

# Information Package: Amendments to Building Official Classes (Dec 2019)

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## Purpose

This document describes recent changes to regulation governing building official qualifications and outlines implementation work currently underway to prepare for the new qualifications program. The goal is to assist local authorities and building officials with readying themselves for full program implementation in early 2021.

Note: The term ‘building official’ includes ‘plumbing official’.

## Background

The Building Act was passed in 2015 to modernize and improve the building regulatory system in British Columbia (B.C.). A program requiring mandatory qualifications for building officials was introduced in early 2017 to increase the competency of building officials and support a more consistent application of the BC Building Code.

Phase 1 of the program is already in effect, meaning all building officials are required to be members of the BOABC. Phase 2 takes effect on February 28, 2021, when building officials must be ‘qualified’, meaning they must pass exams according to the scope of their responsibilities and be entered into a public register, and undertake continuing professional development every year.

The mandatory qualifications program was built on the recommendations of a multi-industry stakeholder group. That group recommended that two additional classes of building officials be created: one for new entrants and one for those officials who could rely on the assurances of professional architects and engineers when making decisions as building officials.

## December 2019 Amendment

The Building Act General Regulation sets out many of the program requirements for the building officials qualification program, including listing the classes of officials and describing their scope of work. This portion of the qualification program was amended in December 2019 to add new classes of building officials and to make some minor adjustments to two of the original five classes.

The December amendment does not fundamentally change the five classes established in 2017, which are shown in Figure 1. These are divided up first into ‘building’ and ‘plumbing’ streams, and each of these is divided into further categories of building types or plumbing systems. These categories are what is referred to as the ‘scope of work’ for the various classes of building officials.

Fig.1 Scope of Work of the Five Original Building and Plumbing Classes

Building Types:			Plumbing Systems:	
Level 1	Level 2	Level 3	Level 1	Level 2
Single-family dwellings and basic building types (Simple Part 9)	Small industrial and multi-family dwellings (Complex Part 9)	Large or complex industrial and public buildings (Part 3)	Simple plumbing matters. Some kinds of buildings, such as hospitals, are excluded.	Advanced plumbing matters which can be found in any kind of building.
<i>E.g.</i> Houses and duplexes, 4-unit rowhouses under 3 storeys.	<i>E.g.</i> Low-rise apartments and townhouses, small industrial, mercantile.	<i>E.g.</i> High-rise apartments, industrial and mercantile, public buildings.		
<i>Note that it is possible for an official to be registered in both a building and a plumbing class.</i>				

The scope of work for Level 1 and Level 2 Plumbing Officials was modified slightly to better align with what is taught and tested for in the qualification exams for each. This was done by more accurately defining the term ‘advanced plumbing system’ and moving some things from the Level 1 scope of work to Level 2.

The new classes include ‘trainee officials’, who will be able to work temporarily while they prepare to take the qualification exam to become a permanent official, and ‘professional reliance’ (or ‘PR’) officials who be able to make decisions on buildings or plumbing matters by relying solely on the assurances of qualified professionals as provided in Letters of Assurance (LOAs). These new classes are explained in more detail in the following sections.

## New Classes of Building and Plumbing Officials

### (1) Trainee Classes

In 2017, the Ministry committed to develop a potential class to assist unqualified persons to enter the profession. Through consultation with key stakeholders<sup>1</sup> this concept was expanded to provide an optional pathway for officials with lower qualifications to pursue higher ones. There is a new training class for each of the five original classes, not just the Level 1 classes. As an optional program, these classes will allow individuals to either start or grow their career by temporarily working in a class one

<sup>1</sup> This stakeholder group included representatives from BOABC, the Local Government Management Association of B.C. (LGMA), the Association of Regional District Planning Managers, and the Municipal Insurance Association of BC. The Ministry wishes to acknowledge these associations for nominating and supporting their staff and volunteers to participate in this process.

higher than their own, while they gain the skills and knowledge required to successfully pass the next qualification exam(s).

The Ministry will further define the trainee program in regulation in 2020, to provide guidance for all parties on how the trainee program will run. Those amendments will stipulate who can hire a trainee, who can become a trainee, how the trainee program will operate including the responsibilities of each party, and what happens if those rules are not followed. The rest of this section describes the program that will be brought into regulation.

