

2018/2019 COUNCIL ELECTION
AND BYLAW VOTE

2018 BYLAW AMENDMENTS BACKGROUND

PUBLISHED SEPTEMBER 4, 2018



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

**NON- PRACTISING, LIFE MEMBERSHIP, HONORARY LIFE MEMBERSHIP
AND HONORARY MEMBERSHIP**

2018 BYLAW AMENDMENTS BACKGROUND

GENERAL BYLAW INFORMATION

Members are being asked to ratify the following bylaws pertaining to non-practising members, life members, honorary life members and honorary members.

Bylaw Package 1:

- Bylaw 10 (c): Non-Practising Member
- Bylaw 10 (c.1): Life Membership or Licensure

Bylaw Package 2:

- Bylaw 10 (c.2): Honorary Life Membership or Licensure
- Bylaw 10 (d): Honorary Membership

The changes aim to:

- Provide more accurate information to the public;
- Provide members with flexibility to manage their status during career transitions;
- Modernize the governance structure of the professions; and
- Enhance the way we deliver on our regulatory responsibilities by clarifying the professional obligations of those without practice rights.

Members will vote on the four bylaws as two separate pairs, as each of the bylaws within each pair is connected to the other.

THE BYLAW AMENDMENT PROCESS

Engineers and Geoscientists BC's bylaws govern the association and its members in performing their duties. From time to time, bylaws are amended or introduced to enact policy or procedure enhancements, and to enable the association to perform its regulatory duties more effectively.

Council proposed the bylaws listed above for amendment which launched the process for member and stakeholder consultation. This process was guided by Council's Policy on Bylaw Consultation. Council reviewed the feedback collected and had the opportunity to make additional changes based on this feedback, prior to finalizing the bylaws for member ratification. All association bylaws require at least 2/3 (66.67%) support by voting members in order to pass.

Government, via the Lieutenant Governor in Council, has the ability to disallow bylaws.

FOR MORE INFORMATION

For more information on the consultation process, proposed amendments and to view additional resources, please visit egbc.ca/Life-Member-Bylaw-Consultation.

BYLAW 10 (C): NON-PRACTISING MEMBER

This bylaw outlines the rights and responsibilities of members and limited licensees who elect to move to “non-practising” status if they are no longer practising engineering or geoscience, but wish to maintain their status as a member or limited licensee of the association.

Council has recommended changes to this bylaw to better meet public expectations: the qualifiers of (Non-Practising) or (Retired) provide clarity as to whether a member or limited licensee is permitted to practice engineering or geoscience. The change aligns with the practices of several other professions that utilize qualified titles for those who are no longer practising the profession. As with other professions, the proposal includes a reduced membership fee for those who elect non-practising status.

PROPOSED AMENDMENTS

The proposed amendments to Bylaw 10 (c) will:

- Introduce a requirement for non-practising members or limited licensees to use one of two qualifiers [i.e., (Non-Practising) or (Retired)], and to abide by return-to-practice requirements. The non-practising fee will be reduced to 50% of membership dues should the bylaw be ratified;
- Introduce an annual commitment to Council not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing; and
- Apply to professional engineers, professional geoscientists and limited licensees.

FOR MORE INFORMATION

For more detailed information on what it means to have non-practising status please view the Guideline and FAQ for Non-Practising Status available on our website at: egbc.ca/2018-2019-Bylaw-Amendment-Vote.

