ROADMAP TO A PROFESSION

CREATING THE ALBERTA COLLEGE OF OCCUPATIONAL HEALTH AND SAFETY PROFESSIONALS

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INTRODUCTION

The purpose of this paper is to examine the need for the occupational health and safety profession to evolve into a fully regulated profession, with legislated title protection and scope of practice protection. This would be accomplished through the creation of a self-regulatory body operating under a professional statute.

The occupational health and safety profession encompasses many sub-disciplines, including:

- occupational health and safety general practitioners;
- occupational hygienists;
- health and safety management systems and compliance auditors;
- ergonomists;
- security professionals;
- occupational health nurses;
- safety engineers; and
- physicians (occupational medicine specialists).

There are currently no Canadian jurisdictions that legally regulate the occupational health and safety profession (outside the sub-disciplines of safety engineers, occupational health nurses, and physicians (occupational medicine specialists)). If Alberta were to move to a regulated-model, it would be the first province to do so in Canada, which may provide leadership and a clear path forward for other jurisdictions to follow.

It is in the public interest to regulate practitioners who perform work that has, or may have, a public health and/or safety impact. The work of occupational health and safety practitioners has such impact. Regulatory oversight provides public assurance by ensuring the competency, and accountability, of such practitioners. A competent occupational health and safety professional prevents injuries and occupational diseases, while an incompetent practitioner may endanger the health and safety of workers.

The vast majority of individuals who practice within the occupational health and safety profession, work in the sub-disciplines that do not have any statutory legal protection. Furthermore, there are significant differences with the responsibilities of the sub-disciplines and the associated educational requirements, experiential training, competency testing, codes of ethics, and discipline.

There are also numerous uncertified practitioners who currently work in the field of occupational health and safety. Competency is rarely, if ever, assessed. Though some possess the necessary skills, aptitude, knowledge, and training to do the job well, there are others who do not possess such attributes. Regulated certification is required in order to assure the public that those who practice in this vital area are competent to do so.

This paper is divided into three parts:

> PART 1: A discussion of the elements of a fully regulated profession, as well as available options to establish the professional requirements (designed to provide the reader with an understanding of the elements which are required in a profession that is fully recognized by law).
>
> PART 2: An overview of the current state of the occupational health and safety profession (designed to provide the reader with an understanding of the current state of the profession, including strengths and weaknesses).
>
> PART 3: A possible approach for establishing a joint occupational health and safety professional regulatory body (to regulate the various sub-disciplines under the profession), which will allow for legislated title protection and scope of practice protection.

Based on the analysis contained within this paper, it is proposed that the public interest would be served by regulating the major sub-disciplines of the health and safety profession. Given the common interests of the sub-disciplines (i.e., worker health and safety) and resource issues, it would appear that the best approach is to consolidate all sub-disciplines under one regulatory body (e.g., Alberta College of Occupational Health and Safety Professionals).

This paper sets out a 10-step process to transform the practice of occupational health and safety into a profession that is fully recognized and protected under law:

> STEP 1: Create the Alberta Society of Health and Safety Professionals
> STEP 2: Determine Scope for Inclusion (e.g., CRSP CHSC, CSP, CMIOSH, CFIOSH, ROH, ROHT, CIH)
> STEP 3: Establish Governing Body, Registration Committee, Practice Review Committee, and Disciplinary Committee
> STEP 4: Create a Code of Ethics
> STEP 5: Develop Experiential Training Program
> STEP 6: Establish Educational Requirements and Educational Institution Accreditation
> STEP 7: Develop Competency Testing
> STEP 8: Establish a Disciplinary Process
> STEP 9: Apply to Government to Establish a Professional Statute and be Reconstituted as a "Registered Association"
> STEP 10: Work to Establish Scope of Practice Protection

Such an initiative will require the combined efforts of the Board of Canadian Registered Safety Professionals (BCRSP), the Canadian Registration Board of Occupational Hygienists (CRBOH), the Canadian Society of Safety Engineering (CSSE), the 13 Certifying Partners under the Alberta Certificate of Recognition (COR) program, the Government of Alberta, the Construction Owners Association of Alberta (COAA), the Canadian Association of Petroleum Producers (CAPP), the Petroleum Services Association of Canada (PSAC), and other key stakeholders. Together, these organizations can work toward this important evolution in the occupational health and safety profession, which will improve the competency of practitioners and, thereby, provide greater health and safety protection for workers.

PART 1: ELEMENTS OF A REGULATED PROFESSION

There are many benefits to being a regulated profession, the most important being protection under the law (e.g., title protection, and scope of practice protection). To be deserving of such legal privileges, a profession requires the establishment of certain elements to ensure public confidence in the profession and its members. These include the following:

- a regulatory body to oversee the profession;
- entrance requirements for candidate members (e.g., education, experience, competency testing); and
- continuing professional requirements (e.g., continuing education, code of ethics, and discipline).

Part 1 of this paper will explore these essential elements, the options available to entrench these elements into professional regulatory structure, and examples of how regulated Alberta professions have established these requirements. By understanding these elements and which options work best for certain types of professions, the emerging profession of occupational health and safety can decide how best to build itself into a fully recognized and regulated profession.

1.1 EXCLUSIVE PROVINCIAL AUTHORITY TO REGULATE PROFESSIONS

Each Canadian Province has the exclusive jurisdiction to regulate all professions operating within its borders. This exclusive jurisdiction is found in s.92(13) of the *Constitution Act, 1867*.

> 92. In each Province, the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated…
>
> 13. Property and Civil Rights in the Province

"Property and civil rights" have been interpreted by the courts to include the regulation of professions (*A.-G Can v. Law Society of B.C.* [1982] 2. S.C.R. 307, *Global Securities Corp v. B.C.* [2000] 1 S.C.R. 494.0) Provincial authority also applies over professionals working in federal undertakings within its borders (*Krieger v. Law Society of Alberta* [2002] 3 S.C.R. 372) For example, if an engineer were working on a federal work site located in Alberta, the Association of Professional Engineers and Geoscientists of Alberta would still have regulatory jurisdiction. This means that the engineer would have to comply with all provincial laws and rules regulating the profession.

This raises the question as to whether a national professional certifying organization could legally become the self-regulatory professional body for the purposes of establishing a regulated profession in any province. The answer is no. There are no examples in Alberta where a national body has been accepted as a registered association for regulating a profession. All registered associations operating within Alberta are exclusive to Alberta (e.g., College of Physicians and Surgeons of Alberta, College of Alberta Professional Foresters, Alberta Association of Landscape Architects). Though a provincial body could be a member of a national association, only the provincial body could function as the regulatory association under a provincial professional statute.

1.2 PROVINCIAL PROFESSIONAL REGULATORY BODIES

For a profession to be recognized by law (and, therefore, eligible for legislative title protection and scope of practice protection), it is necessary for the profession to have a regulatory body. The regulatory body ensures that the members of the profession adhere to established standards in order to protect the public interest.

(a) Public Interest

The sole reason for establishing a regulated profession is to protect the public interest.

This fundamental purpose has been further articulated in an Alberta Ministry of Labour publication entitled "Principles and Policies Governing Professional Associations in Alberta".

- The fundamental purpose of professional legislation is to regulate professions in the public interest.
- In order to promote the interests of the public, professional legislation shall establish standards, procedures and controls which, to the fullest extent possible:
    - protect service users and the public from incompetent or unethical providers of professional service;
    - promote quality, efficiency and cost effectiveness in the provision of professional services;
    - balance the rights and responsibilities of professionals, service users and the public; and
    - enable service users to exercise informed judgment and freedom of choice with respect to the provision of professional services.[1]

The Labour publication cites the 1985 Report of the Health Workforce Rebalancing Committee, which further explains the public interest expectations related to a professional self-regulatory body.

> "This authority is delegated by government only when it is in the public's interest to do so and when the profession can demonstrate that it has the resources, structures and commitment to carry out those delegated responsibilities. When professional self-governance is delegated to a professional association, the mandate of that association must be (sic) clearly serve the public interest."[2]

[1] Government of Alberta, (1990), *Principles and Policies Governing Professional Associations in Alberta,* Edmonton, Alberta: Council of Professions and Occupations.
[2] Health Work Force Rebalancing Committee, (1995). *Principles and Recommendations for the Regulation of Health Professionals in Alberta: Final Report of the Health Work Force Rebalancing Committee.* Retrieved from https://archive.org/stream/principlesrecomm00albe/principlesrecomm00albe_djvu.txt [2017, December].

In relation to regulating the occupational health and safety profession, the public interest includes

- worker health and safety;
- future workers' health and safety;
- workers' families and loved ones who are also impacted by workplace illnesses and injuries;
- the societal costs of workplace injuries and illnesses (e.g., healthcare, insurance, etc.); and
- the economic costs of workplace injuries and illnesses (e.g., recognizing the fact that occupational health and safety is good for business, preserves the reputation of Alberta industries, and ensures competitive advantages both in Alberta and abroad.).

(b) Regulatory Models

There are two models for regulating professionals:

(i) government regulated professions; and
(ii) self-regulated professions.

(i) Government Regulated Professions

A profession can be regulated by the executive branch of a provincial government. An example of this is the teaching profession, which is regulated by the Alberta Ministry of Education under the *School Act*. In the teaching profession, the government regulates and oversees:

- establishing teaching qualifications;
- certification of teachers;
- practice review; and
- discipline.

The government regulated model is uncommon. Most professions are governed by a self-regulatory body operating under a legislated mandate.

(ii) Self-Regulated Professions

This is the most common model for regulating professions. It is used to regulate such professionals as lawyers, engineers, physicians, nurses, and architects.

Under this model, a self-governing professional regulatory association is established under a provincial statute (e.g., the *Professional and Occupational Associations Registration Act* ("POARA")). Once established, the professional association regulates the profession with one purpose in mind: ensuring the public interest. In other words, the professional association is not an advocate for the profession (e.g., promoting the use of member professionals to the benefit of those members); rather, it is an advocate of the public who rely upon the profession to provide services.

According to James T. Casey in his treatise entitled "Regulation of Professions in Canada", a self-regulated profession benefits the public interest in two ways:

- ensuring "conduct of individual members of the profession is regulated to ensure the public is properly served"; and
- ensuring the protection of "the profession itself, because a vibrant, self-governing profession which has the public interest at heart is itself in the best interests of the public."[3]

The Supreme Court of Canada in *Canada (Attorney General) v. Law Society (British Columbia)*, [1982] 5 W.W.R. 289 at 312-313 (SCC), stated the following benefits of a self-regulated profession:

- "familiarity of the regulator with the field,
- expertise in the subject of the services in question, (and)
- low cost to the taxpayer as the administrative agency must, by the statute, recover its own expenses without access to the tax revenues of the province." (*reformatting mine*)

A self-regulating professional association is solely responsible for

- establishing qualifications;
- establishing codes of practice;
- certification of professionals;
- complaint and practice review; and
- discipline.

Though the primary regulating responsibilities in a self-regulated profession flows to the professional association, the provincial government retains some oversight abilities. The government has the authority to cancel the association's registration if it believes that (amongst other administrative deficiencies) the association no longer represents a significant amount of the members of the profession or is "not performing its duties in a proper manner".[4] An annual report is also required to be submitted to the provincial government by the professional association.

The provincial government also retains consultation rights, such as the right under POARA to be consulted on changes in member academic qualifications. Under the *Health Professions Act*, the government has established a Health Professions Advisory Board, including the requirement to appoint non-voting government employees to the Board. The Board, on the request of the Minister of Health, may investigate and provide advice on any matter related to the Health Profession Act (s.23 Health Professions Act). This ensures some level of government oversight of a self-regulated profession.

[3] Casey, James (1994). *The Regulation of Professions in Canada,* Toronto, ON: Carswell.
[4] *Professional and Occupational Associations Registration Act*, R.S.A. 2000, c.P-26.

(c) Establishing a Self-Regulatory Body

Typically, establishing a self-regulatory professional body comes in two stages:

Stage 1: The establishment of a profession society; and
Stage 2: Reconstitution of the society into a "registered association" (college) under a professional statute.

Stage 1:

Society status is a prerequisite for establishing a legislatively protected profession. Once established, the society can work toward meeting the criteria required to become the professional association that will govern the profession, including the following:

- securing a membership that represents a significant number of the members of a profession;
- establishing membership qualification standards (e.g., educational, experiential, etc.);
- creating structure for governing council and committees;
- creating bylaws;
- creating a code of ethics;
- establishing a complaint and discipline process;
- establishing continuing education requirements; and
- ensuring compliance with interprovincial and international trade agreements.

Stage 2:

Once the society has established the aforementioned prerequisites, it can then approach government to request the creation of a professional statute. If the request is granted, then the statute will be enacted and the society will be reconstituted under that statute as the registered association responsible for governing the profession.

1.3 PROFESSIONAL PRIVILEGES

There are two main privileges associated with being a regulated profession:

1. Title Protection – only registered members in good standing may use certain professional titles or otherwise hold themselves out as a specific professional.
2. Scope of Practice Protection – only registered members in good standing may perform certain types of work.

Title protection is a necessary part of a regulated profession, where scope of practice protection may or may not be afforded to a particular profession.

1.3.1 PROFESSIONAL TITLE PROTECTION

Title protection is an essential element of a regulated profession. Title protection provides an exclusive legislative right for registered members of a profession to use certain titles and credential abbreviations. Title protection is created in professional regulatory statutes.

There are two types of professional regulatory statues:

1. Profession Specific Statutes (e.g., Legal Profession Act, Engineering and Geoscience Professions Act)
2. Collective Professional Statutes (e.g., Professional and Occupational Associations Registration Act ("POARA"))

(a) Profession Specific Statutes

The strongest title protection provisions are found in the profession specific statutes, as opposed to ones included in the regulations under POARA.

An example of title use provision in a profession specific statute is found in s.3 of the *Engineering and Geoscience Professions Act*:

> 3(1) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall
>
> (a) use
>
> (i) the title "professional engineer", the abbreviation "P. Eng." or any other abbreviation of that title,
>
> (ii) the word "engineer" in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional engineer, licensee or permit holder,
>
> or
>
> (b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity
>
> (i) is entitled to engage in the practice of engineering, or
>
> (ii) is a professional engineer, licensee or permit holder.

A violation of s.3 can result in a fine of up to $2000 for first offence. Upon the third violation, the offender could be subject to a $6000 fine and up to 6 months in jail.

(b) Collective Professional Statutes

POARA was created in 1985 to allow a diverse range of professions and occupations to register self-regulatory associations. POARA provides for title protection only. There is no scope of practice protection within the legislation.

An example of a title use provision under the POARA is found in s.21 of the *Professional Biologists Regulation*:

> 21 A professional biologist may use the title "Professional Biologist" and the abbreviations "P. Biol." and "P Biol".

Section 43(1) of the POARA prohibits the use of a designated title by anyone except members of the appropriate registered association. A violation of s.43(1) can result in a fine of up to $2000 for first offence. Upon the third violation, the offender is subject to a $6000 fine and up to 6 months in jail.

1.3.2 SCOPE OF PRACTICE PROTECTION

Scope of practice protection statutorily mandates the use of certain registered professionals for certain types of work.

Scope of practice protection can be found in either:

- professional regulatory statutes (e.g., *Legal Professions Act, Physicians, Surgeons and Osteopaths Profession Regulation*); or
- other regulatory statutes that require work to be performed (e.g., *Occupational Health and Safety Code*, *Pressure Equipment Safety Regulation*).

Scope of practice protection can come in the form of:

1. non-professional member practice prohibition;
2. restricted activity authorization; or
3. regulatory statutes that require certain work to be performed by a specific professional.

(a) Non-Professional Member Practice Prohibition

The following is an example of a practice prohibition, which is found in the *Legal Profession Act:*

> Section 106(1) of the *Legal Profession Act* sets out a prohibition against non-Law Society members from practicing in certain areas of the law (subject to the exemptions found in s.106(2)):
>
> > 106(1) No person shall, unless the person is an active member of the Society,
> > (a) practise as a barrister or as a solicitor,
> > (b) act as a barrister or as a solicitor in any court of civil or criminal jurisdiction,
> > (c) commence, carry on or defend any action or proceeding before a court or judge on behalf of any other person, or
> > (d) settle or negotiate in any way for the settlement of any claim for loss or damage founded in tort.

(b) Restricted Activity Authorization

A restricted activity authorization establishes a legal requirement that only members of a profession can do an activity, rather than prohibiting non-members from doing an activity (with the logical consequence of permitting only members to perform the activity).

An example of a restricted activity protection provision is found in the *Physicians, Surgeons and Osteopaths Profession Regulation* under the *Health Professions Act* (see Appendix A). The provision has the same effect as a practice prohibition.

(c) Regulatory Statutes Requiring Work to be Performed by a Professional

Some non-professional regulatory statutes require that certain work be performed by specific type of professional in order for the regulated party to be in statutory compliance.

The following are examples of such requirements:

- s. 105(3) of the *Occupational Health and Safety Code* requires the use of a professional engineer in relation to non-destructive testing of tower cranes:

  > 105(1) An employer must ensure that all structural and rigging components of a tower crane undergo non-destructive testing under the direction and control of a professional engineer in accordance with the manufacturer's specifications…

- Section 223(2) of the *Occupational Health and Safety Code* requires that audiometric testing be performed in consultation with a physician, audiologist, or occupational health nurse:

  > 223(2) An employer must ensure that audiometric tests are administered by an audiometric technician who must
  >
  > (a) work in consultation with a physician, audiologist or occupational health nurse designated by the employer…

- Section 9 of the *Pressure Equipment Safety Regulation* under the *Safety Codes Act* allows a safety codes officer to issue an order mandating that certain complex designs be approved by an engineer:

  > 9 If, in the opinion of a safety codes officer, the size or complexity of a design or project involving pressure equipment may give rise to safety concerns, the safety codes officer may require that either or both of the following be undertaken:
  >
  > (a) all plans, documents and specifications, or any part of them, be affixed with the stamp or seal of a professional engineer…
  >
  > (b) the construction, installation, examination or testing of that pressure equipment be reviewed throughout the course of that work by a professional engineer.

1.4 PROFESSIONAL ENTRANCE REQUIREMENTS

In order to ensure only competent individuals are able to enter the profession, a professional regulatory body must establish entrance requirements. These may include the following:

- education;
- practice experience; and
- competency testing.

The goal of such entrance requirements is to assure the public that all members of the profession, upon entering the profession, have certain minimum competencies. It is up to the profession to determine those competencies and how such competencies should be demonstrated.

1.4.1 EDUCATIONAL REQUIREMENTS

All professions recognized by law have some educational prerequisite to obtaining professional membership status, as well as continuing education requirements (or equivalent methods of determining current competency). Some professional education programs require applicants to write an aptitude examination before they are accepted into the programs.

(a) Pre-Admission Aptitude Testing

Pre-admission aptitude testing is uncommon in today's emerging professions. To justify such testing, it would need to be established that certain reasoning, analytical, or other non-learnable inherent qualities are required to be present in applicants if they are to be successful in the educational program and, eventually, the profession.

The following is a list of aptitude testing in Canada for admission into professional, post-graduate programs:

- Miller Analogies Test (MAT)
- Graduate Record Examination (GRE)
- Graduate Management Admission Test (GMAT)
- Medical College Admission Test (MCAT)
- CASPer (Computer Based Assessment of Personal Characteristics)
- Dental Aptitude Test (DAT) (Canada)
- Optometry Admission Test (OAT)
- Pharmacy College Admission Test (PCAT)
- Test of Essential Academic Skills (TEAS)
- Allied Health Professions Admission Test (AHPAT)
- Law School Admission Test (LSAT)

(b) Prerequisite Educational Requirements

The educational standards for any profession are set out in a regulation under the profession's enabling statute. In order to ensure the profession meets the requirements of interprovincial labour mobility agreements, the standards are to be set by the profession's national body. In the case where there is no national body, the provincial regulatory body must work with its counterparts in other Canadian provinces and territories.[5]

The following are examples of educational requirements found in Alberta professional regulations:

- Shorthand Reporters:
    - "Graduated from a National Court Reporters Association recognized school of court reporting" (*Alberta Shorthand Reporters Regulation*)
- Certified Management Consultants:
    - Acceptable academic requirements (*Certified Management Consultants Regulation*)
- Human Ecologist and Home Economist:
    - "the applicant has obtained a degree in home economics or human ecology that includes the history, philosophy and ethics of professional practice from the University of Alberta, or an approved program,
    - the applicant has obtained academic qualifications that, in the opinion of the Registration Committee are substantially equivalent to those described in subclause (i), or
    - the applicant has obtained through a combination of education and experience, qualifications that in the opinion of the Registration Committee are substantially equivalent to those described in subclause (i)…" (*reformatting mine*) (*Human Ecologist and Home Economist Regulation*)
- Electrical Contractors and Master Electricians:
    - "Successfully completed the course work and examinations required by a professional education program approved by the Board" (*Professional Electrical Contractors and Master Electricians Regulation*)
- Physician, Surgeon, Osteopath:
    - "a medical or an osteopathic medical degree from a program approved by the Council" (*Physicians, Surgeons and Osteopaths Profession Regulation*)

Once the standards are set by the provincial professional association (in consultation with the national body), there are national accreditation bodies that can assess whether any specific educational programs meet those standards. For example, the Canadian Technology Accreditation Board accredits educational programs in the fields of applied science and engineering technology.
This is a voluntary process undertaken by an educational institution seeking accreditation for its program; however, a professional association may require such accreditation before it will allow a program to be used by prospective members for entrance into the profession.

