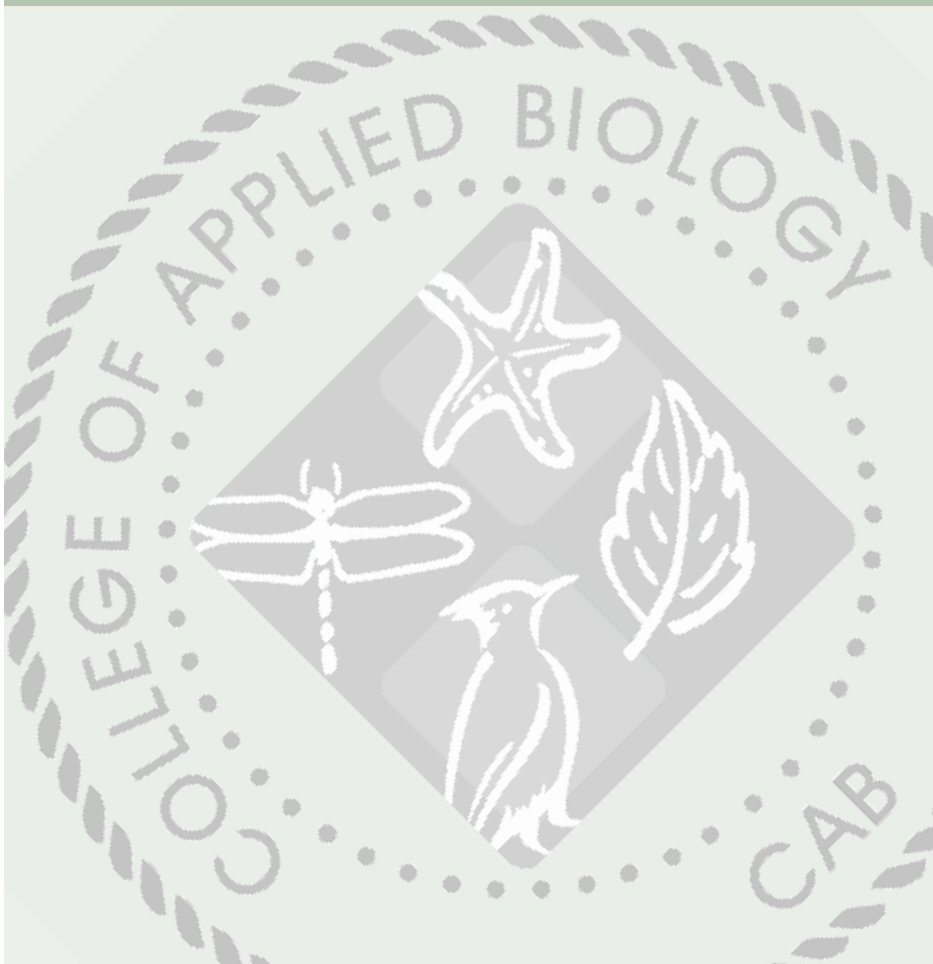


COLLEGE *of*
APPLIED BIOLOGY
BRITISH COLUMBIA

Volume 5, Issue 3
December 2013

College Matters



This publication is made available to every member of the College.

Decisions of the College on matters of standards, policies and guidelines are published in this bulletin. The College therefore assumes that each member is aware of these matters.

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Preserving and Protecting Scientific Methods and Principles

Overview

The College of Applied Biology was established by the Provincial Legislature in 2002 as the licensing and regulatory body for the practice of applied biology in BC. The College and its members are governed by provincial legislation - the *College of Applied Biology Act* and the *Rules* made under that Act - which entrust the College with the responsibility to establish, monitor and enforce high standards of qualification and the practice of applied biology across the province.

The College recognizes that self-regulation of the practice of applied biology is a privilege granted in the public interest and for the public good. The responsibility to retain this privilege is taken very seriously by the College Council, Committee members and staff.

