engineering Technicians (USA)
- Asia Pacific Gateway Skills Table
- ASPECT
- Business Council of BC
- BC Chamber of Commerce
- BC Common Ground Alliance
- BC Construction Association
- BC Deans of Technology

- BC Innovation Council and Regional Science & Technology Councils
- BC Roadbuilders
- BC Science Teachers Association
- BC Technology Industries Association
- Big Little Science Centre
- Canadian Home Builders Association (BC)
- Canadian Standards Association
- Consulting Engineers of BC
- Electrical Contractors Association of BC
- Independent Contractors and Businesses Association of BC
- Industry Training Authority
- Mechanical Contractors Association of BC
- SUCCESS
- Underwriters Laboratories of Canada Inc

Commendation: ASTTBC has managed over the years to attract and earn the interest and healthy respect and regard of many organizations related to the role of the association as a professional regulating body as well as an organization promoting technology education and careers.

Recommendation: ASTTBC should continue to build upon the strengths of existing relationships for the purpose of serving the public interest through professional certification and regulation of Technologists, Technicians and Technical Specialists and in promoting technology education and careers.

'Qualified Professional' Recognition for ASTTBC Members

The BC Government and certain regulatory bodies have been growing the concept of "professional reliance" in many areas in which ASTTBC members are engaged. Through professional reliance designated professionals are recognized and permitted to carry out certain defined work. ASTTBC has advanced the professional certification and registration offered by ASTTBC as being worthy of consideration where its members are competent to carry out the work. Professionals so recognized are often described as a "Qualified Professional" or "Qualified Person" (QP).

ASTTBC has managed to secure recognition as a QP in a number of fields in which ASTTBC members are competent to carry out the work:

- Municipal Sewage Regulation
- Riparian Area Regulation
- Landfill Gas Management Regulation
- Oil & Gas Commission ï Reclamation Specialist

In addition to this recognition, AScT and CTech are exempted under the Land Surveyors Act from carrying out work related to site improvements surveying. To further define the practice ASTTBC entered into an Agreement with the Association of BC Land Surveyors.

While ASTTBC has managed to establish professional recognition with rights to practice in a number of areas, there is considerable work to be done to fully enable ASTTBC-registered professionals. There are instances where ASTTBC members have been excluded from rights to practice even though practitioners with comparable qualifications are recognized, eg WorkSafe BC Occupational Health and Safety Regulations recognize a Registered Forest Technologist (RFT) while qualified members of ASTTBC have been excluded. WorkSafe has indicated to ASTTBC that current legislation precludes ASTTBC members.

Commendation: ASTTBC has managed to secure limited rights to independent practice. These rights enable ASTTBC-registered professionals to practice within their competencies and in this way more fully utilize their qualifications. This recognition meets ASTTBC's mandate to serve the public interest.

Recommendation: ASTTBC should secure the support of the BC Government and appropriate regulatory and professional associations to enact changes to professional legislation which will appropriately recognize ASTTBC members with defined rights to independent practice.

Technical Specialists - ASTTBC Registration Required to Practice

During the most recent two decades ASTTBC has developed the "Technical Specialist" concept as yet one more way this professional regulatory body can serve the public interest. In each instance with the support and encouragement of an industry organization or government, ASTTBC established eight Technical Specialist groups to provide a qualification in areas not typically covered by the Technologist or Technician. Of the eight programs, four are required by law:

- Fire Protection where there are municipal Bylaws requiring certification;
- House Inspection which is governed under the Consumer Protection Act;
- Onsite Wastewater governed under the Sewerage System Regulation; and,
- Site Improvements Surveying exempted under the Land Surveyors Act and regulated by ASTTBC under agreement with the Association of BC Land Surveyors

The first to be established was the Fire Protection Technician, an initiative of the City of Vancouver. The City wanted to be sure that the workers testing and inspecting fire suppression systems (fire extinguishers, fire alarms systems, sprinklers etc) had met a minimum standard and looked to ASTTBC as an appropriate body to certify and regulate the practitioners. To signal that this was of critical importance to public health and safety the City Council passed a Bylaw requiring ASTTBC certification by anyone doing this work. Other municipalities followed Vancouver's lead. There are now over 700 Registered Fire Protection Technicians (RFPT) registered with ASTTBC. Recently the Fire Chiefs' Association and the Union of BC Municipalities informed ASTTBC and their members and the BC Government that both organizations support ASTTBC certification. ASTTBC has been advised that the Fire Commissioner views the ASTTBC certification program as "best practice". While there has been excellent progress, there does not exist in BC a province-wide requirement that workers carrying out the inspection and testing of fire suppression systems be certified and registered.

