

European Commission
Steering Group on the European Professional Card

Professional Card for Engineers

Case Study

1. Introduction

The EU is dedicated to removing existing obstacles when changing jobs between Member States and promoting professional mobility. To achieve this, the process for recognizing professional qualifications must be significantly sped up and simplified for engineers in particular. A professional card for engineers can make a decisive contribution to this process while improving transparency on the European job market for engineers, thereby making it easier for companies to select suitable qualified engineers from abroad. In this respect, FEANI referred to its “EngineerLING card”-concept presented at one of the previous steering group meetings.

On behalf of the Commission’s Steering Committee on the Professional Card, a Sub-Group was set up to develop a case study for engineers and to consider the challenges and possible differences in the views on a framework for a European Professional Card for Engineers in the light of the upcoming revision of the EU Professional Qualifications Directive 2005/36, thereby focusing on the following questions:

1. What is the value added and what are the legal effects of the card?
2. What information and contents should be on the card?
3. What is the concrete use of the card?
4. How will be the format of the card?

2. Composition of the Engineers Sub-group

The Subgroup was composed of representatives from authorities of Italy, Germany and Czech Republic, the European Federation of National Engineering Associations (FEANI), the European Association of European Building Surveyors, the European Centre for Liberal Professions (CEPLIS) and the European Council of Engineering Chambers (ECEC). All participants represented their personal opinions.

Joachim Jobi	European Council of Engineering Chambers (ECEC)
Dirk Bochar	European Engineers Federation (FEANI)
Zuzanna Raskova	Ministry of Education, Youth and Sports, Czech Republic
Manuela Ronzitti	Ministry of Justice, Italy
Gunnar Zillmann	Ministry of Economy and Technology, Germany
Theodoros Koutroubas	European Council of Liberal Professions (CEPLIS)
Kevin Sheridan	Association of European Building Surveyors, Ireland
Albena Vlaykova	European Commission

3. Points of Discussion

Based on the individual work accomplished by the various stakeholders of the Engineers Sub-Group, it appeared that answers to the above questions could not be formulated unanimously. There are, nonetheless, various issues where participants took the lines set out below.

3.1. Possible value added of the card

The majority would support that the card should enable an accelerated procedure for recognition (whereas a reduction from the current four months to one (1) month is considered to be unlikely). The card could accord greater credibility to the credentials indicated by virtue of

its issuance by a competent authority in the Member State of departure which has already verified them.

According to ECEC, administrative procedures leading to recognition of migrating engineers can be substantially accelerated provided that the Commission makes automatic translation of forms used for recognition possible; two months instead of four seems to be a realistic option.

According to the representative from Italy, the professional card should enable an accelerated procedure for recognition (whereas a reduction from the current four months to one month is considered to be unlikely). An accelerated procedure for recognition is strictly linked to the clearness and completeness in which home member states give the required essential information. Indeed, competent authorities would need evidence in order to compare content and duration of trainings, which would not be possible simply reading the names of certificates in the card. As to shortening the four months duration for the assessment under general systems to one month, this would be extremely difficult, currently, due to internal administrative difficulties and to the necessity to retain the possibility to deepen the understanding of the different trainings by professionals. In fact, the possibility to recognize professional titles, i.e. to verify the "correspondence" between the home professional title and the "host" professional title, must be left to the host member state, through the possibility to make a comparison of the contents of the two professional titles based on both the academic and professional training of the professional.

AEEBC agree that a professional card would facilitate the recognition process.

They believe that this would accommodate an accelerated procedure for recognition and should enable a reduction from 4 months. They acknowledge that a reduction from the current four months to one month may give rise to some difficulties, in the short term, unless the verification system is rigorous and there is mutual trust between the host and home competent authorities. AEEBC agree with ECEC that administrative procedures leading to recognition of migrating engineers can be substantially accelerated provided that the Commission facilitates automatic translation of forms used for recognition. We agree, in these circumstances, that two months instead of four could be a realistic option.

Some participants recalled that Member States which still require a declaration in the case of a temporary mobility a simple declaration would be enough if the card can be presented instead of all the accompanying documents today.

