





**THE
MANITOBA**

P **ROFESSIONAL**
ENG **INEER**



**bulletin of the
association of
professional
engineers
of the
province of manitoba**

june, 1972



Published by the Association of Professional Engineers of the Province of Manitoba
710 - 177 Lombard Avenue, Winnipeg, Manitoba R3B 0W9

President - S. Barkwell, P. Eng.

Vice-President - C. R. McBain P. Eng.

Secretary and Registrar - T. W. Algeo, P. Eng.

Council - G. A. DePauw, D. R. Grimes, K. Hallson, R. Hood, A. M. Lansdown,
M. D. McKall, W. R. Newton, J. S. Hicks.

The Manitoba Professional Engineer is published under the direction of the Bulletin Committee.

Editor - R. M. Stokes, P. Eng.

Associate Editor - E. A. Speers, P. Eng.

Committee Members - J. W. J. Lewis, D. A. Farlinger, B. R. Hryhorczuk, E. E. Lach,
K. M. Jardine, N. P. Feschuk, M. N. Collison, S. J. Armstrong, D. A. Chivers,
E. T. Wagner, R. J. Rennie, R. J. Beare, A. J. Poetker, C. H. Templeton.

Opinions expressed are not necessarily those held by the A. P. E. M. or the Council of the A. P. E. M

WINNIPEG, MANITOBA, JUNE, 1972

What is APEM Council Doing, Anyway!

When I was told that the "general consensus" of our membership was that they didn't want to read a philosophical treatise from their President, I asked, "what did they want?" The answer is what I have chosen as the theme of this message.

Having been born on a farm, I early learned that you don't get much work done unless you get your chores attended to expeditiously. This is true for the APEM Council too, but the chores must be done nonetheless.

About one third of our regular Council meeting time is used in tackling the matter of policy and exploring what our essential assignment should be. Mainly then, our "real work" is done in Special meetings of Council. In these we have wrestled the following matters:

- (a) **Definition of Engineering** - to be included in the new Act, which is being prepared by six sub-committees of the Legislation Committee who gave you all a chance on 24th April to express your views at a Smoker. When the draft is completed it will be submitted to Council, our membership and eventually the Provincial Legislature.
- (b) **Safety in Engineering Practice** - Along with the Committee on Safety, Council is concerned with four cases

of apparent deficiency in construction and/or design presently being investigated. Council has contacted Provincial authorities with the view to tightening up legislation regarding granting of permits and use of National Building Code in all jurisdictions in Manitoba.

- (c) **Discipline** of both members and non-members continues to take considerable time of Council. Two cases involving non-members are worthy of mention.
 - (i) When obtaining paid technical opinions or advice from persons outside the Province of Manitoba, in the realm of engineering practice, care should be taken to hire someone who is registered to practise in Manitoba.
 - (ii) When a person in possession of a seal ceases to be a registered member, he should ensure that his seal is NOT used to seal plans, specifications, reports, etc. while he is not registered to practise engineering.

A report of the Practice and Ethics Committee is contained elsewhere in this issue of the Bulletin which will give you some insight into the types of complaints

with which this Committee has been involved since the Committee was appointed in February 1971.

Council is indeed grateful for the assistance rendered by all its Committees, but particularly for those who perform the bulk of the real work of the Association. We have highlighted here three Committees with whom Council has worked closely this year. In future issues, we hope to outline the important work of others.

STEWART BARKWELL, P. Eng.
President.

✦ ✦ ✦

Engineers employed by the Province of Manitoba are advised that a meeting has been tentatively scheduled to discuss the proposed "Constitution of the Organization of Professional Engineers Employed by the Province of Manitoba." Contact J. Stefanson, W. Saltzberg, D. Sexton or R. Mills for details.

✦ ✦ ✦

In the last issue we asked our readers to complete and return a questionnaire dealing with their opinions of the Bulletin. Ten replies have been received to date.

Of those that replied, eight were satisfied with the current number of issues per year. One reader felt that only one issue was necessary, provided the trivia normally included in each issue was omitted. Another reader, showing remarkable flexibility, indicated that he would like to see both more issues and less issues. He also suggested less political coverage. The tenth reader was kind enough to point out that we had miscounted the number of seats in the House of Commons in making our last election prediction.

A suggestion which we will give serious consideration is a request for increased coverage of sports events. —R. M. S.

✦ ✦ ✦

A FORMAL COMPLAINT

In a recent complaint it was alleged that a Professional Engineer had injured the reputation of a "fellow Engineer" by writing a letter to a client which was critical of the work of the "fellow Engineer".

The criticism of the fellow Engineer's work had been undertaken without the knowledge, or consent, of the "fellow Engineer".

Following an informal hearing by the Practice and Ethics Committee and the laying of a formal complaint, the Council commenced a formal hearing. After the presentation of evidence by the Committee, the lawyer for the Engineer against whom the complaint had been filed, put forth the argument that his client had not breached the Engineering Profession Act in any way, since the original report which was criticized had not been signed or sealed by a "fellow Engineer" as required under the Act. Instead, the report being criticized had simply been submitted by the Corporation of which the "fellow Engineer" was a partner.

An application for an Order of Prohibition was dismissed by the Court of Queen's Bench. The Court of Appeal subsequently expressed the view that the Council had no jurisdiction to proceed with the formal hearing since the complaint did not contain the vital element of a valid charge, i. e., that the reputation of a "fellow Engineer" had been lessened, since the Engineering Profession Act specifically prohibits a Corporation per se from engaging in the practice of engineering.

The lesson to be learned from this is that all Engineers, in order to gain the protection of the Act, must comply with the Act. One of the requirements of the Act, Section 18, states that, "... all estimates, specifications, reports, working drawings, plans and other documents issued from his hand (the Engineer's hand) shall be sealed".

C. R. BOUSKILL, P. Eng.,
Chairman,
Practice & Ethics Committee.

✦ ✦ ✦

DOUGLAS ROBERT GRIMES

Doug Grimes has only been a Manitoba resident for 12 years. For those who have come in contact with his strong influence it seems incredible that we got along without him such a short time ago.

And our Association is not the only place where he wields that influence. At the Norberry Community Club he played a very active part in the erection of their newly opened building. He is a long time



D. R. GRIMES, P. Eng.

member of the Squash Club, is active in the St. Vital United Church and recently received an education in commerce by operating the Crown and Anchor wheel at the Festival Du Voyageur on behalf of the Lions Club.