The regulation of the profession requires both proactive and reactive measures. In its proactive role, the College maintains a number of quality assurance programs, such as the College Audit Program and the mandatory continuing professional development program. On the reactive side, the College manages a complaint driven process by which members are held accountable for their actions - both practice and personal.



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Table of Contents

President	4	President	Brian Churchill
Executive Director	5	Executive Vice President	Chris Maundrell
Councilor's Corner	6		
At the College office	7	Vice President	Vanessa Craig
What's the College up to?	8		
Strategic Plan: Editorial Board	10	Past President	Paul McElligott
Updates	21		

Meeting the Mandate: Discipline

Introduction to the Theme	11	Elected Councillors	Garry Alexander Brian Clark Ross Murray Janet Rygnestad Warren Warttig
Process and Expectations	11		
From the Chair's Perspective	14	Lay Councillors	Hoberly Hove David J.L. Hughes Maureen McDermid
Ethicsology 101	15		
Professionalism and Personal Conduct	18		

Licensing and Registration

Summary of Complaints	22	Ex Officio	Chris Johnson Mel Kotyk
Reminder of Ethics Requirements	22		
Membership Update	23	Executive Director	Pierre Iachetti
Biologist in Training - upgrade?	24		
Reminder: On Leave CPD Requirements	24	Registrar	Linda Stordeur
2014 AGM and Conference Notice	25		
Resolution Call	25	Assistant Registrar	Rebecca Mersereau
Call for Nominations to College Council	26		
College seeks an Editorial Board	27	Bookkeeper	Katya Gallegos

In Memoriam

Jeffrey Bertoia	27	Administrative Assistant	Jillian Stewart
Curt Kerns	28		
Gary Rosberg	28		





President's Report Brian Churchill, RPBio

This report is the last report for 2013 and my second last as President as I will be stepping down at the AGM next March.

First of all I would like to welcome Rebecca Mersereau, formerly of the Garry Oak Ecosystems Recovery Team to the newly created position of Assistant Registrar.

Vice-President Vanessa Craig, Executive Director Pierre Iachetti and I have been completing the 2013 Roadshows, held most recently in Kamloops, Campbell River, Prince George, Terrace, and in Nanaimo at the end of November. Our Roadshow presentation has focused on the mandate of the College, ethics and stewardship. Of course, consideration of these topics usually leads to discussions on professional accountability and the processes in place that ensure accountability such as Discipline.

The Roadshow presentation (available on the website) emphasizes the College's mandate under the *College of Applied Biology Act* to ensure members are qualified and accountable to practice biology in the public interest and on the basis of sound science. Members are guided in their practice by the Code of Ethics and the Principles of Stewardship. The College's discipline function, carried out by the Discipline Committee, is responsible for responding to complaints concerning the practice of our members with respect to these two documents. The distinction between the College and the Association of Professional Biology (APB) is an important one as the APB is accountable to its members and their interests. We need to ensure this distinction is better understood by our members, other professions, government departments and the public.

The discipline process is a complement to audit, which are both designed to ensure a high standard by professional practice of our members. Our discipline processes are strongly connected to the Code of Ethics and as you will see as you read on, Principle #8 (conduct toward other members) and #9 (making a complaint, and more particularly, when

to make a complaint) have raised significant issues for the Discipline Committee. So please read on as information on discipline is the theme of this issue.

I indicated in my last report that Council identified five strategic objectives in our planning process. I believe we have made significant progress on them all. Council also identified a long term vision. Our Vision 2020 is:

The College will be a leading voice to promote and uphold scientific principles and methods in applied biology and the principles of stewardship according to our mandate. We will provide public assurance of professionalism in the practice of applied biology by our members.

