



REGULATION OF FIRMS BULLETIN: EMPLOYED BY OR UNDER CONTACT WITH

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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 generally 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 registrant firm must provide the names of all registrants **employed by or under contract with the registrant firm**.

Further, Section 5.12(7) of the Engineers and Geoscientists BC Bylaws states that:

“An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must be a Professional Registrant who is employed by or under contract with the Registrant Firm and who has the ability to engage in the Reserved Practice.”

This “**employed by or under contract with the registrant firm**” language, which is used throughout the Bylaws, recognizes that there are a variety of employment relationships between registrant 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 principally about ensuring that every professional registrant is practising under a firm’s BC Permit to Practice. This also allows professional registrants to fulfil Responsible Registrant roles on a flexible employment basis, i.e., can be located out-of-province and/or on contract with a registrant firm to fulfil the Responsible Registrant responsibilities. An individual may also act as a Responsible Registrant for more than one registrant firm.

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 any other 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 Permits 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 Permits to Practice as sole practitioners.
4. BoatdesignCo has an office in BC with several designers not registered with Engineers and Geoscientists BC. A P.Eng., or P.L.Eng., registered with Engineers and Geoscientists BC with practice rights in BC residing in Nova Scotia fulfils the Responsible Registrant role for BoatdesignCo as a marine engineer or naval architect directly supervising the designers' work.

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 Firm's guidance documents as those documents are revised.