

## **Report from the Practice Review Board For Complaint Cases Resolved In 2010 for:**

### **AScT/CTech ETHICS ENFORCEMENT**

The Applied Science Technologists and Technicians of British Columbia (ASTTBC) is incorporated under the Applied Science Technologists and Technicians (ASTT) Act RSBC 1979 c.16.1 in 1985; since revised as RSBC 1996 c.15 on April 21, 1997.

The ASTTBC provides professional certification to technologists and technicians in the applied science technologies related to Biological Sciences, Biomedical Engineering, Building, Chemical, Civil Engineering, Electrical, Electronics, Environmental, Forest Engineering, Gas & Petroleum, Geomatics, Industrial, Information, Mechanical, Metallurgical and Mining disciplines. The ASTTBC also grants technical specialist certification in technical areas such as building design, construction safety, fire protection, house and property inspection, onsite wastewater, public works inspection, site improvements surveys, steel detailing and timber cruising.

Our ‘purpose’, as generally stated in the ASTT Act is, “To maintain, improve and increase the knowledge, ability and competence of technologists and technicians; to regulate standards of training and practice of and for its members, and to protect the interests of the public.” The ASTT Act and Regulations, in the provision of professional certification of technologists, technicians and technical specialists, requires that members adhere to a Code of Ethics, provides a disciplinary mechanism to deal with breaches of the Code and protects ASTTBC’s titles and designations.

The ASTTBC Council has charged the Practice Review Board (PRB) of ASTTBC with the responsibility for enforcement of the ‘Code of Ethics’ for member’s professional practice and conduct, as well as with protecting ASTTBC’s titles and designations. The following report reflects the activities and resolved case files of the PRB. It is the policy of ASTTBC to only report on the specific details of cases (names, places and dates etc.) when the case has resulted in censure as a result of a Disciplinary Hearing or the PRB has determined it is in the public interest to have such information provided.

#### **CASE #10-11**

#### **STATEMENT OF COMPLAINT**

An Applied Science Technologist certified and registered member is alleged to have violated ASTTBC’s Principles #4 & #7 of the Code of Ethics.

#### **BACKGROUND**

A member’s previous employer raised concerns with ASTTBC, related to the behaviour of the member, when the employer came across email correspondence between the member and another employee of their company. The employer believed that the member was in violation of Principle #4 of the Code of Ethics, which states “*act with integrity towards clients or employers, maintain confidentiality and avoid a conflict of interest but, where such conflict arises, fully disclose the circumstances without delay to the employer or client*” and; Principle #7, which states “*conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment*”

#### **INVESTIGATION**

The member responded to the complaint by his previous employer, suggesting that the employer did not specifically outline what the ‘ethical concerns’ were. The member noted that the ‘volume’ of email correspondence submitted as ‘concerns’ were between himself and another employee from August 25, 2008 to August 31, 2009. The member left the company on May 8, 2009 to take a position with another company.

The member stated that he couldn't see in any of the email correspondence, how there was a violation of the Code of Ethics and in fact the member abided by the company's requirements between the time a notice was provided and the member actually departed from this employer. The member further stated that once they left this previous employer, the email correspondence between the member and the other company employee was more of a personal nature, which was stated as being regrettable. However, the member also said some correspondence was in relation to assisting the member with projects that the member was involved with while under the employ of his previous employer.

#### **DISCUSSION**

The complainant employer reviewed the response from the member and stated in the response letter to ASTTBC that "*I am not making any specific claim referring to your code of ethics to apply to (the member). I only came across the correspondence to bring it to your attention, which now has been done.*" As a result of this statement, there appeared to be no specific correspondence relating directly to a breach of the Code of Ethics.

#### **OUTCOME**

Since there was no substantiated proof of a breach of the Code of Ethics, no further action was required and the file was closed. However, the Practice Review Board determined that there was antidotal evidence that some communications were inappropriate and the member was reminded of the requirements of Principle #4 of the Code of Ethics.