

July 6, 2010

PRACTICE REVIEW BOARD

CASE HISTORIES SEPTEMBER 2007 TO DECEMBER 2009

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 October 29, 2009.

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 and steel detailing.

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.

Practice Review Board Report For Complaint Cases Resolved In ASTTBC MEMBERS - ETHICS (cases received since September 27, 2007)

CASE # 08-14

STATEMENT OF COMPLAINT

It was alleged that there was unprofessional conduct by a member in the acceptance of an employment contract.

BACKGROUND

An ASTTBC member accepted an employment offer from the company. Receipt of documents by the company acknowledged the member's acceptance of the offer of employment, with its conditions and resulted in an employment contract between the member and the company.

Later the company received an email from the member stating that he had changed his mind and would not be honouring his employment contract.

INVESTIGATION

The Associate Registrar believed this to be a matter best dealt with through ASTTBC Legal Counsel advice provided directly to the Practice Review Board.

DISCUSSION

The company considered the member's actions to be a breach of contract and a violation of the ASTTBC Code of Ethics Principle 7. ASTTBC Legal Counsel advised that an examination of the action under the Code of Ethics is not warranted, as the complaint is the result of a business versus professional activity. In addition, the company had other more appropriate means under the law, to seek recovery for damages from the member.

OUTCOME

Based on the advice of Legal Counsel the complaint was dismissed and the file closed.