

## **PRACTICE REVIEW BOARD**

### **TITLE ENFORCEMENT CASE HISTORIES JANUARY 2012 TO FEBRUARY 2012**

#### **PRACTICE REVIEW BOARD DISCIPLINE REPORTS PREAMBLE**

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, Instrumentation, 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 and Registrants 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 or Registrant’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.

## **Report from the Practice Review Board (PRB) for resolved Complaint Cases that are related to ASTTBC protected titles from January 2012 to February 2012:**

### **CASE #11-77**

#### **STATEMENT OF COMPLAINT**

An individual was applying 'AScT' on their email signature when not a member of ASTTBC.

#### **BACKGROUND**

Use of the designation 'AScT' or Applied Science Technologist, when not a certified member of ASTTBC, is a violation of the ASTT Act & Regulations.

#### **INVESTIGATION**

The individual was sent a cease and desist letter by ASTTBC's Trade Mark Legal Counsel, advising him that he was required to immediately cease all use of the AScT title. He was also required to provide a written undertaking, signed by him, confirming that he had ceased such use of the AScT title, and any title or designation that may be mistaken for membership with ASTTBC.

#### **DISCUSSION**

The individual sent a written response, indicating that he will cease to use the AScT title.

#### **OUTCOME**

The Practice Review Board determined that, since the individual had confirmed that he had ceased using the AScT title, no further action was required and the file was closed.

### **CASE #12-04**

#### **STATEMENT OF COMPLAINT**

An individual was using 'AScT' on his email signature when he is not a member of ASTTBC.

#### **BACKGROUND**

The individual was registered with ASTTBC as a Graduate Technologist; however, his membership was struck for non-payment of dues.

#### **INVESTIGATION**

The individual was sent a cease and desist letter by ASTTBC, advising him that he was required to immediately cease all use of the AScT title, or any title or designation that was likely to be mistaken for membership with ASTTBC.

#### **DISCUSSION**

The individual sent a written response, indicating that he had removed the AScT title from his email signature. He also confirmed that he does not have the title on his business cards.

#### **OUTCOME**

The Practice Review Board determined that, since the individual had confirmed that he had stopped using the AScT title, no further action was required and the file was closed.

### **CASE #12-05**

#### **STATEMENT OF COMPLAINT**

A former struck Registrant was performing fire protection system inspections using his previously cancelled Registered Fire Protection Technician (RFPT) stamp and number on reports and tags. In addition, the complainant also identified competency issues related to the former Registrant's inspections.

## **BACKGROUND**

The former Registrant was certified by ASTTBC as a RFPT in 2 disciplines – *Fire Extinguishers* and *Special Fire Suppression Systems*. However, his registration was cancelled due to non-payment of membership annual fees.

## **INVESTIGATION**

Upon receipt of the complaint, the former Registrant contacted ASTTBC to apply for reinstatement. In consultation with the Registrar, the former Registrant was allowed to apply for reinstatement, provided he,

- a) submit a letter to the Practice Review Board, accepting responsibility for his actions and providing assurance that the incident would not be repeated in the future,
- b) write a Professional Practice exam, and,
- c) prove his current competency by writing ASTTBC's challenge exam for Special Fire Suppression Systems.

It was also understood that the above conditions also needed to be ratified by the Practice Review Board.

## **DISCUSSION**

The former Registrant sent a written response and completed his Professional Practice exam. However, he did not pass the challenge exam. As per the Fire Protection Certification Policy, an individual who fails the exam is not allowed to re-write it. Instead he or she is required to take additional upgrading courses at an Institute acceptable to the Certification Board.

## **OUTCOME**

The Practice Review Board determined that, since the former Registrant had submitted a letter and completed his Professional Practice exam, but failed the challenge exam,

- he was to be reinstated as a Registered Fire Protection Technician, in the Fire Extinguisher Discipline only. He had surrendered his existing stamp prior to reinstatement, however upon reinstatement, he would be issued a new stamp for Fire Extinguishers only.
- he was to be provided with his challenge exam results, and advised on appropriate upgrading courses, to fulfill the academic requirements of the Fire Protection Certification Board.

## **CASE #12-07**

### **STATEMENT OF COMPLAINT**

A former Registrant was performing fire protection system inspections and using his cancelled Registered Fire Protection Technician number on the reports and tags, in a jurisdiction not requiring ASTTBC certification.

## **BACKGROUND**

The struck Registrant was certified by ASTTBC as a Registered Fire Protection Technician (RFPT). However, his registration was cancelled due to non-payment of membership dues, and he was not a current Registrant in good standing with ASTTBC.

## **INVESTIGATION**

Upon receipt of the complaint, the former Registrant contacted ASTTBC to apply for reinstatement. He explained that in the past, his employer had paid for his certification, as well as his membership dues. The former Registrant was unaware of the requirement for membership dues to be paid in order to keep the registration current.

## **DISCUSSION**

The former Registrant is now working for a new employer in the same line of work, and would therefore like to reinstate his membership with ASTTBC.

**OUTCOME**

The Practice Review Board determined that, since the former Registrant had provided a satisfactory explanation surrounding his use of the RFPT number, he could be reinstated as a Registered Fire Protection Technician and closed the matter with respect to the issue of his unauthorized RFPT number. The Registrant has since been reinstated.