

# **The Road to Excellence in New Brunswick's Forests (Draft)**

Intended for the use of Foresters and Forest Technologists in NB

*The ARPFNB and the NBFTA are committed to **sustaining** the resources of the forest and believe that this goes hand-in-hand with properly **utilizing** the resources of the forest, as well as having a thorough **understanding** of the factors at work in the forest environment.*

## Introduction

The Association of Registered Professional Foresters of New Brunswick (ARPFNB) and the New Brunswick Forest Technicians Association (NBFTA) are examining options to better protect the public interest in forests, as well as provide ancillary benefits to employers/clients and members. Since the early 1980's, both associations have entertained concepts to introduce a more structured system of forestry and technical services to forest-based employers in New Brunswick. Forests are critical to the social, ecological, and economic good of all New Brunswickers. The public expects trained practitioners who are accountable and regulated to manage the forest on their behalf. Present legislation, the New Brunswick Foresters Act, 2001 and the 1996 Incorporation of the NBFTA, permit the use of a title, Registered Professional Forester or Certified Forest Technologist, but do not, in any way, establish a minimum standard or expectation of the quality of service provided. With this in mind, the respective associations have jointly developed the proposal contained herein for the consideration of the memberships.



The Executives of both Associations support the current initiative to establish Right to Practice legislation.

## The Need for Change



The role and responsibility of Foresters and Forest Technologists is to oversee, ensure, and certify that the standards of “good forestry practice” are respected and consistent with the laws and regulations of the Province of New Brunswick. They are also responsible for managing NB forests to provide sustainable values, societal, ecological and economic benefits to New Brunswickers.

Change in the world of the Forest Practitioner is rapidly escalating in response to several factors. The first is the public attitude towards forests, as the public increasingly realizes and understands the values that the forests offer. The public expects properly trained individuals to manage forests, those who fully understand the ecological implications of their decisions, and who appreciate non-consumptive values of environmental and social benefits that the forests contribute to the New Brunswick lifestyle.

The second major area of change is the prevalence of individuals in decision-making roles who have neither the education nor experience to do so. With the rapid expansion of the global economy and shrinking forest landscape, many persons arrive on the door steps of employers purporting to be Foresters and Technologists, but with varying combinations of training and experience from institutions and employers around the world. There exists no official non-partisan body for the verification and certification of their credentials against professionally developed standards.

The third area of change is the attitude of the general public towards our associations and memberships. We lack the public image that would qualify us to continue as stewards of the forests. As a group we have been well trained, but we have no formal mechanism to ensure that all members perform to the standards that are expected of us, nor do we promote a public image that is consistent with the level of service that we deliver to the public.

## **Benefits of the Proposed Act**

New Brunswick's forests will continue to be a major source of employment, revenue, and a multitude of other values in New Brunswick in the future. Being cognizant of this critical mandate, the Right to Practice movement wishes to ensure that these forests are cared for by the most professional, responsible, and accountable forest practitioners possible.

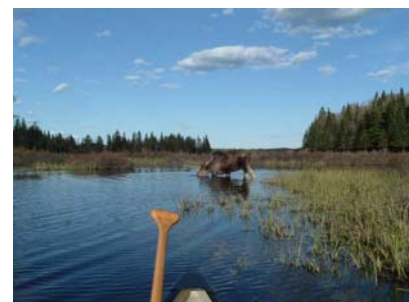
The ultimate benefactor of this proposal will be the general public of New Brunswick. The practice of forestry is increasingly under attack, criticized by the media and the public. The proposed Act is intended to raise the level of competency of those managing the forests, and will in time improve their respective images.

The key three stakeholders of this initiative are the general public, Foresters/Forest technologists, and forest owners (crown, private, industrial).

### **The Public:**

While the benefits of the proposed Act extend across the entire practice of forestry, the public of New Brunswick, both current and future generations, will be the ultimate and greatest benefactors. The public will develop confidence that forest management practices are guided by dependable, accountable, accurate, economic, social and science-based advice. The public will benefit in the following ways:

- The Standards of Practice Committee will determine minimum standards of practice that will in turn provide the public with an increased level of confidence in forestry activities.



- The Discipline Committee will have a member of the general public as part of its complement to ensure that public values are adequately protected.
- Results of the Discipline Committee will be public to demonstrate that public interests are being served exclusively and transparently.

**Foresters/Technologists:**



- Opportunity to belong to an organization with increased status in the professional community in New Brunswick (collective reputation)
- Membership in an organization that insists on and enforces Standards of Practice and Ethics that guide the practice of forestry - a level 'playing field' for all in the profession
- An organization that ensures continuing competence as well as assist in providing continuing education opportunities for its members.