Only a ‘local authority’ as defined by the Building Act may employ a trainee. The employer will play an active and crucial role in the trainee program by creating a supportive learning environment for their trainee and ensuring the trainee has access to learning opportunities. Examples include courses, having a mentor, and access to a peer network.

Without the support of an eligible employer, it will not possible for an individual to enter the trainee program. Those who are not employed by a local authority must advance their careers independently by obtaining higher qualifications before they can practice as a member of that class.

Before a prospective trainee will be able to make any decision on a matter under the B.C. Building Code, they must pass the trainee qualification exam, which will test their knowledge of B.C.’s building regulatory system. Course content is under development by the Province, BOABC and LGMA. The employer and the prospective trainee will jointly develop an individualized Training Plan that describes their joint intention for how the trainee will achieve their qualifications. Once these prerequisites are met, the prospective trainee will be eligible to register as a “Level X – in Training” official, and only then will they be able to make decisions on behalf of their employer according to the expanded scope of work for their training class.

The trainee program will be temporary. A trainee will have a set amount of time in which they must pass the qualification exam(s) for the class they are in training for. To ensure accountability, every six months the employer must submit to the Registrar a progress report detailing which activities the trainees have carried out from their Training Plan, and how many education points they have earned. If they have not passed the qualification exam(s) by the end of the program, the trainee will lose the ability to practice in the expanded scope of work. Those without any level of permanent qualifications will no longer be able to work as an official, while those who held previous qualifications will revert back to the lower class.

The details of how this operates for each trainee class is described in Figure 2 on the next page.

Fig.2: Characteristics of the Five Trainee Classes:

Class	Building Official Classes			Plumbing Official Classes	
	Level 1-in-Training	Level 2-in-Training	Level 3-in-Training	Level 1-in-Training	Level 2-in-Training
Scope of Work	Same as a Level 1 official	Same as a Level 2 official	Same as a Level 3 official	Same as a Level 1 official	Same as a Level 2 official
Prerequisites	----- Employment with a local authority <sup>1</sup> -----				
	----- Successfully pass the trainee qualification exam <sup>1</sup> -----				
	----- Has a joint training plan between trainee and local authority <sup>1</sup> -----				
	----- Must complete a certain number of training activities every 6 months <sup>1</sup> -----				
	No prior BO qualification needed	Level 1 BO qualification	Level 2 BO qualification	No prior PO qualification needed	Level 1 PO qualification
Max. Length of Program	12 months	18 months	24 months	12 months	12 months
At the end of the Program	Must pass L1 BO qualification exam	Must pass the two L2 BO qualification exams	Must pass the four L3 BO qualification exams	Must pass L2 PO qualification exam	Must pass L2 PO qualification exam
Consequence if not passed	Cannot work as a Building Official	Will continue to work as a Level 1	Will continue to work as a Level 2	Cannot work as a Plumbing Official	Will continue to work as a Level 1
<sup>1</sup> Note that these requirements are the same for all trainee classes.					

## (2) Professional Reliance Classes

It is an important facet of any official's work to be able to make decisions by relying on the professional assurances of an architect or engineer provided through LOAs. After February 28, 2021, officials will only be able to do this for matters within the scope of work for their class. The exception to this will be members of the new 'Professional Reliance' or 'PR' class: Level 2-PR Building Officials will be able to make decisions on Part 3 buildings and plumbing matters solely through professional assurances; and Level 1 PR Plumbing Officials will be able to make decisions on advanced plumbing systems solely through professional assurances. However, these individuals will not be qualified to do code-compliance plan checks or on-site inspections during or at the conclusion of construction. If a local authority requires these activities, they must make alternate arrangements, such as hiring a contract architect or engineer, or a fully qualified Level 3 Building and Level 2 Plumbing Official.