In addition to all this he claims to have complete and positive control over the household on Bronstone Blvd. Bruce, Michael, Wendy and Douglas ranging in age from 15 down to 10 have been known, however, to challenge this position.

Effervescent Liz Grimes says she is proud that her husband is able to be a leader in his profession. She believes that Doug will be an asset to Council, and grudgingly approves the extra time he will be away from home.

During Doug's 10 years of service on the Social Committee, Consulting Engineers Committee and Admissions Review Board, he became known as the Engineer with the distinctive and infectious laugh.

That booming laugh is an effective bal-

ance to the highly intelligent, penetrating yet down-to-earth approach he takes toward his duties. His chief concern as he begins service on Council is the registration procedure. He asks the question, "Is the Association really doing its job in licensing engineers?" He wonders whether we have the ability to protect the public as we say we are doing. It seems that some registered engineers are not doing their jobs thoroughly, while some of the most effective men doing engineering work cannot be registered. The present approach to registration based on a scientific educational background and two years of work does not ensure successful practice of engineering. Perhaps this basis of admission is becoming outdated.

Doug also feels that there is an important division emerging between "management of engineering" and "practice of engineering" and that different qualifications are required for each field.

The Bulletin welcomes Doug Grimes to Council and looks forward to using some interesting quotes since he is a believer in being "on the record." —K. M. J.



SCHOOL DIVISIONS

Education was not pioneered by the public school system. Church operated schools filled the desperate need for learning brought about by the advent of our industrial society. And this was typical of the aims of religious bodies — to deal with human needs. But man no longer has a great need for basic education. He has arranged his society to provide for it.

In historic times the church provided a very necessary function in government as a check on the unlimited power of dictators. But later when this function was otherwise provided for, the church in government became redundant and the two were separated. Similarly the religious organizations no longer serve a needed function in education. They are now redundant in this field and should turn their attention to the many other pressing human needs.

Church and privately operated schools unfortunately introduce to children the ideas of prejudice and bigotry. They don't do this through their programs, or methods of teaching but by their very existence. The divisions between those of differing race, belief or creed are driven home to

an impressionable child when his friends disperse to their separate schools.

The Christian denominations should be specially aware of these dangers if they are sincerely working towards the goal of Christian unity.

Manitoba is ready now to take a giant educational step into the past by giving public money to diverse school agencies. It hardly seems appropriate for our government to support a system which classifies, divides and separates our young innocents on the basis of the whims, prejudices or political and religious beliefs of their parents if we wish them to cooperate with each other as future adults in this overcrowded world.

—K. M. J.

See "EDUPAC" Page 8

ABOUT TAXATION AND LOTTERIES

A long time ago, gambling, like "booze" and "dope", was considered to be a social evil. Apparently there were people who for lack of education, or something like that, were unable to control themselves and just didn't know when to quit, and, of course, some sharp card dealer or "bookie" walked away with all their money. But then times have changed and so have people. Or have they?

"Well, everyone likes to gamble a little bit once in awhile, and why shouldn't they?" And if people are going to gamble anyway, and someone is going to make profits, why then shouldn't the government operate the casino, make the profits (and reduce taxes) and as an added benefit, be in a position to control the whole operation. Why not indeed? In fact, why not have government supervised bank robberies with police protection, thus eliminating any violence and death. But then I suppose the "new morality" is not so liberated as to include bank robberies as an acceptable practice.

Why then is the government in the lottery business? Profits and control are the excuses given. The real reason as far as I'm concerned is voluntary taxation. What it amounts to is a capitalization on the weakness of people who want to win a big prize and who will pay an amount far out of proportion to their chances of winning. Something like the mule of yesterday who pulled the plough all day while reaching for the carrot dangling in front

of him. The upshot of the whole thing is that people are paying taxes without complaining — every government's dream. But at what price?

How much control does the government have as to the number of chances purchased by any individual? None! Who buys most of the tickets? I believe it is primarily those of lower income. Certainly the proportion of money raised in this way is not according to income but rather according to individual weakness. Is this in keeping with the oft repeated claim by this "people's government" that taxation should be in accordance with ability to pay? Then too, a substantial portion of the money raised goes to pay the windfall to some lucky person. A large number of poor people, in addition to paying taxes, contribute to one person's receiving a veritable fortune. Through my own particular brand of tinted vision then, it looks as if the "government gambling establishment" taxes the poor (at no cost to their political reputation), makes one person rich, and builds concert halls and theatre centers for those who are already rich. But then, why not? After all, do they not also boast of unprecedented revenues from liquor sales during the past year, and praise the advent of the most relaxed liquor laws in the country for bringing about this remarkable accomplishment. Look out Canada! Here comes Manitoba!

—A. J. P.



CONTINUING EDUCATION

The E. I. C. Continuing Education Program for the 1971-72 year was a combination of a successful program of individually presented courses and the failure of the May, 1971 Technical Development Program. Izzy Shore, Chairman of the E. I. C. Winnipeg Branch Continuing Education Committee, stated that 12 courses were offered in the May Technical Development Program but because of the low registration, 56 participates, only six courses were finally offered. "No positive reason could be ascertained for the drop in registration in comparison to the 1969 Technical Development Program which drew 133 participates although we suspect the general tight economic conditions were a major cause" stated Mr. Shore. Mr. Shore went on to say that 156 registrants attended individual evening or Friday-Saturday courses. These courses were:

Reading Skill (3 different sessions) — 43 participates.

Noise Measurement and Control — 24 participates.

River Engineering — 19 participates.

Contract Law — 31 participates.

Fibre Composite Material—9 participates.

Effective Management — 15 participates.

Introduction to Minicomputer — 15 participates.

The first five courses listed were offered through the University of Manitoba Extension Division and the remainder through Red River Community College.

Two courses, Effective Supervision-Human Relations and Conversational Basic Programming, were not offered due to inadequate registration. Biomedical Engineering, Problems of Noise, Integrated Circuits, and Paint Technology are to be offered in the months of May and June at the University of Manitoba.

Mr. Shore stated that the Committee planned to issue a Continuing Education Booklet next fall with the assistance of the University of Manitoba Extension Division. The booklet would detail the forthcoming year's calendar of available and proposed Continuing Education courses.

—N. P. FESCHUK, P. Eng.

