



Upcoming By-law Proposal – Changes to Retired Member Status

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During the 2020 voting period, the Engineers Geoscientists Manitoba council is proposing changes to the By-laws, as outlined under By-law 16.3 Council By-law Proposals. These changes are in regard to the 'Retired Member' category.

Overview

- Background
 - Why is this change being proposed?
- Engagement
 - What input did members provide?
- Proposal
 - What is being changed in the by-laws?
- Moving Forward
 - What do these changes affect moving forward?



During this presentation, we will be covering four topics:

First, why is this change being proposed to members? What steps did Council take to ensure that this was a change that needed to be made.

Second, what engagement was done with members to understand their perspective on the topic, and to gain insight on what the best course of action is?

Third, what does the proposal look like? We will go over the major changes that are being proposed.

And lastly, we will look at how these changes will affect the Association and its members moving forward, and what this will mean for individuals if this by-law proposal is passed.

Background

- Consultation with Legal Counsel
- Retired Member Category
 - Inconsistent with the Act



During a review of the legislation by the Association's legal counsel, it was found that non-practicing categories of membership, such as the Retired Member category, are inconsistent with the Act.

Background

- *The Engineering and Geoscientific Professions Act*
 - Defines membership:
 - The membership of the association shall consist of the persons who hold **valid and subsisting certificates of registration** and whose names are, from time to time, entered on the register of the association as professional engineers or as professional geoscientists.
 - **"Certificate of registration"** means the certificate issued under the seal of the Association certifying that a member is entitled to practice professional engineering or professional geoscience within the province.

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If we look at the Engineering and Geoscientific Professions Act, you'll see that it defines "membership" as people who hold "valid and subsisting certificates of registration", and that a "certificate of registration" is defined as someone entitled to practice engineering or geoscience within the province. Similarly, the terms "professional engineer" and "professional geoscientist" are defined as those who are 'entitled to practice'.

This means that ALL members have the right to practice. By definition, then, any category of membership in the bylaws that removes the right to practice is inconsistent with the Act. Legal Counsel has made it clear that the Retired Member category is inconsistent with the Act and cannot continue as a category of membership

While the Act does create the authority to establish categories of membership, whatever categories that are created cannot be inconsistent with the Act.

Background

- Solutions
 - Ignore it?
 - Change the Act?
 - Change the By-laws?



After having received the opinion from legal counsel that the non-practicing categories were inconsistent with the Act, the Association's Council then had to decide how to proceed.

While weighing out potential risks, it was discussed whether we could continue with the By-laws, as currently written in regards to non-practicing member categories. This route would carry too high of a risk. The risk is that, now that the association is aware of the inconsistency, future bylaw changes and council elections that include invalid categories of membership could be challenged and found to be invalid.

Changing the Act to allow for non-practicing member categories was also discussed. However, the process of obtaining an Act change is long, in fact the Association has been seeking an Act change for nearly two years now, and we would have to operate with bylaws that inconsistent with the Act until then. As well, an Act change to allow for non-practicing member categories is not guaranteed to pass.

This left Council with the most practical and reasonable solution, of seeking a change to the by-laws, as voted on by the membership.

Engagement

- Open engagement sessions
- Probe Research focus groups
- Online forum
- Call for comments



Engineers Geoscientists Manitoba strives to gain as much insight as it can from its members when there are potential by-law proposals to be considered. The members are the ones who are directly affected by these changes, so knowing what questions or concerns they may have regarding by-law changes before they go to a vote is paramount.

Initially, the Association held open engagement sessions at the office, asking members to come and listen to what the potential problems are, and offer their input on what the solutions should be.

Focus groups were also held by a third party, Probe Research. These focus groups represent a random selection of members, and in this case some past members, who may not usually attend open engagement sessions, so that the Association can get commentary from a wide spectrum of individuals.

After the by-law change proposal was drafted by legal counsel, the Association made this available to all members, and made a call for comments as well as opened the online forum, so members could discuss and offer feedback. We were able to receive a number of comments that helped to shape the final proposal.

Background

- Balancing legislation



While the proposal was being developed, Council wanted to ensure that even if the Retired Member category was eliminated, the Association did not lose out on the valuable input and knowledge that retired members bring to the community.

Retired members serve on and volunteer for committees which help to keep the Association running, provide insight and commentary to Council based on their many years of practice, and offer their time and knowledge as mentors to engineers and geoscientists who are earlier in their career. It is important for the Association to still be able to receive this kind of input, and still be able to communicate with retirees regarding Association news and events.

All of this feedback allowed Council to develop a new category of membership that honours our long-standing members who have retired from work but wish to continue to contribute to the association.

In conjunction with the By-law Proposal, council has created policies and procedures to ensure this continues.