Fig.3: Scope of Work and Prerequisites of the Professional Reliance Classes:

	Level 2-PR Building Official	Level 1-PR Plumbing Official
Scope of Work	<ul style="list-style-type: none"> <li>• Same as a Level 2 Building Official.</li> <li>• The ability to rely on professional assurances through the LOA process for:               <ul style="list-style-type: none"> <li>○ A part 3 building, and</li> <li>○ A matter under the plumbing code.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Same as a Level 1 Plumbing Official.</li> <li>• The ability to rely on professional assurances through the LOA process for an advanced plumbing system.</li> </ul>
Prerequisites	<ul style="list-style-type: none"> <li>• Must have achieved the Level 2 Building qualification first.</li> <li>• Must have passed the PR qualification exam.</li> </ul>	<ul style="list-style-type: none"> <li>• Must have achieved the Level 1 Plumbing qualification first.</li> <li>• Must have passed the PR qualification exam.</li> </ul>
<p><i>Note that Building Officials in the PR class will be able to rely on professional assurances through the LOA process on plumbing matters, but Plumbing Officials in the PR class cannot do the same on building matters.</i></p>		

## What This Means for Local Authorities

It is important that local authorities recognize how to use the new classes when making staffing decisions for their permitting departments for the remainder of the transition period and once the qualification program comes into effect.

### (1) How to Hire Trainees and HR Implications

Local authorities can seek a qualified official for any vacancies, and indicate their willingness to hire someone who would qualify for the trainee program, or they can seek out trainees in the first place. This latter arrangement may work well for communities that consistently have recruitment problems, as the trainee program is a way to recruit local talent and develop their skills in-house. Local authorities might consider making arrangements with nearby colleges, where a student who passes the trainee qualification exam would be able to transition directly into a trainee official position at the local authority.

Local authorities should consider their human resources rules and procedures, and those of their union (if applicable), and how best to deal with the onboarding of trainee officials. This is particularly important when they consider hiring someone who holds no qualifications for two reasons:

- a. as these individuals cannot make a decision under the BC Building Code until after they pass the trainee qualification exam, the employer risks hiring someone who might not pass the exam in a time frame the employer finds reasonable; and
- b. if, at the end of their 12-month trainee program, the trainee fails to pass the Level 1 qualification exam, they will no longer be able to work as an official, and the employer may be prevented from terminating the former-trainee because of contract or other rules.

Any offer of employment from a local authority for a trainee should consider ways to deal with a trainee that falls into either scenario, such as conditional job offers and probationary periods longer than 12 months.

If a trainee fails their qualification exam(s), the local authority should decide what, if any, review they might do of any permits that the trainee alone dealt with while they were in the program.

## (2) Staffing Based on Permitting Needs

Local authorities determine their hiring needs based on a number of factors, including the number and class of officials they can afford, the number of building permits, their desired turn-around timelines for permits, and the common types of work they are asked to permit. The new classes are tools that local authorities can use to broaden their options for hiring officials. For example, a community that is satisfied with needing only Part 9 buildings (up to low rise apartments, small industrial and small mercantile), would have the following options for staffing:

- hiring an official who already has Level 2 Building Official qualification;
- hiring a Level 1 Building Official who agrees to enter the Level 2-in-Training program immediately and could work as a Level 2 for a maximum of 18 months before they must pass the Level 2 qualification exam; or
- if they have one or more Level 1 staff already, encouraging one of them to enter the Level 2-in-Training program (and consider replacing them with a new Level 1 or Level 1-in-Training).

This hypothetical community could manage their infrequent Part 3 permits by encouraging a Level 2 Building Official to enter the Professional Reliance class or the Level 3 – in Training class or making occasional use of contracts with any of: a professional architect, a professional engineer, or any of a Level 2-PR, or Level 3 Building Official.

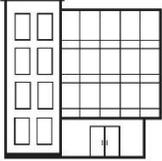
Local authorities are encouraged to be creative in exploring solutions such as those above, or even going further afield to consider sharing resources with nearby communities to engage a regional-based Level 3 official (or professional architect or engineer). This regional-based official could provide Level 3 services to a number of communities who would share the expense. Local authorities are encouraged to engage with their neighbours, municipal insurance providers, and union contacts to consider these and other options.

An additional option for local authorities when hiring officials is explored in the third section under this part, called 'Concurrent Trainees'. Note however that this program has very specific entry criteria that would make it available for only a portion of local authorities in B.C. and only for certain candidates who meet the prerequisites.

The following two figures are for local authority use in planning their staffing based on permitting needs. They show a graphic indicating which of the classes of building or plumbing officials can make which permitting decisions under the building codes. There is an explanatory note that describes each scope of work for those that are unfamiliar with the building types and plumbing systems used in regulation. The December amendments to the regulation are marked for ease of reading.

Figure 4 illustrates which class of building official will be able to perform work on the three categories of buildings once the mandatory qualification program takes effect on February 28, 2021.