The three other Technical Specialist Programs are established by virtue of provincial government legislation. There has been significant forward movement with each of these programs however challenges have been identified and are worthy of further study and commentary. Information on these programs is available on the ASTTBC web site. Technical Specialist certification, regulation and rights to practice will be the subject of another Report from the Public Representatives.

As of December 31, 2011 there were 1830 Technical Specialists registered with ASTTBC.

Commendation: ASTTBC has made excellent progress in evolving professional practice rights for Technical Special Registrants.

Recommendation:

1. *ASTTBC should secure the support of the BC Government and other appropriate regulatory bodies to require practitioner certification throughout the province for fire protection, construction safety and site improvements surveying.*

2. *ASTTBC should seek the support of the BC Government and Consumer Protection BC to introduce enhancements to the house inspection licensing Regulation in order to better serve the public interest.*
3. *ASTTBC should amend the ASTT Regulations as needed to ensure technical specialist programs are robust and sustainable.*

ASTTBC Engages with APEGBC on Practice Rights

ASTTBC has engaged with APEGBC over the years in an attempt to get agreement on an area of practice open to ASTTBC members. ASTTBC has long maintained that not all "engineering" is restricted as "professional engineering" and that in these unrestricted areas ASTTBC members are permitted in common law to practice independently. The challenge for ASTTBC over the years has been to get agreement from APEGBC Council on an appropriate process by which to approach the subject and reach agreement on this critical matter.

Over the years there have been instances when the two associations found their leadership in agreement on moving ahead in a dialogue to find common ground and establish a cooperative working relationship. While the opportunities were provided, it appears that these opportunities did not result in concrete, sustainable solutions.

One positive joint initiative of about 15 years ago is the "Limited License" (LL) which, when introduced, provided a vehicle for ASTTBC-registered technologists and others to secure an APEGBC-issued license to practice professional engineering within a specific field appropriate to the competencies of the registrant. While the LL represented a positive step forward, the policies and processes were onerous and hence not that inviting to ASTTBC members. As well, the credential was not well recognized by regulatory authorities, employers and other key stakeholders. A recent joint APEGBC ï ASTTBC Task Force has recommended further adjustments to the program.

During the years 1999 ï 2004 ASTTBC and APEGBC considered a possible merger, and considered an area of practice which would be open to ASTTBC members. At one point the two defined "engineering technology" and in the process recognized that ASTTBC members should be appropriately recognized with rights to independent practice. With the demise of the merger discussions this progress was lost and the two associations returned to carrying out their roles quite separately.

In August 2010 the executives of the two associations convened a joint meeting and talked about a future in which there would be a respectful working relationship and appropriate consideration of the rights of all members of the team. The two association executives met again in September 2010 and emerged with a recommendation that the two Councils establish two joint task forces, one dealing with the Limited License and the second considering the PTech.

UPDATE: The two Task Forces commenced work early in 2011 and in April 2011 presented their reports to the Councils. The Two Councils referred the two reports to the Joint Executive.

Commendation: ASTTBC and APEGBC Councils are to be commended for their recent efforts to work together to address professional rights for technologists.

Recommendation: ASTTBC should work with APEGBC and the BC Government to establish a sustainable process which will lead to fully defined and legislated rights to practice for ASTTBC members.

Professional Technologist

ASTTBC signaled, with changes to the *ASTT Regulations* in 2005, that it would implement Professional Technologist (PTech) in British Columbia. As noted earlier in this Report, ASTTBC Council decided it would not implement PTech until such time as Council was comfortable that a national approach would evolve.

