



Professional Engineers  
and Geoscientists of BC

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**Bylaw Amendments 2013**  
**Background Information**

**This fall members are being asked to ratify six bylaw amendments. They are:**

1. **Bylaw 3(a.1) – Nominating committee – composition**
2. **Bylaw 3(j) – Ballot**
3. **Bylaw 10(c.1) – Life membership or licensure**
4. **Bylaw 10(c.2) – Honorary life membership or licensure**
5. **Bylaw 11(c) – Engineers-in-Training, Geoscientists-in-Training**
6. **Bylaw 18(1) – Alternative Complaint Resolution**

**Bylaw 3(a.1) – Nominating committee – composition**

The Nominating Committee is responsible for nominating individuals to run for President, Vice President and Council. Currently, the wording of this bylaw states that only members (as defined in the Act, professional engineers and professional geoscientists) may participate on this committee, even though limited licensees can now run for election and vote. Proposed amendments would allow limited licensees to participate on the nominating committee.

**Current Bylaw with additions and ~~deletions~~ – 3(a.1) Nominating committee – composition**

3(a.1) The immediate past president shall be the chair of the nominating committee. In the event that the immediate past president is unable to act then a chair shall be appointed by council or failing that the chair shall be elected by the members present at the meeting.

No member of council may serve on the nominating committee, except in the capacity of chair.

Members of the committee shall be selected as follows:

(i) Each year the council shall direct that the duly constituted geographical branches appoint 8 members or limited licensees to the nominating committee.

(ii) The council shall appoint additional members or limited licensees to the committee to bring the total number of members to 12.

**Proposed Bylaw Wording to Replace Current Bylaw – 3(a.1) Nominating committee – composition**

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No member of council may serve on the nominating committee, except in the capacity of chair.

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(i) Each year the council shall direct that the duly constituted geographical branches appoint 8 members or limited licensees to the nominating committee.

(ii) The council shall appoint additional members or limited licensees to the committee to bring the total number of members to 12.

### **Bylaw 3(j) – Ballot**

This bylaw outlines the procedure for counting ballots for the council election. It currently states that only members (as defined in the Act, professional engineers and professional geoscientists) may participate as ballot count supervisors. Amendments will allow limited licensees to participate as ballot count supervisors.

<b>Current Bylaw with <u>additions</u> and <del>deletions</del> – 3(j) Ballot</b>
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3(j) Ballots shall be counted at least 10 days prior to the annual meeting under the supervision of 3 members <u>or limited licensees</u> appointed by council.
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<b>Proposed Bylaw Wording to Replace Current Bylaw – 3(j) Ballot</b>
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3(j) Ballots shall be counted at least 10 days prior to the annual meeting under the supervision of 3 members or limited licensees appointed by council.
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### **Bylaw 10(c.1) – Life membership or licensure**

Bylaw 10 (c.1) permits Council to confer life membership in the association upon any member who meets certain criteria. Since this bylaw refers only to “membership,” limited licensees are currently excluded from this consideration. Amendments to this bylaw will allow life licensure to be bestowed on limited licensees.

#### **Current Bylaw with additions and ~~deletions~~ – 10(c.1) Life membership or licensure**

10(c.1) Council, in its discretion, may upon application, confer life membership or licensure in the association upon any member or limited licensee

- (i) Who is at least 70 years of age and has been practising ~~as a professional~~ engineering ~~engineer~~ or professional geoscience ~~geoscientist~~ for 35 or more years, with an unblemished record, and
- (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 practiced in British Columbia for 20 or more years, and
- (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.

#### **Proposed Bylaw Wording to Replace Current Bylaw – 10(c.1) Life membership or licensure**

10(c.1) Council, in its discretion, may upon application, confer life membership or licensure in the association upon any member or limited licensee

- (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
- (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 practiced in British Columbia for 20 or more years, and
- (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.

### **Bylaw 10(c.2) – Honorary life membership or licensure**

Bylaw 10 (c.2) permits Council to confer honorary life membership in the association to those who have served in the office of president, or to an individual Council deems to have made outstanding contributions to the professions of engineering or geoscience. Currently, both of these honours are limited to members (as defined in the Act, professional engineers and professional geoscientists). Amendments to this bylaw will allow honorary life licensure to be bestowed on limited licensees.

<b>Current Bylaw with <u>additions</u> and <del>deletions</del> – 10(c.2) Honorary life membership <u>or licensure</u></b>
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10(c.2) Council, in its discretion, may confer honorary life membership <u>or licensure</u> in the association upon any member <u>or limited licensee</u>
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(i) Who has served as president of the association, or
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(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 <u>or licensure</u> in the association without further payment of fees.
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<b>Proposed Bylaw Wording to Replace Current Bylaw – 10(c.2) Honorary life membership <u>or licensure</u></b>
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10(c.2) Council, in its discretion, may confer honorary life membership or licensure in the association upon any member or limited licensee
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(i) Who has served as president of the association, or
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(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.
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### **Bylaw 11 (c) – Engineers-in-Training, Geoscientists-in-Training**

Bylaw 11(c) sets out the requirements for status as an engineer- or geoscientist-in-training, and states, in part, “Engineers In Training or Geoscientists in Training may not remain in that status for a period of more than 8 years unless satisfactory reasons for doing so are presented to the Council.” Amendments to this bylaw would remove the eight-year time limit.

<b>Current Bylaw with <u>additions</u> and <del>deletions</del> – 11(c) Engineers-in-Training, Geoscientists-in-Training</b>
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11(c) Status as Engineer-in-Training or Geoscientist-in-Training may be granted to any person:
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(1) graduated in any curriculum approved by the Council; or
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(2) completed all the examinations required by the Council.
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<b>Proposed Bylaw Wording to Replace Current Bylaw – 11(c) Engineers-in-Training, Geoscientists-in-Training</b>
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(2) completed all the examinations required by the Council.
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## **Bylaw 18 (1) – Alternative complaint resolution**

This new bylaw outlines and captures the critical elements; requirements and framework of alternative complaint resolution of discipline cases, while providing sufficient flexibility to the process.

### **18(1) Alternative Complaint Resolution**

18 (1) In this bylaw:

“alternative complaint resolution” means a process or processes for the full or partial resolution of one or more matters to be dealt with at a disciplinary inquiry and includes without limitation:

(a) negotiation;

(b) mediation;

(c) such other process as the parties agree to; or

(d) a combination of the above;

“discipline committee” means the discipline committee created under the Act and includes a panel or representative of a panel;

“member or licensee” means the member(s) or licensee(s) who is the subject of the discipline inquiry; and

“registrar” means the registrar appointed under the Act and includes his or her delegate.

(2) If the discipline committee, the member or licensee and the registrar agree to engage in alternative complaint resolution, they will then identify and agree upon which process or processes shall be attempted.

(3) The parties to any agreement reached through alternative complaint resolution are the discipline committee and the member or licensee.

(4) The association, through the registrar, may attend and participate in any alternative complaint resolution process undertaken for the purpose of presenting the association’s case and position on the matters to be dealt with at the disciplinary inquiry.

(5) The costs of alternative complaint resolution, other than legal costs, shall be divided equally between the discipline committee and the member or licensee, unless the parties agree otherwise.

(6) Alternative complaint resolution is confidential and without prejudice but any agreement reached by the parties will be published in accordance with the usual practices of the association.