Fig.4 Building Types and Classes of Building Officials

Building Official Classes:	Building Types:		
	Single-family dwellings and basic building types (Simple Part 9)	Small industrial and multi-family dwellings (Complex Part 9)	Large or complex industrial and public buildings (Part 3)
	Simple houses, duplexes, 4-unit rowhouses under 3 stories in building height	Low-rise apartments and townhouses, small industrial, mercantile	High-rise apartments, all industrial and mercantile, public buildings
			
Unqualified persons <sup>1</sup>	✗	✗	✗
Level 1 and Level 1 - in Training <sup>NEW</sup>	✓	✗	✗
Level 2 and Level 2 - in Training <sup>NEW</sup>	✓	✓	✗
Level 2-Professional Reliance <sup>NEW</sup>	✓	✓	✓ <sup>2</sup>
Level 3 and Level 3 - in Training <sup>NEW</sup>	✓	✓	✓
Registered Architects and Engineers	✓	✓	✓

<sup>1</sup>After February 28, 2021 it will not be legally possible for an unqualified person to make a code decision on behalf of a local authority, or for a local authority to have an unqualified person do so on their behalf.

<sup>2</sup>Level 2 – Professional Reliance officials are able to make decisions in Part 3 based on the professional assurances from Architects or Engineers through an LOA. By law, these officials cannot inspect Part 3 buildings during or after construction.

Figure 5 on the next page illustrates which class of plumbing official will be able to perform work on the two types of plumbing systems, once the mandatory qualification program takes effect on February 28, 2021.

Fig.5 Plumbing System and Classes of Plumbing Officials

	Plumbing Systems:	
	Simple Plumbing System <sup>1</sup>	Advanced Plumbing System <sup>1</sup>
<b>NEW</b> Plumbing, foundation drainage or hydronic heating systems of: (a) Part 9 buildings; (b) New Part 3 buildings, except for hospitals, buildings 5 storeys or greater, or that contain advanced plumbing systems or large grease interceptors; or (c) Renovations on Part 3 buildings, except if the building is to become a hospital, is 5 storeys or greater, or if the work being permitted involves an advanced plumbing system or a large grease interceptor.		<b>NEW</b> Any matter in the plumbing code, including those defined as ‘advanced’, namely: (a) the draining or venting of acid or corrosive wastes, (b) bedpan washers, trade waste systems, vent stacks or yoke vents, (c) circuit vents that serve more than eight fixtures, (d) in the case of a building that contains more than two dwelling units or is a row house, a non-potable water system; and (e) work that involves a large grease interceptor (a flow greater than 189 L/min).
<b>Plumbing/Building Official Classes:</b>		
Unqualified persons <sup>2</sup>	✗	✗
Level 1 and Level 1 -in Training <b>NEW</b>	✓	✗
Level 1-Professional Reliance <b>NEW</b> (Plumbing Officials)	✓	✓ <sup>3</sup>
Level 2-Professional Reliance <b>NEW</b> (Building Officials)	✓ <sup>4</sup>	✓ <sup>4</sup>
Level 2 and Level 2 -in Training <b>NEW</b>	✓	✓
Registered Architects and Engineers	✓	✓
<p><sup>1</sup>The December 2019 amendments modified the dividing line between Level 1 and Level 2 Plumbing Officials by modifying the definition of ‘advanced plumbing systems’. This is to reflect what is actually taught and examined in the qualification program for the two classes.</p> <p><sup>2</sup>After February 28, 2021 it will not be legally possible for an unqualified person to make a code decision on behalf of a local authority, or for a local authority to have an unqualified person do so on their behalf.</p> <p><sup>3</sup>Level 1 – Professional Reliance Plumbing Officials are able to make decisions on advanced plumbing systems solely based on the professional assurances from Architects or Engineers through an LOA. By law, these officials cannot inspect those advanced plumbing systems. Unlike Building Officials in the PR class who can inspect plumbing matters, Plumbing Officials in the PR class will not be able to make decisions on building matters.</p> <p><sup>4</sup>Level 2 – Professional Reliance Building Officials are able to make decisions on plumbing matters based on the professional assurances from Architects or Engineers through an LOA. By law, these officials cannot inspect plumbing systems they are not qualified for.</p>		

### (3) Concurrent Trainees

As mentioned above, small local authorities (defined here as having two or fewer officials) are particularly at risk of a disruption in their building industry if even one official suddenly departs. Often these communities have job vacancies that go unfilled for longer than larger communities, which puts additional stress on the industry. Many have considered going without a permitting service altogether as a result. For this reason, the Ministry is considering an emergency trainee program for small communities called a 'concurrent trainee'.