At this point we will reference excerpts from the Annual Report of the Public Representatives for 2009 related to the ongoing PTech discussion:

> *"ASTTBC enacted changes to the ASTT Regulations in 2005 to introduce the 'Professional Technologist' (PTech) classification for those members who qualify. ASTTBC Council decided it would move ahead with the new title once a clear signal was evident as to the direction of other technology professional associations in Canada. ASTTBC Council has yet to implement the PTech.*
>
> *"In 2009 ASTTBC Council approved changes to the ASTT Regulations modifying the requirements to achieve Professional Technologist and the titles and designations to be used. The changes will help synchronize the PTech in BC with that in Alberta and allow harmonization by the two provinces under TILMA.*
>
> *"Commendation: ASTTBC's 'measured' approach to advancing Professional Technologist (PTech) certification best serves the public interest.*
>
> *"Recommendation*: *ASTTBC should continue to work with the BC Government, APEGBC and others toward the full implementation of Professional Technologist certification in a manner similar to Alberta."*

We will briefly define the Alberta model, founded on a one act ï two association framework:

- One statute governs all practice rights
- Two associations regulate practitioners
- APEGA regulates PEng and PGeo
- ASET regulates CET and CTech
- Professional Technologist (PTech)is created
- PTech is member of, and regulated by, ASET
- Joint Boards consider PTech applications, determine practice scope and regulate professional accountability
- PTech has practice rights in accordance with accepted standards and codes
- Joint Board has decided to issue individual scopes of practice; the scopes are fairly broad

In 2010 the ASTTBC Council decided it would move to implement PTech in 2011. This decision was taken in consideration of the legislative changes in Alberta. ASTTBC Council also agreed that ASTTBC should work with its sister association in Alberta, the Association for Science, Engineering and Technology Professionals of Alberta (ASET), to align professional regulation to the greatest extent possible. The two associations have signed an agreement to that affect and ASTTBC amended its Code of Ethics to bring it into complete alignment with ASETôs Code of Ethics.

With the Alberta Legislation proclaimed in 2010 and the professional associations working together toward full implementation it was appropriate that APEGBC and ASTTBC work together to find a way to introduce PTech in British Columbia.

We would be remiss if we did not acknowledge the application of PTech in the mid 1990s in two other provinces in Canada, namely New Brunswick and Newfoundland and Labrador. In each of these provinces the Councils decided to change the title of the Technologist to PTech, or at least give members the opportunity to make the change if this was their will. ASTTBC Council determined this was not the direction British Columbia would take. It is noteworthy that the *ASTT Regulations* of 2005 indicated different qualifications for a PTech over those required for AScT.

UPDATE: The PTech Task Force commenced work early in 2011 and in April 2011 presented its report to the Councils. The Two Councils referred the two reports to the Joint Executive.

Commendation: ASTTBC and APEGBC Councils are to be congratulated on establishing a Task Force to consider the implementation of PTech in British Columbia.

Recommendation: ASTTBC should work with APEGBC to jointly define the model for implementing PTech in British Columbia.

Portability and AIT, TILMA and the New West Partnership Trade Agreement

ASTTBC and the other technology professional associations across Canada have been ahead of the tide insofar as portability of credentials is concerned. The professional associations have had a transferability agreement and processes in place for over a decade. Some relatively minor adjustments have been made since the Agreement on Internal Trade (AIT), Trade, Investment and Labour Mobility Agreement (TILMA) and the New West Partnership Trade Agreement (NWPTA). ASTTBC is committed to ensure full portability of credentials and has stated it will work diligently with the other associations to ensure seamless regulation.