[5] Government of Alberta (1990). *Principles and Policies Governing Professional Legislation in Alberta*. Edmonton, Alberta: Government of Alberta.

1.4.2 EXPERIENTIAL TRAINING

All professions have some form of an experiential requirement before a person is awarded membership status. Some professions have established measures to enhance the quality of such experiential training including apprenticeship, mentorship, and/or sponsorship. Other professions simply require experience in the practice of the profession without considering the quality of such experience.

(a) Apprenticeship

Many professions require a prospective member to undergo a period of apprenticeship before that person is accepted into the profession. In an apprenticeship program, a prospective member must work under the guidance of a person who is already a senior member of the profession. Further, the guiding member is usually required to have been practicing as a professional for a certain number of years.

Many professions, which have a mandatory apprenticeship program, require prospective members to register as "apprentices" with the professional association. Once registered, the prospective member is bound to adhere to the standards and code of ethics governing the profession. The prospective member is also subject to discipline for breaching those standards and/or codes of ethics. Therefore, such apprenticeship programs ensure public confidence in not only the profession itself, but also in the people who are working toward professional status.

The advantages of an apprenticeship program include the following:

- ensuring prospective members receive mentorship from registered members of the profession;
- identifying deficiencies with prospective members so that they can be corrected early;
- providing the profession with some control and oversight of the experiential training of prospective members;
- ensuring that prospective members are properly learning how to practice within the profession and, thereby, ensuring that the experiential training period achieves its desired outcome; and
- ensuring prospective members are required to register with the professional association and, thereby, must adhere to the profession's standards and code of ethics during the experiential training period.

The following are examples of Alberta professions that have a mandatory apprenticeship program:

- Lawyers:
    - 1 year articling program. A prospective member must work under the supervision of a full member of the Law Society who has at least 4 years at the bar.[6]
- Engineers:
    - 4 years as a "member-in-training" working under the direct supervision of a professional engineer.[7]

[6] Section 38 *Legal Profession Act*, R.S.A. 2000, c.L-8.
[7] Section 11 *Engineering and Geoscience Professions General Regulation*, AR 150/99.

- Human Ecologists:
    - 12 months as a "candidate member" working under the direct supervision of a professional human ecologist.[8]

(b) Mentorship

Many professions have established either formal or informal mentorship programs. This is sometimes done in lieu of an apprenticeship program or in addition to such a program.

Mentorship programs connect senior members of the profession with junior or prospective members. The hope is that the senior member can help guide the mentee in the proper and ethical practice of the profession. Professional mentorship programs can be geared toward prospective members, junior members, or both.

A mentor does not provide day-to-day supervision over the practice of the mentee (though the mentor may happen to be the mentee's supervisor); therefore, a mentorship program does not provide the same level of professional oversight of experiential training as would an apprenticeship program.

However, not all professions are amenable to apprenticeship programs (e.g., industries where professionals tend to work alone). In such professions, a mentorship program provides an adequate alternative to apprenticeship.

The following are examples of Alberta Professions that have formal mentorship programs:

- Professional Planners:
    - 1 year mentorship requirement for all candidate members.[9]
- Chartered Professional Accountants:
    - 1 year voluntary mentorship program for people who are already members of the profession.[10]
- Teachers:
    - September to May voluntary mentorship program for new teachers.[11]
- Biologists:
    - 1 year voluntary mentorship program for people who are already members of the profession. [12]

[8] Sections 11, 12, and 14 *Human Ecologist and Home Economist Regulation*, AR 119/2002.
[9] Alberta Professional Planners Institute (2017). *Mentorship*. Retrieved from https://www.albertaplanners.com/membership/mentorship [2017, December].
[10] Chartered Professional Accountants Alberta (2017). *CPA Alberta Mentorship*. Retrieved from http://www.cpaalberta.ca/Services/Career-Centre/Mentorship-and-Networking-Programs/CPA-Alberta-Mentorship-Program [2017, December].
[11]The Alberta Teachers' Association (2017). *Mentorship Program*. Retrieved from https://www.teachers.ab.ca/For%20Members/Programs%20and%20Services/Resources%20For/Beginning%20Teachers/Pages/Mentorship%20Program.aspx [2017, December].
[12] The Alberta Society of Professional Biologists (2017). *Mentoring Program*. Retrieved from https://www.aspb.ab.ca/mentoring-program [2017, December].

(c) Sponsorship

Sponsorship programs provide arms-length oversight over the experiential training of prospective members. A sponsor is a member of the profession who agrees to oversee the work experience component of the prospective member, but may not be the direct supervisor of the candidate nor work for the same employer. The Alberta Professional Planners Institute explicitly prohibits a sponsor from being the "direct supervisor, subordinate or close work colleague[13]" of the candidate. The College of Alberta Professional Foresters has no such restriction in its sponsorship program.

The sponsor must attest to the qualifications of the prospective member before that member is accepted into the profession. Specifically, the sponsor must be satisfied that the prospective member has met the experiential training component and is, therefore, competent to practice in the profession.

- Professional Planners:
    - 2-year sponsorship requirement; and
    - Sponsor must have more than 3 years of experience as a member of the profession.[14]
- Professional Foresters:
    - 24-month sponsorship requirement in most cases; and
    - The sponsor must be a member of the profession for at least 3 years.[15]

[13] Professional Standards Board (2017). *Logging Work Experience*. Retrieved from http://www.psb-planningcanada.ca/CERTIFICATION/worklog.php [2017, December].
[14] Professional Standards Board (2017). *Guide for Candidate Members & Sponsors For Completing the PSB Record of Practical Work Experience & Sponsorship Requirements*. Retrieved from http://www.psb-planningcanada.ca/CERTIFICATION/PDF/PSB-Sponsors-Guide-102615.pdf [2017, December].
[15] College of Alberta Professional Foresters (2017). *Profession: Sponsoring Foresters*. Retrieved from http://www.capf.ca/sponsors.html [2017, December].

(d) Experience

There are some professions that have an experiential requirement, but do not require prospective members to be under the supervision of a member of the profession. This creates concerns over the quality of the experiential training. The following are some examples of such professions:

- Management Consultants:
  - 600 hours of consulting experience within past 24 months;[16]
  - 5 years of experience; and
  - pass the examination.
- Local Government Managers:
  - 5 years of experience of local government management.[17]
- Professional Planners:
  - minimum 2 years of professional experience in the practice of planning;[18]
  - a person may, but is not required to, register as a "candidate member"; [19] and
  - the profession does have a mentorship requirement; however, the prospective member is not required to work under the supervision of the mentor.[20]

1.4.3 COMPETENCY TESTING

Many professions require prospective members to write an entrance examination or take a profession-led educational program that tests competency. The goal of professional testing is to establish that all members have at least a minimum competency in the professional practice upon entering a profession. Competency testing also has a "gatekeeper" function to ensure that unqualified people are not permitted into the profession. This ensures public confidence in the profession and its members.

The profession is authorized to determine its own competency testing. In doing so, it evaluates what minimum knowledge requirements are necessary to be held by its members. All professional competency testing should have a component specifically on ethics and professionalism.

Some professions work with national organizations to develop the entrance level competency testing. In doing so, the profession needs to be aware that there may be differences in practice requirements between the various Canadian jurisdictions. A profession may be required to modify nationally approved testing in order to ensure that provincial-specific competency is addressed. An example of this is found in the Alberta legal profession competency testing.

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[16] Section 5 *Certified Management Consultants Regulation*, AR 166/2005.
[17] Section 9 *Local Government Managers Regulation*, AR 52/2006.
[18] Section 9 *Professional Planner Regulation*, AR 115/2010.
[19] *Ibid* at s.10.
[20] Professional Standards Board (2017). *Professional Standards Board Process for Certification in the Planning Profession.* Retrieved from https://www.albertaplanners.com/sites/default/files/PSBProcessOverview.pdf [2017, December].

The Law Society of Alberta uses a program offered by the Canadian Centre for Professional Legal Education (CPLED) to determine the competency of prospective members. CPLED has modified its program for Alberta to include such things as Trust Accounting Fundamentals to address Alberta-specific rules of practice.[21]

Another important element of competency testing is the pass/failure rate. A profession with too high of a failure rate runs the risk of excluding good, competent people from achieving entry into the profession. Conversely, a profession with too low of a failure rate runs the risk of allowing incompetent people to achieve professional status and, thereby, harm the reputation of the profession. Care must be exercised to ensure that the pass/failure rate obtains the desired "gatekeeper" outcomes.

The following are some examples of professional competency testing requirements:

- Professional Planners:
    - Achieve at least 70% in an Ethics and Professionalism Course; and
    - Achieve at least 80% on the Professional Examination.[22]
- Engineers:
    - Complete the National Professional Practice Exam (achieve at least a score of 65%); and
    - The Association of Professional Engineers and Geoscientists of Alberta (APEGA) may require an applicant to write additional examinations, such as Fundamentals of Engineering (pass or fail based on National Council of Examiners for Engineering and Surveying standards) and various technical exams (achieve at least 50%).[23]
- Chiropractors:
    - Complete the Canadian Chiropractic Examining Board's (CCEB) Clinical Competency Exams including the following components (pass is based on a modified Angoff method[24])
        - Chiropractic Knowledge;
        - Clinical Decision Making; and
        - Clinical Skills Demonstration.[25]

[21] Canadian Centre for Professional Legal Education (2017). *The CPLED Program*. Retrieved from http://www.cpled.ca/about-cpled/the-cpled-program/ [2017, December].
[22] *Supra*, at note 19.
[23] The Association of Professional Engineers and Geoscientists of Alberta (2017). *Exams*. Retrieved from https://www.apega.ca/apply/exams/ [2017, December].
[24] Applied Measurement Professionals, Inc. (2017), *The Modified Angoff Procedure*. Retrieved from the Investments and Wealth Institute (formerly IMCA) website http://investmentsandwealth.org/TheInstitute/media/Certification/Modified-Angoff-Method.pdf, [2017, December] Ricker, Kathryn. L. (2003). *Setting Cut Scores: Critical Review of Angoff and Modified-Angoff Methods.* Retrieved from the University of Alberta website http://www.crame.ualberta.ca/files/RickerCSSE2003.pdf [2017, December].
[25] Canadian Chiropractic Examining Board (2017). Retrieved from http://www.cceb.ca/home/lang-pref/en/ [2017, December].

1.5 CONTINUING REQUIREMENTS

Professional entrance requirements only ensure the fitness of members upon entry into the profession. Continuing professional requirements ensure ongoing fitness. These include:

- continuing education;
- code of ethics; and
- discipline.

The integrity of a profession is dependent upon the establishment of solid practice standards along with rigorous enforcement of such requirements.

1.5.1 CONTINUING EDUCATIONAL REQUIREMENTS:

Continuing educational requirements are relatively new to professions. In the past, professions have solely focused on entrance educational requirements.[26] Once obtained, there were no further requirements to demonstrate ongoing competency. Public interest considerations have made it clear that there is a need to continually establish competency. This position recognizes that (1) there are always advancements in understanding and technology within a professional practice that requires additional education; and (2) it is necessary to periodically refresh one's education over the span of a career.

Section 7(2)(k) of POARA makes the requirement of continuing education a factor for determining whether an association should be granted professional self-regulating status. Further s.14(1)(e) of POARA empowers the professional association with the authority to institute continuing educational requirements.

The following are examples of continuing educational requirements found in Alberta's professional regulations:

- Landscape Architects:
    - "A landscape architect must maintain and upgrade the knowledge and skills necessary to carry out his or her professional work." (Code of Ethics, *Landscape Architects Regulation*).
- Municipal Assessors:
    - "obtained sufficient education credits in accordance with policy as established by the Association and approved by the Executive Committee" (*Municipal Assessor Regulation*).

[26] Canadian Chiropractic Examining Board (2017). Retrieved from http://www.cceb.ca/home/lang-pref/en/ [2017, December].

- Engineers and Geoscientists:
    - "A professional member or licensee shall comply with the requirements of the Continuing Professional Development Program as it applies to that person's practice of engineering or geoscience…" (*Engineering and Geoscience Professions General Regulation*)

It should be noted that continuing education is not an absolute requirement, though it tends to be the most preferred method of ensuring ongoing competency. Some other acceptable options are as follows:

- peer reviews and audits;
- recertification; or
- refresher training.

1.5.2 CODE OF ETHICS

A code of ethics is the cornerstone to every regulated profession. The code of ethics sets out at least the following practice requirements and prohibitions that must be adhered to by its members:

- avoid conflicts of interest;
- refrain from engaging in conduct that may bring the profession into disrepute;
- refrain from performing work for which the member is unqualified;
- perform all duties with fairness, honesty, and integrity;
- exercise due diligence in the practice of the profession;
- place the profession above the member's own self-interests, including their employment; and
- respect confidential information.

Codes of ethics may govern both the on-duty and off-duty conduct of a member of the profession. Regulated off-duty conduct involves member's private activities that could impair the member's ability to discharge their professional duty or otherwise bring the reputation of the profession into disrepute.[27] This often includes refraining from criminal activities, the commission of regulatory offences, disorderly conduct, and financial improprieties/difficulties (e.g., bankruptcy).

When a member breaches a provision under the code of ethics, the member is subject to discipline by the profession. Such discipline can include the revocation of the offender's membership in the profession.

The following are examples of codes of ethics established by Alberta professional bodies:

- Municipal Assessors legislated Code of Ethics under s.24 of the *Municipal Assessor Regulation* (See Appendix B)
- Professional Biologists adopted Code of Ethics (See Appendix C)

[27] *Supra*, note 2 at 13.4.

1.5.3 PROFESSIONAL DISCIPLINE

A professional code of ethics is meaningless unless members are held accountable for any breaches of those ethical requirements. A self-regulating professional body is responsible for ensuring that members adhere to the established code of ethics, and that meaningful consequences are dispensed upon those who violate those governing rules. Also, the regulating body needs to ensure the ongoing competency of its members. If a member demonstrates lack of professional judgment, skill, or knowledge, the profession must take remedial action to correct the deficiencies (if appropriate) or revoke the membership. A professional body's discipline process ensures adherence to the code of ethics and professional standards.

(a) Disciplinary Committee

As part of the professional disciplinary process, the regulatory association must establish a disciplinary committee. This committee will determine matters related to

(i) public complaints; and
(ii) internal concerns related to members of the profession.

Complaints and internal concerns may be related to (1) misconduct of the member or (2) the unskilled practice of a member.

(i) Public Complaints
In order to ensure public confidence in a profession, the public must have a right to launch a complaint against a practicing member and have that complaint addressed. Further, the complainant in such a case has the right to know the disposition of the disciplinary committee (e.g., whether the complaint is founded, founded in part, or dismissed, and what, if any, sanction has been levied).

(ii) Internal Concerns
A professional regulatory body may, on its own volition, investigate and take disciplinary action against a member of the profession. This can occur when the professional body become aware of member misconduct (e.g., criminal activity, regulatory non-compliance). In such a situation, the matter would proceed through the normal disciplinary process with the exception of any procedure related to a complainant.

(b) Disciplinary Process

To ensure the integrity of the disciplinary process, it is imperative that it be fair and transparent to the complainant (if any), the investigated member, and the public.

To achieve these goals, the disciplinary process should have the following elements:

- a publicized and straight-forward process for launching complaints;
- the requirement to inform the investigated member that a complaint has been lodged, unless there is a safety concern with informing the member (e.g., concern that the member may harm the complainant);
- an established investigation process that minimizes any perception of institutional bias;
- a public hearing (unless the matter is considered of a sensitive nature that requires it to be held privately) where evidence can be introduced and challenged; and
- a final disposition reporting requirement including reasons, a copy of which is provided to the complainant, the member, and the public (where appropriate).

For example, the Law Society of Alberta has the following disciplinary process:[28]

- Early complaint intervention is first attempted to resolve the complaint.
    - This can address issues where mentoring, coaching or other assistance from the profession may resolve the concerns of the complainant and restore the relationship between the lawyer and the client.
    - Resolution Counsel is assigned to oversee the process.
    - If Resolution Counsel believes that the matter poses a "serious regulatory risk" [29] the matter will be referred to Conduct Counsel for further review as a disciplinary complaint.
- Disciplinary complaints are reviewed by Conduct Counsel who will determine if
    - the complaint should be dismissed;
    - the complaint should go back for early intervention for additional work; or
    - the complaint should be referred to a Conduct Committee Panel.
- The Conduct Committee Panel reviews the findings of the Conduct Counsel, along with all relevant evidence, to determine if the matter should be referred to a disciplinary hearing.
- If the Conduct Committee Panel determines that the matter should be referred for hearing, a panel of three adjudicators are appointed to preside over the hearing, which is conducted "like a trial with similar rules of evidence."[30]
- The public has the right to attend any disciplinary hearing unless that matter is deemed to be of a sensitive nature that requires it to remain private.
- The complainant is entitled to a copy of the written report of the hearing panel (with the exception of any part of the report that has been deemed sensitive and requires that it remains private).

[28] Law Society of Alberta (2017). *Discipline Process*. https://www.lawsociety.ab.ca/public/providing-information-concerning-a-lawyer/discipline-process/ [2017, December].
[29] Law Society of Alberta (2017). *Early Intervention: Resolution*. https://www.lawsociety.ab.ca/public/providing-information-concerning-a-lawyer/early-intervention-resolution/ [2017, December].
[30] *Supra*, note 28.

(c) Sanctions

In order to maintain public confidence in the profession, it is necessary to have meaningful sanctions for breaches of the code of conduct or lapses in good judgment/competency. For example, s.33(1) POARA authorizes a regulatory body to impose any of the following sanctions:

- require the member to undergo further training;
- suspension of the membership for a period of time, with or without conditions; or
- cancellation of membership.

Sanctions must be proportional to the gravity of the offence and must be focused upon what is required for the protection of the public. Proper sanctions have the effect of deterring the offending member from engaging in the impugned activity/behaviour, as well as deterring other members of the profession from committing similar breaches. Sanctions also have the effect of publicly denouncing the conduct of a member and, thereby, preserving the integrity of the profession in the eyes of the public.

(d) Appeals

A proper disciplinary process should include an appeal process, whereby the complainant and/or the member can challenge the disposition on certain established grounds (i.e., unreasonableness/illegality of decision rather than simply not agreeing with the decision).

A profession can establish an appeal process where the matter is heard internally or provide for review by the courts. The right to appeal must be authorized under the profession's enabling statute.[31] In other words, a profession cannot create a right to appeal through its bylaws or other internal policies.

(i) Internal Appeals

If the appeal is to be addressed internally, then the matter needs to be reviewed by a body other than the one that made the original determination.

In the case of initial appeals under the *Legal Profession Act*, decisions of the Hearing Committee are reviewed by the Benchers (the member-elected management board of the Law Society of Alberta).[32] Section 35 POARA allows for reviews (appeals) from the decision of the Disciplinary Committee to the governing body of any POARA profession.

(ii) Court Appeals

A court appeal may be authorized under the profession's enabling statute. A court appeal is different than a judicial review, which is discussed below. A court appeal may be in lieu of an internal appeal or may be a further review to an internal appeal.

[31] *Supra*, note 2 at 15-1.
[32] Section 75, *Legal Professions Act*, R.S.A. 2000, c.L-8.

For example, s.80 of the *Legal Profession Act* allows for an appeal directly to the Alberta Court of Appeal from a disciplinary order of the Benchers. Section 37 POARA allows for an appeal to the Alberta Court of Queen's Bench from a disciplinary decision of the governing body of any POARA profession.