★ ★ ★

ELECTION FORECAST

Wouldn't you know it, it would take a Geotechnical to unearth the truth. Looking for a fault, he found it. With our convenient, "Please Complete and Return Form" of the last issue the truth was exposed. Yes, Alberta he's right. There are 265 seats in the House of Commons.

But it's got us wondering. A local paper in B. C. picked up our Election Forecast and reprinted it. For our prognostication? Or do they too like the way we add? Alberta, we'll never know.

—N. P. FESCHUK

★ ★ ★

PRACTICE AND ETHICS

The 1971 Annual Report of the Association contained the first Annual Report of the Practice and Ethics Committee. Among other things, the report indicated that it is apparent that many members of

the Association are either not aware of the existence of the "Professional Engineers' Code of Ethics", or are not familiar with the contents and provisions of this Code.

In the interest of enlightening the members of the Association regarding the Committee's activities and findings, the following observations are submitted. It is hoped these comments, arising from situations reviewed by the Committee, will assist members to observe sound ethical practice.

1. The Engineer should take care to ensure that he advises on, designs or supervises, only such projects as his training, ability and experience render him professionally competent to undertake (Code Clause 3.2).
2. The Engineer should take care to ensure that on all occasions he applies his seal to all plans and specifications which legally require sealing and for which he is professionally responsible and ethically and legally entitled to seal, whether he acts in the capacity of a consultant or as an employee (Code Clause 3.8 and Act Section 18).
3. The Engineer should take care to ensure that he signs and seals **only** those specifications and plans for which he is professionally responsible and which have been prepared by him or under his personal direction (Code Clause 3.9).
4. The Engineer should take care to ensure that an interest in any business will not adversely affect his decision regarding engineering work for which he is employed, or which he may be called upon to perform (Code Clause 4.8).
5. The Engineer should make every effort to avoid making statements which will falsely or maliciously injure the professional reputation, prospects or business of another Engineer (Code Clause 6.4).
6. The Engineer who is asked to review the work of another Engineer, should do so only with the knowledge of, and after communication with the other Engineer, where such communication is possible (Code Clause 6.5).
7. When publishing articles in public media relating to the work of another Engineer, or group of Engineers, the Engineer should be careful to avoid any statements which can be interpreted

ed as being defamatory to the reputation of the other Engineer, or group of Engineers (Code Clause 6.6).

8. The Engineer should take great care to ensure that he does not supplant another Engineer, or attempt to do so, after definite steps have been taken to employ the other Engineer (Code Clause 6.7).
9. In instances involving two Engineers and a third party regarding a breach of contract, while one Engineer may not have grounds for a complaint against the other Engineer, he may have legal rights against the third party.
10. While it is not good practice for Engineers to be bidding against each other, and this practice is NOT condoned, (Code of Ethics, Clause 6.8), members of the public have the right to obtain information from more than one Engineer regarding the qualifications and scope of service offered.
11. The Engineer should take care to ensure that he does not accept employment by a client, knowing that a claim for compensation or damages, or both, of a fellow Engineer previously employed by the same client and whose employment has been terminated, remains unsatisfied, or until such claim has been referred to arbitration, or issue has been joined at law, or unless the Engineer previously employed has neglected to press his claim legally, or the Council of the Association gives its assent (Code Clause 6.9).
12. The method used to transmit information between Engineers, contractors, etc., by means of single copy marked up prints is considered to be poor practice as it has contributed to misunderstandings.

C. R. BOUSKILL, P. Eng.,
Chairman,
Practice & Ethics Committee.

♦ ♦ ♦

FREE ELECTION PLATFORM

Recent polls have indicated that 40% of the Canadian electorate does not know whom to support in the forthcoming (some-time) federal election. The reason must surely be that at least 40% feels that not one of the platforms offered by a political party warrants endorsement.

So in the event that there are politicians who have an eye on the floating 40%, we decided to go to our members for an election platform. We contacted several members and asked each one what he would contribute to an election platform that would be good for the country as a whole. Here are the planks in the platform.

Get the hell off the do-good bandwagon and get back into increasing productivity.

It is time governments were run by the people instead of civil servants.

Create conditions under which the people of Canada can be more independent and stand on their own feet as individuals, rely on local engineering talent instead of importing outside experts and make Canada as a whole more independent.

Get the government's nose out of things in which it need not be concerned, such as distributing largesse — cut spending to the bare necessities and cut taxes accordingly. Completely revise all labour legislation and remove legalized blackmail that unions have perpetrated on the country.

Cut the public service in half and reduce the budget.

Abolish the CBC entirely or relegate it to the making of documentaries, etc. which private stations cannot afford to do.

As well as freedom to spout off, picket, sit-in, protest, strike, there should also be the freedom not to work and go hungry for those who choose it, without government handouts being forced on them.

Increase public works and find some means of raising the housing standard, mainly by lowering interest rates.

Bilingualism if necessary but not necessarily bilingualism.

Get a "work for welfare" program going; increase the incentive to work by lowering taxes, and make more use of private enterprise instead of increasing government bureaucracy.

Emphasis on attempted rehabilitation of criminals shall not take precedence over the protection of honest decent citizens.

Introduce and adopt policies that are oriented to middle-aged and senior citizens who have been supporting the country with their taxes for many years, rather than concentrating on making it possible for the revolutionary young to become more revolutionary.

Take immediate steps to minimize the growing rift between the Government of Canada and the Government of the United States.

Put a halt to the expansion of the welfare state and restore to our country the policy of a day's work for a day's pay.

All of the above planks are available to any politician without fear of our crying "plagiarism." There is no charge for this service.

(If you approve of most of this platform, send it to your M.P.)

* * *

EDUPAC

The question of aid to private and parochial schools has stirred up considerable controversy. Although the idea of the public or state education, such as exists in Manitoba, is philosophically socialistic, it is supported by individuals drawn from all areas of the political spectrum. The argument presented for state education is that the education system should remain secular and serve as a unifying force in society. This argument assumes that it is in the state's interest that all its citizens be of one colour, creed, and cultural background. Perhaps it is. However, the vast majority of Manitobans are not.

State education dictates that every child is deserving of the same educational standards as any other for this reason. Course context, and quality, and behavioural standards in the school are set by administrators that have no financial or personal commitment in the education system other than their professional interest.

If the parent chooses to, he can, at the expense of supporting both the state and private school, send his child to a private school where at least he is allowed to dictate to a much greater degree than in the state schools what and how his child should be taught and how he should behave.