Instruments which support and assist the associations achieve portability include:

- National Technology Benchmark (NTB), adopted by all associations
- International Qualification Databank, a list of the assessment of other country education
- Technology Registrations Canada (TRC), a new database under development to take registrations into electronic mode
- TRC is a resource for Internationally Trained Professionals (ITP) to self-assess and then apply for formal assessment by one of the professional associations
- Canadian Technology Accreditation Board (CTAB) as the national vehicle for assessing technology education at educational providers
- Provincial Accreditation Board terms of reference are being reviewed with a view on alignment
- Council of Registrars meets regularly to share information, recommend policy and process changes and generally learn from each other

The one area warranting further attention is the application and administrative processes where there remains some difference between the professional associations. ASTTBC took a step forward in this by signing an agreement with ASET which indicates the two associations will align professional regulatory policies and processes.

Background on AIT and TILMA (Excerpts from the Annual Report of the Public Representatives of 2009)

> ñEffective April 1, 2009, and consistent with the terms of the Agreement on Internal Trade (AIT) and the BC/AB Trade, Investment and Labour Mobility Agreement (TILMA), ASTTBC must certify and register applicants who are currently certified/registered/licensed in another jurisdiction in Canada, in accordance with the provisions of these Agreements.

ñTILMA and Chapter 7 of AIT sets out rules by which all Canadian jurisdictions are to treat individuals in a regulated occupation who may wish to transfer to another province. Unless the standards are so different as to present a risk to the public interest (for which ólegitimate objectivesô are allowed) the transfers are to happen in a timely manner with little effort and without a reassessment of credentials. The only requirement may be a non-material jurisprudence examination to demonstrate knowledge as to the jurisdictionôs legislation and Associationôs ethics. Note: the provincially regulated occupations that affect ASTTBC are certification/registration/licensing for AScT, CTech, ROWP, CHI(P) and CHI. PTech will be included in the list once implemented.

ñGovernment indicated to ASTTBC that formal approval by Certification Boards for handling transfers under AIT/TILMA is unacceptable and non-compliant with AIT/TILMA rules, due to potential extensive time delays (Boards typically only meet once every 2 to 3 months). Government requires that the Registrar or other person designated by ASTTBC be the approving officer for such transfers, since no reassessment of the applicantôs credentials under AIT/TILMA is permitted in any event. Therefore, in 2009, Council approved changes to the Board of Examiners Policy to enable the Registrar to be the approving officer for such transfers. The BC Government subsequently indicated that ASTTBC is totally compliant with the terms and conditions of both AIT and TILMA.

"UPDATE in 2010: Early in March, 2010 the BC Government passed BILL 9, the Labour Mobility Act. This Bill allows certified workers from other jurisdictions to practice their occupations in British Columbia in accordance with Chapter Seven of the Agreement on Internal Trade, and, in particular, provides that British Columbia regulators must consider and apply Chapter Seven when workers who are certified for an occupation in a signatory jurisdiction apply to obtain British Columbia certification for that occupation. It allows the Supreme Court to consider whether Chapter Seven has been correctly applied and to make directions where that has not been the case. Information on the Bill can be found at:
http://www.leg.bc.ca/38th5th/1st_read/gov09-1.htm

"Commendation: ASTTBC continues to provide leadership in assuring portability of credentials both within Canada and between other countries and Canada.

"Recommendation: ASTTBC should continue to evolve the ASTTBC certification and professional regulatory framework, policies and procedures to align as much as possible with Alberta and other technology professional associations."

Commendation: ASTTBC is providing leadership in assuring portability of professional certification.

Recommendation: ASTTBC should align to the extent possible with Alberta and Saskatchewan in keeping with the New West Partnership Trade Agreement.

Umbrella Legislation : Health Professionals Point the Way

We believe there is merit in drawing attention to a couple of forms of óumbrella legislationô governing and regulating other professionalsô practice.

The BC Health Professions Act is a single statute governing all health care practitioners. Under this model the one statute provides the foundational elements of professional regulation which are for the most part common, and the through Regulation pursuant to the statute outline the specific applications to each professional body.

Practice rights and limitations are an integral part of this regulatory model. The professions have managed through joint discussions and with the direct involvement of the BC Government, to provide areas of practice open to the various professionals. This is a dynamic process with regular adjustments. Other models which have been examined over the years:

- The BC Forest Professionals, including Registered Professional Foresters and Registered Forest Technologists, are governed under one statute.