Executive Vice-President Chris Maundrell, Executive Director Pierre Iachetti and I recently met with the Honourable Mary Polak, Minister of the Environment for BC and the Honourable Steve Thompson, Minister of Forest Lands and Natural Resource Operations. Our purpose was to emphasize the mandate and history of the College and the *Act* and identify how we provide a service to the public and the government by licensing members. We identified that currently the College can only manage science-based, accountable professionals that have voluntarily joined the College. We also identified that we are unlike engineers and foresters who have a mandate to license all who would practice those professions. Both Ministers asked, as Ministers will, what we would like them to do. The answer was straight forward; change our legislation to have the College manage the practice of applied biology in BC. Their next questions were, what would it take and who would it impact or distress? We committed to working with their ministry staff to get the answers to those questions, so that we might move to a right-to-practice Act. A challenge for Council and staff for the next year.

Council elections are upon us. Elsewhere in *College Matters* you will find the nomination details, including the first call for nominations for President (must have served on Council for a year), Vice-President and four Councillors. Please note that I will not be standing for President and we have had a vacant Regional Councillor position for the last year.

In closing I would again like to thank the volunteer committee members and the College staff for keeping us ticking.

Brian Churchill, RPBio
President

Executive Director Report Pierre Iachetti, PAg, RPP



College operations are winding up again with dues notices going out, Council, committee and other meetings coming up and planning ongoing for the PLUS3 conference and College AGM on March 7, 2014. Several projects and initiatives are well underway and we look forward to sharing these with members and others as they are completed. We are happy to have a new staff member – Assistant Registrar, Rebecca Mersereau - to assist with all of these important projects.

By the time you receive this edition of *College Matters*, we will have wrapped up our last Roadshow information session in Nanaimo on November 27th. College President Brian Churchill, RPBio, Vice-President Vanessa Craig, RPBio, and myself attended every information session starting in Cranbrook on June 10th and moving onto Nelson, Kelowna, Victoria, Richmond, Campbell River, Prince George, Terrace and finally Nanaimo. The Roadshow events were no small feat logistically and required us to be away from our families for extended periods (I think the prize goes to Brian Churchill who seemed to be on the road non-stop during this time), but it was well worth it as the feedback was positive and attendees greatly appreciated the College's efforts and the opportunity to meet some of the Council and staff. For me it was a great opportunity to spend time with Brian and Vanessa and over the course of many hours on the road, it gave us a chance to discuss the many issues the College and our members deal with currently and are likely to encounter in the future. It gave me another opportunity to see the provincial landscape

once again and to not only meet the members in the different regions, but also get a taste of regional issues and how the members perceive the College and Council. We had many interesting discussions, reconnected with old friends and colleagues and generally enjoyed ourselves throughout the presentations. We videotaped the Nanaimo session and will be posting it to the College website for your reference. As well, because of the success of the 2013 information sessions, we will be considering visiting new locations for information sessions in 2014. My one critique of the Roadshow sessions is that at some of the events we were only getting 50% turnout from those who had registered. This is certainly something we will be trying to address when we debrief to evaluate the sessions.

I have been engaged in numerous conversations about professional reliance and the role of the College with members and other associations across the province, as well as continuing to participate in the Qualified Persons (QP) Initiative, which falls under the Professional Reliance umbrella. The provincial government employees tasked with leading this cross-ministry working group have indicated that next steps for the QP Initiative are to further define what a Qualified Person is and to develop a series of case studies. Please see the "Updates" section for more information on this initiative. As this is a very important government-led initiative that impacts College members, I invite you to contact me with your comments and questions on this initiative.

Finally, College President Brian Churchill, RPBio and Executive Vice-President Chris Maundrell, RPBio, RPF, and I met with the Hon. Steve Thomson, Minister of Forests, Lands & Natural Resource Operations and the Hon. Mary Polak, Minister of Environment and their respective teams in early November. The purpose of these meetings was to introduce the College to the Ministers, highlight the great work our members do either as employees in the ministries or as consultants, discuss the *Riparian Areas Regulation*, and to set the stage for subsequent meetings between the College and these two ministries. We will also be scheduling meetings with Ministers in transportation and infrastructure, natural gas development, energy and mines and agriculture to initiate similar discussions in the coming months. I look forward to these meetings and to reporting back on our progress.