(iii) Judicial Review

Even in professions where court appeals are not authorized by the enabling statute, the courts still have the authority to review disciplinary decisions of any regulated profession. This is done by way of judicial review application. Judicial reviews are narrower in scope to those taken by a court under a statutory appeal. The difference between judicial reviews and court appeals is well articulated by James T. Casey in his treatise Regulation of Professions in Canada:

> "While the scope of appeals vary according to the particular statute, appeals will generally be broader than application for judicial review since appeals consider the merit of a decision whereas judicial review is used to review the jurisdiction and legality of a delegate's decision."[33]

The outcomes of judicial reviews also often differ from those of statutory appeals. Upon statutory appeal, a court may (in most cases) replace the initial disciplinary decision with that of its own. Upon a judicial review application, a court may (with some exceptions) only return the matter to the original decision maker for redetermination with directions on the process that is required to properly make a decision. In other words, a court appeal looks to the substantive component of the decision (i.e., whether the right decision was made), where a judicial review looks to the procedural element (i.e., whether the right procedure was followed in making a decision).

[33] *Supra*, note 2 at 15-1.

PART 2: CURRENT STATE OF THE OCCUPATIONAL HEALTH AND SAFETY PROFESSION

The occupational health and safety profession consists of many sub-disciplines. The following sub-disciplines are fully regulated with legislated title protection and scope of practice protection; therefore, will not be considered in depth within this paper.

- Occupational Health Nurses (regulated as Registered Nurses)
- Engineers (Safety)
- Physicians (Occupational Medicine)
- Industrial Audiologists

All other occupational health and safety sub-disciplines, which make up the vast number of practitioners in the profession, are not regulated by law, have no legal title protection, and have no legal scope of practice protection within Alberta.

- Workplace Health and Safety Professionals (Generalist)
- Occupational Hygienists
- Construction Health and Safety Officers
- Ergonomists
- Certificate of Recognition (COR) Auditors

Further, the unregulated sub-disciplines have significant differences in educational requirements, experiential training, competency testing, codes of ethics, continuing education requirements, and discipline.

Though there are concerns with the aforementioned, the most pressing concerns from a public interest perspective are as follows:

- any individual can hold themselves out as an occupational health and safety professional without being required to obtain certification, education, training, undergo competency testing, or be beholden to a code of ethics;
- non-certified individuals can, and do, use designated titles with no real consequences; and
- unskilled individuals are performing health and safety work that may endanger the health and safety of workers.

This Part outlines the current state of occupational health and safety professional sub-disciplines to illustrate their strengths and areas upon which improvement may be sought.

2.1 TITLES WITHIN THE OCCUPATIONAL HEALTH AND SAFETY PROFESSION

Within the occupational health and safety profession in Canada, several certified designations are currently being used. A non-exhaustive list is set out in Appendix D.

Also within the profession, several titles are currently being held out by the holder as certified designations, but simply denote that the person has completed an educational program. Possessing education alone does not establish competency insofar as it does not indicate that the person has experience, training, practice competency, nor is beholden to a code of ethics. A non-exhaustive list is set out in Appendix E.

Further, there are titles being used that have been simply fabricated by the user. With such designations, there are no assurances in relation to any competency, though the public may be misled to believe that the individual is competent. A non-exhaustive list is set out in Appendix F.

2.2 SCOPE OF PRACTICE

As previously mentioned, the sub-disciplines that make up most of occupational health and safety practitioners have no legal scope of practice protection. Anyone can perform work in any of these sub-discipline areas. Though s.13(1)(a) and s.14(1) of the *Occupational Health and Safety Regulation*, AR 62/2003, places general competency obligations on employers and workers for any work performed, there is no direct requirement for certification and the competency requirement is legally ambiguous.

The non-statutory certifying bodies below have developed their own scopes of practice in which they certify their members.

(a) Canadian Registered Safety Professional

The Canadian Registered Safety Professional (CRSP) is a generalist designation. Scope of practice of a CRSP may include:

- occupational health and safety management system development and implementation;
- the provision of health and safety training;
- tracking and trending health and safety statistics (leading and lagging indicators);
- management systems, compliance, and risk auditing;
- hazard identification, assessment and control;
- incident investigation;
- advising management and employees on health and safety matters;
- conducting new employee orientations;
- interpreting health and safety legislation;
- liaising with government (OH&S) and Worker's Compensation Boards;
- conducting ergonomic assessments;
- conducting occupational hygiene testing/sampling;
- report writing;

- conducting workplace inspections;
- acting as an intermediary between management and employees;
- producing presentations and leading meetings;
- project management;
- etc.

The Board of Canadian Registered Safety Professionals (BCRSP) provides the following statement as to the intended scope of practice of a CRSP:

> "A CRSP® is an individual who has met the requirements for registration established by the Governing Board. A CRSP® applies broad based safety knowledge to develop systems that will achieve optimum control over hazards and exposures detrimental to people, equipment, material and the environment. A CRSP® is dedicated to the principles of loss control, accident prevention and environmental protection as demonstrated by their daily activities. "[34]

(b) Certified Health & Safety Consultant

The Certified Health and Safety Consultant (CHSC) is a generalist designation governed by the Canadian Society of Safety Engineering (CSSE). Scope of practice of a CHSC would include the same items as the CRSP.

(c) Registered Occupational Hygienists, Registered Occupational Hygiene Technologists, and Certified Industrial Hygienists

Canada's occupational hygiene professional designations are (1) Registered Occupational Hygienist (ROH) and (2) Registered Occupational Hygiene Technologist (ROHT) administered by the Canadian Registration Board of Occupational Hygienists (CRBOH), and (3) Certified Industrial Hygienists (CIH) governed by the American Board of Industrial Hygiene (ABIH). While CIH is an American designation, it has long been recognized in both the US and Canada.

The CRBOH provides the following information:

> "The core mission of the CRBOH is to prescribe minimum levels of professional and technical competence in the practice of occupational hygiene by way of a review of credentials and an examination process."[35]

> "We believe that ROHs and ROHTs are best qualified to address questions of adverse impact of hazardous environmental agents and, CRBOH accreditation is the hallmark of such a professional."[36]

[34] Board of Canadian Registered Safety Professionals (2017). *About Us*. Retrieved from http://bcrsp.ca/about-us [2017, December].
[35] Canadian Registration Board of Occupational Hygienists (2017). Retrieved from http://www.crboh.ca [2017, December].
[36] Ibid.

> "To qualify for either professional designation, applicants must meet certain educational requirements and demonstrate adequate work experience in the field of occupational hygiene."[37]
>
> "Successful applicants will sit a written and a multiple-choice examination. If successful, ROH candidates will also challenge an oral exam."[38]
>
> "Once registered with the CRBOH, members must demonstrate continued involvement in occupational hygiene practice, a process which is reviewed every 5 years by way of a registration."[39]

The ABIH, which offers a designation used by many Canadian occupational hygiene practitioners (CIH), has defined its scope of practice as follows:

> "Industrial hygiene is the science of protecting and enhancing the health and safety of people at work and in their communities. Health and safety hazards cover a wide range of chemical, physical, biological and ergonomic stressors. Those dedicated to anticipating, recognizing, evaluating and controlling those hazards are known as Industrial Hygienists. They are professionals dedicated to the well-being of people – at work, at home and in the community."[40]

(d) National Construction Safety Officers and Health & Safety Administrators

The National Construction Safety Officer (NCSO)/Health and Safety Administrator (HSA) Program is a generalist designation for the construction industry only. The Alberta Construction Safety Association (ACSA) has outlined the scope of these designations:

> "Here at the Alberta Construction Safety Association, we offer a path to earning one of two construction safety designations: National Construction Safety Officer (NCSO) and Health & Safety Administrator (HSA). These designations indicate that the individual has knowledge in various construction-related health & safety management skills and principles. When a person completes these programs, they are ready to begin the career-long process of becoming a leader in construction safety."[41]

(e) Certificate of Recognition Auditors

Certificate of Recognition (COR) auditors are individuals certified by at least one of the 13 Certifying Partners in the Province of Alberta to audit employers for compliance with the COR standards. Other Provinces also have COR programs; however, the focus of this article is COR in the Province of Alberta.

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[37] *Ibid.*
[38] *Ibid.*
[39] *Ibid*.
[40] American Board of Industrial Hygienists (2017). *IH Defined*. Retrieved from http://www.abih.org/content/ih-defined [2017, December].
[41] Alberta Construction Safety Association (2017). *National Construction Safety Officer (NCSO) – Health and Safety Administrator (HSA).* Retrieved from http://www.youracsa.ca/ncso-hsa/ [2017, December].

The COR audit protocol focuses on the evaluation of an employer's health and safety management system.

Alberta Labour has established the scope of the COR Program:

> "A COR shows that the employer's health and safety management system has been evaluated by a certified auditor and meets provincial standards. These standards are established by Occupational Health and Safety (OHS).
>
> To get a COR, your business must first have a health and safety management system in place, and then have it successfully audited through a Certifying Partner."[42]

2.3 PROFESSIONAL ENTRANCE REQUIREMENTS

All of the sub-disciplines have entrance requirements, which applicants must meet in order to obtain the professional designation. These may include:

- education;
- experience; and
- competency testing.

Currently, none of the unregulated sub-disciplines have mentorship/apprenticeship/sponsorship or pre-education aptitude testing. Further, some of the sub-disciplines allow for experience in lieu of all or part of the educational requirements. Also, there are significant differences between occupational health and safety educational programs that meet the entrance requirements of some of the certifying bodies of the sub-disciplines.

2.3.1 CERTIFICATION REQUIREMENTS

The following are the minimum entrance requirements for the sub-disciplines.

(a) Canadian Registered Safety Professional

In order to obtain a CRSP designation, an applicant must meet certain minimum requirements. The BCRSP have established three pathways for entrance into the profession.

[42] Government of Alberta (2017). *COR - How it works.* Retrieved from http://work.alberta.ca/occupational-health-safety/cor-how-it-works.html [2017, December].

- Pathway A
    - Completed a one year OHS diploma or certificate or complete a two-year non-OHS college or university program;
    - Demonstrated professional development over past 5 years; and
    - "currently employed full-time at a professional level in OHS and have had three (3) years of continuous full-time OHS experience immediately prior to making an application."

- Pathway B
    - Completed 4 year OHS university degree; and
    - currently employed full-time at a professional level in OHS and have had three (3) years of continuous full-time OHS experience immediately prior to making an application.

- Pathway C
    - Completed 4 year non-OHS university degree and a two year OHS diploma; and
    - currently employed full-time at a professional level in OHS and have had three (3) years of continuous full-time OHS experience immediately prior to making an application.[43]

The above requirements are slated for change beginning on July 1, 2018.

Applications for the CRSP certification received on or after July 1, 2018 will be required to have the following:

> • A minimum of a Bachelor's degree (4-year) in any field OR a 2-year diploma (or certificate) (minimum of 900 hours or 60 credits) in occupational health and safety or a closely related field from a recognized academic institution.
>
> • At least four (4) years of experience where occupational health and safety is at least 50%, preventative, professional level with breadth and depth of health and safety duties.[44]

In addition to the above requirements, an applicant must (1) complete an application including required documentation, (2) meet with the approval of the Qualification Review Committee, (3) undergo an interview at the Regional Screening Centre, and (4) successfully pass a competency exam (CRSPEX).[45]

[43] Board of Canadian Registered Safety Professionals (2017). *Are you eligible for the CRSP®/PSAC® designation?* Retrieved from https://www.bcrsp.ca/prospective-certificants/why-become-crsp/are-you-eligible-crsp%C2%AEpsac%C2%AE-designation [2017, December].
[44] Board of Canadian Registered Safety Professionals (2017). *Notification of Upcoming Changes*. Retrieved from https://bcrsp.ca/prospective-certificants/notification-upcoming-changes [2017, December].
[45] Board of Canadian Registered Safety Professionals (2017). *Frequently Asked Questions*. Retrieved from https://www.bcrsp.ca/prospective-certificants/faq [2017, December].

(b) Certified Health and Safety Consultant

To obtain a CHSC designation, an applicant must meet the following requirements:

- current employment as a health and safety consultant and have 5 years of work experience within the last 7 years, with a minimum of 51% OHS related work;
- successfully complete at least a one year certificate or diploma program in OHS or environment; and
- successfully complete 6 courses offered by the CSSE.[46]

(c) Registered Occupational Hygienist

To obtain a ROH designation, an applicant must meet the following requirements based upon a combination of education and experience:

- PhD (occupational hygiene or equivalent) plus 2 years of professional experience;
- PhD (acceptable science or engineering) plus 3 years of professional experience;
- Master (occupational hygiene or equivalent) plus 3 years of professional experience;
- Master (acceptable science or engineering) plus 4 years of professional experience; or
- Bachelor (acceptable science or engineering) plus 5 years of professional experience.[47]

Upon meeting these requirements, a person may apply for certification, and then must successful pass both a written and oral examination (except if the applicant qualifies for the Fast Track Program).

(d) Registered Occupational Hygiene Technologist

To obtain a ROHT designation, an applicant must meet the following requirements:

- Five years of experience in occupational hygiene or related experience subsequent to receipt of a high school diploma.
    - Completion of a community college occupational hygiene technology program may be accepted as equivalent to up to 2 years of experience.
    - Completion of a community college program in a related science or engineering field may be accepted as equivalent to up to 1 year of experience.
    - Completion of an equivalent of 2 years of a university undergraduate program of related sciences or engineering courses may be accepted as equivalent to up to 1 year of experience.[48]

[46] Canadian Society of Safety Engineering (2017). *Entry Requirements – CHSC Certification Program*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/95/attachments/original/1473358785/Entry_Requirements_-_CHSC_Certification_Program.pdf?1473358785 [2017, December].
[47] Canadian Registration Board of Occupational Hygienists (2017). *ROH Eligibility.* Retrieved from http://docs.wixstatic.com/ugd/fecfc3_76ab441f69444c679738470058ea19cc.pdf [2017, December].
[48] Canadian Registration Board of Occupational Hygienists (2017). *ROHT Eligibility.* Retrieved from http://mi9394.wixsite.com/crboh/roht-eligibility [2017, December].

Upon meeting these requirements, a person may apply for certification, and then must successfully pass a written examination.

(e) National Construction Safety Officer

The NCSO Program requires the applicant to meet the following requirements:

- three years of field experience in the construction industry; and
- successful completion of 11 compulsory courses and 2 electives.[49]

Commencing on July 1, 2017, the ACSA will introduce additional requirements:

- 2 additional compulsory courses; and
- obtain at least a 75% score on a competency exam.[50]

(f) Certificate of Recognition Auditor

Each of the 13 Certifying Partners have their own minimum requirements for application. Energy Safety Canada is widely-regarded as being the most stringent in its eligibility requirements:

- a professional designation in health and safety or graduate from a post-secondary OHS program;
- 5 years of experience within last 10 years; and
- successful completion of the Petroleum Safety Training orientation course.[51]

Upon meeting these requirements, the applicant must

(1) complete the 5-day Certified Health and Safety Auditor Program,
(2) obtain at least an 80% on an examination, and
(3) obtain at least an 80% score for quality assurance on a student/qualification audit.

Some of the Certifying Partners also require auditors to undergo criminal record checks.[52]

2.3.1 APTITUDE TESTING

There is currently no requirement for any individual to undergo/undertake any type of aptitude testing prior to admission into an occupational health and safety education program or as any other prerequisite to obtaining a professional designation.

[49] *Supra*, at Note 53.
[50] Alberta Construction Safety Association (2017). *Enhancements to the NCSO Designation: Information Sheet.* Retrieved from http://www.youracsa.ca/wp-content/uploads/NCSOEnhancements-20170405v1.3.pdf [2017, December].
[51] Enform (2017). *Become an Auditor*. Retrieved from http://www.enform.ca/cor/for-auditors.cfm [2017, December].
[52] Continuing Care Safety Association (2017). *Audits*. Retrieved from http://www.continuingcaresafety.ca/index.php/audits [2017, December].

2.3.2 POST-SECONDARY EDUCATION PROGRAMS

There are currently 9 Provinces in Canada with post-secondary institutions that offer OHS Certificate/Diploma/Degree Programs. These are:

- British Columbia
- Alberta
- Saskatchewan
- Manitoba
- Ontario
- Quebec
- New Brunswick
- Nova Scotia
- Newfoundland

There are 47 OHS Certificate/Diplomas/Degree Programs offered in Canada. Requirements to graduate from these programs vary. An overview of the variances is set out in Appendices G through I.

2.3.3 MENTORSHIP/APPRENTICESHIP/SPONSORSHIP

There is currently no requirement for an applicant in any of the sub-disciplines to participate in any type of mentorship, apprenticeship, or sponsorship program. Though most of the sub-disciplines have experiential requirements, there is no oversight of the required experience by the certifying body, as none of the sub-disciplines have a candidate member classification. Further, the certifying body only has the ability to undertake a high-level review of the applicant's claimed experience (e.g., review job description, reference letters, etc.).

The experiential requirements of the sub-disciplines are as follows:

- CRSP – 4 years of experience with at least 50% of that time devoted to occupational health and safety work (effective January 1, 2018)[53];
- CRST – 1 year of experience with at least 35% of the time devoted to "OHS duties";[54]
- CHSC – 5 years of experience with at least 51% of that time devoted to OHS related duties[55]
- ROH – 2-5 years of experience depending upon the level of university degree held by the prospective member;[56]
- ROHT – 3-5 years of experience depending upon the level of education held by the prospective member (with 50% of the time within those years being devoted solely to hygiene work)[57];

[53] *Supra*, at note 56.
[54] Board of Canadian Registered Safety Professionals (2017*). BCRSP Developing the Canadian Registered Safety Technician (CRST) Certification*. Retrieved from https://bcrsp.ca/newsroom/bcrsp-developing-canadian-registered-safety-technician-crst-certification [2017, December].
[55] *Supra*, at note 43.
[56] *Supra*, at note 58.
[57] *Supra*, at note 60.

- NCSO – 3 years of field experience[58];
- HSA – No experience necessary[59];
- COR (Internal) Auditor – no experience necessary;
- COR (External) Auditor – 5 years of experience (Energy Safety Canada) [60]

2.3.4 COMPETENCY TESTING

All of the sub-disciplines have competency testing requirements outside of what is found within educational programs/coursework, with the exception of the Health & Safety Administrator (HSA) designation. However, the national certifying bodies, such as the BCRSP and CRBOH, do not have any Alberta-specific competency testing.

(a) Canadian Registered Safety Professional

In order to obtain the CRSP designation, an applicant must challenge a competency exam, which consists of the following.

- 190 – 210 Multiple Choice Questions[61] testing the following competencies:
    - Applied Safety Fundamentals (25 competencies or 22% of the set of competencies)
    - Auditing (9 competencies or 8% of the set of competencies)
    - Ergonomics (9 competencies or 8% of the set of competencies)
    - Fire Prevention and Protection (8 competencies or 7% of the set of competencies)
    - Health and Wellness (11 competencies or 10% of the set of competencies)
    - Law and Ethics (11 competencies or 10% of the set of competencies)
    - Management Systems (17 competencies or 15% of the set of competencies)
    - Occupational Hygiene (13 competencies or 11% of the set of competencies)
    - Risk Management (10 competencies or 9% of the set of competencies)[62]

A passing grade is determined by using a modified Angoff method.

(b) Certified Health and Safety Consultant

To obtain a CHSC designation, an applicant must take 6 CSSE courses and successfully pass all examinations.[63]

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[58] *Supra*, at note 53.
[59]Alberta Construction Safety Association (2017). *The Alberta Construction Safety Association's Construction Safety.* Retrieved from Designations http://www.youracsa.ca/wp-content/uploads/ConstructionSafetyDesignationv6_May-2017.pdf [2017, December].
[60] *Supra*, at Note 63.
[61] Board of Canadian Registered Safety Professionals (2017). *CRSP Examination*. Retrieved from http://bcrsp.ca/prospective-certificants/crsp-examination [2017, December].
[62] Board of Canadian Registered Safety Professionals (2014). *Blueprint For The Canadian Registered Safety Professional Examination (CRSPEX)*. Retrieved from http://bcrsp.ca/sites/default/files/documents/2015%20CRSPEX%20BLUEPRINT.pdf [2017, December].

The following courses are considered mandatory:

- Consulting Skills
- Obligations and Liabilities
- Applied Risk Communication

The applicant must choose 3 elective courses from the following:

- Measurement and Evaluation
- Project Management
- Essentials of Risk Management
- Assessing OHSE Training Needs & Options
- Developing Effective OHSE Training Courses
- Essential Value of OHS Management Systems[64]

(c) Registered Occupational Hygienist

To obtain the ROH designation, an applicant must challenge a two-part competency exam, which consists of the following.