The only concern the state should have with education is to ensure that every child gets a reasonable level of education. Surely in a country where concern is expressed for the quality of life there is room for either a transfer of school taxes paid

by taxpayers, who send their children to private schools, to the private school of their choosing or direct state aid to private schools.
—N.P.F.

* * *

ANNUAL MEETING AWARDS

We are pleased to announce that we have already received two nominations for awards to be presented at the 1972 annual meeting to be held on Monday, November 27th, 1972, at the North Star Inn. The nominees are Russ Hood and Barry Rowley.

Further nominations would be welcome. Send your nomination to Mr. Walter Saltzberg, Chairman, Annual Meeting Committee, 710 - 177 Lombard Avenue, Winnipeg R3B 0W9.

* * *

ALBERTA WINS AGAIN

No sooner do we discover a really great type for a Committee, get him well trained and productive, even get kind of attached to the fellow, and the Alberta Association somehow wangles a transfer for him to their province.

We regret to report that Doug Chivers, our Council reporter, is being moved with Imperial Oil to Edmonton. Thinking that a move to low income tax, no sales tax Alberta, might be a reward for sitting through all the tedious Council meetings, two reporters have asked to take his place.

Those of us on the Committee will miss Doug and we are sure that our readers will also miss him, and will wish to join with us in wishing him well.

* * *

MORE CREPE HANGING

Ken Jardine, the witty, urbane reporter who has amused us all with his writings ever since he joined the Committee has announced that he is leaving the country. Even Alberta's tax structure is not good enough to attract Ken and he is going to Tanzania, to join Larry Blackman, Lloyd McGinnis and Dennis Lang.

Ken's resignation to the Bulletin Committee was not even considered. He has been appointed Tanzanian correspondent so his humour will still be available to us. In fact, we think he should have more time to write for us there than he had here, and we look forward to a more prolific output.

We hope his sojourn in Africa will be a happy one — and a temporary one — and that he will soon be back in Manitoba. While we may still have the benefit of his articles from Tanzania, he will certainly be missed at the Committee meetings.

GOOF

One astute member pointed out that our election survey published in the last issue showed 264 House of Commons seats, while there were actually 265 seats. So sorry. We got our data from Information Canada.

SPRING BOUQUET

We have received a communication from a professional engineer residing in Vancouver who says about our Bulletin: "It is most helpful in maintaining one's professional outlook in proper perspective." We thank you, Sir. Letters such as yours help us to maintain our perspective.

DEAR MR. PE

G. S. Langman is a member of this Association and in Canada he is known as G. S. Langman, P. Eng. In the United States he would be G. S. Langman, P.E. Recently he received a piece of advertising literature addressed to G. Slangman Pe, followed by Dear Mr. Pe. Lucky his name wasn't G. S. Will as Slangman is somewhat preferable to Swill.

QUALITY CONTROL

The Bulletin Committee has been greatly disturbed by many aspects of the current scene and at a meeting held last summer members discussed what could be done to increase the numbers of intelligent, sagacious, responsible people. Some of our members are men of action and we extend our congratulations to Dave Farlinger on the birth of a son and Alf Poetker on the birth of a daughter. This is particularly commendable because they won't qualify for the baby bonus.

HANDS ACROSS THE WEST AN OPEN LETTER TO THE BRITISH COLUMBIA ASSOCIATION

The Editor:

Dear Sir:

Our Bulletin Committee met today and discussed the tensions and problems that exist in various parts of the world and even to some degree in this country. In order to try to foster better understanding in the hope of establishing harmonious relationships, we decided that some sort of exchange with you would be in order. We do not have ambassadors and one of the members of our Committee questioned the wisdom (and integrity) of our suggesting a cultural exchange. We have, therefore, decided on a communications exchange.

We have selected British Columbia, because based on what the Prime Minister says, it seemed to be the greatest challenge.

Let us at the outset lay our prejudices and existing misunderstandings on the table, and once they are disposed of we can then proceed in a more positive direction.

Your government seems to be currently questioning the equalization payments, which of course we think it has a perfect right to do. What we want to know is why the discrimination against Manitoba. Why have we not come in for any of these handouts of B. C. largesse? Our provincial income tax rate is the highest in Canada, 42.5%. Yours is 30.5%. If we lowered our rate and went from poor to bankrupt, would you consider sending us some welfare?

Another thing that sort of bothers us, and we realize that this is rather petty (but we do want to clear the air and get on to positive things) is that never once has any member of our Committee heard anyone here in Manitoba in January (or February) say "This place is over-run with B. C. people" and yet some of us have been in B. C. during these same months and have been informed that B. C. is over-run with Prairie people, rather in the same tone of voice that one uses when one says "An infestation of locusts is with us."

Which brings us to another point. Many of us, engineers included, go to B.C. regularly and spend lots of tourist dollars,
(continued on page 12)



BY A MANITOBA PROFESSIONAL ENGINEER

which no doubt helps you to become rich. Many of us also work hard for years in Manitoba and when we retire we go to B. C. and spend all our savings there. How many of you are planning to come to Manitoba when you retire? How many people from Quebec go to B.C. for holidays or to retire?

We think we are a pretty deserving bunch. We think there must be some small thing we have done that has irked you somewhere along the way and we would like to get this matter straightened out and get back in your good graces as soon as possible, particularly before Mr. Bennett has the equalization payments scrapped completely. We will certainly promise never to call any of you or your elected representatives derogatory names after you start sharing the wealth with us.

We have noted in a recent C. C. P. E. release that you have over three times as many members as we have, all of whom pay lower income tax rates than we pay. Would there be any way of qualifying for equalization payments from your Association to ours? Please put us on the top of the list here.

We do not like to be too provincial or parochial but we do wonder how it is that British Columbia ships all this money to eastern Canada, because as you well know they don't yet know that Canada extends west of the Great Lakes.

We hope that our differences will soon be cleared up and a spirit of mutual understanding will develop that will be beneficial to both British Columbia and Manitoba, particularly the latter.

Yours very truly,
BULLETIN COMMITTEE,
A. P. E. M.

★ ★ ★

LETTERS

Dear Mr. Ed:

We got to write about careers for our sociable studies and I asked my daddy about his career because he's an engineer.

My daddy says the engineers are revolting and wanting more money because truck drivers get more than they does. My daddy says they only get a thousand dollars every month even when they are at convenshuns drinkin beer and telling dirty jokes. He says that aint enough because

they got responsibilities and convenshuns are very tiring. I only get 80¢ a month and have to do the dishes or I don't get paid.

