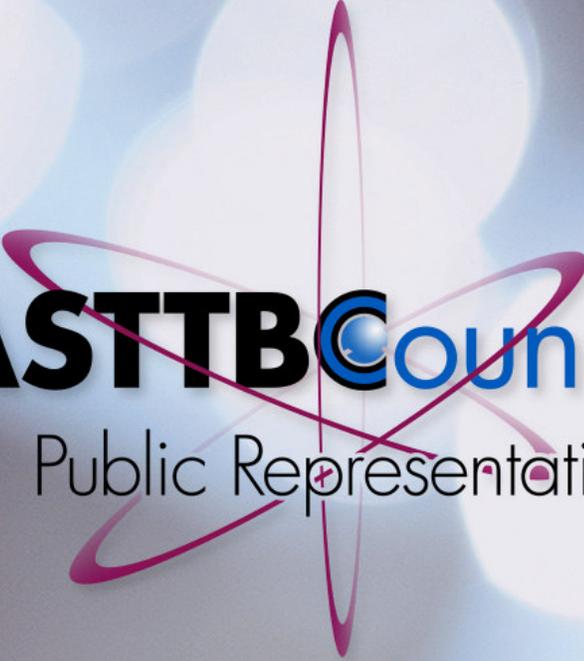


Applied Science
Technologists & Technicians
of British Columbia



ASTTB Council

Public Representatives

Annual Report of the Public Representatives

Council of the Applied Science Technologists and Technicians of BC (ASTTBC)

**Jim Blake, CA
John Murphy**

May 2007 to December 2008

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)*.

In 1985 ASTTBC became the third province in Canada to enact stand-alone legislation governing technologists and technicians. Today there are seven (7) provincial governments that have enacted similar legislation. Prince Edward Island and Newfoundland and Labrador have not enacted comparable legislation to date. In the spring of 2008 the Alberta Government amended the Alberta Engineers, Geologists and Geophysicists Act to incorporate the Association of Science and Engineering Technology Professionals of Alberta (ASET), create the ‘Professional Technologist’ (PTech) title and practice rights and generally recognize and include technologists and technicians as a separate self-governing professional association. It is anticipated the Alberta Government will proclaim this statute in the summer of 2009.

As at the end of 2008 ASTTBC registrations stand at 9,586 technologists, technicians and technical specialists. ASTTBC operates with a Budget of \$2.4 million. ASTTBC’s head office is located in Surrey, British Columbia. ASTTBC is referenced in the Business in Vancouver 2009 list of professional associations as the 8th largest in British Columbia by membership size. During 2008 and 2009 ASTTBC celebrated its first 50 years.

This inaugural Annual Public Representatives Report will be presented during the 50th ASTTBC Annual General Meeting on May 22, 2009 and forwarded to the BC Minister Responsible for the *ASTT Act*, Members of the Legislature and other interested stakeholders. The Report will be posted to ASTTBC’s web site for easy access by the public. A summary of the Report will be included in ASTT e-NEWS and ASTT NEWS.

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 representation on the governing board.

ASTTBC Council had previously 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 in that the statute does not restrict Council members to members of the association. There is an option for others to be appointed. 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 by ASTTBC Council in May 2007.

Role of Public Representatives

As we assumed our new roles as Public Representatives we looked to other similar associations' models for reference information that would best enable us to contribute as members of the Council and 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 our role as 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 association's 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 'Objects' and Council's Vision, Mission and Goals
- refrain from engaging in ASTTBC Council decisions related to business operations

As we approached our task we concluded that we are expected to:

- represent the interests of the 'general public' 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.

As the initial Public Representatives serving terms on ASTTBC Council we acknowledge that 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.

PURPOSE AND SCOPE OF REPORT

Both Public Representatives agree that the Annual Report of the Public Representatives will be developed jointly by both Public Representatives serving on Council. Where the Public Representatives are not in accord with statements in the Report then the variance will be noted. The Report will be developed with input from ASTTBC staff, members of Boards and Committees, Council and ASTTBC members. The Report will be an independent statement, ie. it will not be presented for the approval by ASTTBC staff or Council.

We agree that the Report will be published in a ‘business-like’ format, with an ‘engaging’ style so as to resonate with readers, notably the general public and ASTTBC members. The Report will be structured to provide public interest related commentary on the following:

- *ASTT Act and Regulations*
- ASTTBC Council Bylaws and policies
- Council governance and decisions
- Council boards and committees; their roles and decisions
- Professional registration / regulation policies and procedures and their application
- Professional regulation benchmarks, trends, improvements, interprovincial and national comparisons
- Professional accountability: public complaints received and their disposition
- ASTTBC programs and services including programs addressing public policy
- Public Representatives’ commendations and recommendations which focus on key issues or areas which merit attention / consideration.