Pierre Iachetti, PAg, RPP
Executive Director

Councilor's Corner

Council Member



Garry Alexander, RPBio, Councilor At Large

It was a presentation by then College Executive Director Linda Michaluk at a College sponsored "Roadshow" in 2010 that convinced me to run for Council. I have always held to the notion of professional accreditation for biologists and have been a supporter of the Association of Professional Biologists for as long as I can remember. The thought of giving back to the organization that started so long ago at a meeting at the Vancouver Public Aquarium was appealing.

Through my career in government I had worked with engineers, foresters and agrologists in a multidisciplinary setting that is now taken for granted. However, back when I started it was a novel and somewhat heretical idea to include biologists in the tight knit professional circle. In those days, biologists were rare among the water engineers and agrologists who oversaw water management in the Okanagan. However, the public were demanding solutions to fish kills in drought-stressed Okanagan creeks and biologists became part of the water management solution. Putting biologists on a professional footing with these other disciplines was always the goal and, for the most part, things have changed for the better.

Once elected to Council in 2011, there seemed so much to accomplish. I was grateful to be able to help organize strategic planning sessions to chart a course for Council. Many positive initiatives have emerged from this planning. For example, the College now has a better understanding of the composition of the membership and of ways to attract new members from the results of recently completed surveys. This information will enhance our ability to reach those who are not yet members and respond to the needs of those that are members. We continue to work to expand the horizons of College and are limited only by willing hands to share the workload.

What are the challenges that lie ahead for College? Certainly getting "right to practice" legislation is a priority so we can better serve the public interest, particularly in a world devolving to "qualified professionals". Also related, is the need to ensure professional signoff on work involving applied biology which is sometimes neglected by industry and their consultants. Other professions ensure a high standard of professional accountability and recognition and biologists should demand nothing less. Further, I believe members must see value in being a member of College. The work that Council does must be transparent to the membership and for that, we rely primarily on *College Matters*, our College magazine published 4 times annually. Efforts are underway to increase the ways we inform and hear back from our members and we continue to look for ways to expand this communication. Finally, Council needs to attract new members to stand for election to Council. Serving on Council is important work and new members will bring ideas to enrich Council's deliberations. I want to believe the membership will be as well served by future Councils as the current membership is served by the current Council.

Garry Alexander, RPBio
Councilor At Large



At the College Office

Office Staff



Rebecca Mersereau, Assistant Registrar

I joined the College in November of 2013 to fill the new position of Assistant Registrar. I have undergraduate degrees in Biology and Education from Dalhousie University and St. Thomas University respectively, as well as a Master's Degree in Environmental Management from the University of the West Indies. My graduate degree allowed me to advance my interest in aquatic resources management, which I had developed while working in finfish husbandry during the summers of my youth in New Brunswick. Following my post-secondary education, I went on to manage an environmental non-governmental organization and affiliated microbiology laboratory, which focussed on monitoring of both inland and coastal waters of the Bay of Fundy.

I moved to Victoria in June of 2012 to accept a position as the Executive Director with the Garry Oak Ecosystems Recovery Team, an organization focussed on the conservation and protection of over 100 rare species occurring on Southeastern Vancouver Island and the Gulf Islands. The position allowed me to establish a strong network in the island's biology community, which I look forward to expanding by meeting College members from other regions of the province.

I'm thrilled to join the impressive staff at the College, and I look forward to contributing to the College's efforts to improve the credibility and visibility of the organization, as articulated in the recent Strategic Plan. I have many varied and interesting responsibilities at the College, including organizing the 2014 Conference, supporting the Audit and Practice Review Committee and the Communications Committee, research and policy development, as well as creating and supporting opportunities to augment the College's profile. It is an exciting time to be here.

