



2019 AGM MOTION

Purpose	To provide registrants with an update on the disposition of the 2019 AGM motion on establishing a separate advocacy body.
2019 Motion	<i>That Council consider reviewing and presenting to members on the pros and cons of establishing a sister body of members to focus on member advocacy* to allow EGBC to focus on regulatory responsibilities.</i> <i>*similar to Ontario where the Ontario Society of Professional Engineers was established</i>

BACKGROUND / ADVOCACY PROGRAM REVIEW

The *Professional Governance Act* (PGA) introduces restrictions on certain advocacy activities for regulatory bodies. Section 22(3) of the PGA stipulates that “A regulatory body may only act in an advocacy role in accordance with this Act and in accordance with rules, conditions or limits prescribed by the Lieutenant Governor in Council (Cabinet).”

At the time of the 2019 Annual General Meeting (AGM) it was broadly understood that a prohibition on certain activities was forthcoming, but there was no clarity yet provided by the Office of the Superintendent of Professional Governance (OSPG) on which activities would need to cease or change.

Following the introduction and passage of the PGA, staff worked with the OSPG to understand their intent and to provide more information on existing programs and the key role many of these programs can play in organization sustainability. Following those discussions, rather than introducing regulations to prescribe permitted advocacy activities, the OSPG released a framework, containing further guidance and direction for regulatory bodies.

That framework requires regulatory bodies to focus on activities that are regulatory in nature and avoid activities that are better delivered by a member association and could therefore raise a real or perceived conflict of interest. Moreover, the framework stipulates that just because an activity is in the public interest does not mean that it can be delivered by a regulatory body – there must be a clear connection to the regulatory body’s legislative mandate under the PGA.

However, as a result of discussions between organization staff and the OSPG, the framework does provide for certain exceptions, allowing activities that support organizational sustainability to continue. This includes activities that provide net revenue that supports the organization and activities that encourage volunteerism.

The framework required that Council review each program with the following questions in mind:

- **Who is the primary beneficiary?**
- **Is it in the public interest?**
- **Is it a role for registrants, a member association, or others?**
- **Does it promote professional standards?**
- **Does it create a conflict of interest?**
- **Does it contribute to the financial viability of the organization?**
- **Does it encourage volunteerism?**

With that guidance received, Council was able to review all existing programs to determine which must stop and which should change in order that they may continue. That review determined that the vast majority of programs could continue without significant change. These include Branches, Equity, Diversity and Inclusion (EDI) initiatives, Annual Conference, Professional Development Offerings, and the Foundation.

In addition, the review concluded that some programs could continue provided they were modified to better align with the regulatory mandate specified in the PGA. In particular, the organization's efforts to promote the professions of Engineering and Geoscience could continue, however, the mandate would be adjusted to focus on supporting EDI and promoting careers in the professions to girls and other under-represented groups. In addition, the organization's Mentoring Program could continue, but would be re-oriented to supporting the registration of applicants and trainees, supporting the path to licensure. Finally, the Awards Program may continue, but the focus of recognition would shift to:

- Recognize technical and professional accomplishments of registrants that contribute to public safety and volunteer service to Engineers and Geoscientists BC.
- Raise awareness of the impact of the work engineers and geoscientists do towards enhancing public safety and environmental protection.
- Highlight equity, diversity, and inclusion efforts that are advancing and strengthening the professions in BC.
- Through award recognition, support and foster a culture of volunteerism which allows us to deliver on our regulatory mandate.

Finally, the review concluded that some programs – those that are focused on the career or economic interests of registrants– would need to be discontinued. These include:

- The Discrete Scope Directory - provides an opportunity for registrants to promote their professional services.
- The Job Board – provides an opportunity for registrants to advertise their availability for employment.
- The Benevolent Fund Society – provides financial support to registrants experiencing short-term cash flow difficulties. While it has provided financial support to professionals in financial need since its inception with the Great Depression, it does not support the organization's regulatory mandate and therefore must be discontinued.

SEPARATE ADVOCACY BODY

With the status of non-regulatory programs confirmed, Council was in a position to consider the question of a separate advocacy body. In considering this question, Council felt it was essential to focus on the question of what is best for Engineers and Geoscientists BC. Approaching the question from this perspective surfaced three key considerations:

- 1. Change management:** The implementation of the PGA has and will introduce major changes to the way the professions are regulated. The organization and its registrants will require focus and diligence to ensure this change is managed effectively and that the inevitable 'bumps in the road' are dealt with quickly and properly. ***The organization should not take on more change than it, or its registrants, have the capacity to absorb at one time.***
- 2. Volunteerism:** Engineers and Geoscientists BC relies on volunteers to carry out many of its regulatory functions as well as its self-governance. Many registrants volunteer with the organization because they wish to 'give back to the professions.' A move to a strictly regulatory body presents a risk that we may see a drop in volunteers which will reduce the organization's ability to function. ***The outcome cannot materially negatively impact volunteerism in the organization.***
- 3. Operational capabilities:** The organization's resources are already severely taxed in implementing the PGA. In addition, the organization is about to enter a period of transition with changes to the senior executive team. More organizational restructuring may exceed the capacity of staff to execute all of the demands placed upon them. ***The outcome cannot increase the load on the organization's operational capabilities beyond its capacity.***

With these considerations in mind and given the relatively small impact to the programs currently offered, and the fact that programs like Branches, Career Awareness and Affinity may continue, Council determined that further considering, and potentially establishing, a separate advocacy body at this time was not in the organization's interests.

Council directed that staff monitor and assess the adjustment of registrants and the organization to the PGA, and report back to Council (no earlier than fall 2022) with an assessment of whether the question of a separate advocacy body should be revisited.