- The Alberta Engineering and Geoscience Professions Act represents a much smaller umbrella with one act ï two associations including in the one association the engineers and geoscientists and in the second technologists and technicians. This recent example provides for joint boards to regulate the ôProfessional Technologistô.

- In Saskatchewan the statute governing technologists and technicians provides a definition of practice and the statute governing Professional Engineers provides an exemption for Technologists and Technicians.

- In Manitoba the statutes governing engineers and technologists/technicians provide a similar provision and add on a ójoint practice boardô to address and resolve gray areas of practice.

- In Quebec the government enacted a single statute governing all professions and occupations. This vehicle is the largest óumbrellaô in Canada.

We draw attention to these models because there is a concern that the current approach in BC with each professional body regulated through independent statutes is very fragmented, with little connectivity between the associations except where two or more associations voluntarily work together to address practice issues including overlapping practice.

Recommendation: ASTTBC should continue to learn from the Health Professions Act and this model for professional regulation.

The Public Representatives

Jim Blake, MBA, CA

An educational leader for much of his career, Jim is active in retirement as Chair of the Prince George Airport Authority, Member of the Council of Chairs of Canadian Airport Authorities, Treasurer and Director of The Exploration Place, Science Centre and Museum, and a Director of the British Columbia Aviation Council.

Jim retired in 2000 from the position of Vice President, Administration and Bursar with the College of New Caledonia after a 23 year career with the College. Prior to CNC Jim was employed with the Department of Regional Economic Development Expansion with the Federal Government in Ottawa and several private firms in Ottawa and Quebec.

In community services Jim has been a leader or affiliated with the Rotary, Institute of Public Administration of Canada, Chamber of Commerce and he served as Chair and Director of the local Economic Development Agency for 12 years.

John Murphy

A leader in technical standards development, regulatory and inspection services, safety testing and certification, John is currently the Engineering Manager, Western Canada for Underwriters Laboratories of Canada Inc (ULC) where he has responsibility for Conformity Assessment Services.

Prior to joining ULC John was Vice President, Engineering and Standards for the BC Safety Authority. From 2000 to 2004 John was with the BC Government as Director, Electrical and Elevating Devices Safety Branch and as Executive Director of Safety Engineering Services. In the late 1990s, John relocated to Ontario and held the position of Chief Electrical Inspector with the Technical Standards & Safety Authority and Standards Development Project Manager with the Canadian Standards Association. Since his migration to Canada from Scotland in 1977 John has immersed himself in various technical and senior public safety management positions within the provinces of British Columbia and Ontario.

John has an extensive technical background with credentials as an Elevator Technician, Electrical Technician, and leadership development. He is a member of a number of technical organizations including the Canadian Manufacturerôs and Exporterôs Association, American Society of Mechanical Engineers and the CSA National Codes and Standards Steering Committee.

APPENDIX to Report of the Public Representatives 2010

Public Representation on ASTTBC Council - History

As a professional regulatory body it is appropriate and customary for the ASTTBC Council, the governing board, to have representation from the community. Public Representatives provide a professional regulatory body with input on decision-making and ensure a third party oversight over the work of a self-governing body such as ASTTBC.

It is usual that the public representatives are required under the governing statute and appointed by the Minister Responsible; however when the *ASTT Act* was enacted it was decided that public representation would be appointed by Council to serve on the Practice Review Board (PRB) as this is the body which has responsibility for the professional standards relating to member registration and practice including member accountabilities. As ASTTBC Council considered the role of the public in the governance of ASTTBC, the Council concluded it would be appropriate to include public representation.

ASTTBC Council has asked Government to amend the *ASTT Act* to include public representation on Council. Acknowledging that changes to the *ASTT Act* would most likely take some time, the Council decided to move ahead and appoint representatives, an option that is possible within the current statute which does not restrict Council only to members of the association. To formally allow for and define the appointment of public representatives, in 2005 Council amended, and members subsequently confirmed, changes to the *ASTT Regulations.* Two Public Representatives were formally nominated by the ASTTBC Nominating Committee and appointed to ASTTBC Council in May 2007. In 2009 the Nominating Committee and ASTTBC Council both indicated an interest in increasing the number of Public Representatives to three to bring the proportion in line with other self-regulating professions. Council amended the ASTT Regulations in 2010 to provide for a third public representative. If the members affirm the change to the *ASTT Regulation* this third person will join Council in May 2011.