Rebecca Mersereau
Assistant Registrar

When contacting the College office

Many inquiries are directed to College staff each day and the majority of these are redirected to the College website. There is a significant amount of helpful information on the website for both prospective applicants and current College members.

Frequently asked questions at the College are related to finding information on the following:

- [List of Members](#)
- [Change of Status Information](#)
- [CPD Information](#)
- [Paying Dues](#)

The "[Membership Requirement](#)" tab lists all of the application requirements for different membership categories in the College and has a number of [printable and electronic versions of forms](#) available to be included with your application. The majority of calls from prospective applicants are directed here as are some [upgrading applicants](#), so this area of the website is very helpful if you're looking to apply to or upgrade in the College.

The "[Members](#)" tab has information pertaining to [employment opportunities](#), [upcoming events and workshops](#), and other information for members such as the [ethics course requirement](#) and [maintaining your CPD tracking form](#). A [search engine](#), located on the upper right-hand side of the College webpage, can be utilized to find other pieces of information as well.

Informing the College staff of any contact information updates is especially important to ensure you receive reminder letters and receipts for various payments (which are normally sent by email).

For most other inquiries, the "[Contact Us](#)" form can be utilized to ask any questions and College staff are available by phone as well.

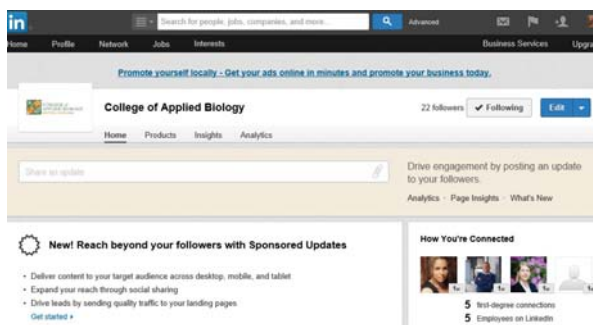
December 2013

What's the College up to?

Linked In

Flowing out of the strategic plan is an action item to develop a social media platform to help the College meet its objectives for 2013-2015 around increasing communication and building our brand and credibility. This work will overlap with the website redesign and rebranding which is currently underway. As part of this work, we are exploring the usefulness and functionality of LinkedIn.

The College has a [company page](#) and [group page](#) (only open to members of the College at this stage), which we encourage you to join and use. Users have indicated currently that they are interested in hearing about professional development opportunities and interesting or relevant research. A forthcoming social media strategy will ensure we maximize the utility of LinkedIn, Twitter and Facebook in conjunction with our revamped website and brand.



Roadshow

We had over 200 members attend the information sessions in Cranbrook, Nelson, Kelowna, Victoria, Richmond, Kamloops, Campbell River, Prince George, Terrace and Nanaimo. At our last information session for the year in Nanaimo, we videotaped the event and presentation and will be posting it to the College website as a resource for our members. Due to the success and impact of this year's information sessions, Council and staff will be considering similar opportunities for 2014 as well.

New Website in Development

As part of our ongoing goal to better serve our membership, the College has contracted development of a new website. Not only will it look brighter and more upbeat, it is designed to increase your efficiency in navigating around and getting the information you need! It will be

accessible from all mobile platforms so access will be more convenient where ever you are. We are anticipating roll out just before the [March 2014 AGM in Vancouver](#). We'll keep you posted!

Accreditation Project Completion

Suppose there was a way for those interested in working as an applied biologist to get direction about their post-secondary studies in order to meet their goal?

Suppose it was possible to enrol in a university program accredited by CAB and upon completion, receive an expedited application for certification?

With the support of the Ministry of Jobs, Tourism and Skills Training, the College of Applied Biology was able to develop and initiate a process to accredit academic programs from a pilot group of post-secondary institutions in BC. This accreditation initiative was developed to aid universities and their students by providing direction for those who wish to pursue a career as a professional biologist.