- Part 1 – approximately 130 multiple choice questions.
- Part 2 – verbal questioning before a group of examiners.
- Competencies tested:
    - Basic Science
    - Chemical Hazards
    - Physical Hazards - Noise
    - Physical Hazards - Other
    - Biological Hazards
    - Legislation
    - Ergonomics
    - Biostatistics and Epidemiology
    - Safety
    - Environmental Issues
    - Process-related Hazards
    - Labour Relations
    - Ethics
    - Management [65]

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[63] Canadian Society of Safety Engineering (2017). *Earn Your CHSC*. Retrieved from http://www.csse.org/earn_chsc_designation [2017, December].
[64] Canadian Society of Safety Engineering (2017). *CHSC Certification Program Requirements*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/95/attachments/original/1473358764/CHSC_Program_Steps.pdf?1473358764 [2017, December].
[65] Canadian Registration Board of Occupational Hygienists (2017). *Canadian Registration Board of Occupational Hygienists ROH (Registered Occupational Hygienist) Examination Information*. Retrieved from http://www.crboh.ca/documents/183roh%20exam%20instructions%20pdf.pdf [2017, December].

"Candidates must first successfully complete the written exam before being invited for the oral exam, the second part of the examination. For this oral part, a committee made of three examiners will question the candidate for about an hour."[66]

"The written part consists of a half day of multiple choice questions and a half day of essay style questions. Equal weight is given to the two parts of the examination. The multiple-choice part of the examination consists of 130 questions, all of equal value. There is only one correct answer for each question. Marks are given only for correct answers. In the essay part of the examination, candidates are presented with five questions of equal value. All five questions must be answered. Point form answers are not acceptable."[67]

The minimum passing grade is set by the CRBOH prior to offering the exam.

(d) Registered Occupational Hygiene Technologist

To obtain the ROHT designation, an applicant must challenge a two-session competency exam, which consists of the following:

- Session 1 – short answer/essay.
- Session 2 – 150 multiple choice questions.
- Competencies tested:
    - Basic Background Science
    - Regulations, Standards, Guidelines
    - Hazard Recognition and Effects
    - Evaluation
    - Control
    - Miscellaneous

"The ROHT examination is a one day written examination consisting of multiple choice, short answer and essay questions. The multiple-choice section consists of approximately 150 questions, all of equal value. Marks are given only for correct answers. In the remaining portion of the exam, candidates will be presented with short answer and essay questions. All questions must be answered. Point form answers are not acceptable."[68]

Minimum passing grades are as follows:

- Section 1 – Short Answer/Essay 50%
- Section 2 – Multiple Choice 50%
- Overall Combined Score 60%[69]

[66] Ibid.
[67] Ibid.
[68] Canadian Registration Board of Occupational Hygienists (2017). *Canadian Registration Board Of Occupational Hygienists ROHT (Registered Occupational Hygiene Technologist) Examination Information.* Retrieved from http://www.crboh.ca/documents/185roht%20exam%20instructions%20pdf.pdf [2017, December].
[69]Ibid.

(e) National Construction Safety Officer

An NCSO applicant must challenge a competency exam, which consists of the following.

- Various question format exam.
- Competencies tested:
    - hazard assessments and controls
    - training and orientations
    - inspection
    - investigations
    - auditing
    - health and safety programs
    - documentation
    - WHMIS
    - adopted standards
    - first aid and emergency preparedness
    - the Canadian Criminal Code.[70]

A passing grade will be set at 75%.[71]

(f) Health and Safety Administrator

There is no competency exam requirement under the HSA Program; however, there is a testing component within the required coursework.[72]

(h) Certificate of Recognition Auditor

Upon completion of required training, each Certifying Partner requires an examination to be completed, and a student/qualification audit to be successfully completed and submitted to the Certifying Partner for quality assurance review. For example, Energy Safety Canada requires prospective auditors to complete the required training, write a competency exam and receive a score of at least 80%, as well as obtain at least an 80% on a reviewed student/qualification audit.

External auditors for Energy Safety Canada are also required to hold a professional designation such as a CRSP or hold a certificate/diploma/degree from an approved educational institution, have a minimum of five years of experience, and complete an Energy Safety Canada-specific orientation course[73]

[70] *Supra*, at note 116.
[71] *Ibid*.
[72] *Ibid*.
[73] *Supra*, at Note 63.

2.4 CONTINUING REQUIREMENTS

After an applicant obtains full membership status, the member is subject to ongoing requirements including adherence to a code of ethics and continuing education obligations. A member should also be subject to potential discipline for a breach of the code of ethics or performing work in an unskilled manner.

2.4.1 CODE OF ETHICS

All of the sub-disciplines have established codes of ethics. However, none of the established codes of ethics address personal conduct that may bring the profession into disrepute.

(a) Canadian Registered Safety Professionals

The BCRSP Code of Ethics is attached as Appendix J.

(b) Certified Health and Safety Consultant

The CHSC Code of Conduct and Ethics is attached as Appendix K

(c) Registered Occupational Hygienists and Registered Occupational Hygiene Technologists

The CRBOH Code of Ethics is attached as Appendix L.

(d) National Construction Safety Officer and Health and Safety Administrator

The NCSO and HSA Code of Ethics is attached as Appendix M.

(e) Certificate of Recognition Auditors

Though containing most of the same components, all 13 Certifying Partners under the COR Program have different codes of ethics for auditors. The ACSA Auditor Code of Ethics is attached as Appendix N.

2.4.2 CONTINUING EDUCATION

All of the sub-disciplines have continuing education requirements with the exception of the HSA Program. This makes sense for the health and safety professional, as technology and work processes constantly evolve. Further, the philosophy of health and safety management is based on the concept of continual improvement.

(a) Canadian Registered Safety Professional

The BCRSP has the following continuing education (certification maintenance) requirements:

- 25 certification maintenance points (CMP) during each five (5) year cycle;
- Points are calculated as follows:
    - OHS courses/conferences/seminars: 6 contact hours = 0.5 CMPs (to a maximum of 25 points)
    - Non-OHS related courses/conferences/seminars: 6 contact hours = 0.5 CMPs (to a maximum of 10 points)
- 15 Activity Categories:
    - OHS-related College or university course
    - OHS-related Course, Seminar, conference or other educational program
    - teaching/Developing OHS-related courses/seminars
    - OHS Paper Presentation at a Conference
    - completion of a non-OHS course/ seminar/conference that enhances a CRSPs/PSACs skill set
    - completion of the Survey on the Competencies Required of Canadian Registered Safety Professionals
    - Self-Directed Learning
    - passing a BCRSP examination.
    - achieving additional certification or license
    - obtaining an acceptable bachelor's or graduate degree
    - Professional OHS Practice
    - personal Membership in OHS-related organizations
    - voluntary professional service
    - publication of an OHS-related paper
    - Publication of an OHS-related textbook[74]

(b) Certified Health and Safety Consultant

The CSSE has the following continuing education requirements in relation to the CHSC designation:

- "Once the certification has been granted, in addition to maintaining membership in the Society (CSSE) and providing evidence of liability insurance on an annual basis, the CHSC will submit record of their maintaining the CHSC Certification every five years."
- "Based on a 100-point system, maintenance points are reported by the CHSC for relevant activities in three key areas: Continuing Education, Professional Practice, and Leadership & Volunteer Activities."[75]

[74] Board of Canadian Registered Safety Professionals (2017). *A Guide To Completing Certification Maintenance Worksheets.* Retrieved from https://www.bcrsp.ca/sites/default/files/Doc.133%20Certification%20Maintenance%20Guide.pdf [2017, December].

[75] Canadian Society of Safety Engineering (2017). *CHSC Certification Program Requirements*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/95/attachments/original/1473358764/CHSC_Program_Steps.pdf?1473358764 [2017, December].

(c) Registered Occupational Hygienist

The CRBOH has the following continuing education (registration maintenance) requirements in relation to ROH holders:

- 50 registration maintenance points per 5-year cycle
- Maintenance Activity Categories:
    - Active Professional Practice
    - Professional Association Membership
    - Technical/Professional Committee Service
    - Teaching/Presentations
    - Attendance at Professional Conferences and Educational Courses
    - Publications or Other Activities[76]

(d) Registered Occupational Hygiene Technologist

The CRBOH has the following continuing education (registration maintenance) requirements in relation to ROHT holders:

- 40 registration maintenance points per 5-year cycle
    - Active Occupational Hygiene Technologist Practice
    - Professional Association Membership
    - Technical/Professional Committee Service
    - Teaching/Presentations
    - Attendance at Professional Conferences or Seminars
    - Publication of Articles or Papers
    - Activities Not Otherwise Listed (writing exam, presentation, university courses).[77]

(e) National Construction Safety Officer

On July 1, 2017, the NCSO designation introduced the following maintenance requirements:

- Maintain Standard First Aid;
- Maintain auditor status; and
- Successfully complete:
    - one course every three-year cycle from ACSA, or
    - another CFCSA member, or
    - A post-secondary course related to occupational health and safety, or

[76] Canadian Registration Board of Occupational Hygienists (2017). *ROH Registration Maintenance Guide Instructions for Completion of the ROH Registration Maintenance Worksheet*. Retrieved from http://docs.wixstatic.com/ugd/fecfc3_c6a14bab4e924001afabd54c97898edc.pdf [2017, December].
[77] Canadian Registration Board of Occupational Hygienists (2017). *ROHT Registration Maintenance Guide Instructions for Completion of the ROHT Registration Maintenance Worksheet*. Retrieved from http://docs.wixstatic.com/ugd/fecfc3_c1d770c4033f4ee39dc8f13dabae30c8.pdf [2017, December].

- attend the NCSO Professional Development Conference or another Health, Safety, Environment (HSE) related conference event.[78]

(f) Health & Safety Administrator

The HSA Program has no continuing education requirement currently.

(g) Certificate of Recognition Auditor

Each of the 13 Certifying Partners has their own external auditor maintenance program, which includes attending auditor refresher training sessions and completing a minimum number of audits each three years.

For example, Energy Safety Canada requires auditors to:

- Complete the Certified Health and Safety Auditor Renewal once every three years; and
- Complete two audits or maintenance audit options in the previous three-year certification cycle.[79]

2.4.3 DISCIPLINE

In order to bring credibility to a profession, there needs to be meaningful consequences for members who breach the code of ethics or perform unskilled work. As discussed in Part 1 of this paper, the disciplinary process should include the ability to launch a complaint, hearing of the complaint, disposition, and an appeal process.

(a) Canadian Registered Safety Professional

The BCRSP has established the following disciplinary process:

- Filing a complaint (the BCRSP will not accept an anonymous complaint).
- Complaint acknowledgement provided to complainant and respondent within 15 days of receipt.
- Professional Conduct Committee will review complaint to determine if it falls within the scope of the discipline policy. Upon review, the Committee may
  - refer complaint to appropriate body,
  - dismiss as frivolous/vexatious, or
  - refer the matter for investigation.
- Investigation.
- Upon conclusion of the investigation, the findings will be provided to the respondent.
- Respondent will be provided 30 days in which to respond to the findings.

[78] *Supra*, at note 62.
[79] *Supra*, at Note 63.

- Upon the completion of the 30-day response period, the Committee may:
    - "direct that the matter be referred, in whole or in part, to the Discipline Committee;
    - direct that the matter not be referred to the Discipline Committee;
    - provide written recommendations to the Respondent; or
    - take any action that it considers appropriate in the circumstances that is not inconsistent with the bylaws."
- No information is readily available on the BCRSP Disciplinary Committee Process and Dispositions.

According to the most recently available BCRSP annual report (2015), no disciplinary cases went before the Disciplinary Committee during that year.[80]

There were six cases that went before the Professional Conduct Committee, three of which were dismissed due to lack of evidence, one dismissed after a finding of no unethical conduct, and two were still pending at the time of the annual report.[81]

There were, however, actions against three non-certificants for using the CRSP designation. One was resolved by the offending individual signing a declaration that they would discontinue using the CRSP designation. The other two were resolved by publishing the names of the offenders on the BCRSP website and denying the offenders the ability to apply for designation for a period of 5 years.[82]

(b) Certified Health and Safety Consultant

The CSSE has a formal complaint and disciplinary process for CHSC holders. Any person who believes that a CHSC Holder has violated the Code of Ethics or Code of Conduct may initiate a formal complaint. The matter is then reviewed/investigated by the Ethics Committee, and a decision is made as to the complaint. If the complaint is found to have merit, then the CHSC Holder may face sanctions including "expulsion from membership or loss of designation".[83]

(c) Registered Occupational Hygienist and Registered Occupational Hygiene Technologist

The CRBOH has no formal complaint or disciplinary process. It does, however, have an ability to sanction a member under s.10 of the *By-Laws of the Canadian Registration Board of Occupational Hygienists*:

> 10. The Registration Board may by a vote of three-fourths of those present and voting at a meeting of the Registration Board duly called for that purpose, expel, suspend or otherwise sanction any member:

[80] Board of Canadian Registered Safety Professionals (2017). *Annual Report 2015*. Retrieved from https://www.bcrsp.ca/sites/default/files/documents/BCRSP%20Annual%20Report%202015.pdf [2017, December].
[81] *Ibid*.
[82] *Ibid*.
[83] Canadian Society of Safety Engineering (2017). *Ethics Complaints Procedures: Revised January 2012.* Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/189/attachments/original/1446490746/CSSE-Ethics-Complaint-Procedure-Jan-2012.pdf?1446490746 [2017, December].

(I) whose conduct has been determined by the Registration Board to breach the bylaws of the Corporation or its Code of Ethics;
(II) who is more than one year in arrears in their registration dues;
(III) who fails to obtain enough points to meet the re-registration requirements;
(IV) who does not comply with the re-registration process.[84]

(d) National Construction Safety Officer and Health & Safety Administrator

It appears that NCSO/HSA Program has no formal complaint or disciplinary process. If such a process does exist, it is not made readily available to the public.

(e) Certificate of Recognition Auditor

All the Certifying Partners are required to have formal complaint and disciplinary process for their external auditors. In addition, there is an On-Site Audit Review Process (OSAR) where the work of external auditors may be reviewed by Partnerships. Partnerships does not have the authority to take any disciplinary or remedial action against an external auditor based upon the review. It may only inform the auditor's Certifying Partner of the results of the review. It is then up to the Certifying Partner to determine its own course of action.[85]

[84] Canadian Registration Board of Occupational Hygienists (2017). *By-Laws of the Canadian Registration Board of Occupational Hygienists.* Retrieved from http://docs.wixstatic.com/ugd/fecfc3_80ee94f0c5ee4722a95ba937f9c2334e.pdf [2017, December].
[85] Government of Alberta (2017). *COR | Maintain or renew a certificate.* Retrieved from https://work.alberta.ca/occupational-health-safety/cor-maintain-or-renew-a-certificate.html [2017, December].

PART 3: CREATING THE ALBERTA COLLEGE OF OCCUPATIONAL HEALTH AND SAFETY PROFESSIONALS

Part 1 of this paper discussed the key elements of a regulated profession, as well as options available to implement those elements. Part 2 discussed the current state of the unregulated components of the health and safety profession. This Part will propose a 10-step approach to transitioning the unregulated sub-disciplines into a fully regulated and statutorily protected profession. This will be achieved through the creation of an Alberta College of Occupational Health and Safety Professionals.

There is no absolute one right way to create a regulated profession. The following is a suggested approach given the analysis of the current state of the unregulated sub-disciplines and the current state of the law surrounding the regulation of professions.

It should be noted that becoming a regulated profession is a time-consuming, labour intensive, and potentially expensive process. It could potentially take years to go from the creation of a society to the creation of a regulatory college. Any group undertaking such a project must be prepared for a challenging journey. Over the years, many groups have attempted to obtain regulated profession status and not all have been successful. With that being said, the health and safety profession needs this to occur. Currently, unqualified people are endangering the health and safety of workers by misrepresenting themselves as qualified health and safety professionals. Regulating the health and safety profession is in the public interest.

3.1 CREATE THE ALBERTA SOCIETY OF HEALTH AND SAFETY PROFESSIONALS [STEP 1]

As a prerequisite to becoming a legislated professional regulatory body, it is necessary (in most cases) to establish the proposed body as a society under the *Societies Act*. This creates a legal entity under which the following can be achieved:

- obtain membership numbers to establish that the society represents a sufficient amount of the professional seeking regulatory protection;
- establish the proposed regulatory association's governing body and requisite sub-committees (e.g., Disciplinary Committee, Practice Review Committee, Registration Committee);
- establish education prerequisites and work with educational institutions to ensure that those prerequisites are being delivered;
- establish the experiential requirements (e.g., apprenticeship, mentorship, sponsorship, etc.);
- establish a Code of Practice and Disciplinary Process;
- establish continuing education requirements;
- establish professional insurance requirements;
- alignment (where appropriate) with the International Network of Safety & Health Practitioner Organisations (INSHPO), and

- work with the Professional Governance Unit of the Ministry of Labour to create an *Occupational Health and Safety Professionals Regulation* under POARA and transition the Society into the Alberta College of Occupational Health and Safety Professionals.

Once the College is established, it can work with government policy makers to determine whether scope of practice protection for member professionals should be added to the Occupational Health and Safety legislation or other statute(s).

(a) *Societies Act* Requirements

The following requirements must be fulfilled in order to register as a society under the *Societies Act*:

- recruit at least five individuals to be members of the society and signatories on the application (these members will be the original governing body);
- meet administrative requirements (i.e., choose name, NUANs search, complete application);
- establish the non-profit objective of the society; and
- establish the bylaws of the society.

(b) Registered Association Requirements

In order to prepare for obtaining "registered association" status under POARA, it is recommended that the Society establish itself as follows:

- Reserve one seat on the governing body for a public member (i.e., a person who is not a member of one of the proposed regulated professions)[86] Ultimately, this seat will be appointed by the Minister of Labour when the enabling statute is created.
- Establish bylaws that meet the requirements of s.15(1) POARA (where applicable)

> 15(1) The governing body of a registered association may make bylaws
> (a) for the government of the registered association and the management and conduct of its affairs;
> (b) respecting the nomination, election, number and term of office of officers of the registered association, the filling of vacancies and the powers and duties of officers;
> (c) determining the location of the head office of the registered association;
> (d) respecting the calling of and conduct of meetings of the registered association;
> (e) respecting voting at meetings of the registered association, in person or by proxy and voting by mail;
> (f) respecting notice requirements for meetings at which bylaws or regulations are to be put to a vote;
> (g) prescribing the number of members that constitutes a quorum at meetings of the registered association, its governing body and committees established by bylaw;

[86] Section 12(3)(b) POARA.

(h) providing for the establishment of committees by the governing body and prescribing the powers and duties of the committees;
(i) providing for delegation, with or without conditions, of any powers or duties of a governing body under this Act except those under sections 19, 22, 28(2), 35 and 36, and under the regulations or the bylaws to a committee established by the governing body;
(j) respecting the establishment of and payment of sums of money for scholarships, fellowships and any other educational incentive or benefit programs that the governing body considers appropriate;
(k) requiring registered members of a registered association to maintain a business address in Alberta and to inform the registered association in writing of that address and of any change in that address forthwith after the change occurs;
(l) prescribing the manner of proof as to matters required to be proved by applicants for temporary registration;
(m) respecting fees payable to the registered association for registration, conducting an examination, and the renewal of registration;
(n) subject to section 12, respecting the membership of the governing body.

(c) Fees Payable

The following fee schedule, found in the *Societies Regulation*, is applicable to the creation of the Society:

- Certificate of Incorporation - $50; and
- Filing of Bylaws – free of charge.[87]

(d) Ongoing Requirements:

The following ongoing requirements are necessary for the Society:

- Hold an annual general meeting and present an audited financial report (s.25 *Societies Act*); and
- File an annual report including audited financial statement (s.26 *Societies Act*).

3.2 DETERMINE SCOPE FOR INCLUSION [STEP 2]

As stated in Part 2, the health and safety industry has many sub-disciplines; therefore, it must be determined which sub-disciplines should be brought under the proposed regulatory body. This decision must be made solely on which sub-disciplines require regulatory oversight in order to fulfill public interest concerns.

[87] Schedule 2, *Societies Regulation*, AR 83/2016.

