



Media Release

Increased Workplace Safety and Professional Accountability Expected following Repeal of Engineering's "Industrial Exception"

Toronto – (January 25, 2013) – Effective March 1, 2013, those responsible for professional engineering work in relation to production machinery or equipment must be licensed by Professional Engineers Ontario (PEO). The Government of Ontario has approved a change to the *Professional Engineers Act* that will remove the so-called industrial exception on March 1, 2013. In addition, Ontario has also approved a regulatory provision to help employers make the transition to the new requirement. Under this regulation, employers who file a transition plan with PEO by March 1 will have up to one year to meet the requirement.

With the repeal of section 12(3)(a) of the *Professional Engineers Act*, individuals must now be licensed by PEO if they do any act within the practice of professional engineering on machinery or equipment used to produce products for their employer in their employer's facility. In 1984, when the exception was enacted, requirements existed for Ontario's Ministry of Labour engineers to approve predevelopment reviews of proposed industrial processes and associated equipment. This requirement was replaced by Regulation 851 under the *Occupational Health and Safety Act*, which introduced the current requirement for industry to have professional engineers approve Pre-Start Health and Safety Reviews (PSRs) prior to the start-up of newly installed or altered production equipment or machinery. If a PSR finds deficiencies in the setup of equipment or machinery, the equipment or machinery cannot be used until the necessary changes are made and a PSR approved.

"Repealing the industrial exception brings professional engineering in again at the beginning of the production process development cycle, so that the requirements under the *Professional Engineers Act* support and complement the requirements and intent of the PSR process," said Michael Price, P.Eng., MBA, FEC, acting chief executive officer and registrar of PEO.

"Engineering is regulated to serve and protect the public interest, and professional engineers are accountable to PEO for doing just that by maintaining a high quality in their work and also by considering its overall implications. Bringing this mindset into the design of the production process should be cost-effective for industry by lessening workplace illness or injury and associated workplace insurance claims, and minimizing retrofitting, downtime and equipment replacement."

Under the new section 88 of Regulation 941/90 that enables industry to transition to the new requirement, companies that file a compliance plan with PEO before March 1, 2013 will be provided up to one year to meet the new requirement.

"Repealing the industrial exception in the *Professional Engineers Act* will improve oversight to help workers and the public stay safe and promote more efficient and productive workplaces," said Attorney General John Gerretsen. "I would like to thank Professional Engineers Ontario and its dedicated task force for working with industry, manufacturers and the public to ensure a seamless transition."

To provide further support, PEO has extended its Financial Credit Program, which waives PEO's licence application fee for eligible new graduates and newcomers to Canada, to all employees who apply for a licence by March 1 who are named in their employer's compliance plan filed with PEO by March 1. PEO will also assist these employees through the one-year compliance period by providing application and Engineering Intern Program (EIT) seminars, and administering its professional practice exams at their job sites for groups of at least 20 people. Instructional webinars and Questions and Answers about the new requirement are also available on the PEO website. For over two years, PEO has met with industry in close to 80 per cent of the province and across a broad range of manufacturing sectors to provide information on the specific scope of the change and to consult on what assistance would be useful to industry in implementing the change.

About Professional Engineers Ontario

Through the *Professional Engineers Act*, PEO governs over 80,000 licence and certificate holders and regulates professional engineering in Ontario to serve and protect the public. Professional engineering safeguards life, health, property, economic interests, the public welfare and the environment. Professional engineers can be identified by the P.Eng. after their names. Visit www.peo.on.ca.

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