The Report will cover the most recent calendar year, to coincide with all other ASTTBC annual reports to members, including the auditors’ report. For this inaugural Report we are including fiscal / calendar year 2008 and the partial year from June 2007 to December 2008. All subsequent Annual Public Representatives Reports will cover the period from January 1 to December 31.

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 “objects”:

- (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 23 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. We have received endorsements from similar provincial and national associations that confirm ASTTBC is an acknowledged leader in professional regulation and that it has proactively implemented initiatives, including appointing Public Representatives to Council, 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 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 endorses a significant review that will allow the introduction of much needed changes, the only interim, but limited option available to ASTTBC to drive change is to utilize the *ASTT Regulations* wherever possible.

Commendation: ASTTBC has built a solid reputation as an association dedicated to serving the public interest. We commend ASTTBC for their work and encourage continued leadership in further developing and strengthening legislation and regulations that are effective and foster the public interest, particularly where there may be public confusion associated with various professional services and their respective scope of practice.

The *ASTT Act* is now 23 years old and requires a general overhaul to address issues identified by the ASTTBC Council and to provide a more contemporary legislative foundation. With the absence of a definition of the scope of practice in the *ASTT Act*, the *ASTT Regulations* included a definition when first enacted in 1985. The *ASTT Regulations* have been amended in the area of scope of practice and other areas to fully enable ASTTBC in carrying out its responsibilities under the *ASTT Act*.

Recommendation: The ASTT Act be amended to provide a contemporary model enabling the association and its members to fully and effectively serve the public interest and provide services within their competencies.

As with all other associations of technologists and technicians in Canada, ASTTBC has struggled to fully enable its members due to the lack of clarity on scope of practice. This challenge exists in engineering technology as there is overlap with the restrictive practice of ‘professional engineering’.

Recommendation: The Government enact changes to professional legislation that provides clarity on the practice of ASTTBC registered technology professionals.

The ability of ASTTBC members who are registered in the field of architectural / building technology to fully practice and provide the public with appropriate options of professional services is significantly constrained as a result of outdated and conflicting restrictions contained in the Architects Act.

Recommendation: The Architects Act be amended to include an exemption for ASTTBC-registered technologists and technicians that better serves the public interest. It is noteworthy that similar exemptions in the Architects Act in Saskatchewan are currently in effect and serve the public, as well as both professional associations and their respective members, equally and effectively.

There are ‘grey’ areas of scope of practice between ASTTBC members and Professional Engineers. There is an urgent need for an effective legislated process to address scope of practice overlaps, as well as a need for both ASTTBC and the Association of Professional Engineers and Geoscientists of BC to implement and endorse a commitment to resolve this long-standing issue within a mutually agreed timeline.

Recommendation: The Government enact changes to the ASTT Act and the Engineers and Geoscientists Act to incorporate a joint board with responsibility to deal with practice issues. It is noteworthy that similar changes to the two statutes in the province of Manitoba have already been successfully implemented. We have been informed that both professional associations and their respective members are satisfied with this effective legislative change.

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. Dates of Council meetings are not currently posted to the ASTTBC web site and this should be considered.

While the current Bylaws and Policies are representative of self-governing professional associations we are aware that Council and the Executive Director have identified some areas where ASTTBC could 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 ASTTBC's legislated mandate and the Council's Vision, Mission and Goals. At all times, we as 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. We have been advised that this collaborative practice has been in place for many years. We see this as a valuable way to provide constructive linkages between the professional associations and serve the public interest.

Commendation: ASTTBC demonstrates 'best practices' in its governance and provides all Council members with orientation sessions, support materials and guidelines, professional governance publications and ongoing coaching and mentoring to assure effective governance.

4. Council Work Plan, Budget, Organization and Staffing

The ASTTBC Council has approved the following statements of its Vision, Mission and its eight (8) Goals to govern and drive forward the direction of the association. These statements are the foundation and standards of reference utilized to empower Councils' 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 professionals' 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 Professionals' 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.

ASTTBC's 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 members' professional practice, qualifications and ethics.

ASTTBC operates with an annual budget of \$2,400,000, with most revenue derived from member annual dues and other fees. The association purchased its own building in Surrey BC in the mid 1990s and in 2005 paid off the mortgage. ASTTBC is the only association of technologists and technicians in Canada to own its office building. As required by the *ASTT Act and Regulations* the Association provides members with an annual audit of the association's finances.

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

Commendation: ASTTBC is operating in a contemporary business model. The association has attracted and engaged a strong base of leaders and volunteers. The staff is very dedicated and highly professional. The association owns its building and has a charitable foundation which has provided over \$600,000 in scholarships, bursaries and technology awareness programs in BC since inception and currently has a capital fund of over \$300,000. Professional governance and the astute fiscal management of ASTTBC is one more example of its ability to gain the trust, respect and confidence of the public and increase its credibility in all communities throughout British Columbia.