The following sub-disciplines already have regulatory oversight; therefore, they do not need to be considered for inclusion under the proposed regulatory body:

- Occupational Health Nurses: Alberta Occupational Health Nurses Association[88]
- Engineering and Professional Technologists: Association of Professional Engineers and Geoscientists of Alberta[89]
- Occupational Medicine: College of Physicians and Surgeons of Alberta[90]

(a) Phase One Inclusion

Based upon the analysis in Part 2 of this paper, the public would benefit from the following sub-disciplines being included under the proposed regulatory body:

- **Occupational Health and Safety Professionals:**

  Current Non-Regulated Designations: Canadian Registered Safety Professional
  Certified Health and Safety Consultants
  Canadian Registered Safety Technician (July 1, 2018)

  Rationale for Inclusion:

  - OHS Professionals play a crucial role in ensuring the health and safety of workers; therefore, ensuring the competency and ethics of such a professional is imperative.
  - OHS Professionals have no title protection (i.e., anyone can call themselves an OHS Professional).
  - There are currently many individuals in Alberta who hold themselves out as OHS professionals and do not have the education, experience, training, and aptitude to competently practice in the profession. Further, these individuals have little accountability as they are not beholden to a code of ethics and/or subject to disciplinary action.
  - Without title protection and regulatory oversight, it will be difficult/impossible for the profession to obtain scope of practice protection. This will allow unqualified people to continue to do work that ought to be performed by a qualified professional.
  - Though the BCRSP and CSSE have quality self-regulatory structures, they cannot obtain legal recognition as a profession (with title protection and scope of practice protection) as they are national bodies (unless they choose to sub-divide into provincial chapters). As discussed in Part 1, according to the Constitution, only a provincial body can regulate a profession.

[88] Alberta Occupational Health Nurses Association (2017). Retrieved from http://aohna.org/ [2017, December].
[89] The Association of Professional Engineers and Geoscientists of Alberta (2017). Retrieved from https://www.apega.ca/ [2017, December].
[90] College of Physicians & Surgeons of Alberta (2017). Retrieved from http://www.cpsa.ca/ [2017, December].

- Certification in this province should be Alberta focused, as the laws, industries, and work environments in Alberta differ from those in other jurisdictions. An OHS Professional must demonstrate competency in Alberta-specific practice.

- **Occupational Hygienists**

  Current Non-Regulated Designations: Registered Occupational Hygienist
  Registered Occupational Hygiene Technologist
  Certified Industrial Hygienist

  Rationale for Inclusion:

  - Occupational Illness is by far the leading cause of workplace fatalities in Alberta.[91]
  - Occupational Illness prevention requires the services of a highly qualified professional (i.e., a hygienist).
  - Occupational Hygienists have no title protection (i.e., anyone can call themselves an Occupational Hygienist).
  - There are current many individuals in Alberta who hold themselves out as Occupational Hygienists and do not have the education, experience, training, and aptitude to competently practice in the profession. Further, these individuals have little accountability as they are not beholden to a code of ethics and are not subject to disciplinary action.
  - Without title protection and regulatory oversight, it will be difficult/impossible for the profession to obtain scope of practice protection. This will allow unqualified people to continue to do work that ought to be performed by a qualified professional.
  - Though the CRBOH and AIHA have a quality self-regulatory structure, they cannot obtain legal recognition as a profession (with title protection and scope of practice protection) as they are national/international bodies (unless they choose to sub-divide into provincial chapters). As discussed in Part 1, according to the Constitution, only a provincial body can regulate a profession.
  - Certification in this province should be Alberta focused, as the laws, industries, and work environments in Alberta differ from those in other jurisdictions. An OHS Professional must demonstrate competency in Alberta-specific practice.

(b) Phase Two Inclusion

There are other sub-disciplines that deserve consideration for inclusion in either the initial regulatory creation phase or once the regulatory body has been established.

[91] Government of Alberta (2017). *Workplace Incident Fatalities Accepted by the Workers' Compensation Board in 2016*. Retrieved from http://work.alberta.ca/documents/2016-workplace-fatalities-accepted-wcb.pdf [2017, December].

- **Construction Safety Professionals**

  Current Non-Regulated Designations: National Construction Safety Officer (NCSO)
  Health and Safety Administrator (HSA)

  Rationale for Inclusion:

  - By numbers alone, the NCSO Program is by far the largest body of health and safety practitioners in Alberta.
  - The Alberta Construction Safety Association (ACSA), the governing non-regulated body for the NCSO Program, has recently made impressive changes to the program to improve the competency of members. The NSCO Program would still benefit, as would the public, from regulatory oversight, improved standards, enforced code of ethics, and corroboration with the other sub-disciplines.
  - The NCSO designation is focused at the construction industry, as is its training and competency evaluation.[92] However, it is being held out by some individuals, outside of the construction industry, as being evidence of competency. By regulating the designation, the scope of practice can either be limited or the NCSO training and competency expanded past the construction industry.
  - Construction Safety Professionals have no title protection (i.e., anyone can call themselves a Construction Safety Professional, NCSO, or HSA).
  - Though the ACSA has the capability of being a quality self-regulatory body, it cannot obtain legal recognition as a profession (with title protection and scope of practice protection) if it continues to pursue making the NCSO a national designation. As discussed in Part 1, according to the Constitution, only a provincial body can regulate a profession. The ACSA needs to either consider changing the designation into an Alberta Construction Safety Officers (ACSO) or work with the proposed regulatory body to be the program's regulating association in Alberta.

- **Certificate of Recognition Auditors**

  Current Non-Regulated Designations: Internal COR Auditor
  External COR Auditor

  Rationale for Inclusion:

  - COR Auditors play a vital role in ensuring that COR Holder's health and safety management programs meet required standards.[93] A robust health and safety management program is integral to ensuring the health and safety of workers.
  - The educational, experiential, training, and competency evaluations for both internal and external auditors have been criticized as being too low to ensure auditor competency.

[92] *Supra*, at note 53.
[93] *Supra*, at Note 54.

- There are currently 13 Certifying Partners responsible for the certification of COR Auditors in relation to their COR Holders. Partnerships provides standards that must be met, but each Certifying Partner takes a different approach to the requirements of its auditors. Energy Safety Canada is widely considered the most stringent when it comes to auditor qualifications.[94]
- Each Certifying Partner is responsible for its own auditor certification programs. Standards vary between Certifying Partners. Consistent standards are needed to ensure public confidence in the auditors and the COR Program.
- There is some non-regulatory oversight of auditors through the On-Site Audit Review Program (OSAR); however, this is more focus toward the quality of the audit performed for the COR Holder than ensuring the competency of the auditor. There is inconsistency as to how different Certifying Partners take remedial or disciplinary action against its COR Auditors.
- There is no official title protection or scope of practice protection for a COR Auditor; however, the voluntary program itself would only recognize the work of a certified COR Auditor. If anyone were to pass themselves off as a certified COR Auditor, the COR Holder would fail to meet its obligations; however, no action could be taken against the person who passed themselves off as a certified COR Auditor. Therefore, to protect the public, including COR Holders, there would be a benefit to legislated title protection and scope of practice protection for COR Auditors.
- All Certifying Partners require auditors to be beholden to a code of ethics[95], but the codes of ethics are not the same (though they are supposed to contain certain elements). [96] There needs to be a consistent code of ethics and enforcement of that code.

(c) Phase Three Inclusion

There may be public interest benefits of regulatory oversight, title protection, and scope of practice protection for other occupational health and safety focused sub-disciplines.

Once the proposed regulatory body is well established, it may wish to consider the inclusion of these sub-disciplines:

- Ergonomists[97]; and
- Security Management Professionals.[98]

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[94] *Supra*, at Note 63.

[95] Energy Safety Canada (2017). *Enform External Auditor – FAQs*. Retrieved from http://www.enform.ca/files/pdf/SAC/FAQs-Enform-External-Auditor-revised_11092015.pdf [2017, December].

[96] Alberta Construction Safety Association (2017). *Code of Ethics*. Retrieved from https://www.youracsa.ca/wp-content/uploads/assets/corsecor/auditor_code_of_ethics_conflict_of_interest.pdf [2017, December]; Energy Safety Canada (2017). *Enform SECOR Assessor Code of Ethics*. Retrieved from http://www.enform.ca/files/3_8_SECOR_Assessor_Code_of_Ethics_Revised_March_22_2017.pdf [2017, December].

[97] Association of Canadian Ergonomists (2017). Retrieved from https://www.ace-ergocanada.ca/ [2017, December].

3.3 ESTABLISH GOVERNING BODY, REGISTRATION COMMITTEE, PRACTICE REVIEW COMMITTEE, AND DISCIPLINARY COMMITTEE [STEP 3]

Once the Society has been registered, it will need to establish the essential governance structure through its bylaws. It is recommended that the Society, in contemplation of future registration, follow the governance structure of a registered association under POARA, which includes the following:

- Governing Body;
- Registration Committee;
- Practice Review Committee; and
- Disciplinary Committee.

(a) Governing Body

The Governing Body is responsible for the general direction and management of the organization's business and is also responsible for ensuring that the organization meets all legal requirements (e.g., filing returns, reports, payment of fees, etc.). The Governing Body also serves as a first-level appellate body for decisions of the Disciplinary Committee.

According to s.12 POARA, the Governing Body must be constituted as follows:

- elected by the general membership in accordance with the organization's bylaws; and
- include three public members (assuming the general membership exceeds 30 members);

Once the Society becomes the self-regulatory body for the profession, the Governing Body will be conferred certain rights (regulation and bylaw making powers) under ss. 14-15 POARA.

(b) Registration Committee

The Registration Committee will be responsible for reviewing applications for membership.

The Registration Committee's constitution should follow the typical structure of a POARA registration committee:

- consist of at least three professional members of the Society, one of whom is appointed as chair; and
- maintain quorum of at least three members of the Committee.

Through the Society's bylaws, the Registration Committee should be conferred the following powers in respect to applications for membership:

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[98] ASIS International (2017). *Certified Protection Professional*. Retrieved from https://www.asisonline.org/Certification/Board-Certifications/CPP/Pages/default.aspx [2017, December].

- approve the application;
- refuse to approve the application; or
- defer approval of the application until such time as the applicant meets certain outstanding requirements.

The Registration Committee will be obligated to provide notice to the applicant of its decision and, in the case of a refusal or a deferral, provide detailed reasons as to the decision.

(c) Practice Review Committee

The Practice Review Committee will be responsible to report and advise the Governing Body in respect to the following matters:

- assessing the educational and experiential requirements for membership;
- evaluating competency standards;
- the general practice of the occupational health and safety profession; and
- any other matter that the Governing Body believes should be reviewed by the Practice Review Committee.

These reviews and assessment are ongoing in nature. The Practice Review Committee is expected to keep up on developing trends and changes in professional practice.

The Practice Review Committee's constitution should follow the typical structure of a POARA registration committee:

- consist of at least three professional members of the Society, one of whom is appointed as chair; and
- quorum is a majority of the members of the Committee.

The Practice Review Committee is also responsible to assess the conduct or competency of individual members where the Society becomes aware of concerns (outside of a formal complaint). In such a case, the Practice Review Committee may make recommendations to the individual member or refer the matter to the Disciplinary Committee.

Upon review of all other matters, the Practice Review Committee must complete a report of its findings and recommendations, and provide that report to the Governing Body.

(d) Establish a Disciplinary Committee

The Society will need to establish a disciplinary committee. It is recommended that the Society, in anticipation of becoming the self-regulatory body, establish its Disciplinary Committee in accordance with the requirements under POARA.

This includes the following:

- appoint of a chair and vice-chair (s.18 POARA);
- the chair and vice-chair cannot also be members of the governing board of the Society;
- appoint one member to the Committee who is also a member of the governing board of the Society; and
- appoint at least three other members who are not also members of the governing board of the Society.

3.4 CREATE A CODE OF ETHICS [STEP 4]

The Society must next create a Code of Ethics. This will establish the rules of the profession that each member must follow. Care should be exercised in its creation to ensure that it fully meets the public interest needs, but does not unjustifiably burden the membership.

(a) Minimum Requirements

As stated in Section 1.5.2 of this paper, a Code of Ethics must at least cover the following areas:

- avoid conflict of interests;
- refrain from engaging in conduct that may bring the profession into disrepute;
- refrain from performing work for which the member is unqualified;
- perform all duties with fairness, honesty, and integrity;
- exercise due diligence in the practice of the profession;
- place the profession above the member's own self-interests, including their employment; and
- respect confidential information.

(b) Personal Conduct

In addition to the minimum requirements, the Society should consider what other ethical obligations are necessary to ensure the integrity of the profession, including restrictions on personal conduct of members.

The Society should place restrictions on personal conduct that does, or may, impact the health and safety of others. This may include the following:

- commission of public welfare offences (e.g., Public health, occupational health and safety, environmental);
- commission of motor vehicle offences (e.g., Traffic offences, vehicle safety offences); and
- commission of criminal offences involving public endangerment (e.g., Assaults, impaired driving).

The Society should also consider placing restrictions on personal conduct that could bring the reputation of the profession into disrepute.

This may include the following:

- commission of criminal and regulatory offences;
- discriminatory behaviour (e.g., Promoting racism, hatred of a group of people, homophobia, xenophobia);
- financial improprieties; and
- publicly undermining the profession, other health and safety professionals, or the regulatory body.

(c) Adopting/Adapting Current Codes of Ethics:

As discussed in section 2.4.1 of this paper, the sub-disciplines all have established Codes of Ethics. It is recommended that the Society develop its own, single Code that will govern all sub-disciplines under its regulatory control. It may, however, choose to draw upon ethical requirements currently used by the sub-disciplines.

It should be noted that the various Codes of Ethics are only directed at conduct occurring during the performance of a member's professional activity. Though thorough in this regard, the Society may wish to expand the ethical requirements to address personal conduct and other issues that could put the profession into disrepute.

3.5 ESTABLISH EXPERIENTIAL TRAINING PROGRAM [STEP 5]

Quality assured, experiential training is a missing element in the current occupational health and safety profession. Most of the included sub-disciplines have experiential requirements; however, they do not look to the quality of such experience. Also, there is no oversight by the certifying body of the experiential training period.

The Society can strengthen experiential training in the OHS professions by establishing the following:

(a) a candidate membership classification;
(b) guidelines for experiential training; and
(c) apprenticeship, sponsorship, or mentorship of candidate members.

(a) Establish a Candidate Membership Classification

The Society may establish a "candidate" membership classification in order to support a mentorship/sponsorship requirement under the proposed regulatory body.

A candidate member is a person who does not hold certification in any of the included sub-disciplines, but wishes to obtain certification. Such a person could register as a candidate member under the Society. That person would then be

(1) subject to the bylaws of the Society;
(2) subject to the Code of Ethics, and

(3) eligible to participate in the mentorship/sponsorship program including experiential training (see below).

Upon the completion of the candidate requirements, which in addition to the Society requirements would include obtaining certification under one of the included sub-disciplines, the candidate would be eligible for full membership status in the Society.

(b) Establish Experiential Training Requirement

After the establishment of the candidate membership classification, the Society will need to establish the experiential training period requirements. Most of the sub-disciplines' certifying bodies already have established time periods for this experience requirement. It is recommended that the Society simply adopt those time periods (examples below) unless there are concerns regarding the insufficiency of those periods.

- CRSP – 4 years of experience with at least 50% of that time devoted to occupational health and safety work (effective January 1, 2018)[99];
- CHSC – 5 years of experience with at least 51% of that time devoted to OHS related duties[100]
- CRST – 1 year of experience with at least 35% of the time devoted to "OHS duties";[101]
- ROH – 2 to 5 years of experience depending upon the level of university degree held by the prospective member;[102]
- ROHT – 3 to 5 years of experience depending upon the level of education held by the prospective member (with 50% of the time within those years being devoted solely to hygiene work)[103];
- NCSO – 3 years field experience[104];
- HSA – no experience[105];
- COR (Internal) Auditor – no experience;
- COR (External) Auditor – 5 years of experience (Energy Safety Canada)[106]; and
- CCPE – unspecified time period[107].

Once the time period has been established, the Society will need to ensure that candidate members are receiving quality experiential training during that period. This can be achieved through establishing standards and instituting an apprenticeship, mentorship, or sponsorship program.

[99] *Supra*, at note 56.
[100] *Supra*, at note 53.
[101] *Supra*, at note 52.
[102] Canadian Registration Board of Occupational Hygienists (2017). *ROH - Eligibility.* Retrieved from http://media.wix.com/ugd/fecfc3_76ab441f69444c679738470058ea19cc.pdf [2017, December].
[103] *Supra*, at note 46.
[104] *Supra*, at note 53.
[105] *Supra*, at note 116.
[106] *Supra*, at note 63.
[107] Canadian College for Certification of Professional Ergonomists (2017). *Criteria*. https://www.cccpe.ca/certification/requirements.html [2017, December].

(c) Sponsorship

Although apprenticeship is the best model for ensuring the quality of experiential training, it is not likely conducive to the occupational health and safety profession. OHS professionals tend to work as individuals or in small teams. Apprenticeship involves taking on the apprentice to work under the direct supervision of a senior member. This would require the member or the member's employer to hire on the apprentice (assuming paid apprenticeship requirement) for the term of the apprenticeship.
This would likely be cost prohibitive for many employers. There may, however, be options for grant funding to reduce employer costs if this model is considered appropriate or to make apprenticeship part of the programs at education institutions.

Sponsorship appears to be the best model for the OHS professions, though mentorship may work as well. Sponsorship provides an extra level of quality assurance wherein the sponsor becomes accountable for the training period of the candidate member. At the completion of the experiential training, the sponsor must vouch for the candidate member and be satisfied that the experiential training was appropriate to prepare that member for professional practice. In a mentorship program, the mentor has no such accountability. The mentor is simply there to guide the candidate member if that member wishes to receive such guidance.

If sponsorship is chosen, the Society will need to develop the parameters of the program. This can and should be implemented before the Society's conversion to a professional regulatory body. Regardless of the eventual need to meet this entrance requirement, candidate members would benefit from this type of guidance from established professionals. Also, implementing this program will demonstrate the ability of the Society to be a quality self-regulatory body.

3.6 ESTABLISH EDUCATIONAL REQUIREMENTS AND EDUCATIONAL INSTITUTION ACCREDITATION [STEP 6]

Most of the included sub-disciplines have established educational requirements, though some allow for experience to stand in lieu of education. The Society may choose to adopt these guidelines if it deems the requirements to be satisfactory.

(a) Evaluate Current Educational Requirements:

The following are the current (or soon to be established) educational requirements for the sub-disciplines:

- CRSP – 2 year OHS certificate /diploma (900-hour minimum) or any university degree[108]
- CHSC – at least a 1 year certificate or diploma in OHS or environment[109]
- CRST – 1 year OHS certificate/diploma or any university degree[110]

[108] *Supra*, at note 56.
[109] *Supra*, at note 43.
[110] The CRST is a new designation developed by the BCRSP.

- ROH – PhD (occupational hygiene or equivalent), PhD (acceptable science or engineering), Master (occupational hygiene or equivalent), Master (acceptable science or engineering), or Bachelor (acceptable science or engineering)[111]
- ROHT – experience may be deemed equivalent to education (community college occupational hygiene program, community college related science or engineering, 2 years of an undergraduate degree program in related science or engineering)[112]
- NCSO – Completion of the ACSA internal education program[113]
- HSA – Completion of the ACSA internal education program[114]
- COR Auditors – Completion of an education program established by the Certifying Partner[115]
- CCPE – University degree in a related field[116]

(b) Ensure Consistency in OHS Education Programs

As noted in Part 2, there are drastic differences between the educational programs, especially in the area of general health and safety study. For example, diploma/certificate programs range from 42 courses plus a work program (British Columbia Institute of Technology) to 6 courses equaling 210 hours of instruction (University of Fredericton).

The BCRSP may be working on this issue through its National Education Symposium.[117] However, the Society should ensure that this process brings about a consistent educational standard across all institutions, which will satisfy the Society's (and certifying affiliates) educational requirements. To achieve this goal of consistency, the Society may consider using the services of an educational accreditation body such as the Canadian Technology Accreditation Board (see section 1.4.1).

(c) Establish New/Additional Requirements

A few of the sub-disciplines accept a non-OHS based education as meeting the educational requirement.

These include the following:

- BCRSP – any university degree
- ROH – PHD, Masters, or Bachelor degree in engineering or acceptable science

[111] *Supra*, at note 153.
[112] *Supra*, at note 46.
[113] *Supra*, at note 116.
[114] Ibid.
[115] Government of Alberta (2017). *COR | Find a Certifying Partner*. Retrieved from https://work.alberta.ca/occupational-health-safety/cor-find-a-certifying-partner.html [2017, December].
[116] Association of Canadian Ergonomists (2017). *Professional Certification*. Retrieved from https://www.ace-ergocanada.ca/about/certification.html [2017, December].
[117] Board of Canadian Registered Safety Professionals (2017). *National Education Symposium*. Retrieved from https://www.bcrsp.ca/ohs-educators/national-education-symposium [2017, December].

Some of the sub-disciplines allow for experience in lieu of education:

- ROHT – experience can be deemed equivalent to education

Occupational health and safety is a discipline in and of itself, which requires specialized education. A non-OHS focused university degree (e.g., Arts, Business, etc.) would not provide the educational foundation for a person to properly practice in the profession. Further, unregulated experience (as discussed earlier) should not be used in substitution of structured education.
The Society should consider whether the current OHS specific educational exemptions are justified and, if not, what requirements should be implemented in order to ensure the competency of persons entering the profession.