Role of Public Representatives

Leading up to, and immediately following, the appointment of the first Public Representatives, ASTTBC initiated a search for information governing the roles of Public Representatives serving in other professional associations. The goal was to find information that would best enable the Public Representatives to contribute as members of the Council, report to Government and ASTTBC members, and serve the public interest. We found a dearth of information and as a result created our own model and best practices.

The following framework was developed to guide the Public Representatives on ASTTBC Council:

- provide a tangible link between the expectations of the public, society and provincial government and a professional regulatory body
- serve as an independent voice
- contribute opinions and recommendations to Council governance and decision-making related to issues of public interest
- monitor the governance of the association with a view to ensuring the association serves the public interest
- focus in areas affecting public health & safety and a sustainable environment
- assure a high level of public trust in the associationôs professional standards, certification, and the accountability and compliance of the members of the association as they provide quality and value-added services to the public

- assist with continuous improvement initiatives that promote the legislated óObjectsô and Councilôs Vision, Mission and Goals
- refrain from engaging in ASTTBC Council decisions related to business operations

Public Representatives are expected to:

- represent the interests of the ógeneral publicô by raising issues related to decisions being prepared for implementation by Council that have the potential to impact the general public
- solicit appropriate stakeholders to assure adequate consultation and guidance to inform opinions and recommendations to Council
- at appropriate intervals, provide the Public Representatives report to the Provincial Government (Minister Responsible), the general public and ASTTBC members.

In these early days of Public Representatives serving on ASTTBC Council, we are developing and evolving appropriate practices as we establish a new foundation that best represents the public interest and augments the high standards of ASTTBC. Through diligent engagement within Council, we continuously seek comments and suggestions from recognized resources that will enhance our role and mandate.

1. Legislative Foundation: ASTT Act and Regulations

While the foundational purposes of ASTTBC did not change substantially with the 1985 enactment, the *ASTT Act* provided a level of public accountability usual for self-governing professional organizations, as is evidenced by the following excerpt from the Applied Science Technologists and Technicians Act ñobjectsò:

(a) to maintain, improve and increase the knowledge, ability and competence of the members of the association;
(b) to regulate standards of training and practice of and for its members and to protect the interests of the public;
(c) to establish, maintain and develop standards of ethics among its members;
(d) to do all lawful things that are incidental or conducive to the accomplishment of these objects.

In the ensuing 24 years under the *ASTT Act* the Association has evolved into a mature and well-respected professional association. ASTTBC is an association committed to protecting the public interest through high standards of professional regulation.

Endorsements from similar provincial and national associations confirm that ASTTBC is an acknowledged leader in professional regulation and that it has proactively implemented initiatives that demonstrate its commitment and accountability to serve the public interest.

While the Council is performing ably within the framework of the *ASTT Act*, it is of concern to ASTTBC Council that the *ASTT Act* is somewhat lacking in its ability as professional legislation to effect continuous improvements. The *ASTT Act* is limited in its powers, and, until the Provincial Government enacts much needed changes, the only interim, but limited option available to ASTTBC to drive change, is to utilize the *ASTT Regulations* wherever possible.

2. ASTTBC Bylaws and Policies

The ASTTBC Council has approved Bylaws and Policies that provide a contemporary model of policy governance. Council operates in an open and transparent manner, with its meetings open to the public.

While the current Bylaws and Policies are representative of self-governing professional associations we are aware that Council and the Executive Director strive to enhance these documents, in particular to ensure a consistent approach to the policy governance model under which Council operates.

3. Council Governance

ASTTBC Council operates under a complementary policy governance model. The meetings are run professionally and efficiently with clear policy recommendations and decisions relative to ASTTBCôs legislated mandate and the Councilôs Vision, Mission and Goals. At all times, the public Representatives are afforded the opportunity to fully engage and participate in providing contributions, opinions and recommendations to Council governance and decision-making relative to issues of public interest.