This process has resulted in the assessment of 8 university programs. Universities will be able to provide clear direction for their students and students graduating from these programs will only have to provide transcripts when applying for membership in the College. In addition, the College can process applications from the students who graduated from the accredited programs more quickly.

The College intends to continue this initiative with the goal of completing accreditation assessments on all relevant programs in BC by the end of 2014.

Another product from this initiative was the development of an interactive tool developed to assess an applicant's academic qualifications relative to College entry requirements. This will aid resident and foreign applicants in determining whether they might meet the academic requirements of the College. In addition to a general assessment of completed courses, this tool provides detailed competency information regarding specific course requirements. While this tool cannot guarantee the applicant that they will meet the academic requirements of the College, it does provide the applicant with important

information to meet the College's entrance standards. This tool can be accessed at <http://open-accreditation.cab-bc.org/>.



Academic Self-Assessment Tool

The College of Applied Biology (the College), in partnership with the British Columbia Ministry of Jobs, Tourism, and Skills Training created the following Self-Assessment tool to assist potential applicants in determining if their education will meet the academic requirements necessary to begin the Registered Professional Biologist (RPBio) certification process¹. The tool has two sections: a competency overview and a post-secondary course calculator. The purpose of this tool is to provide information to the applicant. Meeting all the requirements outlined in this tool will not guarantee certification as a RPBio.

The competency overview will provide you with information on the seven academic competencies the College requires and the corresponding skill, ability, training or knowledge required for each competency. You will then have the opportunity to reflect on your course work to assess if you possess the skill, ability, training or knowledge outlined. Alternatively, if you are planning your education, the tool will help you identify what courses or electives you may need to take in order to possess these competencies upon graduation.

The post-secondary course calculator allows you to input the courses that you have taken, or are planning to take, and see if you would meet the College's course requirement. If you are missing courses, the calculator will highlight these for you.

A third product resulting from this initiative is the development of practice guidelines. These guidelines are in the final stages of completion. Once they have received approval from Council the membership will be informed – stay tuned. These guidelines will aid new and current members in meeting their obligations in the practice of applied biology.

In addition, the College worked with the provincial government to provide tools for potential immigrants who wish to practice applied biology in BC. The resulting process map provides information on obtaining membership as a RPBio and RBTech.

The College appreciates the support provided by the Ministry of Jobs, Tourism and Skills Training, without whom these initiatives would not have happened so soon.

If you have any questions regarding this important initiative, please contact Linda Stordeur, Registrar at registrar@cab-bc.org or by phone at 250-383-3306.

2014 AGM/Conference

As you likely already know, the 2014 College conference and AGM is scheduled for March 7th at the Sheraton Vancouver Airport Hotel in Richmond. In keeping with our focus on policy and legislative update sessions, the PLUS3 conference will highlight relevant issues for professionals – with the theme of *Changes to Federal Legislation and the Potential Impacts to the Practice of Professional Biology*. We are planning on having another panel of experts present on a topic of relevance to attendees. We are excited to announce our lunchtime speaker is Adam Kreek, former Olympic gold medalist,

expert on high performance, personal growth and team betterment. We are very excited to have Adam join our conference.

Since we are still developing the conference agenda, experts panel and list of speakers, there is still time for you to provide input on content. If you have ideas on potential topics, speakers, or the experts panel, please contact Rebecca Mersereau, Assistant Registrar at assistantregistrar@cab-bc.org.

Regional Council Meeting and Reception

On September 20, 2013, the College Council held its regularly scheduled meeting in Kamloops BC. While there, the Kamloops edition of this year's Roadshow was also held. Members were invited to attend the afternoon meeting of Council and a wine and cheese reception was scheduled immediately after the close of the meeting. As part of the outreach goal of the Strategic Plan, Council committed to holding one Council meeting a year outside Vancouver and the south island in hopes that members from various parts of the province would be better able to attend and observe Council deliberations, or, if not attend the meeting, join us in a more informal, social setting after work.