My daddy says plumbers get more than engineers do by the hour. My mummy says the engineers long hours are in the beer parlor and now they want to get overtime for that. She says if they want to be a plumber let them go and clean out the toilet pipes in the beer parlor for a while.

My daddy says all sorts of orgarized people get more than engineers who are disorgarized. He says Girdle Mudslinger got more from the Cabinet than any engineer because she was orgarized. Could you please send me some information for my careers study so I can be an orgarized engineer.
—DEBBIE, Age 8

Dear Debbie:

Your daddy is quite right. Engineers have responsibilities to society to protect the right to save money for the taxpayers, despite the politicians, and prevent pollution. You must admit that they have been very successful.

To calculate how much an engineer should be paid you figure his costs — his education, his culture, his contribution to democracy and his years of worry.

To calculate how much a truck driver should make you figure his education and forget the hours he works, his lack of security, and the dirt, the shaking his stomach gets and the engineers he has to put up with.

To calculate how much a plumber should make you figure his education and forget his training and everything else.

To calculate the just return for Miss Gerda Munsinger you have to realize that this lady's activities were laid out several years ago when the free enterprise system was based on the premise that if you built a better mouse trap the world would construct a highway to your door and you would thereupon reap your just desserts. In considering the free enterprise method you should allow for obsolescence, depreciation and capital cost allowance. Thus, in the long run, Miss Munsinger may not have received undue compensation because she had to back out early in her career.

I am very pleased that you would consider taking up engineering as a profession. You will be very welcome at the

Faculty of Engineering and we will gladly admit you to this Association. You should, of course, realize that as a girl you will not be able to get a job — unless of course you can type.
—EDITOR

♦ ♦ ♦

The Bulletin Committee:

Gentlemen:

In reply to your request for comments on the Bulletin, my main reaction is that I have never read such irrelevant drivel in all my life.

Despite the statement on page 2 that the opinions are not those of the APEM, it is still the APEM Bulletin. On previous occasions it has been stated that the Bulletin is sent to various important parties outside the APEM. Whether we disclaim it or not these parties read the Bulletin as an indication of the feelings of the membership and a measure of their character and maturity. Frankly that thought terrifies me.

Most members are only members because the law requires them to be P. Eng. to practise engineering. If the Bulletin is to be of any use or interest it should be a technical paper, publishing serious technical matter. The Institute of Civil Engineers in Britain publishes monthly a small book containing responsible discussions of engineering matters and projects. The book is valued by the membership as a means of keeping up to date on projects and theory.

If the Bulletin cannot develop into a responsible technical publication, it should be abolished. I did not join the APEM to read about the "Manitoban" and other matters equally irrelevant to engineering.

The Bulletin should be used also as a vehicle to assist in the policing of the Engineering Act.

I am returning my April 1972 Bulletin with the irrelevant and hardly relevant items crossed out. The remainder of the material could be included in an improved Bulletin as a prelude to technical items.

To use the style of the present Bulletin, Shape up, or shut up.

—R. A. SILLITTO, P. Eng.

Editor's Note: The Bulletin Committee decided some years ago that there was already as much technical material publish-

ed as engineers could read and the lack of technical articles in this publication is by deliberate policy.

♦ ♦ ♦

UNDER THE PALMS

By R. J. BYERS, P. Eng.
(Grenada Correspondent)

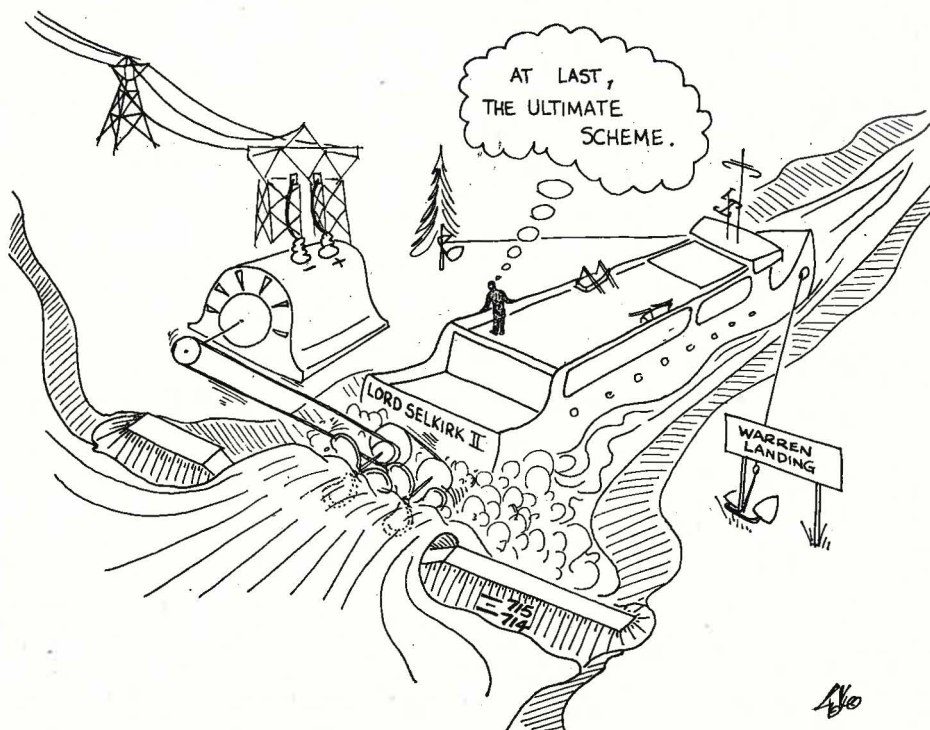
We had fresh lobster again for dinner tonight and I found that I was actually becoming tired of it — imagine, bored with lobster.

Otherwise things are much the same in Grenada. The sun still shines every day, the sea is still warm and salty and the girls are still pretty and friendly. Also, fresh milk is non-existent, cereals cost about \$2.50 a small box, apples are 30 cents each and I'd give my right arm (I drink with my left) for a thick, thick, cherry flavoured, Dairy Queen milk shake.