Proposal

- Elimination of the Retired Member category
- Introduction of Senior Member category



The full proposal itself, as developed by the By-law Review Committee and legal counsel, is available on the Association website, but we will outline the major changes here.

The two major changes will be the elimination of the Retired Member category, and the creation of the new Senior member category

Proposal

- Elimination of Retired Member category



With the proposed by-law changed, the retired member category will be eliminated.

Members who are currently in this category will have to choose between moving into a practicing category, including the new Senior Member category, or resigning. Those who choose to resign will still have the option to stay connected to the Association, which will be discussed further on.

Proposal

- Introduction of Senior Member category
 - Reduced Professional Development
 - Dues Waiver
 - New post-nominal P.Eng SM / P.Geo SM



This by-law proposal also introduces the Senior Member category.

The Senior member category can be seen as a category intended for those later in their career who may want to work on a reduced or ad hoc basis, while reporting reduced amounts of Professional Development hours. This category helps to balance the duty of the Association to protect the public, by ensuring that those individuals who have the RIGHT to practice are current in their knowledge, while acknowledging that they are retired or working very few hours per year.

To qualify for the Senior member category, an individual must have been a practicing member for 30 years, be in good standing, and no longer working full time.

Moving Forward

- What does this mean for:
 - Current Practising members
 - General Member



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If you are currently a practising Engineer or Geoscientist, you will remain as a practising member in the General member category. No further action is required, except for the regular renewal of your membership at the end of the year.

Moving Forward

- What does this mean for:
 - Retired members
 - General member
 - Senior member
 - Resignation



If you are currently in the Retired Member category, you will have to choose between moving into the General or Senior member category, or resigning.

If you choose to maintain your membership, either as a General or Senior member, you will be required to report professional development activities.

Senior members will automatically have their ProDev targets reduced, though both General members and Senior members can apply for abatement to lessen their ProDev requirements in a manner that addresses their personal circumstances.

The Association acknowledges that some current Retired members may choose to resign their membership. While this may be the case, the Association does not want to lose connection with these individuals, and wants to ensure that former members can still be informed of what is happening with the Association, and the Association can benefit from the wisdom and knowledge that these long time members have.

Former members will still have to option to receive correspondence from the Association regarding general news and upcoming events which they can attend, to offer feedback and knowledge to committees and Council, to mentor current members, and to use designations such as “former member” or “P. Eng (Ret.)”, which

will be outlined in the Policy on Title Usage.

Common Questions

- What about Honorary Life members?
- If I resign:
 - Can I use my title?
 - Can I stay involved?
 - Can I return to practice later?
 - Can I use the insurance programs?



Through engagement with members, there were a few common questions that we would like to address here.

What if I am in the honorary life category?

It is important to note that Honorary Life is a designation that can be applied to any member category, and is not a member category itself. With the upcoming changes, these individuals will still have the option to be either a General member or Senior member with the Honorary Life designation and continue to have their dues waived. If these individuals are not practicing, they will have the option to move into a practicing category, or resign.

If I resign, can I use my title still?

Council has developed and approved a policy on title usage for Former Members, allowing them to use designations such as “Former Engineer”, “Retired Geoscientist”, and “P.Eng (Ret.)”.

If I resign, how can I stay involved?

Upon resignation, former members can choose to continue to receive communications such as the Keystone Professional magazine to stay informed of the

goings on of the Association. Additionally, Council is developing a formal mentorship program in which former members will be able to volunteer to participate to share their knowledge with younger professionals. Former members will also still be able to serve on committees as advisors, and attend Association events.

If I resign and then decide to practice again later on, how difficult is the process? Currently, the procedures to move into active practice again is the same for those who are in the retired category and those who are resigned. It will not be more difficult to return to practice if you resign. All non-practicing members must follow the procedures in the Return to Active Practice guideline, which is based on years away from active practice.

If I resign, can I still use the Association insurance programs?

If you are currently enrolled in the insurance programs offered through the Association, you will continue to be enrolled after your resignation. The Association is currently working with Engineers Canada and the insurance providers to put in place new programs for former members as well.

- Hon life
- Insurance
- Keeping stamp
- Formal mentorship program
- Still receive KP
- Policy on title usage
- Resignation
 - Can I become a member again
 - Pathway the same as retired to practicing as resigned to practicing

Common Questions

- If I am currently a Retired Member and wish to maintain my membership, does that mean that I need to start practising again?

If I am currently a Retired Member and wish to maintain my membership, does that mean that I need to start practising again?

- No. Having the RIGHT to practice does not mean that you are required to practice. If you wish to maintain membership, you can report professional development activities without resuming practice.

Thank you!

Further questions can be emailed to Dunett@EngGeoMB.ca

