

Investigation Committee

A. E. Ball (Chair)
M. G. Britton (Resigned January 29, 2008)
R. D. Brodeur
D. G. Chapman
D. E. Cross
J. R. C. Doering
A. F. Eshmade
M. B. Gibson (Lay Representative)
D. G. Hodgkinson
L. N. Kavanagh (Vice-Chair)
R. M. Lemoine
E. I. Lexier
A. J. Pollard
J. B. Smith
S. L. Ursel

The Investigation Committee is involved in the investigation of complaints and concerns received from both the public and members of the Association, as well as to consider questions on professional conduct received from Association members. The actions of the Committee are conducted under the authority of Part 9 of The Engineering and Geoscientific Professions Act and are supplemented by the Association's By-Law 15 and the Code of Ethics for the Practice of Professional Engineering & Professional Geoscience.

During the twelve months ending June 30, 2008, the Committee held seven meetings. In addition, numerous sub-committee meetings were held to review the various complaints, concerns, and questions received. A total of 12 files were reviewed, of which seven were carried over from the previous year, and five were new complaints or concerns.

Of the seven files carried over from the previous year, five are now closed and two are on-going. Three of the now closed investigations were against the same member. These investigations ultimately led to disciplinary action against this member, including a suspension. The two other now closed files carried over from the previous year were related to use of the seal and project management. These two were both dismissed. The two files from the previous year that are on-going involve complaints of unskilled practice and unprofessional conduct.

Of the five investigations initiated over the 12 months ending June 30, 2008, three are on-going. Two of these three were against the same member. One of these two, relating to due diligence, was dismissed by the Investigation Committee and subsequently successfully appealed to Council. The other of these two, relating to unskilled practice, project management and unprofessional conduct, resulted in suspension of the member pending the investigation. The two closed files from the year ending June 30 were both dismissed and were related to due diligence and unprofessional conduct.

Some of the changes to the by-laws that are to be proposed at the 2008 AGM were as a result of difficulties encountered by the Investigation Committee through the course of its investigations. These proposed changes were developed with the aid of legal counsel.

The Investigation Committee attended a full day course on Ethics and Technology. This resulted in a review of APEGM's Code of Ethics, as well as a comparison with the codes of ethics from other associations, as they pertain to recent investigations.

New guidelines detailing the acceptance of complaints by the Executive Director were developed and implemented. One of the functions of these guidelines is to ensure that investigations are not initiated in cases where there are no grounds or evidence for the complaint.

In January of 2007, Mr. M.G. Britton resigned from the Investigation Committee. A replacement member is still being sought.