We had a national election last month and the ruling government known as GULP (Grenada United Labour Party) was returned with a resounding majority — 13 of 15 seats. They have a different system of appointing cabinet ministers here; they are selected by the Premier and can come from the senate (also appointed by the Premier) as well as the House. Therefore, two of the defeated GULP candidates became senators and then cabinet ministers. Not quite like our Canadian system but then there may be some advantages we could use. For instance, Trudeau could appoint all his special advisers to the senate and then make them cabinet ministers. That way he could dispense with people like Turner and Davis who sometimes have thoughts of their own.

In looking through the recently-arrived old Tribunes, I am just reading the results of the Manitoba bonspiel and was not surprised to see the McBain rink was unlisted in the prizes. I told him he would never find another third with my style, skill, coolheadedness and all around ability and good sportsmanship. I'll bet he never won the Alumni spiel or the Engineers spiel either, which just proves my point.

One of the local attractions here is known as crab races (non medical variety). These are put on by one or two of the larger hotels to attract the tourists and give them a bit of local colour (which may be a poor choice of words). How-



ever, the majority of the crowd usually consists of expatriate Canadians, Englishmen and Yankees matching wits with the waiters and taxi drivers to pick the fastest or slowest crab. Bets of \$1.00 to \$5.00 B. W. I. are made on each race with the odds set by the number of bets placed on any particular crab; just the same as Assiniboia Downs only the House doesn't take a big chunk off the top. There are usually six crabs of varying size in a race numbered, logically enough, from one to six. These crabs are placed in a bucket in the centre of a 10 foot chalked circle and all the punters can then go to look them over and make their choice. You are not supposed to touch the crabs but many an astute player has made a bundle by casually dropping a favorite to either stun him, kill him or at least break a leg and then backing the longshots.

After all the bets are placed, the action really starts. The crabs are put together right side up (or left if they are so politically inclined) and the bucket placed over them upside down. The bucket is raised and the race is on. A standard race is the first crab over the outside circle

wins. However, for variety they have obstacle and last-man races. In an obstacle race, the crabs are placed in the middle of a turned up table and must crawl up and over the edge of the table and then out of the circle. The last man out race is just a reverse of the standard race; the last crab to crawl out of the outer circle wins. You can imagine that a last man out obstacle race is the hotel owner's favourite. Some of them last up to 45 minutes and the mounting excitement sends the rum punch sales skyrocketing!

But enough of this revelation of our sporting life. If I tell any more the place will be overrun with pale faced, frozen toed Manitobans, eager to make their fortunes on crabs. Besides, I can hear the wind murmuring in the palm trees, the surf lapping on the beach and girls laughing in the shadows so, rum punch in hand, I must be off.

Regards to all.

P.S. You might skip the bit about the girls in the copy of the Bulletin you send me as I am not sure Lorraine appreciates them to the same extent I do.

APRIL SMOKER

By N. P. FESCHUK, P. Eng.

After a brief introduction by President S. Barkwell, the A. P. E. M. Legislative Committee's Smoker chaired by A. W. Gilliland got underway. Mr. Gilliland explained that a committee of the Manitoba Legislature was reviewing the existing legislation that affected the professions with the view of introducing a new act or acts and that it was the A. P. E. M. Legislative Committee's responsibility to be prepared to make the Association's position known on this matter to the appropriate Committee of the Manitoba Legislature.

Mr. Gilliland stated that the most recent experience with respect to Engineering Profession Act can best be illustrated by the experience in Ontario and the proposed new Acts in Quebec. The APEO is to be restructured into three Branches, the Engineering Practise Branch responsible for licensing, the Administration Branch responsible for administration and membership communication, and the Member's Services Branch which is divided into two Divisions, the Salaried Engineers Division and the Consulting Engineers Division.



A. W. Gilliland, Chairman of the Legislation Committee which organized the April 24th Smoker held at the Wildewood Club, hums a few bars of "Hail, Hail the Gang Is All Here" before addressing the large group of members attending the April Smoker.

This Branch is responsible for the membership's welfare. The third Branch can by law break away from the APEO if it should desire. The Labour Relations Act in Ontario provides for the inclusion of engineers which in effect allows engineers to collectively bargain. The Ontario Act allows the APEO to retain its self regulating function.

In Quebec, the Quebec Legislature proposes to set up a Quebec Professions Board with various bureaus covering the various disciplines. The existing Act covering the Corporation of Engineers of Quebec will be amended to transfer discipline and licensing activities of CEQ to the Quebec Professions Board leaving the CEQ split into four divisions, Salaried Engineers, Consultant Engineers, Proprietier's, and All Others. The new CEQ will be organized on the lines of the interest of the various major groups of engineers with the self regulating and discipline aspects being removed from the CEQ. Quebec engineers for sometime have been able to bargain collectively.

Following Mr. Gilliland's presentation Ray Scouten, Bob Harasyn, Gord McLure, Gord Smith, Les Oakes, and Dick Haywood presented brief statements on items that concerned them with respect to individual and corporate practise; self regulation; fees, collective bargaining, Labor Relations Act; salaries; take over of what was once the engineer's prior domain by technicians; Engineers-in-Training; Engineering curriculum; protection of the public; and the use of the Seal.

The 110 individuals in attendance then broke up into four groups for an hour to discuss Corporate (Group) Practise, Membership Services, Unsafe and Unprofessional Practise, and the use of the Seal.

After an hour of group discussions, the recording secretaries presented the consensus of their various groups. The group discussing Corporate Practise reported through their secretary, Bill Greenfield, that it was its opinion Corporate practise existed in Manitoba presently and that present Act was not satisfactory in respect to this practise. The group felt that revision of the Act was required in this area and that Ontario wording (in recognizing corporative practise) would be adequate as a starting point but would not necessarily be adequate for the Manitoba situation. The group felt strongly that if corporate practise is recognized that the accountability of the individual engineer would have to be retained. In the view

of most of the group's participants, the trend to corporate practise was real and justified because of the rather large projects that were now being built or planned.

Ted Glass reporting for the group discussing membership services indicated that the group's discussion covered University training with many of the group opting for a five year Bachelor's Program; the lack of influence the A.P.E.M. appears to have in setting the University curriculum; courses in professionalism for the undergraduate or graduate engineers; eligibility of engineers for inclusion in the Labour Relations Act and Fair Employment Act; and salaries. Fear was expressed at the in roads that technicians and technologists were making into what was considered at one time the domain of the engineer.

