Microsoft prepared to renew talks with engineers

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by Geoffrey Downey

The war of words over the word engineer has escalated to include terms like "court" and "legal action" and "enforcement." In a question and answer session with Microsoft Canada Co.'s training and certification manager Patricia Meta explains its side of the dispute with the Canadian Council of Professional Engineers (CCPE).

Computing Canada: Was there an agreement or arrangement struck in May 2001 between the CCPE and Microsoft barring MCSEs from using the term engineer in their designation?

Patricia Meta: It was an interim measure; it was never an agreement or anything official. We took the recommendations that we heard from the CCPE and at that time decided in the best interest of the MCSEs to just to have them use the acronym, so they wouldn't be faced with any threats or legal action from the CCPE. And it was during that time that we advised them to do that until we made our final decision. We did surveys, we did a legal review, and we did what was necessary to make an educated decision on the matter.

We did extensive research into the legal issues the CCPE had raised, and we also studied legal precedent that was in existence in North America around the issue. It's from this research as well as the legal research that we came to the conclusion that using the term engineer in conjunction with the designation does not break any provincial or territorial laws.

It's also important to note that Canada currently stands alone in this issue. The MCSE designation is used freely around the world and is not, to our knowledge, currently being challenged elsewhere.

CC: Are MCSEs warned as part of their training the designation could lead to legal problems?

PM: No. In Canada, our federal and provincial statutes recognize flight engineers, conservation engineers, locomotive engineers to name a few, and the public in Canada doesn't seem to be confused by this either.

MCSEs only use the full designation. We only allow them to always and only use that full designation or acronym to ensure that they're not implying they're a professional engineer when they're out there in the workplace.

People are using this term in Canada today, and they don't seem to be challenged by the CCPE or the provincial bodies. It's not consistent.

CC: Do you think Microsoft is being singled out?

PM: I'm not saying that. I'm just saying it doesn't seem consistent.

CC: Are you aware of any cases of MCSEs being taken to court?

PM: The only one I am familiar with is the recent one in Alberta. (EDS NOTE: The Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA) had an injunction application dismissed in Court of Queen's Bench of Alberta in November. The APEGGA sought to prevent Raymond Merhej from using the title system engineer and/or system engineer representative.)

CC: Are MCSEs aware there are organizations whose mandate is to catch people who are using the term engineer in their title with proper authority?

PM: Most MCSEs are aware of the situation because we have communicated with them all the way through it as well. So they're aware of the situation to date.

CC: The volume of the disagreement is rising. Is it having any effect on MCSE enrollment numbers?

PM: I don't know if that will hinder people wanting to make a career choice to move into that area. There's a need for skilled IT professionals all the time. We do have a concern with skilled people coming from other parts of the world to Canada because they won't be able to use their designation name here as they are allowed to elsewhere.

CC: If MCSEs find themselves in court can they expect any help from Microsoft?

PM: We've officially requested that the CCPE or the provincial organizations deal directly through us. We would prefer it if they did that and not go after our designates, obviously. If they choose not to—and we will be following up with them to make that request again—then we will initiate a plan of action if they decide to take some other route.

CC: Where does Microsoft go from here?

PM: Obviously we want to discuss things with the CCPE directly, we 'd prefer to. We have been in discussions before; I think we need to meet at the table again and work this out between the organizations and the IT industry as a whole because it does affect people other than just Microsoft.

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