All participants agreed that IMI could further help to speed up the recognition procedure, for instance by generating (if applicable) at the moment of the request or the issuance of the card, a request for recognition addressed to the host Member State by the home Member State competent authority. IMI, however, will only be performing and serving its mission, as long as feedback is provided from the other side in a timely manner. IMI could therefore turn out to be a technical solution to a human problem: at present it is not the means of communication which are at fault, but the lack of trust shown by authorities at either end. According to ECEC, IMI could offer an enhanced technical solution and serve at the same time as an instrument to foster trust among competent authorities.

AEEBC are in favour of generation of professional cards by a combination of competent authorities, supported by peer verification with organisations such as FEANI and other relevant stakeholders. They agree with FEANI that professional criteria of targeted academic educational/professional training should be supplemented by professional experience and relevant CPD and that this should be the basis of the assessment and not just rely on primary academic qualifications alone. AEEBC support the ECEC view that IMI could offer an enhanced technical solution and serve at the same time as an instrument to foster trust among competent authorities.

3.2. Information on /contents of a card

There is general agreement amongst the stakeholders to refer to a “professional mobility card” and not to a “passport”. All participants agree that the educational and professional qualifications of the cardholder should also be indicated on the card.

The representative from FEANI suggested using EQF levels (and this was supported by the Czech representative) whilst the representative from ECEC clearly preferred using the current levels under Article 11 (NB: This is also a controversial issue under the Green Paper).

According to the representative from the Italian representative, information on the professional card must allow the possibility to verify – in case of doubt - all the data relating to the academic and professional qualifications and not just one or the other or generic mention of titles without specifying how that title has been achieved. Many professions are characterized by a great diversity, especially when a profession is regulated in one country but not in another; this diversity may have a different impact depending on the professions, as it occurs when we deal with professions having an impact on health and/or safety of citizens, such as the engineering profession, which in Europe has a wide spectrum of degree of regulation and scope of competence. So, in order to understand if there is a “good training and professional standard” it is essential to clearly understand how a professional qualification has been achieved (level of education and professional experience).

According to AEEBC, if properly implemented the EQF (ECTS) system should form the reference criteria, provided the removal of Article. 11 does not give rise to unnecessary additional compensatory burdens placed on the migrant professional. They agree that the number of years of study should not be the sole determinant of competence. AEEBC believe that partial recognition of some functional engineering activities should be considered and would also support further research and analysis to determine the extent of need and effectiveness of regulation of the profession.

3.3. Concrete use of the card

3.3.1. Who should issue a card in a home Member State?

The engineering profession is in some countries regulated, in others semi-regulated and in most EU-countries non-regulated. There was a majority in the Sub-Group on the definition and the determination of who is the “competent authority” in those countries where the engineering profession is semi- or not regulated. It has been acknowledged that an authority of the receiving state (host MS) will only accept a card instead of original documentation if it is satisfied that the issuing authority – in most cases a professional association or national engineering federation - has demonstrated that it has a trustworthy system for validating documents in place. In most cases, recognition is not an administrative task, but ought to be made by expert decisions (in committee).

According to ECEC, the issuing authority would generally need to be a public competent authority. The main reason would be that the competent authorities may be legally obliged by national law to comply with data protection and storage regulations and can make such data accessible for other competent authorities only – and not to professional organisations.

According to the representative from Italy, where the profession is not regulated the card could be issued by a NARIC centre together with a contact point for the application of the directive,

or, anyway, by organizations recognized at a national level (as public professional organizations) but not by private ones.

AEEBC believe that the home member competent authority should issue the card, subject to proper verification and meaningful dialogue with the host member competent authority. They support the view that, as the engineering profession is only regulated in some countries, whereas in others is semi-regulated and in most EU-countries is not regulated; there will be a requirement to involve professional associations and pan-European associations.

3.3.2. The role of the host Member State?

The workflow below was discussed with the following result:

The representative from FEANI felt that the applicant would end up with each time going through the same procedure for every country he wishes to work in, i.e. he would need to obtain from each country where he/she would wish to work a “card” or “passport”: this is not realistic. The card should be issued by the home MS and each host MS should have the opportunity to verify the information (i.e. as with real passports, verify and provide a stamp or a visa into the passport).