The Unsafe and Unprofessional Practise group had proposed to discuss the protection of the public, objectives of the Association; the concerns of the Association in safety; and the functions of the Safety Committee. The group through their secretary Al Lepine reported that their discussion centred mostly about the safety committee. The group came out strongly for

the involvement of the engineer in the inspection of the works he designs since many of the failures that have occurred appear to result because of inadequate inspection. Concern was expressed at the mechanics of operating a committee on safety. In general the group felt that safety could be served by general upgrading of the quality of the engineering profession.

Bud Rogers speaking for the group discussing the Use of Seal indicated that the group agreed that the use of the seal should be mandatory; that senior engineers should not be permitted to rubber stamp the work of others with his seal; that the corporate seal of a consulting firm or engineering department should not be accepted as a seal (although this did not get unanimous agreement); that more than one engineer's seal could appear on a document provided the various engineers did make contributions to the document.

Mr. Gilliland in closing the meeting stated that he and his committee would welcome comments and direction from Association members in establishing the Association's position with respect to a new Engineering Profession Act which may be presented to Legislature this fall.



Secure in the knowledge that the location of their group is well camouflaged by a sign reading "This Way To The Ladies' Locker Room", Smoker Group #4 discusses the use of the Seal.



Occupying the best seats in the house Group 3 discusses Safety with President S. Barkwell.

C. C. P. E. ANNUAL MEETING

The map in the centre fold was prepared by our own cartoonist, Boris Hryhorczuk, P. Eng. and was part of the Special Edition which we published for the delegates to the Canadian Council annual meeting held in Winnipeg in May. Following are other excerpts from this Special Edition.



WELCOME TO THE WEST

“THE WEST” as visualized by:

Maritimes — anything west of Quebec.

Quebec — John Wayne riding across Texas.

Ontario — Kenora, Dryden, Thunder Bay.

Manitoba — all that marvellous part of Canada located west of Sudbury.

Saskatchewan — The Prairies and British Columbia.

Alberta — Alberta.

British Columbia — Where else?

Delegates from British Columbia will be astonished to find a half a million people living in Winnipeg. They thought all Prairie people had moved to B. C. long ago.

The Prairie Provinces once included Manitoba, Saskatchewan and Alberta. Then all three provinces had provincial elections and changed governments. Alberta looked at the other two changes and Cabinet Minister Don Getty promptly announced that Alberta would no longer be a Prairie Province, and would henceforth be known as the Industrial and Parkland Province. After the next provincial election in Manitoba we may qualify for this new status.

Maritimers — Be sure to try our Manitoba specialty, South African lobster.



As the delegates to Ontario and Saskatchewan return to their own provinces, they may notice a sign on the border reading “Last one out of Manitoba, please turn out the lights.”

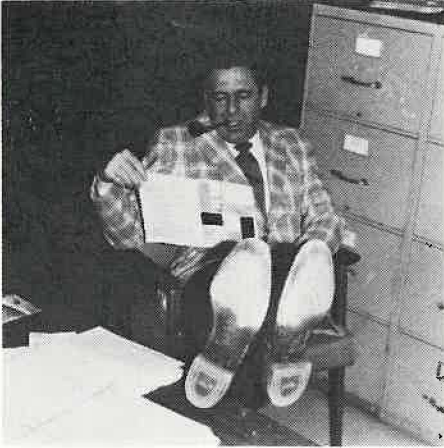
This is for the benefit of residents of Manitoba, not visitors.

Incredible But True

The B. C. Association have written to say they are “jealous” of our publication and the New Brunswick Association have

written to say they think ours "is the best published by any Association in Canada." And the Vancouver Province reprinted part of an article from our April issue. If only we could please our own members.

★ ★ ★



As the editor scans the Bulletin, the photographer scans his feet.

★ ★ ★

FLIN FLON NEWS

By M. N. COLLISON, P. Eng.

R. L. Price, P. Eng., and wife, Jean, are out in Hawaii as this is being written. Hope you enjoy it Ron!

H. L. Easton, P. Eng. and Mrs. Easton spent a few days in Montreal making an Easter visit to their son and daughter located there. Harry reports they really enjoyed themselves. Harry thought he would leave winter behind but found more snow in Montreal than in Manitoba.

M. A. de Vette has been in to Flin Flon several times during the winter. Keep coming Tony — it's always good to see you.

S. F. Liss and family spent the long Easter weekend in Swift Current. Their eldest son, Bob, played in a Midget Hockey Tournament there. There was lots of good hockey and lots of fun.

P. Eng. wife Mrs. W. Stickney, has recuperated from a few days in hospital.

Apparently her flu bugs had the flu. It is good to see Irene running around again.

G. H. Kent, P. Eng., is retiring from the employ of Hudson Bay Mining and Smelting Company on April 30. We are all going to miss George. The Collison's have been neighbors of theirs for over 20 years and as neighbors, George and Kay are going to be hard to replace. They will be remaining in Flin Flon, at least part time, especially if you consider Beaver Lake, Saskatchewan, as a suburb of Flin Flon. May you have a long and enjoyable life of leisure George and Kay.

★ ★ ★

What Next Department

In the "things aren't what they used to be Department" we'd like to recite the following story:

In February, 1953 the University paper, the Manitoban published a picture of Churchill, Eisenhower and Stalin looking at a nude statue which was published under the headline, "Big Three disagree on naval location." During the following uproar the publication of the Manitoban was suspended by the Board of Governors, and the UMSU Council and Manitoban Editor were reprimanded and it was only after all promised to return to responsible journalism that publication was allowed to continue.

We picked up an issue of the Manitoban the other day and counted dozens of four letter words. The reaction of the Board of Governors, the public, and the students seems to be one big yawn.

—R. M. S.

★ ★ ★

Two recent news items make us wonder. The first was on the radio and reported that a man incarcerated (supposedly) at Stony Mountain penitentiary had walked away from minimum security conditions, was at large and considered dangerous. The second item, also brought to us via early morning radio, advised that two prisoners had failed to return to Stony Mountain Penitentiary after having been given a pass to attend a social. One was a convicted murderer and the other a convicted armed robber. The public was advised that both were considered dangerous. How much protection is the public being accorded by this kind of shenanigans? How frustrating it must be for the police to successfully apprehend dangerous criminals, only to have them allowed loose for "socials."

Oh Canada Map

Placemats imprinted with the map in the centre fold of this issue were prepared for the recent C. C. P. E. annual meeting. While supplies last, these placemats are available in the Association office at twenty for one dollar.