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 include groups focusing on technology education and careers, First Nations, women in technology, and sustainability.

Commendation: ASTTBC leads by example, with its many Boards and Committees focused on ASTTBC's legislated mandate, vision, mission and goals.

6. Professional Registration and Regulation

Warranting special mention is ASTTBC's primary role in the certification and registration of technologists, technicians and technical specialists. ASTTBC has in place policies governing the certification of technicians and technologists in sixteen (16) disciplines and technical specialists in nine (9) 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 – BC Trade, Investment and Labour Mobility Agreement (TILMA). Building on a national portability agreement reached a decade ago through membership in the Canadian Council of Technicians and Technologists, ASTTBC and ASET have made the minor but necessary adjustments to policy and processes to meet TILMA. The two associations signed a mutual agreement to further 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).

In 2008 ASTTBC introduced an interview process as a tool to assist the certification boards in the assessment of an applicant's qualifications. This added resource will help make an assessment, especially where an applicant has acquired his or her competencies based upon experiential learning.

One additional noteworthy initiative is the development of a Peer Assessment Program as a further resource in the review of applicants and current practitioners to assure full competency in their field of practice.

Commendation: ASTTBC has a high standard and demonstrates 'best practices' in many areas of professional registration and regulation.

7. Professional Regulation Benchmarks

ASTTBC has a strong foundation for professional regulation. Modeled after other 'senior' professional 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. At present it is voluntary for members to report their CPD using the web-based software.

Commendation: ASTTBC establishes its own best practices to serve its mandate. Additionally, ASTTBC diligently identifies other suitable sources of best practices and will adopt those that augment or supersede existing models. ASTTBC has an overarching best practice of encouraging Council to “raise the bar” and “take the high ground” when faced with challenging issues. This style of leadership is a benchmark worthy of being emulated.

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.

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. ASTTBC’s 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.

Commendation: ASTTBC is recognized among its peer organizations in Canada as an innovative leader. By enabling a complaint resolution model that proactively captures and effectively and fairly resolves public complaints, ASTTBC serves the public interest very well.

Recommendation: That ASTTBC examine the ASTT Regulations, policies and processes as it pertains to reporting on public complaints against members and make changes to reports on complaints and their disposition as needed to effectively and continuously improve its commitment to serve the public interest.

9. Association Programs : Public Policy and Member Services

ASTTBC is actively engaged in various public policy initiatives where they are directly linked to ASTTBC’s 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 through regional science and technology councils
 - Support for career programs: catapult, spaghetti bridge, and robotics competitions; Skills Canada (BC); Girls Exploring Trades and Technology;
 - Tech WORKS! awareness program
 - career and trade fairs
 - National Technology Week

- b) technology workforce:
- Technology Education and Careers Council
 - First Nations Careers Council
 - Women in Technology Program
 - Roundtables on Technology Skills Shortages (Campbell River, Kelowna, Prince George & Vancouver
 - Building Careers in Technology Conference
 - Agreement on Internal Trade and TILMA – ASTTBC taking a lead role
- c) technology professionals play a critical role:
- Sustainability – ASTTBC created the TechGREEN program
 - Building Code and Standards – BC and national
 - environmental standards and regulation
 - safety standards and regulation
 - Pacific Northwest Economic Region (PNWER) – ASTTBC is a sponsor

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

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

- errors & omissions insurance
- information on seminars and workshops
- e-News monthly for current information
- CTEN – Canadian Technical Employment Network in cooperation with sister associations
- ASTT News
- compensation survey
- member benefits such as health and dental insurance and other similar programs
- www.asttbc.org

Commendation: Keep up the good work in leading and managing public policy initiatives and providing top-in-class member benefits. Continue to enhance ASTTBC's longstanding participation and communication with members and the public that recognizes and supports technical education, sustainability and safety standards, mobility of qualified and competent professionals that promote a strong economy in British Columbia.

The Public Representatives

Jim Blake, 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 and Past Chair of Initiatives Prince George, the local Economic Development Agency. Many other volunteer activities have occupied his time since retiring in 2000.

Jim retired 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 many other service groups. Jim and Joanne Niwranski make their home in Prince George.

John Murphy

A leader in technical standards development, regulatory and inspection services, safety testing and certification, John is currently the Manager, Western Canada for Underwriters' Laboratories of Canada (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 senior positions with the Technical Standards & Safety Authority and 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 Manufacturer's and Exporter's Association, American Society of Mechanical Engineers and the CSA National Codes and Standards Steering Committee. He and Sandra make their home in Richmond.