A non-OHS university degree could be supplemented with a requirement to complete core OHS coursework such as:

- Health and Safety Management Systems;
- Occupational Hygiene;
- Occupational Health and Safety Law;
- Health and Safety Programs;
- Health and Safety Hazard Recognition, Evaluation, and Control;
- Organizational Behaviour;
- Ergonomics;
- Accident Causation Theory;
- Disability Management;
- Workplace Wellness;
- Emergency Response;
- Risk Management and Communication; and
- Fire Safety.

(d) Continuing Education Requirements

The above educational requirements only apply to people who are entering the profession. Learning, however, is a lifelong process. Technology, best practices, understanding of issues, and legal requirements all change over time. Also, new areas may be introduced to a profession. For example, psychosocial hazard assessment and control has recently gained widespread recognition in the occupational health and safety profession.

Also, refresher education is important for a practicing professional, as the understanding of key concepts required for proper practice may diminish with time.
It is important to the integrity of a profession that its members be obligated to undergo continuing education. Many of the sub-disciplines have continuing education requirements, which may be adopted by the Society (see section 2.4.2).

3.7 DEVELOP COMPETENCY TESTING [STEP 7]

Most of the sub-disciplines have a competency testing requirement, which is administered by the certifying body (see section 2.3.4). The Society must determine whether to adopt these testing standards, apply its own, or otherwise supplement competency testing to meet Alberta requirements.

(a) Alberta-Specific Competency Testing

Many of the certifying bodies are national organizations. Competency testing, therefore, tends to have either a national focus or is predominantly focused toward the requirements of one province. In order for a person to demonstrate competency in Alberta, the competency exam needs to test the requirements that are relevant to this province. A national standard exam would not achieve this goal.

For example, the sub-disciplines' competency exams all have a legal component. The laws related to professional practice are different from one province to another. Therefore, the legal component (or any other component that has a legal foundation) needs to be tailored to meet the laws of Alberta.

There can also be differences in standards, type of work-environments, and hazards between jurisdictions. If the Society decides to adopt the competency testing of national certifying bodies, it will need to consider tailoring or supplementing such testing to meet Alberta requirements.

(b) Standardizing COR Auditor Competency Evaluation

COR Auditor Competency Evaluation is dramatically different between the 13 Certifying Partners. If COR Auditors are considered for inclusion, the Society should look to standardize such testing. It may explore working with Partnerships, the government program housed within the Ministry of Labour, in order to bring a standardized experiential, educational, and competency evaluation process for auditors to all Certifying Partners.

3.8 ESTABLISH A DISCIPLINARY PROCESS [STEP 8]

A disciplinary process ensures compliance with the Code of Ethics, and the exercise of good skill and judgment by members in the performance of their professional practice. In order to be considered for registered association status under a self-regulatory model, the Society must develop a disciplinary system that includes a complaint, disposition, and appeal process.

(a) Establish Complaint Process

It is recommended that the Society develop its complaint process in accordance with the POARA requirements, which are as follows:

- Allow any person to submit a written and signed complaint against a member (involving unskilled practice or professional misconduct) to the Chair (s.20 POARA);

- Provide notice of complaint to the member at question and require that member to provide a written response to the complaint (s.21 POARA);
- Within 30 days of receiving the complaint, the chair must dismiss the complaint as frivolous or vexatious, or set a date before the Committee when the matter will be heard within 60 days after receiving the complaint or within a time period otherwise deemed appropriate (s.21(3) POARA);
- Provide notice to the complainant and member at question of a decision to dismiss the complaint or set the matter down for hearing (s.22(1) POARA);
- Afford the complainant an appeal to the governing body of the Society where the complaint is dismissed as frivolous or vexatious (s.22(2) POARA); and
- Provide notice of hearing date, time, and place to the member at question and the complainant at least 30 days before the hearing (s.23 POARA).

(b) Establish the Disciplinary Hearing Process

It is recommended that the Society develop its disciplinary hearing process in accordance with the POARA requirements, which are as follows:

- Allow the member at question to make oral representations at a hearing and be represented by agent or legal counsel (s. 26 POARA);
- Witness and evidence procedure (ss.28-32 POARA) (an enabling statute will be required to give the procedure the force of law; however, the structure can still be established prior to such enactment); and
- Set dispositions of disciplinary committee (ss. 34-35 POARA) (an enabling statute will be required to give dispositions the force of law; however, such dispositions can be established prior to such enactment. Failure to comply with dispositions would result in revocation of membership.)

In addition to the requirement under POARA, the Society may develop its own rules of procedure including, but not limited to,

- Whether proceedings will be recorded or not;
- Public versus private hearings;
- Committee panel structure;
- Order of submissions;
- Procedure for adjournment; and
- Whether written submissions are required/allowed at hearing.

(c) Establish Internal Appeal Process

The internal appeal process can be developed and implemented by the Society prior to the creation of an enabling statute. Development of court appeal processes and procedures will need to be deferred until the enabling statute is under development.

It is recommended that the Society develop its internal appeal process in accordance with the POARA requirements, which are as follows:

- Right of review of disposition of disciplinary committee by the governing body (s.35 POARA); and
- Designated powers of reviewing body (S.36 POARA).

(d) Alternative Dispute Resolution:

Complaint proceedings are necessary but costly to a self-regulatory body. For instance, if a matter were to be appealed to court, the legal fees could cost the organization well into the six-figure dollar amount. To avoid costly proceedings while still ensuring the integrity of the profession, it is recommended that an alternative dispute resolution process be established.

This may include:

- Informal mediation where a member of the Society attempts to work out an agreeable disposition between the complainant and the member at question; or
- Formal mediation where a third-party mediator is hired to attempt to resolve the matter.

3.9 APPLY TO GOVERNMENT TO ESTABLISH A PROFESSIONAL STATUTE AND BE RECONSTITUTED AS A "REGISTERED ASSOCIATION" [STEP 9]

Governance of the OHS Profession could occur under POARA or under a self-standing statute. For ease of institution, it is best to enshrine the profession as a regulation under POARA.

As stated in Part 1, a POARA regulation cannot create scope of practice protection; however, scope of practice protection can come through amendments to the Occupational Health and Safety legislation and possible the Safety Codes legislation (see Step 10).

(a) Prerequisites

To be considered for registered association status, the Society will need to demonstrate that

- It represents a significant percentage of the professional members seeking legislated status; and
- It has the financial resources to properly regulated the profession.

The following is the breakdown of certified OHS professionals in Alberta using 2015 data:

- 45 ROHs
- 65 CIHs
- 28 ROHTs
- 1,699 CRSPs
- 190 CHSCs

The Society should set a goal of obtaining the membership at least 50% of the certified professionals practicing in Alberta before preparing its application for registration under POARA.

The Society will also need to establish its financial health. The Society will be solely reliant upon its membership for its financial resources. The money will be obtained through application fees and annual membership renewal fees. In order to sustain itself financially through the registration process and when it becomes a registered association; the Society will likely need to impose an annual membership fee within the $200-$300 range. This is a typical range for POARA associations.

(b) Requirements

The Society will need to demonstrate that it has met, or will meet, the requirements for registration. These include the following:

- defined scope of occupational practice (Step 2);
- experiential, educational and competency evaluation (Steps 5,6, and 7);
- membership categories and the professional titles/abbreviations (Steps 2 and 9);
- code of ethics (Step 4);
- structure of governing body, disciplinary committee, practice review committee, and registration committee (Steps 3);
- continuing education requirements (Step 6);
- complaint, disciplinary and appeal process (Step 8); and
- ensuring compliance with interprovincial and international labour mobility agreements.

(c) Stakeholder Consultation

To prepare for the Registrar's investigation under s.7(1) POARA, it is recommended that the Society consult stakeholders on the proposed status as a registered association for the purpose of self-regulating the OHS profession. Consultation by the Society should occur in two stages:

> Stage 1: Assess general support from stakeholders.
> Stage 2: Consult stakeholders on the details of the proposed regulatory scheme (e.g. governance structure, discipline, code of ethics, educational, experiential, and competency requirements, continuing education, etc.).

The Society will need to identify the stakeholders. The following represent some of the potential stakeholders:

- Board of Canadian Registered Safety Professionals;
- Canadian Registration Board of Occupational Hygienists;
- Canadian Society of Safety Engineering;
- Partnerships in Injury Reduction;
- All 13 Certifying Partners under the COR Program;
- Alberta Ministry of Labour;
- Alberta Ministry of Advanced Education;

- Alberta Ministry of Economic Development and Trade;
- University of Alberta;
- Northern Alberta Institution of Technology;
- University of Calgary;
- Petroleum Services Association of Canada;
- Canadian Association of Petroleum Producers;
- Construction Owners Association of Alberta; and
- Alberta Federation of Labour.

The Society can seek guidance from the Professional Governance Unit under the Ministry of Labour as to how extensive this consultation needs to be in order to meet the requirements for registration consideration.

(d) Registration Application

The Society may apply to the Registrar of Professional and Occupational Associations under s.6 POARA to become the registered association for occupational health and safety professionals in Alberta.

Section 6(2) POARA sets out the requirement of an application for registration:

> 6(2) An application under subsection (1) shall be accompanied with
> (a) the name and abbreviations of the name of the association and the proposed designated title and abbreviations of the proposed designated title to be used by its members,
> (b) a list of the names of the members of the association,
> (c) a resolution of the members passed in accordance with the association's procedures indicating that they wish the association to be registered under this Act,
> (d) a copy of the incorporating documents of the association, if any,
> (e) a statement of the purposes of the association,
> (f) the existing bylaws of the association, if any, on matters referred to in section 15,
> (g) the association's proposed regulations, if any…

(e) Registration Investigation

Upon receiving an application, s.7(1) POARA requires the Registrar to undertake an investigation into whether registered association status should be granted to the applicant. Section 7(2) POARA sets out the possible considerations surrounding this investigation.

> 7(2) In conducting the Registrar's investigation, the Registrar may consider
>
> (a) whether the association serves to protect the public against incompetence and fraud that could affect the life, health, welfare, safety or property of the public and whether it is in the public interest that the association be registered;

(b) whether the association represents a group of persons practiced an identifiable profession or occupation and whether it represents persons whose primary object is to advance the interests of a profession or occupation practiced by the members of the association;
(c) whether there are a sufficient number of persons engaged in an identifiable profession or occupation to warrant the exclusive use by those persons of a name identifying that profession or occupation;
(d) the proportion that the members of the association are of the total number of persons in Alberta who engage in the practice of the profession or occupation seeking registration and whether the association represents a significant number of the persons engaged in the practice of a profession or occupation;
(e) whether the profession or occupation is governed by an Act in force in Alberta;
(f) whether the name proposed by the association may cause the public undue confusion with the name of any other profession, trade, occupation or calling already governed by an Act or regulation;
(g) whether the proposed designated title or its abbreviations conflict with those of another registered association or profession or occupation governed by any other Act in force in Alberta;
(h) whether other associations support the association's application for registration as a registered association;
(i) whether the association represents or is normally engaged in representing its members in the negotiation of collective bargaining agreements;
(j) the number of members in the association, the length of time it has existed, whether it is incorporated and its financial position;
(k) whether the association has a continuing education program for its members;
(l) the academic and experience requirements for registration as a member of the association;
(m) whether the association has proposed regulations;
(n) whether the association has an elected governing body;
(o) any other matter that the Registrar considers appropriate.

(f) Registration

If, after completing the investigation, the Registrar is satisfied that the Society should be registered as the self-regulatory body of the profession, the Registrar shall recommend to the Minister of Labour that the Society be so registered (s.8(2) POARA). The Minister will then recommend to the Lieutenant Governor in Council that the Society (which would be renamed under the new POARA regulation) be added to the Registry. The Lieutenant Governor in Council will so order, and a new POARA regulation will be created.

3.10 WORK TO ESTABLISH SCOPE OF PRACTICE PROTECTION [STEP 10]

Once title protection is achieved through a professional statute, the College can approach government to discuss legislated scope of practice protection for certain types of occupational health and safety work. This would be best achieved through the Occupational Health and Safety legislation.

The College will need to determine what legislated health and safety work needs to be performed by a health and safety profession. The rationale for this determination must be based upon the public interest, not the desire for the profession to secure work for its members.

(a) Scope of Practice Protection in other jurisdictions

There is at least one Canadian jurisdiction that has legislative scope of practice protection for certified occupational health and safety professions, but only in one area. British Columbia, under its *Occupational Health and Safety Regulation*, provides that hazard assessments and written confined space procedures must be prepared by a certified professional or other person deemed qualified by the Board:

> 9.11 (1) The hazard assessment and written confined space entry procedures must be prepared
>
> > (a) by a qualified person who has adequate training and experience in the recognition, evaluation and control of confined space hazards, and
> > (b) in consultation with the person assigned overall responsibility for administration of the confined space entry program and with the joint committee or the worker health and safety representative, as applicable.
>
> (2) For the purposes of subsection (1)(a) qualifications which are acceptable as evidence of adequate training and experience include
>
> > (a) **certified industrial hygienist (CIH), registered occupational hygienist (ROH), certified safety professional (CSP), Canadian registered safety professional (CRSP)** or professional engineer (P. Eng.), provided that the holders of these qualifications have experience in the recognition, evaluation and control of confined space hazards, or
> > (b) Repealed. [B.C. Reg. 243/2006, effective January 1, 2007.]
> > (c) other combination of education, training and experience acceptable to the Board.
> > **(Bold Mine.)**

As discussed earlier, scope of practice protection should be coupled with professional title protection and regulatory oversight of such professionals. Though the British Columbia example demonstrates that scope of practice protection could be introduced outside of a provincial profession regulation, it is not ideal. It is important that professionals, who enjoy scope of practice protection within a province, are accountable as professionals within that province.

(b) Possible Areas Requiring Scope of Practice Protection

The College may wish to approach government to suggest amendments to the Occupational Health and Safety legislation to require certain work to be performed by OHS Professionals.

The following are areas that should be considered. Not all work within these areas will require the use of an OHS Professional; however, any requirement to assess hazards and develop procedures within these areas would greatly benefit from an obligation to use a qualified OHS professional.

- Occupational Health and Safety Professional
    - Part 2 OHS Code – Hazard Assessment and Controls
    - Part 5 OHS Code – Restricted Spaces
    - Part 7 OHS Code – Emergency Preparedness Plan
    - Part 27 OHS Code – Workplace Violence
    - Part 28 OHS Code – Working Alone
    - Development of Health and Safety – Management Systems

- Occupational Hygienist
    - Part 4 OHS Code – Chemical Hazards, Biological Hazards and Harmful Substances
    - Part 5 OHS Code – Confined Spaces
    - Part 16 OHS Code – Noise Exposure
    - Part 18 OHS Code – Personal Protective Equipment
    - Part 29 OHS Code – Workplace Hazardous Materials Information System

CONCLUSION

The occupational health and safety profession must evolve into a fully regulated profession, and the time is now. The work performed within this profession is vital to the health and safety of workers and the public interest. Therefore, it is imperative that measures be put in place to ensure the competency of the individuals who provide these critical services.

As established in this paper, there are many health and safety designations and many educational institutions offering occupational health and safety programs. There are vast differences between the quality of certain designation and educational programs, which may render them ineffective for establishing competency of practitioners. Couple these concerns with that fact that there are many individuals practicing without any designation or education, it is clear that regulatory oversight is required.

The path forward will necessitate the creation of a provincial society, which will establish the structure and standards to apply for registered association status. If successful, this body will then regulate the profession within Alberta. The provincial society will not be able to achieve this alone. It will require a concerted effort by the Board of Canadian Registered Safety Professionals (BCRSP), the Canadian Registration Board of Occupational Hygienists (CRBOH), the Canadian Society of Safety Engineering (CSSE), the 13 Certifying Partners under the Alberta Certificate of Recognition (COR) program, the Government of Alberta, the Construction Owners Association of Alberta (COAA), the Canadian Association of Petroleum Producers (CAPP), the Petroleum Services Association of Canada (PSAC), and other key stakeholders. Together, these groups can come together to forge a new future for the health and safety profession within Alberta and beyond.

APPENDIX A

Restricted Activity Authorization: Section 17 Physicians, Surgeons and Osteopaths Profession Regulation under the Health Professions Act

Authorized restricted activities

17 A regulated member registered on the general register, provisional register, limited practice register, courtesy register, emergency register or telemedicine register may, in the practice of medicine or osteopathy and in accordance with the standards of practice, perform the following restricted activities:

(a) to cut a body tissue, to administer anything by an invasive procedure on body tissue or to perform surgical or other invasive procedures on body tissue below the dermis or the mucous membrane or in or below the surface of the cornea;

(b) to insert or remove instruments, devices, fingers or hands

(i) beyond the cartilaginous portion of the ear canal,
(ii) beyond the point in the nasal passages where they normally narrow,
(iii) beyond the pharynx,
(iv) beyond the opening of the urethra,
(v) beyond the labia majora,
(vi) beyond the anal verge, or
(vii) into an artificial opening of the body;

(c) to insert into the ear canal, under pressure, liquid, air or gas;

(d) to set or reset a fracture of a bone;

(e) to reduce a dislocation of any joint;

(f) to use a deliberate, brief, fast thrust to move the joints of the spine beyond the normal range but within the anatomical range of motion, which generally results in an audible click or pop;

(g) to prescribe a Schedule 1 drug within the meaning of the Pharmacy and Drug Act;

(h) to dispense, compound, provide for selling or sell a Schedule 1 drug or Schedule 2 drug within the meaning of the Pharmacy and Drug Act;

(i) to administer a vaccine or parenteral nutrition;

(j) to prescribe, compound or administer blood or blood products;

(k) to prescribe or administer diagnostic imaging contrast agents;

(l) to prescribe or administer anesthetic gases, including nitrous oxide, for the purposes of anesthesia or sedation;

(m) to prescribe or administer radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols;

(n) to order or apply any form of ionizing radiation in medical radiography, nuclear medicine or radiation therapy;

(o) to order or apply non-ionizing radiation in lithotripsy, magnetic resonance imaging or ultrasound imaging, including any application of ultrasound to a fetus;

(p) to prescribe or fit an implant-supported prosthesis;

(q) to perform a psychosocial intervention with an expectation of treating a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognize reality or ability to meet the ordinary demands of life;

(r) to manage labour or deliver a baby;

(s) to prescribe or dispense corrective lenses.

APPENDIX B

Municipal Assessors Code of Ethics
(legislated under s.24 of the *Municipal Assessor Regulation*)

24(1) A Regulated Member shall

(a) be dedicated to the profession,

(b) perform the practice of assessment with fairness, honesty and integrity,

(c) apply expertise and due diligence in performing the practice of the profession,

(d) work toward earning the respect and confidence of all of those served through the practice of assessment,

(e) maintain professional competence by keeping informed of and complying with developments in the acknowledged standards of the profession in which the member practices,

(f) disclose to all affected parties any potential conflict of interest that arises or is likely to arise during the performance of his or her duties,

(g) always act in accordance with the duties and responsibilities associated with being a member of the Association,

(h) at all times act in a manner that will enhance the image of the profession and the Association, and

(i) report to the Association conduct by any member that may be considered unethical.

(2) A Regulated Member shall not

(a) undertake assessments for which he or she is not qualified through either lack of education, experience or ability,

(b) advance his or her membership or candidacy as evidence of professional qualifications,

(c) claim professional qualifications that are misleading or not factual,

(d) put forward membership or any designation granted by the Association as authority to undertake the practice of assessment in areas in which he or she is not fully qualified,

(e) allow the interests of outside parties to take precedence over his or her professional duties,

(f) make any irresponsible public statements of value,

(g) disclose any information of a confidential nature to any person except where required by law, and

(h) contravene any law or standards of practice under which he or she is bound.

APPENDIX C

Professional Biologists Code of Ethics (adopted)

Responsibilities to the Public

A Professional Biologist shall:

- Continually assess her/his professional competence and maintain competence through continuing education, training and experience.
- Conduct the practice of biology in accordance with all applicable laws and established ASPB's Practice Standards.
- Offer professional services only on matters in which she/he is qualified through professional training and/or experience.
- Be objective and honest in all estimates, reports, testimony and other matters, and identify limitations in data or concepts.
- Conduct professional activities with the highest regard for the health and safety of the public and for the environment.
- Accept full responsibility for the results and conclusions of all professional work and refuse to allow her/his name to be associated with work which has been altered in such a manner as to imply substantially different conclusions than those originally stated.
- Attempt to convey to the public at large, as well as to other professions, an understanding of the concepts of biological sciences and its practice as related to the natural environment and the public welfare.