To be eligible to hire a concurrent trainee, the employer must:

- meet the definition of a 'local authority' under the Building Act;
- have no more than two officials during their normal operations; and
- a senior official (the CAO, building manager, or similar) must acknowledge in writing that:
  - they are facing an emergency hiring situation where normal hiring procedures are not possible; and
  - they understand the role of this kind of official and the risks of hiring them compared to a regular official (this information will be available to the local authority through a webinar, booklet, or other similar mechanism); and
- set their own minimum requirements for education and work experience in the construction industry (it is recommended that this be 5 years experience in the industry and some relevant formal credited post-secondary education) and ensure to their satisfaction that their candidate trainee meets those requirements.

To be eligible to become a concurrent trainee, a candidate must:

- show to the employer's satisfaction that they have the required education and work experience set by that employer;
- register with the BOABC; and
- pass the trainee qualification exam.

After meeting all of these criteria, the trainee will be registered in the appropriate trainee classes at the same time and will be able to practice in all of those scopes of work concurrently, up to and including that of a Level 3 Building Official. The exception to this is that the concurrent trainee, unlike a regular Level 3 – in Training Building Official, will not be able to deal with all Part 3 matters. These individuals will be able to work on the simple alterations or renovations of, or additions to, existing Part 3 buildings.

If a permit is submitted that is outside of this limitation (i.e., for new construction), the concurrent trainee will be unable to approve a permit (including using LOAs). The local authority will have to rely on another mechanism to process it, such as hiring an architect or engineer, or a part time Level 3 or Level 2-PR Building Official. This limitation only applies to a concurrent trainee who has yet to pass the Level 2 qualification exam. Once they have passed it, they become a regular Level 3 – in Training official and their scope of work includes all Part 3 buildings.

These criteria, along with some highlights of the program, are described in Figure 6 on the next page.

Fig.6 Characteristics of the Concurrent Trainee Option

	Employer:	Trainee:	Both:
Entrance criteria	Must have no more than two officials on staff during 'normal' operations.	Must have a minimum of 5 years experience in the construction industry.	Must register in all trainee programs at once.
	Must be informed of the role of the official and the consequences and risks of hiring a concurrent trainee.	Must have completed some formal credited education in a construction related program. <i>E.g.</i> : apprenticeship in a construction related trade.	Must submit joint Training Plans for <u>each</u> trainee class.
	Must agree, in writing, that they are in an emergency hiring situation.		
Program details	Like all trainee programs, they must allow for planned training activities (as described in the Training Plan) and prepare quarterly progress reports.	In the case of Part 3 buildings, the scope of work is limited to minor alterations, renovations or additions to existing buildings.	

The concurrent trainee will have to meet the program rules and obligations of each of their trainee programs sequentially. This means they will have 12 months to pass the Level 1 qualification exam, another 18 months for Level 2, and a final 24 months for Level 3. If the trainee fails to pass any of those qualification exams by the time period indicated, they will be dismissed from the concurrent trainee program, and their scope of work will be limited to the highest class they have achieved before their removal. If they are removed without having passed any of the qualification exams, they will also be expelled from the register and will no longer be able to work as an official.

### Next Steps

The Province, BOABC, and LGMA are preparing educational opportunities for both the trainee and professional reliance classes. BOABC will prepare qualification exams, and ensure that all are available online in 2020.

The Province is preparing to propose amendments to its regulations to provide certainty for trainees and employers on how the program will be run.

The BOABC is preparing administration rules for the new classes, including preparing registration forms, sample training plans, and operational rules for the Register of Qualified Officials. Once completed, these will be published on the BOABC website.

The Province and BOABC will be available in 2020 to meet with stakeholders about the implementation of the mandatory qualification program. To contact one or both parties, please email

[Building.Safety@gov.bc.ca](mailto:Building.Safety@gov.bc.ca) and/or [boq@boabc.org](mailto:boq@boabc.org).