CURRENT BYLAW 10 (C)	SUMMARY OF CHANGES				
<p>Non-Practising Member</p> <p>10 (c) Council may grant non-practising membership to a member who is in good standing and who commits in writing to Council not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing.</p> <p>Members granted non-practising status shall retain voting privileges. Non-practising members who apply for practising status shall be required to pay the applicable fees set by Council and to demonstrate compliance with the current requirements in the Act and bylaws for registration as a member.</p>	<ul style="list-style-type: none"> • Introduce a requirement for Non-Practising members to use one of two qualifiers [i.e., (Non-Practising) or (Retired)], and to abide by return-to-practice requirements. The non-practising fee will be reduced to 50% of membership dues should the bylaw be ratified; • Confirm that the “certificates of registration” or the “certificates of licence” of members and licensees are revoked for the purposes of sections 20(6) to 20(8) of the Act that deal with permission to use full practising titles and the stamp or seal; • Introduce an annual commitment to Council not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing; and • The amendments apply to professional engineers, professional geoscientists and limited licensees. 				
PROPOSED BYLAW 10 (C) FOR RATIFICATION					
<p>Non-Practising Member</p> <p>10 (c) Council, in its discretion, may upon application, grant non-practising membership to a member or limited licensee who is in good standing.</p> <p>(c.3) Non-practising members and non-practising limited licensees retain voting privileges.</p> <p>(c.4) A certificate of registration of a non-practising member or a certificate of limited license of a non-practising limited licensee is deemed to be revoked for the purposes of sections 20(6) to 20(8) of the Act.</p> <p>(c.5) A non-practising member or non-practising limited licensee must use as applicable only the following professional designation(s):</p> <table border="0" data-bbox="256 1665 1409 1948"> <tr> <td data-bbox="256 1665 779 1806"> <p>Engineers</p> <ul style="list-style-type: none"> a. Professional Engineer (Non-Practising); b. P.Eng. (Non-Practising); c. Professional Engineer (Retired); or d. P.Eng. (Retired) </td> <td data-bbox="844 1665 1409 1806"> <p>Geoscientists</p> <ul style="list-style-type: none"> e. Professional Geoscientist (Non-Practising); f. P.Geo. (Non-Practising); g. Professional Geoscientist (Retired); or h. P.Geo. (Retired) </td> </tr> <tr> <td data-bbox="256 1837 779 1948"> <p>Limited Licensees</p> <ul style="list-style-type: none"> i. Limited Licensee (Non-Practising); j. Eng.L. (Non-Practising); k. Geo.L. (Non-Practising); </td> <td data-bbox="844 1837 1409 1948"> <ul style="list-style-type: none"> l. Limited Licensee (Retired); m. Eng.L. (Retired); or n. Geo.L. (Retired) </td> </tr> </table>		<p>Engineers</p> <ul style="list-style-type: none"> a. Professional Engineer (Non-Practising); b. P.Eng. (Non-Practising); c. Professional Engineer (Retired); or d. P.Eng. (Retired) 	<p>Geoscientists</p> <ul style="list-style-type: none"> e. Professional Geoscientist (Non-Practising); f. P.Geo. (Non-Practising); g. Professional Geoscientist (Retired); or h. P.Geo. (Retired) 	<p>Limited Licensees</p> <ul style="list-style-type: none"> i. Limited Licensee (Non-Practising); j. Eng.L. (Non-Practising); k. Geo.L. (Non-Practising); 	<ul style="list-style-type: none"> l. Limited Licensee (Retired); m. Eng.L. (Retired); or n. Geo.L. (Retired)
<p>Engineers</p> <ul style="list-style-type: none"> a. Professional Engineer (Non-Practising); b. P.Eng. (Non-Practising); c. Professional Engineer (Retired); or d. P.Eng. (Retired) 	<p>Geoscientists</p> <ul style="list-style-type: none"> e. Professional Geoscientist (Non-Practising); f. P.Geo. (Non-Practising); g. Professional Geoscientist (Retired); or h. P.Geo. (Retired) 				
<p>Limited Licensees</p> <ul style="list-style-type: none"> i. Limited Licensee (Non-Practising); j. Eng.L. (Non-Practising); k. Geo.L. (Non-Practising); 	<ul style="list-style-type: none"> l. Limited Licensee (Retired); m. Eng.L. (Retired); or n. Geo.L. (Retired) 				

- (c.6) Non-practising members and non-practising limited licensees must annually commit to Council not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing.
- (c.7) Non-practising members and non-practising limited licensees who apply for practising status must pay the applicable fees set by Council and demonstrate compliance with the current requirements in the Act and bylaws for registration as a member or limited licensee.

BYLAW 10 (C.1): LIFE MEMBERSHIP OR LICENSURE

This bylaw currently entitles members to apply for Life Membership if they are 70 years of age, have been practising for 35 years or more, have been a member of the association in good standing for 20 years or more, and are retired from all gainful employment. The qualification criteria in the current Life Member Bylaw must be repealed as the criteria likely contravene the BC Human Rights Code. At the Council meeting of June 16, 2017, Council decided to cease to exercise its discretion to grant Life Membership as it was faced with a then active complaint to the Human Rights Tribunal and did not want to perpetuate the probable contravention of law.