Responsibilities to the Employer or Client

A Professional Biologist shall:

- Disclose relevant professional qualifications and experience to the employer or client as appropriate.
- Identify any interests of the Biologist that may impair her/his objectivity and disclose those interests to each client or employer at the earliest possible time, and in any report in which the Biologist states his or her professional opinion. The Professional Biologist shall also take any necessary measures to ensure that such interests do not affect his or her objectivity in the practice of biology.
- Not disclose confidential information obtained while acting for any client or employer, unless authorized to do so by the employer or client or as required by law.
- Refrain from offering advice, in a professional context, as to the qualifications and employment of another Professional Biologist, unless it is requested by the employer or client in the normal course of evaluating prospective employees or consultants.

- Will not manipulate his or her findings or professional opinions in exchange for compensation of any kind.
- Not falsify or misrepresent his or her findings or professional opinions.

Responsibilities Within the Profession

A Professional Biologist shall:

- Credit work done by others, and take responsibility for her/his own work through authorship or appropriate acknowledgment.
- Recognize that an individual must make a distinction between statements that are personal and those that have the support of the profession and the ASPB.
- Not allow profit or personal advancement to interfere with responsibility to the ASPB and the profession.
- Take reasonable precautions not to injure the professional reputation of another person through vexatious or frivolous statements.
- Assist in the development of the profession by supporting the ASPB Codes of Ethics & Conduct, encouraging biologists and students of biology, and by sharing knowledge and experience.
- Bring concerns about possible unethical conduct, professional misconduct or unskilled practice by a Professional Biologist to the persons or bodies best suited to investigate and handle such concerns.
- Endeavor at all times to encourage the dissemination of biological information and improve the competence, esteem and respect of the profession.
- Not claim or imply that any statements related to personal or professional opinions or beliefs are the position of the profession or the society[118]

[118] Alberta Society of Professional Biologists (2017). *Code of Ethics.* Retrieved from https://www.aspb.ab.ca/code-of-ethics [2017, December].

APPENDIX D

Health and Safety Certifications

Title	Definition	Education	Experience	Competency	Discipline	Statute Regulated
CCPE[119]	Canadian Certified Professional Ergonomist	Related university degree	4 (or more) years	Education only	Yes	No
CHSC[120]	Certified Health and Safety Consultant	1 year OHS program or 2-year non-OHS program plus 6 courses	5 years	Examination	Yes	No
CHSMSA[121]	Certified Health and Safety Management System Auditor	Varies from secondary school education only to relevant Master's degree (or higher).	Varies dependent on education from a minimum 2 years to a minimum 5 years	Examination	Unknown*	No
CIH[122]	Certified Industrial Hygienist	University Degree or equivalent college	4 years	Examination	Yes	No
COHN(C)[123]	Certified Occupational Health Nurse (Canada)	RN with current registration/license in Canada	5 years (3,900 hours in 1 of 5 nursing domains)	Examination	Yes	Yes
CRM[124]	Canadian Risk Management	3 courses	none	Examination	No	No

* No information readily available.

[119] Canadian College for Certification of Professional Ergonomists (2017*). CCPE Certification Application Kit.* Retrieved from https://www.cccpe.ca/files/CCCPE_Application-Form_-2017_EN.pdf [2017, December].
[120] Canadian Society of Safety Engineering (2017). *Certified Health & Safety Consultant.* Retrieved from http://www.csse.org/chsc_designation [2017, December].
[121] Canadian Society of Safety Engineering (2015). *Hiring a Health and Safety Practitioner*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/134/attachments/original/1446650533/CSSE-Hiring-a-Health-and-Safety-Practitioner.pdf?1446650533 [2017, December].
[122] American Board of Industrial Hygiene (2017). Retrieved from http://www.abih.org [2017, December].
[123] Canadian Nurses Association (2017). *Application Process.* Retrieved from https://cna-aiic.ca/en/certification/get-certified/application-process [2017, December].
[124] Global Risk Management Institute, Inc. (2017). *Canadian Risk Management Designation*. Retrieved from https://www.rims.org/grmi/Pages/Home.aspx [2017, December].

Title	Definition	Education	Experience	Competency	Discipline	Statute Regulated
CRSP[125]	Canadian Registered Safety Professional	1 year OHS Program or 2-4 year non-OHS Program plus education (changes July 1, 2018)	3 years (changes July 1, 2018)	Examination	Yes	No
CRST[126]	Canadian Registered Safety Technician	2 year OHS program, or 1 year OHS certificate program, or 2 years non-OHS formal education, or qualified journeyman in a trade	Varies dependent on education from no experience (2 year OHS program) to 1 year	Examination (first examination scheduled 2019)	Unknown*	No
CSC[127]	Construction Safety Coordinator	NBCSA course work	3 years	Examination	No	No
CSO[128]	Construction Safety Officer (multiple provinces have such designations)	Course work	3 years	Examination	No	No
CSP[129]	Certified Safety Professional	Bachelor's degree or OHS associate degree	4 years	Examination	Unknown*	No

* No information readily available.

[125] Board of Canadian Registered Safety Professionals (2017). Retrieved from http://bcrsp.ca/ [2017, December].
[126] Board of Canadian Registered Safety Professionals (2017). Retrieved from https://bcrsp.ca/newsroom/bcrsp-developing-canadian-registered-safety-technician-crst-certification [2017, December].
[127] Canadian Society of Safety Engineering (2015). *Hiring a Health and Safety Practitioner*. Retrieved from https://d3n8a8pro7vhmx.cloudfront.net/csse/pages/134/attachments/original/1446650533/CSSE-Hiring-a-Health-and-Safety-Practitioner.pdf?1446650533 [2017, December].
[128] Ibid.
[129] Board of Certified Safety Professionals (2017). *Associate Safety Professional*. Retrieved from http://www.bcsp.org/ASP [2017, December].

Title	Definition	Education	Experience	Competency	Discipline	Statute Regulated
GSC - CSC[130]	Gold Seal Certified Construction Safety Coordinator	Varies between no additional education beyond CSO coursework for safety managers to 100 education credits	5 years	Examination	No	No
HSA[131]	Health and Safety Administrator	Course work	None	No	No	No
NCSO[132]	National Construction Safety Officer	Course work	3 years	Examination	No	No
P.GSC[133]	Professional Gold Seal Certified	Hold a Gold Seal Certificate and 30 additional credits	2 years of experience in designation	No	No	No
ROH[134]	Registered Occupational Hygienist	University degree (Bachelor, Masters, PhD)	2-5 years depending on level of education	Oral and written examination	Yes	No
ROHT[135]	Registered Occupational Hygiene Technologist	Varies from high school to university degree depending on experience	2-5 years depending on level of education	Examination	Yes	No
QSR[136]	Qualified Safety Representative	Course work	None	Examination	No	No

[130] Supra, at note 124.
[131] Alberta Construction Safety Association (2017). Retrieved from http://www.youracsa.ca/ [2017, December].
[132] *Ibid*.
[133] Canadian Construction Association (2017). *Certification P.GSC.* Retrieved from http://goldsealcertification.com/professional-p-gsc/ [2017, December].
[134] Canadian Registration Board of Occupational Hygienists (2017). Retrieved from http://www.crboh.ca/ [2017, December].
[135] *Ibid*.
[136] Alberta Association for Safety Partnerships (2017). *Qualified Safety Representative*. Retrieved from http://www.aasp.ca/aasp_tmpl.php?content=qsr [2017, December].

Title	Definition	Education	Experience	Competency	Discipline	Statute Regulated
CTSP[137]	Certified Transportation Safety Professional	Courses currently being developed	Unknown*	Unknown*	Unknown*	Unknown*

* No information readily available.

[137] Alberta Government (2017). *On the Road with Carrier Services*. Retrieved from http://www.transportation.alberta.ca/Content/docType276/Production/OntheRoadBulletinJun17.pdf [2017, December].

APPENDIX E

Health and Safety Educational Designations

Title	Interpreted Definition
COHS	Occupational Health and Safety Certificate
C.OHS	Occupational Health and Safety Certificate
DOHS	Occupational Health and Safety Diploma
DipHS	Diploma in Health and Safety
ESS	Ergonomics Systems Specialist
OHSC	Occupational Health and Safety Certificate
OHSCert.	Occupational Health and Safety Certificate
OH&S Certificate	Occupational Health and Safety Certificate
OHSD	Occupational Health and Safety Diploma

APPENDIX F

Unofficial Designations in Use

Title	Interpreted Definition
OHS	Occupational Health and Safety
OH&S	Occupational Health and Safety

APPENDIX G

Occupational Health and Safety Degree Programs

Institution	Degree Type	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Cape Breton University[138]	B.H.Sc.	Unknown*	Unknown*	4-year option 2-year option 1-year in career/online option	Core Courses Include: • General Chemistry • Communication or English • Biology • Organic Chemistry • Introductory Microbiology • Math • Anatomy & Physiology • Statistics • Physics • Science/Technology Elective
McGill University[139]	M.Sc.(A)	45 credits (30 credits of coursework; 15 credits of research project)	11 courses (including research project which stands as 1 course)	Unknown*	Core Courses Include: • Occupational Hygiene • Occupational Safety Practice • Principles of Toxicology • Biological Hazards • Physical Health Hazards • Work and Environment Epidemiology

* No information readily available.

[138] Cape Breton University (2017). *Cape Breton University Happen*. Retrieved from http://www.cbu.ca/academic-programs/ [2017, December].

[139] McGill University (2017). *Future Graduate Students.* Retrieved from https://www.mcgill.ca/gradapplicants/occupational-health-0 [2017, December].

Institution	Degree Type	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Ryerson University[140]	B.A.Sc.	Unknown*	46 courses	5 years (including 5 work terms - each 1 semester long + 8 semesters of study) 4-year option with no work terms	Core Courses Include: • Chemistry • Health Law • Occupational Health and Safety Law • Physics for the Health Sciences • Health Effects of Radiation • Integrated Disability Management • Occupational Hygiene Methods
University of Alberta[141]	MPH Environmental and Public Health	45 credits	13 courses plus a field practicum	20 months minimum to a maximum of 6 years	Core Courses Include: • This is Public Health • Using and Creating Evidence in Public Health Practice • Engagement for Public Health Action • Leadership and Professional Practice I, II, III, and Capping Project • Field Practicum
University of British Columbia[142]	M.Sc. OEH	42 credits	Dependent on option & courses chosen, very much a credit-based model	1.7 years to 2.5 years (depending on whether co-op or thesis route is chosen)	Core Courses (Co-op/Thesis): • Epidemiological Methods • Topics in Environmental Health • Principles of Occupational and Environmental Hygiene

* No information readily available.

[140] Ryerson University (2017). *Programs.* Retrieved from http://www.ryerson.ca/programs/undergraduate/occupational-health-safety/ [2017, December].

[141] The University of Alberta (2017). School of Public Health. Retrieved from https://www.ualberta.ca/public-health/programs/mph-programs [2017, December].

[142] The University of British Columbia (2017). *Faculty of Medicine School of Population and Public Health.* Retrieved from http://spph.ubc.ca/programs/msc-oeh/ [2017, December].

Institution	Degree Type	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
University of Fredericton[143]	EMBA	7 weeks per foundation level course, 7 weeks per specialty stream course, 12 weeks for the integration project	14 courses (including an integration project)	2 years, 5 months (considering 1 course per session)	Comprised of 14 courses: • 10 foundation level courses • 3 specialty stream courses • 1 integration project
University of Laval[144]	MBA / D.E.S.S.	Unknown*	Unknown*	16-20 months	Unknown* (bulk of programming information offered in French)
University of Montreal[145]	M.Sc. / PHD / D.E.S.S.	45 credits	45 credits	2 years	Unknown* (bulk of programming information offered in French)
University of Sherbrooke[146]	D.E.S.S.	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)
University of Toronto[147]	MPH	10 Full Course Equivalents	17 courses (including practicum which stands as 1 course)	2 years	Core Courses Include: • Occupational and Environmental Hygiene • Industrial Toxicology • Control of Occupational Hazards • Biological Hazards in the Workplace and Community • Introduction to Public Health Sciences

* No information readily available.

[143] University of Fredericton (2017). *University of Fredericton Canada*. Retrieved from https://www.ufred.ca/ [2017, December].
[144] Universite Laval (2017). *Programmes d'Etudes Offerts a l'Ul.* Retrieved from https://www.ulaval.ca/futurs-etudiants.html [2017, December].
[145] Universite de Montreal (2017). *Admissions and Program Guide*. Retrieved from https://admission.umontreal.ca/en/graduate-programs/health-sciences [2017, December].
[146] Universite de Sherbrooke (2017). *Universite de Sherbrooke Welcoming the World*. https://www.usherbrooke.ca/accueil/english/overview/ [2017, December].
[147] University of Toronto (2017). *MPH: Occupational and Environmental Health.* Retrieved from http://www.dlsph.utoronto.ca/program/mph-occupational-and-environmental-health/ [2017, December].

APPENDIX H

Occupational Health and Safety Diploma Programs

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
British Columbia Institute of Technology[148]	3,200 hours	42 courses + work term / 150 credits	2 years	Core Courses Include: • OHS Fundamentals • Legislation • Accident Causation & Analysis • Occupational Hygiene • Chemistry • Physics • Communications • Statistics
Cegep de Saint-Laurent[149]	2,565 hours	Unknown*	3 years	Unknown* (bulk of programming information offered in French)
Cegep de Sorel-Tracy[150]	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)
Great Plains College[151]	300 hours	8 courses	Variable (part and full-time options, purely online content)	• Organizational Dynamics • Ergonomics Foundations • Psycho-Social Hazards • Environmental Management • Risk Assessment • Disability Management
Keyin College[152]	Unknown*	Unknown*	Unknown*	Unknown* (courses are offered at multiple campuses and differ between each campus)

* No information readily available.

[148] British Columbia Institute of Technology (2017). *School of Health Sciences Occupational Health and Safety*. Retrieved from https://www.bcit.ca/study/programs/6850diplt [2017, December].
[149] Cegep de Saint-Laurent (2017). *Cegep de Saint-Laurent*. Retrieved from http://www.cegepsl.qc.ca/ [2017, December].
[150] Cegep de Sorel-Tracy (2017). *Cegep de Sorel-Tracy*. Retrieved from http://www.cegepst.qc.ca/ [2017, December].
[151] Great Plains College (2017). *Great Plains College.* Retrieved from https://www.greatplainscollege.ca/programs-courses/college-trades-university/diploma-safety-health-and-environmental-management [2017, December].
[152] Keyin College (2017). *Keyin College*. Retrieved from https://www.keyin.ca/program/occupational-health-safety/ [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Northern Alberta Institute of Technology[153]	102 credits	27 courses + work term	2 years	Core Courses Include: • Principles of OHS Management Systems • Legislation for OHS Professionals • Applied Chemistry • Applied Physics • Hazard Anticipation, Recognition, Evaluation, and Control Theory • Statistics and Data Analysis • Incident Investigation
Simon Fraser University[154]	312 hours	8-10 (depending on electives chosen, based on credits)	2 years	• Introduction to Health and Safety Systems • Management of Health and Safety Systems • Fundamentals of Occupational Hygiene • Safety Hazard Recognition, Evaluation, and Control • Health and Safety Legislation and Policy • Organizational Behaviour
University of Fredericton[155]	Unknown*	6 core & 2 electives	16 months	Core Courses Include: • Organizational Dynamics • Ergonomics Foundations • Psycho-social Hazards • Environmental Management • Risk Assessment • Disability Management Introduction
University of Montreal[156]	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)

* No information readily available.

[153] Northern Alberta Institute of Technology (2017). *NAIT A Leading Polytechnic Committed to Student Success*. Retrieved from http://www.nait.ca/program_home_77328.htm [2017, December].
[154] Simon Fraser University (2017). *Simon Fraser University Engaging the World Continuing Studies*. Retrieved from https://www.sfu.ca/continuing-studies/programs-and-courses/area-of-study.html [2017, December].
[155] University of Fredericton (2017). *University of Fredericton Canada*. Retrieved from https://www.ufred.ca/ [2017, December].
[156] Universite de Montreal (2017). *Admissions and Program Guide*. Retrieved from https://admission.umontreal.ca/en/graduate-programs/health-sciences [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
University of New Brunswick[157]	Unknown*	4 core courses and 4 technical electives (Candidates must have an OHS Certificate prior to entrance in the Diploma Program)	Up to 2 years	Core Courses Include: • Effective Communications • Human Performance Leadership • Effective Workplace Training • Psychological Health and Safety
University of Sherbrooke[158]	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)
University of Western Ontario[159]	7.5 academic units	10 courses + work term	12 months	• Introduction to OHS Legislation • Occupational Hygiene • Introduction to Environmental Issues for OHS • Accident Prevention and Investigation • Risk Assessment and Analysis • Introduction to Toxicology for OHS Management • Introduction to WSIB • Current Topics in OHS • Ergonomics for OHS • Communication in OHS

* No information readily available.

[157] University of New Brunswick (2017). *University of New Brunswick*. Retrieved from http://www.unb.ca/cel/online/courses-programs/healthsafety/index.html [2017, December].
[158] Universite de Sherbrooke (2017). *Universite de Sherbrooke Welcoming the World*. https://www.usherbrooke.ca/accueil/english/overview/ [2017, December].
[159] University of Western Ontario. Western Continuing Studies. Retrieved from https://wcs.uwo.ca/public/category/courseCategoryCertificateProfile.do?method=load&certificateId=21997&selectedProgramAreaId=&selectedProgramStreamId= [2017, December].

APPENDIX I

Occupational Health and Safety Certificate Programs

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Algonquin College[160]	297 hours	7 courses	297 hours	• Industrial Hygiene • Legislation for Health and Safety • Environmental Management • Management Labour Concerns in OHS • Fire Protection • Ergonomics • Health and Safety Program Management
British Columbia Institute of Technology[161]	45 credits (20 credits of required courses, 25 credits of electives)	(20 credits of required courses, 25 credits of electives)	1.5 - 2 years typically (students can take up to 5 years to complete)	• Occupational Health and Safety Fundamentals • Accident Causation and Analysis • OHS Legislation • Safety Program Design • Workplace Hazards and Controls • Hazardous Materials Management

[160] Algonquin College (2017). *Algonquin College Centre for Continuing & Online Learning*. Retrieved from http://www.algonquincollege.com/ccol/program/occupational-safety-and-health/part-time-on-campus/ [2017, December].

[161] British Columbia Institute of Technology (2017). *School of Health Sciences Occupational Health and Safety.* Retrieved from https://www.bcit.ca/study/programs/6850diplt [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Canadore College[162]	Unknown*	7 courses	Unknown*	• Industrial Hygiene • Health and Safety • Physical Hazards • Management Labour Concerns in Occupational Health and Safety • Fire Protection • Ergonomics • Legislation in the Workplace
Conestoga College[163]	Unknown*	8 courses	Unknown*	• Fundamentals of Ergonomics • Industrial Processes • Hazard Identification • Fire Safety • Introduction to Occupational Hygiene • Occupational Health and Safety Administration • Occupational Health and Safety Legislation • Sampling and Analysis

* No information readily available.

[162] Canadore College (2017). *Canadore College Part Time Studies*. Retrieved from https://ss.canadorecollege.ca:7009/PROD/zwskgrps.P_Courses?sect_code=BUS&ssec_code=BUS-OHS&term_code=201720 [2017, December].

[163] Conestoga College (2017). *Conestoga 50 Years*. https://www.conestogac.on.ca/fulltime/occupational-health-safety-and-wellness [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Dalhousie University[164]	270 hours	8 courses	1.5-2 years (maximum 4 years)	• Addressing Complex Employee Behaviours in the Workplace • Occupational Health & Safety Law & Regulations • Designing and Implementing an Effective OH&S Program and Establishing a Safety Culture • Auditing Environmental and OH&S Management Systems • Risk & Loss Control Management • Exposure Assessment or Occupational Hygiene for Managers
Durham College[165]	306 hours	7 courses	306 hours	• Environment Management Introduction • Ergonomics • Fire Protection • Industrial Hygiene • Legislation for Health and Safety • Management Labour Concerns in Occupational Health and Safety

[164] Dalhousie University (2017. *Dalhousie University 1818-2018*. Retrieved from https://www.dal.ca/faculty/cce/programs/occupational-health-and-safety-management/ohsm-certificate-program.html [2017, December].

