

REGULATION OF FIRMS BULLETIN: “EMPLOYED BY OR UNDER CONTRACT WITH”

DATE OF BULLETIN	June 22, 2021
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BULLETIN

Section 5.12(2) of the Engineers and Geoscientists BC Bylaws states that:

A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.

Engineers and Geoscientists BC’s Bylaws use broad language to cover the many different employment relationships that exist between Registrant Firms and Professional Registrants. For example, when applying for a Permit to Practice, a firm must provide the names of all professional registrants **employed by or under contract with the firm**.

This “**employed by or under contract with the firm**” language, which is used throughout the Bylaws, recognizes that there are a variety of employment relationships between firms and professional registrants in the province. Firms may engage professional registrants as permanent employees, temporary employees, independent contractors or through other arrangements. Engineers and Geoscientists BC’s interest in these employment arrangements is limited to ensuring that every professional registrant is practising under a firm’s BC permit to practice.

For example:

1. EngineerCo Ltd. has a Permit to Practice. It engages Riley Liu, P.Eng., to practice professional engineering on its behalf. Riley is not affiliated with another firm that has a Permit to Practice. Riley is employed by or under contract with EngineerCo for the purposes of Engineers and Geoscientists BC’s Bylaws.
2. MajorGeoscience Ltd. and MinorGeoscience Ltd. both have a Permit to Practice. Major engages Minor to provide geoscience services. Pat Smith, P.Geo., is a geoscientist with Minor. Because Pat is practising under Minor’s Permit to Practice, Pat is not employed by or under contract with Major for the purposes of Engineers and Geoscientists BC’s Bylaws.
3. EngineeringCo Ltd. has a temporary need for specialized engineering services and contracts with a recruitment agency to find registrants who can provide these services.

EngineeringCo has a Permit to Practice but the recruitment agency does not. The temporary engineers must either be added to EngineeringCo's roster and work under its Permit to Practice, or they must each individually obtain a Permit to Practice as sole practitioners.

The core requirement is that every professional registrant in BC practices professional engineering or professional geoscience under a firm's BC Permit to Practice.

ABOUT REGULATION OF FIRMS BULLETINS

These bulletins are intended to address emergent or novel topics in a timely manner. Each bulletin provides Engineers and Geoscientists BC's interpretation of how Professional Registrants and Registrant Firms should approach the topic. The contents of the bulletins will be incorporated into broader Regulation of Firms guidance documents as those documents are revised.