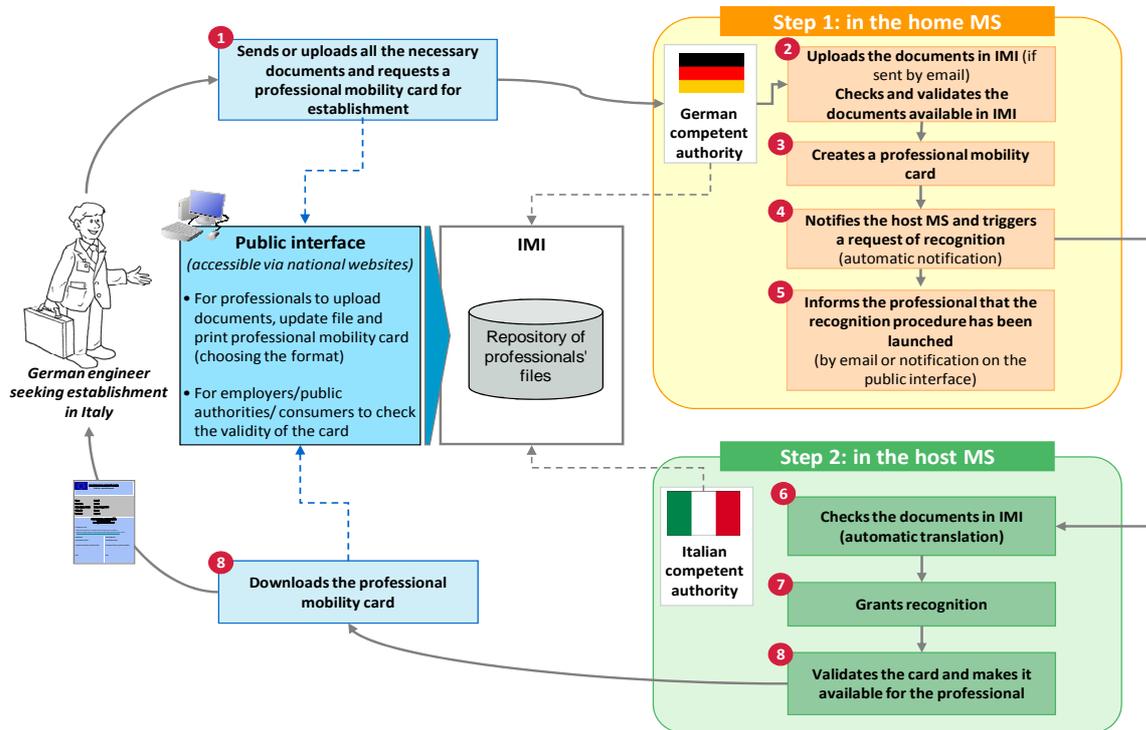
In contrast, the representative from the Italian Ministry of Justice favoured the model below in that issuing the card by the host Member State guarantees that it is correctly issued after the procedure of recognition, which is more efficient and faster as the application and the relevant documents are directly sent by the home Member State. ECEC supports a similar line.

There would be no need for a new database at EU level to ensure transparency and equivalence if other databases are accessible elsewhere under clearly defined conditions for all relevant authorities and bodies in the Member States¹. If such conditions cannot be achieved, a repository within IMI might be another way forward.

AEEBC support a central IMI database at EU level and standardisation and accessibility of National databases

¹ FEANI Members hold in a decentralized system each a database on credentials, diplomas and professional references of their individual members. They are – for obvious reasons – not likely to admit complete and direct access to this database by an “authority” (competent or not), as their membership is often their main source of income. Whenever in Europe an Authority (competent or not) would require to assess the qualifications (educational and professional) of a particular candidate applying for an EU-professional card, our FEANI members (i.e. all National Engineering Associations) would be constructive and co-operative in providing that kind of information to the Authority in question. Whether or not this then needs to be geared over the IMI is another issue

PROFESSIONAL MOBILITY CARD: ILLUSTRATION OF THE POSSIBLE FUNCTIONING
CASE 1: Establishment- immediate recognition (without compensatory measures)
 (also valid for temporary mobility – article 7(4))



3.4. Format of the card

It was suggested that the validity of the card could be either 5 or 10 years, but it would remain essential to ensure that the information on the professional card is at any time up to date. FEANI suggested a bank- or credit-card format for the professional card in hard copy would be most suitable. The physical card would not need a chip. ECEC would however prefer an e-professional card without need for physical cards.

AEEBC support the hard copy plastic card, but this could also be supported by an e-professional card. They agree that the educational and professional qualifications of the cardholder should be indicated on the card.