[165] Durham College (2017). *Durham College Success Matters*. Retrieved from https://ssbp.mycampus.ca/prod_dc/syzkcrss.P_Course?term_code=201742&dept_code=DIPL&assc_code=HSWK [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Humber College[166]	Unknown*	1 required course + 7 electives required (9 choices for electives)	Unknown*	Core Course: • Occupational Health, Safety and Environment Law and Ethics
Lambton College[167]	Unknown*	21 courses + work term/applied project	2 years (4 semesters)	Core Courses Include: • Occupational Health and Safety Legislation • Ergonomics • Risk Management • Occupational Health and Safety Management Systems • Accident Prevention Theory and Investigation • Disability Management
Mohawk College[168]	Unknown*	8 courses	Unknown*	• Occupational Hygiene • Occupational Toxicology and Disease • Ergonomics • OHS Fundamentals • Hazard Assessment and Control • Basic Principles of Fire Safety • Health and Safety Program Development and Coordination

* No information readily available.

[166] Humber College (2017). Humber. Retrieved from https://appliedtechnology.humber.ca/programs/occupational-health-and-safety.html [2017, December].
[167] Lambton College (2017). *Lambton College*. Retrieved from https://www.lambtoncollege.ca/OHST/ [2017, December].
[168] Mohawk College (2017). *Mohawk Future Ready*. Retrieved from https://www.mohawkcollege.ca/ce/programs/technology-and-skills/occupational-health-safety-management-060 [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Niagara College[169]	Unknown*	7 courses	Needs to be completed in 5 years or under	• Environmental Management • Ergonomics • Fire Protection • Industrial Hygiene • Legislation for Health and Safety • Management Labour Concerns in Occupational Health and Safety
Nova Scotia Community College[170]	Unknown*	13 courses (+ work experience requirement) there are 10 additional graduation requirements including (confined space, H2S Alive, and Standard First Aid)	1 year	• Introduction to Occupational Health and Safety • Legal and Ethical Obligations • Causes and Effects of Loss • Loss Prevention • Managing OH&S • Ergonomics • Environmental Issues in the Workplace • Fire Prevention and Protection Planning • Occupational Health and Safety Program Development and Delivery • Technical Communications • Introduction to WHMIS • Introduction to NS OH&S Act

* No information readily available.

[169] Niagara College (2017). Niagara College Canada. Retrieved from http://www.niagaracollege.ca/parttimestudies/programs/explore/occupational-health-and-safety/ [2017, December].

[170] Nova Scotia Community College (2017). *NSCC*. Retrieved from https://www.nscc.ca/learning_programs/programs/PlanDescr.aspx?prg=OHSD&pln=OHSAFETYD [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Okanagan College[171]	272 hours	8 courses	272 hours	• Introduction to Health and Safety Systems • Management of Health and Safety Systems • Health and Safety Legislation • Ability Management • Human Factors • Training, Development and Facilitation • Risk Management • Investigation and Auditing
Red River College[172]	53 credit hours	15 courses + work experience (6 week/ 240-hour placement)	8 months	• Environmental Issues • Training • Project Management Fundamentals • Safety Audit Analysis • Information Management • Risk Management • Safety • Ethical and Legal Issues • Hazard Recognition, Evaluation, and Control • Documentation and Reporting • Hygiene • Ergonomics • Managing OHS • Health • Program Development

[171] Okanagan College (2017). *Okanagan College*. Retrieved from http://www.okanagan.bc.ca/Page36334.aspx [2017, December].

[172] Red River College (2017). *Red River College Program and Course Catalogue*. Retrieved from https://me.rrc.mb.ca/Catalogue/ProgramInfo.aspx?ProgCode=OCCHF-CT&RegionCode=WPG [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Ryerson University[173]	312 hours	7 core courses + 1 elective	312 hours must be completed in under 5 years	• Communication: Short Management Reports • Occupational Health and Safety Law • Occupational Health • Hazard Recognition and Control • Systems Management • Measurement and Analysis • Topics in Occupational Health and Safety
Saskatchewan Polytechnic[174]	60 credits	14 courses + 1 train the trainer course + practicum	39 weeks	Core Courses Include: • Fundamentals of Industrial Hygiene • Professional Education and Career Planning • Law and Ethics • Organizational Behaviour • Risk Management • Emergency Management • Disability Management • Incident Investigation • Ergonomics • Safety Program Management • Fire Prevention and Protection

[173] Ryerson University (2017). *Ryerson University The Chang School of Continuing Education*. Retrieved from http://ce-online.ryerson.ca/ce/default.aspx?id=2262 [2017, December].

[174] Saskatchewan Polytechnic (2017). *Saskatchewan Polytechnic*. Retrieved from http://saskpolytech.ca/programs-and-courses/part-time-studies/program/occupational-health-and-safety/OHSCRT/ [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
Seneca College[175]	Unknown*	7 courses	Unknown*	Core Courses: • Industrial Hygiene • Legislation for Health and Safety • Environmental Management • Management Labour Concerns in Occupational Health and Safety • Ergonomics • Occupational Health and Safety
University of Alberta[176]	Unknown*	10 courses	1-3 years (max 6 years to complete)	Core Courses: • Introduction to Health and Safety Systems • Fundamentals of Occupational Hygiene • Health and Safety Law • Management of Health and Safety Systems • Organizational Behaviour Safety Hazard Recognition, Evaluation and Control

* No information readily available.

[175] Seneca College (2017). *Seneca College Part-time Studies*. Retrieved from http://www.senecacollege.ca/ce/community/health-care/occupational-health-and-safety-certificate.html [2017, December].

[176] University of Alberta (2017). *University of Alberta Faculty of Extension*. Retrieved from https://www.ualberta.ca/extension/continuing-education/programs/health-and-safety/occupational-health-and-safety [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
University of Calgary[177]	300 hours	5 core courses required (200 hours) 4+ optional courses (must add up to 100 hours of study)	2-3 years (in general)	Core Courses: • Business and Leadership for HSE Professionals • Hazard Assessment and Risk Management • Health and Safety Management Systems: The Basics • Occupational Hygiene: The Basics • Regulations, Roles and Responsibilities for HSE Professionals
University of Fredericton[178]	210 hours	6 courses	Unknown*	• Management and Organizational Behaviour • Incident Causation and Investigation • Risk Assessment • Approaches to Safety Management • Occupational Hygiene • Environmental Management Foundations

* No information readily available.

[177] University of Calgary (2017). *University of Calgary Continuing Education*. Retrieved from http://conted.ucalgary.ca/public/category/programArea.do?method=load&selectedProgramAreaId=10548 [2017, December].

[178] University of Fredericton (2017). *University of Fredericton Canada*. Retrieved from https://www.ufred.ca/ [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
University of New Brunswick[179]	385 hours	11 courses	2 years	• Health and Safety Program Basics • Fundamentals of Hygiene • Legislative Compliance and Corporate Responsibility • Management of Health and Safety Systems • Management, Leadership and Organizational Behaviour • Risk Management and Risk Communication • Accident Causation Theory and Incident Investigation • Fundamentals of Environmental Management • Fire Prevention and Protection • Ergonomics • Auditing OHS Management Systems
University of Northern British Columbia[180]	300 hours	10 courses	300 hours	Courses Include: • Occupational Health and Safety Fundamentals • Legislation – Acts & Regulations • Hazard Analysis, Risk Assessment & Control • Ergonomics for Injury Prevention & Accommodation • Hazardous Materials and Occupational Hygiene • Fire Safety Planning & Systems • Safety Inspections • Accident Investigation & Reporting • Emergency Preparedness and Response

[179] University of New Brunswick (2017). *University of New Brunswick*. Retrieved from http://www.unb.ca/cel/online/courses-programs/healthsafety/index.html [2017, December].

[180] University of Northern British Columbia (2017). *UNBC University of Northern British Columbia*. Retrieved from https://www.unbc.ca/continuing-studies/courses/occupational-health-safety-practitioner-online-certificate [2017, December].

Institution	# Credits / Credit Hours Required to Graduate	# Courses Required to Graduate	Time Commitment	Core Courses Required within Program
University of Quebec (Chicoutimi, Outaouais, Trois-Rivières, TÉLUQ)[181]	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)
University of Sherbrooke[182]	Unknown*	Unknown*	Unknown*	Unknown* (bulk of programming information offered in French)
University of Toronto[183]	Unknown*	3 courses	3-years maximum	• Occupational Health and Safety • Accident Prevention, Loss Control and Occupational Health and Safety Management Systems • Advanced Occupational Health and Safety Management
University of Victoria[184]	Unknown*	8 courses (4 core courses, 4 electives)	2-3 years	Core Courses: • Human Health Risk Assessment • Occupational and Environmental Health Law • Occupational Health Hazards • Risk Management: Perception and Communication

* No information readily available.

[181] Universite du Quebec (2017). *Universite du Quebec 10 etablissements partout au Quebec.* Retrieved from http://www.uquebec.ca/reseau/fr/contenu/english-section [2017, December].
[182] Universite de Sherbrooke (2017). *Voir au Futur*. https://www.usherbrooke.ca/accueil/english/overview/ [2017, December].
[183] University of Toronto (2017). *University of Toronto School of Continuinag Studies*. Retrieved from http://learn.utoronto.ca/courses-programs/business-professionals/certificates/occupational-health-safety [2017, December].
[184] University of Victoria (2017). *University of Victoria Occupational Health, Safety & Environment*. Retrieved from http://www.uvic.ca/ohse/ [2017, December].

APPENDIX J

The BCRSP Code of Ethics

Preamble: As a condition to obtaining and maintaining certification, each CRSP®/PSAC® commits to abide by the Code as adopted by the Board of Canadian Registered Safety Professionals (BCRSP). Each CRSP®/PSAC® pledges to subscribe not only to the letter but also to the spirit of the Code in all their professional activities.

1. Competence

Certificants are required to:

a. Maintain competence in carrying out professional responsibilities and provide services in an honest and diligent manner.
b. Provide sound judgement in pursuance of their professional duties.
c. Recognize their professional limitations and perform only those services that may be handled competently based on one's training and experience.
d. Ensure persons working under their authority or supervision are competent to carry out the tasks assigned to them.

2. Integrity

Certificants are required to:

a. Maintain honesty, integrity, and objectivity in all professional activities.
b. Protect and promote the safety and health of people, property and the environment above any consideration of self-interest.
c. Avoid circumstances where compromise of professional conduct or conflict of interest may arise.
d. Represent their qualifications and experience accurately and not knowingly make false or misleading statements.

3. Respect in the Workplace

Certificants are required to:

a. Support, promote and apply the principles of human rights, equity, dignity and respect in the workplace.
b. Recognize that discrimination on the basis of race, creed, colour, language, national origin, political or religious affiliation, sex, sexual orientation, age, marital status, family relationship and disability is prohibited.

4. Professional Growth

Certificants are required to:

a. Continue professional development throughout their career and support and encourage fellow CRSPs/PSACs to develop professionally.

5. Confidentiality

Certificants are required to:

a. Protect the confidentiality of all professionally acquired information and disclose such information only when properly authorized or when legally obligated to do so.

6. Requirements

Certificants are required to:

a. Keep apprised of all relevant laws, regulations and recognized standards of practice as it relates to their professional duties.

7. Support of the Profession and Other Professionals

Certificants are required to:

a. Uphold the honour and prestige of the profession.
b. Recognize and respect the original work, integrity and ability of their peers.

8. Support of the CRSP®/PSAC® Certification

Certificants are required to:

a. Comply with the relevant provisions of the CRSP®/PSAC® bylaws, policies and certification scheme.
b. Make claims regarding CRSP®/PSAC® certification only with respect to the scope for which certification has been granted.
c. Not use the certification in such a manner as to bring the certification body into disrepute, and not make any statement regarding the certification which the certification body may consider misleading or unauthorized.
d. Discontinue the use of all claims to certification that contains any reference to the certification body or certification upon suspension or withdrawal of certification, and to return any certificates issued by the certification body.
e. Not use the certificate in a misleading manner.
f. Abstain from behaviour that will cause harm to the reputation of the BCRSP and its certificants.
g. Maintain the security of the BCRSP examination information and materials, including the prevention of unauthorized disclosures of test information.

9. Accountability (Adherence)

Each certificant will rely on the BCRSP to protect the integrity of the CRSP®/PSAC®. The Professional Conduct Committee (PCC) is tasked with ensuring that responsibility is fulfilled in a fair and impartial manner. The PCC will be solely responsible for ensuring BCRSP Policy is followed to investigate complaints or allegation of misconduct against certificants.

Complaints or allegations of misconduct against certificants found to be justified by the PCC will be referred to the Discipline Committee for review.

The BCRSP may disclose any disciplinary or enforcement decision/action against a certificant along with associated information, to other organizations including without limitation, organizations related to health and safety, law enforcement agencies, and regulatory bodies.[185]

[185] Board of Canadian Registered Safety Professionals (2017). *Revised Code of Ethics Effective January 1, 2016.* https://www.bcrsp.ca/newsroom/revised-code-ethics-effective-january-1-2016 [2017, December].

APPENDIX K

The Canadian Society of Safety Engineering Code of Ethics

Code of Ethics, Code of Conduct & Ethics Complaint Procedure

As a professional body, the Canadian Society of Safety Engineering (CSSE) has a duty to provide guidance to its members on standards of behaviour and ethical conduct.

The CSSE Code of Ethics is a set of principles and guidelines for CSSE members to establish high standards of integrity in pursuing their professional duties and upholding the honour and dignity of the profession.

Members have an ethical responsibility to respect the integrity of their relationships with the Public, Employers and Clients, including Prospective Employers and Clients, other CSSE Members and the Society as well as other safety professionals.

With the public,
Members shall

- hold paramount the safety, health and welfare of the public and promote the value of the profession in protecting the public good

With employers and clients,
Members shall

- represent their professional qualifications, knowledge, skills, and experience openly and accurately
- declare any potential or real conflict of interest and refrain from endeavours that abuse their professional affiliation and secure personal advantage
- seek equal consideration of all valid points of view
- provide accurate and independent advice and identify any limitations to proposed solutions
- respect and maintain the client's or employer's confidentiality to the extent possible

In seeking employment,
Members shall

- compete fairly and transparently with other Members, represent their own work and not discredit or reflect unfavourably on the work of other safety professionals

With other members and the society,
Members shall

- demonstrate personal professional development and improvement by maintaining up-to-date professional skills
- contribute to the exchange of knowledge, skills, and experience within the profession
- uphold the professional reputation of other Members and also report inappropriate behaviour
- truthfully represent their own work and acknowledge collaboration and external sources of information and guidance[186]

[186] Canadian Society of Safety Engineering (2017). *Code of Ethics*. Retrieved from http://www.csse.org/code_of_ethics [2017, December].

APPENDIX L

The Canadian Registration Board of Occupational Hygienists Code of Ethics

Registered Occupational Hygienists and Registered Occupational Hygiene Technologists shall:

- Place the health and safety of workers above all other interests in the performance of their professional work.
- Direct professional activities toward the protection and improvement of the health, safety, and well-being of all persons.
- Make every reasonable effort to protect the environment from adverse effects resulting from the performance of their work.
- Perform their work honestly, objectively, and in accordance with currently accepted professional standards.
- Respect the privacy of confidential personal, professional, and business information.
- Participate only in projects or situations that do not place them in personal or business conflicts of interest. This provision is waived if the principal parties to the ROH's or ROHT's conflict of interest have given their informed, specifically expressed, consent.
- Conduct themselves with integrity.
- Maintain a working knowledge of current developments in the profession and a detailed knowledge of areas in which they claim expertise.
- Promote activities that advance and disseminate occupational hygiene knowledge.
- Co-operate with the directors of the Canadian Registration Board of Occupational Hygienists in administering this Code of Ethics.[187]

[187] American Industrial Hygiene Association – Alberta Local Section (2017). *Code of Ethics for the Professional Practice of Industrial Hygiene*. Retrieved from https://aiha-ab.com/code-of-ethics/ [2017, December].

APPENDIX M

The National Construction Safety Organization and the Health and Safety Administrator Code of Ethics

The NCSO/HSA shall at all times endeavor to:

1. Provide sound judgment in pursuance of duties, and recognize their professional limitations and competency levels, and support the efforts of other Construction Safety Specialists.

2. Practice the highest standards of truthfulness, honesty and integrity by representing themselves, their qualifications and experience accurately, and not knowingly make false or misleading statements.

3. Promote and uphold the distinction of the safety profession by acting in a professional manner to maintain the honour and prestige of the NCSO/HSA designation.

4. Remain informed of all laws related to the construction safety profession, and avoid all conflicts of interest.

5. Act in a professional manner by protecting the confidentiality of all documentation acquired, and only disclose information when authorized to legally do so.

6. Not use the NCSO/HSA designation (or make statements) in a misleading manner, or in a manner that would cause disrepute to the certifying body.

7. Continue professional growth, and recognize that discrimination of race, national origin, colour, language, political or religious views, sexual orientation, age, marital status, family relationship and/or disability, is strictly prohibited by and within the Alberta Construction Safety Association.[188]

[188] Alberta Construction Safety Association (2017). *The National Construction Safety Officer (NCSO)/Health & Safety Administrator (HSA) Code of Ethics.* Retrieved from http://www.youracsa.ca/wp-content/uploads/Code-of-Ethics-NCSO.pdf [2017, December].

APPENDIX N

Alberta Construction Safety Association Certified Auditors Code of Ethics and Auditor Conflict of Interest Guidelines

The following ethics must be followed at all times when conducting any and all types of health & safety audits for the ACSA.

- Confidentiality: Auditors must ensure that all information obtained through the audit process is treated as confidential and must not be disclosed to parties other than the employer and the CP, except where the auditor is authorized or otherwise legally obligated to disclose the information. Auditors must always maintain the confidentiality of the interview process.
- Professional Conduct: An auditor shall behave in such a manner that their good faith and integrity will not be called into question.
- Diligence: Auditors are expected to act in good faith, responsibly with due care and competence, and without misrepresenting material facts or allowing their independent judgment to be compromised.
- Accuracy: Auditors must be accurate and consistent in their evaluations of data obtained through documentation, interviews and observation.
- Completeness: Auditors must ensure their evaluations are complete, and avoid any omissions relevant to the scope of the audit.
- Clarity: Auditors must ensure that both their suggestions for improvement and other notes and observations are clear, concise, reflective of the audit findings, and written in plain language.
- Honesty: Auditors must be honest in their assessment of the employers' workplace health and management systems, and in their dealings with all persons involved in the audit.
- Objectivity: Auditors must separate facts from opinion and not allow personal feelings or prejudices to affect their evaluation. Evaluations must be based on objective and measurable data, and not subjective opinions or auditor assumptions.
- Relevance: Auditors must ensure their recommendations are relevant to the employers' operations, meet the standards of the audit instrument, and add value to improving the employer's health and safety management system.
- Timeliness: Auditors must ensure that audits comply with all required timelines for audit completion, submission, and corrections.
- Corporate Opportunity: Auditors are prohibited from using either the employer's or the CP's intellectual property or information for personal gain (including for the gain of family members or friends).
- Duty to Report: If an auditor encounters a situation where another auditor(s) may have violated the Code of Ethics, or engaged in unethical audit practices, this must be reported to the CP immediately.
- Compliance with Partnerships Standards: Auditors must follow all auditing and quality assurance standards as established by their CP and Partnerships.

- Compliance with Legislation: Auditors must comply with all applicable laws, rules and regulations of federal, provincial and local governments, and appropriate private and public regulatory agencies.

Before sourcing an Auditor or conducting an Audit yourself, you must first determine that there is no conflict of interest. Here are some points to help you identify that there is no conflict of interest.

The auditor or a member of the auditor's corporate group (defined as auditor consulting firms or auditor professional corporations working in partnership arrangements) has not helped to:

- Build;
- Establish;
- Implement;
- Advise;
- Consult; or
- Maintain the employer's health and safety processes at any time during the last
- twelve months (preceding the audit.)

The auditor or a member of the auditor's corporate group must not have been:

o employed by; or
o in a direct contractual relationship with the employer within the last twelve months (preceding the audit).

Except for the following:

o Delivering standard CP-developed training courses;
o Delivering generic training courses (in either group or individual employer settings); or
o Providing other services not directly evaluated by the audit instrument (e.g. audiometric testing).

The auditor or a member of the auditor's corporate group does not have a personal relationship (e.g. family members, close personal friends) with any key employees or members of the management group at the operation being audited where that relationship may be perceived to influence the results of the audit.

The auditor must not make audit recommendations with the intent to market or to justify the purchase of additional business services from either the auditor or a member of the auditor's corporate group.

In COR maintenance years, certified auditors may both develop and audit an employer's health and safety program.[189]

[189] Alberta Construction Safety Association (2017). *ACSA Auditor Code of Ethics Statement*. Retrieved from https://www.youracsa.ca/wp-content/uploads/assets/corsecor/auditor_code_of_ethics_conflict_of_interest.pdf [2017, December].