To enhance linkages with other professional associations ASTTBC and APEGBC share the agenda for their Council meetings. This collaborative practice, in place for many years, serves as a valuable way to provide constructive linkages between the professional associations and serve the public interest. ASTTBC and ABCFP exchanged information for several years but this has been discontinued. ASTTBC has sought similar approach with other related professions. The model warrants further expansion to others fields.

4. Council Work Plan, Budget, Organization and Staffing

The ASTTBC Council has approved the following statements of its Vision, Mission and eight (8) Goals to govern the association. These statements are the foundation and standards of reference utilized to empower Councilsô consistency and accountability when reviewing its decisions.

Vision
ASTTBC is the model association for technology professionals.

Mission:
To serve the public by regulating and supporting technology professionalsô commitment to a safe, healthy, and sustainable society and environment.

Goals:
1. Self governing professional legislation and regulation that protects the public interest.

2. Assured rights to practice and utilization of qualifications within the scope of the Technology Professionalsô education, training and experience.

3. Professional standards and regulation for certification, accreditation, ethics and accountability that reflect contemporary social expectations.

4. Consistent and universal recognition of Technology Professionals by employers, governments, other professionals and regulatory bodies.

5. Member services that enhance professional, career, business and personal interests.

6. Technology education and careers are valued and supported.

7. The association and its members are involved as key stakeholders and contributors to public policy in areas in which Technology Professionals have a demonstrated interest and expertise.

8. Sustained excellence in governance and management of the association.

ASTTBCôs Vision, Mission and Goals are specific in their commitment to consider the public interest of safety, health and sustainability through the highest standards of Council and membersô professional practice, qualifications and ethics.

ASTTBC operates with an annual budget of about $2.3 million, with most revenue derived from member annual dues and other fees. The association operates from an office building it purchased in Surrey BC in the mid 1990s. In 2005 ASTTBC paid off the mortgage. As required by the *ASTT Act and Regulations* the Association conducts and publishes an annual audit of the associationôs finances.

ASTTBC has a well-qualified and very dedicated staff of 18 FTE. There are two staff officers appointed by the Council: Executive Director and Registrar.

5. Boards and Committees

ASTTBC has established Boards and Committees that facilitate achieving its legislated mandate, for example, in setting and maintaining the standards for professional certification and registration, accreditation and practice review. The Board of Examiners and Certification Boards for technical specialist programs provide an invaluable contribution as ASTTBC meets its legislated responsibilities to protect the public interest. The Council and the Executive Director establish committees as needed to carry out its operations. Examples of special groups set up to address public policy matters: BC Women in Technology, First Nations Careers Council, TechGREEN, and Technology Education and Careers Council. Two óInstitutesô are active within ASTTBC and serving members interests: BC Institute of Property Inspectors and Steel Detailers Institute of BC.

6. Professional Certification, Registration and Regulation

ASTTBCôs primary role is the professional regulation of technologists, technicians and technical specialists. ASTTBC has in place policies governing the certification and registration of technicians and technologists in sixteen (16) disciplines and technical specialists in eight (8) disciplines. From all accounts ASTTBC has high standards for certification, largely based on an assessment of competencies.

ASTTBC has taken a lead role in working with the Association of Science and Engineering Technology Professionals of Alberta (ASET) and the BC Government to meet the full requirements of the Alberta ï BC Trade, Investment and Labour Mobility Agreement (TILMA). Building on a national portability agreement reached over a decade ago with all other associations regulating technologists and technicians, ASTTBC and ASET have made the minor but necessary adjustments to policy and processes to meet TILMA. The two associations have signed a mutual agreement to commit to the principles of TILMA.

On the national scene ASTTBC worked with other technologist and technician associations to ensure full portability of credentials Canada-wide, all part of the re-invigorated Agreement on Internal Trade (AIT), Trade Investment and Labour Mobility Agreement (TILMA) and New West Partnership Trade Agreement (NWPTA).

