

FIRE PROTECTION CASE SUMMARIES 2019

CASE #18-05

STATEMENT OF COMPLAINT:

That a fire protection services company owned and operated by Respondent 1, a Registered Fire Protection Technician (RFPT), completed a fire panel replacement without the required permit. Respondent 1 is certified in the Fire alarms systems (AL), Unit emergency lighting (EM), Portable fire extinguishers (EX), Fire pumps (FP), Smoke control systems (SM) and Sprinkler systems (WA) endorsements. Allegations were also made against Respondent 2, an employee of the company, with respect to the testing and inspection of the fire alarm system. Respondent 2 is certified in the Fire alarms systems (AL), Unit emergency lighting (EM), Portable fire extinguishers (EX) and Sprinkler systems (WA) endorsements. Lastly, the complaint also alleged the work was completed outside the scope of practice for a Registered Fire Protection Technician.

INVESTIGATION:

The investigation found no supporting evidence to substantiate that either RFPT was involved in the panel replacement, as the fire protection services company provided a quote on the replacement but the actual replacement was done by different contractor. The investigation found that Respondent 1 was not directly involved in the inspection and testing of the fire alarm system. With respect to the role of Respondent 2 in the testing and inspection of the fire alarm system the investigation confirmed the allegations.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB reviewed the complaint and investigation findings and found no evidence to substantiate a violation of the ASTTBC Code of Ethics, and/or the Registered Fire Protection Technician (RFPT) Standard of Practice on the part of Respondent 1. Therefore, the PRB required no further action with respect to Respondent 1.

The actions of Respondent 2 were found to be contrary to Principles 1 of the ASTTBC Code of Ethics as well as the RFPT Standard of Practice and they were levied a fine of \$250 as a deterrent to any future violations of the ASTTBC Code of Ethics and the RFPT Standard of Practice.

OUTCOME:

Respondent 2 paid the required fine. No further action was required and the complaint file was closed.

CASE #18-14

STATEMENT OF COMPLAINT:

That Respondent 1 and Respondent 2, both certified as Registered Fire Protection Technicians (RFPT) in the Commercial Kitchen Exhaust Cleaning (CO) endorsement, were contracted on different occasions to clean the kitchen exhaust system for a restaurant and placed tags or labels on the system hood falsely indicating that all components of the kitchen exhaust system had been cleaned.

The Complainant was the Operations Manager of the Property Management company for the building where the restaurant was located.

INVESTIGATION:

The investigation confirmed that the allegations with respect to both Respondents were correct, as the tags bearing their stamp and initials indicated all system components had been cleaned, when in fact this was not so. The investigation also found that the restaurant owner did not permit

the RFPTs to access difficult-to-reach ducting and the kitchen exhaust system fan located on the roof of the building. A contributing factor to the restaurant owner's refusal to allow full cleaning was the additional cost.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB reviewed the complaint and investigation findings and concluded that the actions of Respondent 1 and Respondent 2 were contrary to Principles 1 and 8 of the ASTTBC Code of Ethics as well as the Fire Protection Practice Guidelines. The PRB also noted that this was the fourth complaint against Respondent 1 since 2005 with similar allegations, and they had been sanctioned by the PRB for the previous complaints.

Therefore, Respondent 1 was levied a fine of \$750, and Respondent 2 was levied a fine of \$250, as a deterrent to any future violations of the ASTTBC Code of Ethics and Fire Protection Practice Guidelines.

OUTCOME:

Both Respondents paid the required fines.

ASTTBC followed up with the Complainant with respect to the status of the system and was advised that the system had since been re-serviced and cleaned to their satisfaction. Besides replacement of the kitchen exhaust fan, full access to all the ductwork from hood to new fan on the roof was provided and the entire ductwork was cleaned, with a large amount of grease removed. The Property Management company has committed to cleaning the system annually, and the restaurant itself will clean the hood every quarter.

No further action was required and the complaint file was closed.

CASE #19-03

STATEMENT OF COMPLAINT:

That the Respondents, two Registered Fire Protection Technicians (RFPT) were non-compliant with ASTTBC's RFPT Standard of Practice, for the inspection and testing of portable fire extinguishers and emergency lighting units, pre-stamping of tags and unethical pricing.

Respondent 1 and Respondent 2 are certified in the Fire alarms systems (AL), Unit emergency lighting (EM), Portable Fire Extinguishers (EX) and Sprinkler systems (WA) endorsements. Respondent 1 is also certified in Special Suppression systems (SP).

The Complainant was an applicant for RFPT certification working part-time as a trainee with a fire protection service company owned by Respondent 1.

INVESTIGATION:

The complaint was initiated when the Complainant was informed that Respondent 1 and Respondent 2 had rescinded their endorsement of the applicant's work log of supervised work experience inspecting and testing the number of EX and EM required for RFPT registration.

The registrar conducted separate interviews with Respondent 1, Respondent 2 and the Complainant. The interviews supported the allegations that working relations had deteriorated, and rescinding an endorsement of the supervised work done by the Complainant was an act of retaliation by the two Respondents.

The rescinding of work completed under the supervision of the two Respondents cast doubt on their credibility as well as the competencies claimed by the Complainant who was an applicant. To assess the Complainant's competence for certification purposes in EX and EM an interview

and practical assessment was conducted by a Quality Assurance Specialist (QAS) for the EX and EM endorsements. The thorough assessment was completed successfully and registration in EX and EM was subsequently approved.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB found insufficient evidence to substantiate a violation of the ASTTBC Code of Ethics and Practice Guidelines and the RFPT Standard of Practice on the part of the Respondents.

Notwithstanding the above conclusion, the PRB required that the Registrar send a letter of caution to the Respondents and to the Complainant, reminding them of their obligation to abide by the ASTTBC Code of Ethics, specifically reinforcing the requirements outlined in Principle 7 of the Code of Ethics and the requirement to comply with the RFPT Standard of Practice.

OUTCOME:

The required letters were sent to both Respondents and to the Complainant. No further action was required and the file was closed.