**Forest Owners:**

- Assurance that those who provide forestry advice and services are technically competent and of good character
- Knowledge that professionals providing advice are required to comply with a Code of Ethics and Standards of Practice
- Knowledge that those professionals are subject to malpractice scrutiny and are subject to a disciplinary process in the event of malpractice



The proclamation of this Act will bring New Brunswick in line with other provinces such as Quebec, Ontario, Alberta and British Columbia.

## How will it work

The two Associations currently have many of the components in place to implement the proposed Act:

- requisite knowledge to establish appropriate standards of conduct and competence, many of which can be adopted from similar exercises elsewhere.
- the will and resources to enforce these standards
- a well-established professional "culture," including a demonstrated commitment to duty over self-interest or personal gain.
- pre-existing infrastructure that could be adapted to support self-regulation
- Flexibility to deal appropriately with non-compliant situations in a fair and timely manner.

# New Brunswick Society of Forestry Practitioners

## Board of Governors

Meet 4 times per year

7 member committee – President & Vice President RPF, President & Vice President CFT, one public member, one government member, and Executive Director  
Alternating 2-year chair between RPF & CFT

## Executive Director

Full-time position

## Administrative Assistant

1 full-time position

## Executive Committee (RPF)

Same as current composition

By-laws  
AGM  
Board of Examiners  
Entrance standards

## Executive Committee (CFT)

Same as current composition

By-laws  
AGM  
Board of Examiners  
Entrance standards

## Joint Committees

Membership equally shared between RPF & CFT  
Alternating chairs

### Standards Committee

Establish minimum standards of practice

### Competence Committee

Review CE opportunities

### Complaint Review Committee

Receive, review, evaluate, attempt to resolve complaints

### Disciplinary Committee

Prescribe disciplinary action as a result of complaints  
Follow up and resolution of complaints

### **The Society will be responsible for:**

- Identifying cases of foresters and technologists acting outside of their area of competence; identifying and assisting with avenues to bring them into compliance, and as last resort proceeding with the discipline committee.
- promoting continuing forestry education opportunities for those working to maintain their competency in their specialty areas or branches of the profession;
- maintaining records of education activities on behalf of their members
- teaching members practical ways in which to proceed with their responsibilities, for example when and how to “sign off” on a forestry practice for which they have authority/responsibility
- ensuring that members work within their areas of competency

Persons wishing to acquire the Right to Practice will first apply to the appropriate Association and after consideration by the Board of Examiners of that Association will be required to complete the entrance examination. On passing the exam, the new member is either granted full membership and the Right to Practice or alternatively will be classified as non practicing and provided with the areas in which upgrading is necessary.

### **Impact on Practicing Community**

All those meeting the definition of a “Forest Practitioner” must become registered under the new Act, with the exclusion of two groups:

- Farmers, private woodlot owners or their employees working on their own or on leased land.
- A group of professions, occupations or trades whose scope of practice comes close to forestry, but who are governed by separate legislated, self-regulated bodies. For example, professional engineers, landscape architects and biologists may advise forestry enterprises but only within their own mandated scope.

The Society recognizes that there are numerous individuals who are not members of either association but who are providing services to employers. It is not the intent of the Society to interfere with their livelihoods. The intended outcome of the proposed legislation is to actually enhance their careers by providing them with the tools to better perform their tasks. Those tools will include access to training in their chosen areas, access to peer advice on difficult or complex issues, and ultimately an improved professional image.

In order to achieve these goals,

- Members must identify and work within their own areas of competence;
- Members must be vigilant about and report non-members who are practicing professional forestry, as well as members whom they believe are operating outside of their area of competence;

- Members must understand what constitutes currency and competency in their own specialty area or branch of professional forestry, and maintain that level of currency/competency.
- Upgrading, training and continuing education shall be required to maintain currency.
- Function within the Canadian Labor Mobility Standards and therefore be eligible to work in other provincial jurisdictions.
- Members will not permit, direct, counsel or assist an individual to perform professional forestry or other functions for which he or she is not adequately trained or that he or she is not competent to perform;
- Members will not sign a report, plan or other document without ascertaining, or taking reasonable measures, to determine the accuracy of its contents.

### **What does it all mean for a Registered Professional Forester or a Certified Forest Technologist?**

Individuals who achieve the status of CFT or RPF:

- will maintain a standard of practice;
- are required to update technical skills on a regular basis;
- can direct or supervise unregistered persons.
- will not permit, direct, counsel or assist an individual to perform professional forestry or other functions for which her or she is not adequately trained or that he or she is not competent to perform;
- will not sign a report or other document without ascertaining, or taking reasonable measures to determine, the accuracy of its contents.

### **Grandfathering of currently practicing applicants for membership**

It is widely known that there are many Foresters and Technologists, and semi-trained individuals who are not currently members of either association. The approach and attitude of the Society towards them will be very welcoming, as the entire initiative is seen as benefiting the general public while enhancing the opportunities and image of the individual members at the same time. Responsible practitioners will want membership because of the benefits that it offers, and therefore the Society must be very accommodating. Non-members will have to follow that same process as members with respect to application and submission of credentials for evaluation, but the process should not be lengthy, or unduly difficult.