7. Professional Regulation Benchmarks

ASTTBC has a strong foundation for professional regulation. Modeled after other ósenioròprofessional associations, ASTTBC utilizes the *ASTT Regulations* and its Policies in governing the many elements of professional regulation. ASTTBC has implemented a Code of Ethics, Professionalism in Practice Program and Ethics and Practice Examination which must be completed by all applicants.

Errors and Omissions insurance is available to members through a program arranged by the association.

In 2008 ASTTBC introduced a web-based tool members can use to record and track their continuing professional development (CPD). This resource is a first step in moving toward formal reporting of CPD activities. With the exception of house and property inspectors, it is voluntary for members to report their CPD using the web-based software.

ASTTBC regularly reports in a general way on all complaints, outlining the reason for the complaint and decision rendered. Where the public will be best served, the report includes full details of the circumstances. Consideration is always given when reporting to the needs of the public and the interests of the practitioner. ASTTBCôs obligation to serve the public interest will always weigh heaviest when deciding what to report. It has been suggested by at least one external party that ASTTBC does not report sufficient information. For this reason ASTTBC is examining its Regulations, policies and procedures to ascertain as to whether changes are needed to better serve the public interest. There is no hesitation in commending ASTTBC for its effectiveness and commitment to serving the public interest as it pertains to formal complaints against members.

8. Professional Accountability: Complaints and their Disposition

A primary function of a professional regulatory body such as ASTTBC is to protect the public interest. In addition to assuring high standards of professional registration ASTTBC also has in place a regulated process for assuring professional accountability, including receiving and managing public complaints against members. The *ASTT Regulations* spell out in great detail the process that will be followed by the Association in handling a formal public complaint. The *ASTTBC Regulations* governing complaints has been adapted over the years to achieve best practices and meet the current circumstances and legal precedence.

9. Association Programs : Public Policy

ASTTBC is actively engaged in various public policy initiatives where they are directly linked to ASTTBCôs role as a self-governing professional association for technology professionals. These programs generally fit into three areas: (a) promoting technology education and careers; (b) ensuring BC has a highly qualified and fully sustainable technology workforce; and (c) public matters in which technology professionals play a critical role. A few examples of each:

a) promoting technology education and careers:
   - ASTTBC awards program
   - ASTTBC awards through regional science and technology councils
   - Big Little Science Centre (Kamloops)
   - career and trade fairs
   - National Engineering & Geoscience Month
   - National Technology Week
   - Support for the Bert Edwards Science & Technology Elementary School (Kamloops)
   - Support for career programs: catapult, spaghetti bridge, and robotics competitions; Skills Canada (BC); Girls Exploring Trades and Technology;
   - Tech WORKS! awareness program

b) technology workforce:
   - Agreement on Internal Trade and TILMA ï ASTTBC taking a lead role
   - AIT ï ASTTBC taking a lead role
   - BC Women in Technology (BCWiT)
   - First Nations Careers Council (FNCC)
   - NWPTA ï ASTTBC engaged and taking a lead role
   - Roundtables on Technology Skills Shortages
   - Technology Education and Careers Council (TECC)

c) technology professionals play a critical role:
   - Building Code and Standards ï BC and national
   - environmental standards and regulation
   - Pacific Northwest Economic Region (PNWER) ï ASTTBC is a sponsor
   - safety standards and regulation
   - Sustainability ï ASTTBC created the TechGREEN program
   - Technology Professionals Canada

ASTTBC has acquitted itself very well in this general area and is recognized as a leader within the associations of technology professionals nationally.

10. Association Programs : Member Services & Benefits

ASTTBC has an array of member services and benefits, many of which are directed to membersô professional growth and development and careers. Examples include:

- ASTT e-NEWS monthly for current information
- ASTT News ï bi-annual
- Compensation survey
- Continuing Professional Development ï facilitate seminars and workshops
- CTEN ï Canadian Technical Employment Network in cooperation with sister associations
- Errors & omissions insurance
- Member benefits such as health and dental insurance and other similar programs
- www.asttbc.org