

Lecture 27 — Engineering Co-op & Sexual Harassment

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Part I

Engineering Co-op

But I am but a Lowly Co-op Student

We will look at the use of the word “engineer” with respect to undergraduate students in engineering programs.

- The term is restricted
- What is a violation?
- What can you do?
- Student Membership Program
- Engineering Intern

In Canada, the term “engineer” is protected.

In the United Kingdom, the term “chartered engineer” is protected – but not the term “engineer”.

(Humorously, when I visited the UK in 2016 I put down “Professional Engineer” on my landing card and was asked what the difference is...)

In the United States, the term “engineer” is protected in many states, but there are more cases of industrial exemptions.

Offence, use of term “professional engineer”, etc.

40 (2)(a.1) Every person who is not a holder of a licence or a temporary licence and who uses the title “engineer” or an abbreviation of that title in a manner that will lead to the belief that the person may engage in the practice of professional engineering is guilty of an offence and on conviction is liable for the first offence to a fine of not more than \$10,000 and for each subsequent offence to a fine of not more than \$25,000.

Onus of proof

40 (2.1) In a proceeding for an alleged contravention of clause (2) (a.1), the burden of proving that the use of the title or abbreviation will not lead to the belief referred to is on the defendant, unless the defendant's use of the title or abbreviation is authorized or required by an Act or regulation.

Authorized exceptions include: Flight Engineer, Train Engineer, Sound Engineer, Aircraft Maintenance Engineer...

What Else is Acceptable?

Suppose your co-op job is outside of Canada in a jurisdiction where the term engineer is not protected?

Example: you had a co-op job in England; your title was “Software Engineer”.

This is the title you held as an employee and consequently, you may continue to use this title on your resume.

As long as there is no further indication that you can provide services within the practice of software engineering.

Any such listing in a resume must make it clear that the job was in a jurisdiction outside of Canada.

From Engineers Canada's web site:

Until you become licensed, it is against the law in Canada for you:

- 1 to approve [that is, seal, sign and date] engineering drawings or reports,
- 2 to use the title “engineer” or “professional engineer” (or any title like it), or
- 3 to offer any engineering services to the public.

You may do most other technical work legally, subject to other professional laws (such as the architecture or land surveyors acts).

You applied for a co-op job in Canada and your title is “software engineer”?
You are in violation of the Professional Engineers Act

Your resume or LinkedIn states that you were employed in Canada with a title that contains the term engineer?
You are in violation of the Professional Engineers Act

Has PEO ever applied for an order against an individual who called himself an engineer on the job?

In the January/February 2003 edition of the Gazette, the Association gained a court order against Dan Stolarchuk.

He among other things, described himself as a “Field Applications Engineer” and a “R.D. Engineer” in a resume.

He was ordered to pay PEO its costs at \$6,750

Has PEO ever found a business holding a Certificate of Authorization guilty of professional misconduct in relation to this?

In the March/April 2008 edition of the Gazette, the Association found The Environment Management Group Ltd. guilty of professional misconduct

Among other things, they issued business cards for non-engineering staff, upon which was 'Member of Professional Engineers Ontario.'

For this and other actions, EMG was required to pay \$2,500 and was given a reprimand, which was recorded for twelve months.

First, approach your employer, and if nothing else, direct them to these slides.
Or to the author...

If your employer has any questions, they can contact PEO directly.

If your employer changes your job title, you must direct them to change your job title on JobMine.

“What is the sound of a hair being split?”

The term “engineering” is not protected in Canada – consequently, you may be able to use it instead of “engineer”.

If you are using the term “engineering”, you cannot, however, use any of the words “professional”, “consultant” or “specialist”.

These are highly restricted terms specified in the Professional Engineers Act.

Any suggestion that you are, for example, a consulting engineer, will command the attention of PEO.

Other terms or phrases that may replace the term “engineer” in a job title include:

Developer	Engineering Developer	Manager
Programmer	Engineering Programmer	Team Lead
Analyst	Engineering Analyst	Leader
Operator	Engineering Operator	Coordinator
Specialist	Consultant	

What if the job is over – what about my resume?

It would not be considered misrepresentation if you change an illegal job title that appears on a resume.

The change must, however, be minimal in effect.