The Board of Examiners of the respective Associations currently uses the academic and experience requirements, plus a Registration Exam to ensure that applicants are aware of relevant legislation and the Code of Ethics. However, there are individuals currently working in the "practice of forestry" with several years of experience and some academic training who are not graduates of an accredited or recognized forestry program. These people will have to apply for membership in one of the two Associations and may be required to upgrade their qualifications over a period of time.

Every effort will be made to incorporate those qualified into the Society.

## Financial

The two sponsoring associations currently maintain offices and have either volunteer or paid office staff. As mentioned earlier, both Associations will continue to operate as they have been. The intent of the Society is to utilize existing resources as much as possible. Some economies of scale can be realized as well. For instance, the Executive Director can be shared between the Society and the Associations. Office expenses and Administrative staff can be shared as well, keeping in mind however that the two Associations wish to remain autonomous.

The costs of this present exercise to develop the proposal, its accompanying documents and to provide informative material to members, stakeholders and to members of the general public, legal fees, building a public profile and advertising are part of the developmental or capital costs. To this date all costs have been absorbed by the associations.

### Capital investment

The capital investment to develop the Act and establish the Society is estimated in the vicinity of \$50,000, and will be shared in an equitable basis between the two associations. Since the Associations are unable to acquire bank financing, capital expenditures will have to be paid as incurred. In the end, the Capital costs should be shared between the founding Associations on a 50/50 basis. A Consultant will be hired to guide the process.

The initial year of operation after proclamation of the Act will be considered as capital expense as the sheer volume of organizational tasks required to set up the organization and process applications and determine grandfathering will be extensive.

#### Preliminary capital budget

Printing and distribution	\$4 000
Consultant time	\$20 000
Awareness campaign	\$3 000
Legal fees	\$12 000
Travel expenses	\$5 000
Advertising	<u>\$1 000</u>
Total	\$45 000

Please note that these are preliminary estimates and no formal quotes have been requested. First-year operational costs are not included in this estimate.

### Operational Costs

The operational costs are those required for the day-to-day operating costs of the Society. As mentioned previously, the first year of operation will be considered capital costs. From year two forward, the Associations will provide to the Society a grant or portion of membership revenue to cover its operating costs. Foresters will contribute more per member based on earnings, but there are expected to be more Technologist registrants. The

operating costs of the Society will be shared equitably (65% of the respective budget should go towards the Society) between the associations and will consist of a third of the Executive Director’s salary, and the costs associated with implementing the Act, i.e., outreach to those meeting the definition of a Forest Practitioner (both members and nonmembers) and public relations/promotions.

**Preliminary Budget**

A preliminary budget for the Society and the two Associations working together on this project is shown below:

Budget for Society	
Administration	12000
Salaries	85000
Committee	5000
Legal fund	10000
Promo	7000
Total	119000

(Note.... these are preliminary and will need to be confirmed. Each association will have additional costs pertaining to its own individual activities). Revenues and profit/loss are not known at the time of writing.

Table 1. Estimate of membership growth after RTP legislation is passed for each association.

Active Members	Now	1 year of implementation	2 years of implementation	3 years of implementation
RPF	200	250	325	400
CFT	120	240	360	450

Table 2. Income generated if dues are \$275 for RPF and \$200 for CFT .

Active Members	Now	1 year of implementation	2 years of implementation	3 years of implementation
RPF	\$51 000	\$68 750	\$89 375	\$110 000
CFT	\$24 000	\$48 000	\$72 000	\$90 000
Total	\$75 000	\$116 750	\$161 375	\$200 000

Table 3. 65% of each Association respective budget will be allocated to the Society.

Active Members	Now	1 year of implementation	2 years of implementation	3 years of implementation
RPF	\$33,150	\$44,688	\$58,094	\$71,500
CFT	\$15,600	\$31,200	\$46,800	\$58,500
Total	\$48,750	\$75,888	\$104,894	\$130,000

The last table shows that it would take 2 years to fully implement the Society's expenses.

## **The Road Ahead**

The objective is to have The Act proclaimed in calendar year 2009. The following phases of the project will have to be completed:

1. The Minister of Natural Resources and senior officials must support and approve the project, as they will be the lead in drafting the legislation and its introduction to the Legislature.
2. Foresters and Technicians, who are practicing forestry, but not members of the associations, must be made aware of the initiative and its implications.
3. A public awareness and/or consultation process may be deemed necessary or mandated by the government.
4. Once proclaimed, the organizational structure and financing must be initiated.

# **It's Time to get our 'Act' Together!**