PRESS IS NOT SO FREE

The Bulletin Committee had planned to give extensive coverage to the recent annual meeting of the Canadian Council of Professional Engineers held in Winnipeg. We wrote to C.C.P.E. asking for permission for our reporters to cover all events and the reply advised us that while we could attend the social functions "Some of the Committee meetings are confidential and outsiders are not usually invited." Some of the meetings, we were informed, "must be closed." Although we had not considered ourselves as "outsiders" we accepted the decision and this is the reason there is no coverage of these meetings, other than the dinner which this Association gave in honour of the visiting delegates.



A.P.E.M. HONOURS DELEGATES

Under the able Chairmanship of George De Pauw, the C.C.P.E. Annual Meeting Committee arranged for cocktail parties and a dinner at the Hollow Mug of the International Inn to honour the delegates to the recent C.C.P.E. annual meeting held in Winnipeg. Seventy guests were honoured and the dinner was attended by seventy-five members and their ladies. President Stewart Barkwell welcomed the guests and George Minaker, P. Eng., a Unicity Councillor, brought greetings from the City of Winnipeg.



IN THE COURT OF APPEAL

In the matter of the Engineering Profession Act and in the matter of an Application for an order of prohibition between Edward H. Balchen, (Applicant) Appellant, and Russ Hood, George de Pauw, Clyde McBain, Stewart Barkwell, William Newton, Kenneth Hallson, Lou Earp, Al-

len Lansdown and John Adam, being members of The Council of the Association of Professional Engineers of the Province of Manitoba, (Respondents) Respondents.

Judgment of the Court delivered by — Dickson, J. A.:

This is an appeal from a decision of Deniset, J. denying an application for a writ of prohibition. The applicant is a professional engineer and the proceedings were brought against the members of the Council of the Association of Professional Engineers of the Province of Manitoba, as well as against the Council itself. The application was based on a claim that the Council was without jurisdiction to proceed with the hearing of a complaint which had been brought against the applicant under section 26(1) of *The Engineering Profession Act*, R.S.M. 1970 Cap. E120. Deniset, J. dismissed the application on the ground it was premature.

With respect we think that the learned Judge of the Court of Queen's Bench could have, and should have, proceeded with the hearing and disposition of the application before him. The decision of the Supreme Court of Canada in *Bell v. The Ontario Human Rights Commission*, 1971 S.C.R. 756 is express authority for the view that a person does not necessarily have to await the decision of a domestic tribunal before applying to the Court for prohibition on the ground of lack of jurisdiction.

Turning then to the question of jurisdiction, we are bound to say that the complaint as framed places the Council in an impossible dilemma. The complaint is in the following terms:

To: Registrar, Association of Professional Engineers of the Province of Manitoba, 710 - 177 Lombard Avenue, Winnipeg 2, Manitoba.

COMPLAINT

Canada Province of Manitoba To Wit:	}	In the matter of Section 26 of "The Engineering Profession Act R. S. M. 1954, Cap. 73, and Edward H. Balchen, of the City of Winnipeg, in Manitoba, a Professional Engineer.
--	---	--

I, Charles R. Bouskill, of the City of Winnipeg, in Manitoba, a duly qualified and licensed engineer, make oath and say:

1. I have reasonable and probable grounds to believe that Edward H. Balchen, of the City of Winnipeg, in Manitoba, a duly qualified and licensed engineer within the Province of Manitoba, has been guilty of unprofessional conduct and negligence within the meaning of Section 26(1) of 'The Engineering Profession Act' in that

- (a) on or about the 29th day of September, 1970 he did, when requested to give his opinion on a report prepared by W. L. Wardrop and Associates Limited for the Town of Selkirk, write or cause a letter to be written to the said Town of Selkirk, tending to lessen the reputation of, and discredit the said W. L. Wardrop and Associates Limited. A copy of the said letter is attached hereto, marked 'Exhibit A' of this my declaration;
- (b) by his act the said Edward H. Balchen did injure, falsely or maliciously, directly or indirectly, the professional reputation, practice, or business of another engineer, in contravention of Paragraph 6.4 of the Code of Ethics of the Association of Professional Engineers;
- (c) prior to accepting the assignment to review the work of a fellow engineer, he did not notify the said engineer, contrary to the provisions of Paragraph 6.5 of the Code of Ethics of the Association of Professional Engineers".

The key to an understanding of the dilemma referred to is to be found in section 15 of *The Engineering Profession Act*, *supra*, which reads:

"No partnership, corporation or association of persons shall be registered as a member of the Association or licensed to engage in the practice of professional engineering."

It will be observed that the only person named as allegedly having been injured by Mr. Balchen is W. L. Wardrop & Associates Limited. By definition that person is not an "engineer" recognized by the Act or by-laws.

Clause (a) of the complaint does not disclose an offence within the meaning of the governing statute or by-laws.

Clause (b) was amended by the complainant by deleting therefrom "falsely or

maliciously". Under section 6 (4) of the governing Code of Ethics it is provided that a member:

"...shall not attempt to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects or business of another engineer."

Clause (b) as amended fails to set up an offence within the meaning of the section in question.

It was sought to defend clause (c) on the ground that certain particulars had been furnished by the complainant to Mr. Balchen's solicitors, as follows:

"The engineers whom E. H. Balchen allegedly injured are J. Lawrence Greer, P. Eng. and Douglas R. Grimes, P. Eng. and possibly other members of the firm of W. L. Wardrop & Associates Ltd."

Unfortunately for the Council, the manner in which the complaint in clause (c) is framed is not cured by the particulars furnished. The complaint specifically focuses on Mr. Balchen's acceptance of an assignment "to review the work of a fellow engineer". The only work that in the present context could have been reviewed by Mr. Balchen was the report of W. L. Wardrop & Associates Ltd., a report which had been submitted by that Company to the Town of Selkirk without signature and without any individual being identified as the author thereof. And we repeat, W. L. Wardrop & Associates Ltd. could not be a "fellow engineer".

Without dealing with the controversy on its merits we acknowledge the possibility that a charge could have been properly framed. Indeed Mr. Simonsen applied to the Council for an amendment to that end. The Council in its wisdom declined to grant Mr. Simonsen's application and elected to remain with the complaint as it then was.

We are all of the view that the Council was without jurisdiction to proceed with the complaint in question. We would allow the application and grant an order of prohibition as applied for, with costs in this Court and in the Court of first instance.

R. G. B. DICKSON, J. A.

Factum fee - \$100.00

Delivered this 14th day

of March, A. D. 1972.