Suggestions:

- Replace “engineer” with “engineering” if possible
- Otherwise, replace “engineer” with “developer”, “analyst”, “operator” or “programmer”
- Do not use a term such as “specialist” or “consultant” – they suggest additional responsibilities

What can a student call him or herself?

The terms “computer engineering student” and “candidate for computer engineering” are acceptable.

The terms “student engineer” or “engineer candidate” or anything with the phrase “computer engineer” is not acceptable.

You can also join PEO’s Student Membership Program

<http://www.engineeringstudents.peo.on.ca/>

SMP is not Symmetric Multiprocessing

As of January 2013: We're #1! About 3829 UW students enrolled.
About double the next highest university (McMaster).

Once you graduate, you can apply for the position of engineering intern and use the initials EIT after your name.

(It used to be “Engineer In Training”, hence the acronym EIT).

You can also vote in regional chapter elections, attend the annual meeting of the Association, or be appointed to a committee.

Part II

Sexual Harassment

Recall that it is professional misconduct to harass another person while engaged in the practice of professional engineering:

72. (2) For the purposes of the Act and this Regulation, “professional misconduct” means

(n) harassment; that is, engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known as unwelcome and that might reasonably be regarded as interfering in a professional engineering relationship

More generally, sexual harassment is not acceptable at any time:

From the Canada Labour Code:

Definition of “sexual harassment”

247.1 In this Division, “sexual harassment” means any conduct, comment, gesture or contact of a sexual nature

- (a) that is likely to cause offence or humiliation to any employee; or
- (b) that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

The fight against sexual harassment is about respect for others & a fundamental value in Canadian society.

What is sexual harassment at Waterloo?

Unwanted attention of a sexual or gender related nature (verbal, non-verbal, physical) – jokes, touching, suggestive remarks, leering, or demands for sexual favours, threats...

<http://uwaterloo.ca/conflict-management-human-rights/sexual-harassment>

- Even though you said “no”, another resident continues to ask you out and follow you around.
- Your workterm supervisor continually brushes up against you.
- You said no to a date, and now the person in charge of your course will not answer your course related questions.
- You continually receive x-rated e-mail messages, and now you are reluctant to log on to your account.
- The students in residence (or class, or club, etc.) tease and hassle you about being LGBTQ.

Sexual Harassment includes comment or conduct where acceptance of sexual advances is a condition of education or employment, or where rejection of sexual advances negatively impacts decisions that concern the recipient (e.g., grades, performance evaluation or any academic or employment decisions) or where unwelcome sexual advances, comment, conduct or communications interfere with the recipient's work or study.

Under the Ontario Human Rights Code, sexual harassment is “engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome.”

Human Rights Commission Listing

- Asking for sex in exchange for a benefit or a favour
- Repeatedly asking for dates, and not taking “no” for an answer
- Demanding hugs
- Making unnecessary physical contact, including unwanted touching
- Using rude or insulting language or making comments toward women (or men, depending on the circumstances)
- Calling people sex-specific derogatory names
- Making sex-related comments about a person’s physical characteristics or actions
- Saying or doing something because you think a person does not conform to sex-role stereotypes
- Posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online)
- Making sexual jokes
- Bragging about sexual prowess

Suppose you are asked out and you respond in the negative – how do you respond to that person in the future in the work place?

The issue is one of interest versus infatuation.

A person interested in someone else will ask them out, and on receiving an answer of “no” will look elsewhere.

One who becomes infatuated in another is less likely to accept “no” – they have spent too much time thinking about the person in the first place.

Some people will have had previous approaches by such a character, in which case, future approaches may equally uncomfortable – please remember this...

Consequently: Can you ask someone out?

Yes, but use judgement.

If the person is says “no”, can you ask again?

No – the ball is in their court.

What if he/she is playing “hard to get”?

It’s their issue now – life is not a Hollywood movie.

Do you ask subordinates or someone you are supervising out?

No – you are in a position of power.

In all cases, evaluate the risks. Is it really worth it?

If you do date someone at work:

- Do not expect any form of favouritism from your partner
- Do not bring work home

I'm neither a dating coach nor an expert in relationships.

I therefore disclaim all responsibility for any reliance on this advice...

- [1] D. W. Harder, "ECE 290 Lecture Materials," 2013.
Online; accessed 31-May-2016.
- [2] J. Vale, "ECE 290 Course Notes," 2011.

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