The amendments maintain the status and rights of members who received Life Membership prior to June 16, 2017, and maintain the practice rights of those who received Life Membership under a previous version of this bylaw (prior to 1998).

The amendments also align with the proposed changes to Bylaw 10 (c): Non-Practising Member to include a requirement to use a title with one of two qualifiers [i.e., (Non-Practising) or (Retired)], and to make an annual commitment to Council not to engage in the practice of professional engineering or professional geoscience.

PROPOSED AMENDMENTS

The proposed amendments to Bylaw 10 (c.1) will:

- Repeal the qualification criteria for Life Membership or Licensure, therefore closing the category of Life Membership to future applicants;
- Introduce a requirement to use a title with one of two qualifiers and abide by return-to-practice requirements;
- Introduce an annual commitment to Council for non-practising Life Members (1998+) not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing;
- Maintain the Life Membership status for members who obtained this status between January 1, 1998 and June 16, 2017; and
- Maintain the practice rights of those who received Life Membership under a previous version of this bylaw (prior to 1998).

CURRENT BYLAW 10 (C.1)	SUMMARY OF CHANGES
<p>Life Membership or Licensure</p> <p>10 (c.1) Council, in its discretion, may upon application, confer life membership or licensure in the association upon any member or limited licensee</p> <p>(i) who is at least 70 years of age and has been practising professional engineering or professional geoscience for 35 or more years, with an unblemished record, and</p> <p>(ii) who has been a member or limited licensee in good standing of the association for 20 or more years, or in the case of a professional geoscientist, has practised in British Columbia for 20 or more years, and</p> <p>(iii) who has retired from all gainful employment, who shall, without further payment of fees, have use of title and voting privileges but no practice rights. Life members whose status had vested in accordance with the bylaws before December 31, 1997 shall retain all their rights and privileges of membership in the association.</p>	<ul style="list-style-type: none"> • Repeal the qualification criteria for Life Membership or Licensure, therefore closing the category of Life Membership to new applicants; • Introduce a requirement to use one of two qualifiers [i.e., (Non-Practising) or (Retired)] and to abide by return-to-practice requirements; • Confirm that the “certificates of registration” or the “certificates of licence” of members and licensees are revoked for the purposes of sections 20(6) to 20(8) of the Act that deal with permission to use full practising titles and the stamp or seal; • Introduce an annual commitment to Council for non-practising Life Members (1998+) not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing; • Maintain the Life Membership status for members who obtained this status between January 1, 1998 and June 16, 2017; and • Maintain the practice rights of those who received Life Membership under a previous version of this bylaw (prior to 1998).

PROPOSED BYLAW 10 (C.1) FOR RATIFICATION

Prior Life Membership or Licensure

10 (c.1) [Repealed]

- (c.8) Life members whose status had vested in accordance with the bylaws before December 31, 1997 shall retain all their rights and privileges of membership in the association.
- (c.9) Life members or life limited licensees whose status had vested in accordance with the prior bylaw 10(c.1) [Life Membership or Licensure] shall without further payment of annual fees retain voting privileges but continue not to have practice rights.
- (c.10) Except for those life members whose status had vested in accordance with the bylaws before December 31, 1997, all life members or life limited licensees must annually commit to Council not to engage in the practice of professional engineering or professional geoscience until released from the commitment by Council in writing.
- (c.11) Except for those life members whose status had vested in accordance with the bylaws before December 31, 1997, a certificate of registration of a life member or life limited licensee is deemed to be revoked for the purposes of sections 20(6) to 20(8) of the Act. A life member or life limited licensee must use as applicable only the following professional designation(s):

Engineers

- a. Professional Engineer (Non-Practising);
- b. P.Eng. (Non-Practising);
- c. Professional Engineer (Retired); or
- d. P.Eng. (Retired)

Geoscientists

- e. Professional Geoscientist (Non-Practising);
- f. P.Geo. (Non-Practising);
- g. Professional Geoscientist (Retired); or
- h. P.Geo. (Retired)

Limited Licensees

- i. Limited Licensee (Non-Practising);
- j. Eng.L. (Non-Practising);
- k. Geo.L. (Non-Practising);
- l. Limited Licensee (Retired);
- m. Eng.L. (Retired); or
- n. Geo.L. (Retired)

- (c.12) Life members or life limited licensees who apply for practising status must pay the applicable fees set by Council and demonstrate compliance with the current requirements in the Act and bylaws for registration as a member or limited licensee.

