

Discipline Case Digest

Discipline Case: 2011-06

Subject Members: Registered Professional Foresters

Referred to: Complaints Resolution Committee

Date of Decision: September 2011

Allegations

This case resulted from a complaint from one ABCFP member about the conduct of another ABCFP member. The allegations are that the member subject to the complaint engaged in conduct unbecoming a member and may have contravened the following bylaws:

- 1) Bylaw 11.4.1 - To inspire confidence in the profession by maintaining high standards in conduct and daily work.
- 2) Bylaw 11.4.4 - Not to misrepresent facts.
- 3) Bylaw 11.5.1 - To act conscientiously and diligently in providing professional service.
- 4) Bylaw 11.5.7 - To levy only those charges for services rendered that are fair and due.

The complainant alleges that the subject member:

- (i) Has been taking time off from work without the approval of his/her employer for a number of years, totaling over 800 hours.
- (ii) Has cost the employer over \$22,000 in lost wages.

The complainant submits that the subject member acted unprofessionally by failing to be at work and provide professional services in a manner consistent with his/her terms of employment. The complainant did not provide any documentation to substantiate the allegations.

The subject member categorically denies the allegations and submits that he/she acted in a manner consistent with the direction received from his/her employer. Further, the subject member states that this matter was the subject of a labour relations dispute and that this dispute has now been settled. Further the subject member submits that the settlement of the dispute requires the parties to maintain strict confidentiality with regards to the particulars of the dispute and its resolution.

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Decision

The Registrar reviewed the complaint with the Complaints Resolution Committee (CRC), who recommended to the Registrar that the complaint not proceed to an investigation on the basis that the evidence presented did not support the allegations that there was professional misconduct on the part of the subject member, or that any of our bylaws were breached. This is a workplace issue that has been addressed by the employer and employee, and is not a professional practice issue. The Registrar concurred with the recommendation of the CRC and determined that the complaint will not proceed to investigation

This complaint is now closed.