BYLAW 10 (C.2): HONORARY LIFE MEMBERSHIP OR LICENSURE AND BYLAW 10 (D): HONORARY MEMBERSHIP

The current Bylaws 10 (c.2) and 10 (d) govern the recognition of members who have served as President of the association or who have made “outstanding contributions” to the professions.

Honorary Life Membership

Honorary life membership under Bylaw 10 (c.2) is granted to a member or limited licensee who has served as President of the association or has made outstanding contributions to the professions. Honorary Life Membership provides all other member privileges without payment of annual fees. Honorary life membership is traditionally awarded to the outgoing President upon the completion of his or her term, as well as outgoing CEOs. Although the bylaw allows for the recognition of other members who have made outstanding contributions, it has only been awarded once to an individual other than an outgoing President or CEO since its introduction in 1998. The bylaw also grants practice rights for life.

Honorary Membership

Honorary membership under Bylaw 10 (d) is granted to non-members who have made outstanding contributions to the professions, and grants honorary membership in perpetuity without any other membership rights or privileges (e.g., voting, practice rights). Engineers and Geoscientists BC currently has seven honorary members.

Member feedback indicated general support for eliminating both Bylaw 10 (c.2) and (d), suggesting that other means (such as awards) would be appropriate for recognizing outstanding contributions to the professions.

PROPOSED AMENDMENTS

Amendments to these bylaws will:

- Repeal Bylaw 10 (c.2) and 10 (d);
- Maintain the current status for members who currently hold Honorary Life Membership or Honorary Membership; and
- Provide Council the power to revoke Honorary Membership if warranted.

CURRENT BYLAW 10 (C.2)	SUMMARY OF CHANGES
<p>Honorary Life Membership or Licensure</p> <p>10 (c.2) Council, in its discretion, may confer honorary life membership or licensure in the association upon any member or limited licensee</p> <p>(i) who has served as president of the association, or</p> <p>(ii) who council deems worthy by virtue of outstanding contributions to the professions of engineering or geoscience who shall be entitled to enjoy the rights and privileges of membership or licensure in the association without further payment of fees.</p>	<ul style="list-style-type: none"> • Repeal Bylaw 10 (c.2); and • Maintain the current status for members who currently hold Honorary Life Membership or Licensure.
PROPOSED BYLAW 10 (C.2) FOR RATIFICATION	
<p>Prior Honorary Life Membership or Licensure</p> <p>10 (c.2) [Repealed]</p> <p>(c.13) Honorary life members whose status had vested in accordance with the prior bylaw 10(c.2) [Honorary Life Membership or Licensure] shall continue to enjoy the rights and privileges of membership or licensure in the association without further payment of fees.</p>	

CURRENT BYLAW 10 (D)	SUMMARY OF CHANGES
<p>Honorary Membership</p> <p>10 (d) Council, in its discretion, by unanimous vote, may confer honorary membership in the association, without payment of fees, on non-members who have made outstanding contributions to the professions of engineering or geoscience.</p>	<ul style="list-style-type: none"> • Repeal Bylaw 10 (d) • Maintain the current status for members who currently hold Honorary Membership; and • Provide Council the power to revoke Honorary Membership if warranted.
PROPOSED BYLAW 10 (D) FOR RATIFICATION	
<p>Prior Honorary Membership</p> <p>10 (d) [Repealed]</p> <p>10 (d.1) Honorary members whose status had vested in accordance with the prior bylaw 10(d) [Honorary Membership] shall retain their honorary membership in the association without payment of fees.</p> <p>10 (d.2) Honorary membership does not of its own accord confer:</p> <ul style="list-style-type: none"> (i) membership or licence, or (ii) the right to practise professional engineering or professional geoscience, to vote or to be nominated as a candidate for president, vice president or councillor. <p>10 (d.3) The honorary membership status of a member, licensee or non-member continues at the pleasure of Council and may be revoked at Council's discretion without prior notice to the honorary member.</p>	



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