We were pleased to welcome a small number of members to the meeting but look forward to planning for this event again next year in another region of the province in an effort to increase attendance and provide others with an opportunity to meet councillors and become more informed about the work of the College. If you would like to invite us to your region in 2014, or if you have suggestions to increase participation in this event, please contact the office. We'd love to hear from you.



December 2013

Why not consider joining the Editorial Board?

Editorial Board Terms of Reference

Purpose:

The Board is responsible for the content, both informational and editorial, of *College Matters*.

Membership and Term:

The Board shall be an Ad Hoc sub-committee of the Council Communications Committee.

All College members in good standing are eligible to apply for one of 4 positions on the Board. The Communications Committee will select and appoint Board members. The Board shall initially consist of 2 members appointed for 1 year and 2 members appointed for 2 years. Subsequent appointments shall be for a term of 2 years. Sitting members can be reappointed for up to 2 additional terms.

The Board Chair shall be a member of the Communications Committee and undertakes to be the liason between the Board and the Committee. Meetings of the Board are open to members of Council and staff.

The Communications Committee has the responsibility to fill vacated positions, review effectiveness of the Board, change the Terms of Reference and/or disband the Board.

It is expected that members will make every effort to attend meetings and meet their responsibilities as determined by the annual work plan of the Board.

Members of the Board will receive 5 CPD points for each full year of service on the Board.

Meetings:

Meetings are scheduled or called as determined necessary by the Board in consultation with the Chair or at the call of the Chair. Notes recording decisions and actions of the Board shall be kept for each meeting and act as a report to the Communications Committee. Board meetings and operations may be conducted face-to-face, by telephone or Web-conferencing. Reasonable expenses incurred by members to attend a face to face meeting as provided in the College's Expense Policy may be claimed.

Duties and Responsibilities:

The Board is responsible for:

- o Setting the themes and agenda for publication for *College Matters* for each year.
- o Developing and/or soliciting content for each edition.
- o Making recommendations to the Communications Committee concerning content/layout/features.
- o Meeting the established deadlines for publications of *College Matters* in accordance with directions of the Communications Committee.

The Communications Committee has final responsibility for accepting the plans of the Board for each edition of *College Matters* in accordance with the wishes of Council and in respect of the Act, Rules and Policies of the College.

Guidance:

The Board will work directly with staff members tasked with the responsibility for publication of *College Matters* and may seek advice from the Communications Committee at any time.

Go to page 27 of this issue for information on the opportunity to volunteer on the Editorial Board.

Membership Survey Summary

In late Spring of this year, the College reached out to biologists who were not members of the College in a survey designed to gather data about why some practicing biologists had not joined the College, or why past members had left the College.

We recently followed up that survey with one for existing members during the summer. In this case, we sought feedback on where our members were working and what types of positions they held. We also asked several questions concerning the mandate of the College. We were interested in how the membership perceived the College's effectiveness in preserving and protecting scientific methods and principles, upholding the principles of stewardship, and ensuring members practiced with integrity and objectivity in their area(s) of competence.

A full report will be forthcoming but preliminary results were very encouraging, providing us with valuable information on how we can better serve members and where to put the resources and energy of the College. Most gratifying was the

amazing response rate from the membership – 974 responses were received, fully 47% of our total membership! Thank you all for your thoughtful responses. Those responses revealed that almost 35% of respondents have attended our AGM and conference and a similar number have attended local/regional events such as the Roadshow. 60% of respondents were of the opinion that the College is doing well in meeting our mandate and 78% of respondents felt that the College was ensuring the integrity, objectivity and expertise of our members. These numbers show us that we are making gains and heading in the right direction, but also that

we have more to do. Respondents were voluble in their comments concerning the mandate questions and have given us many suggestions and insights on the impact belonging to a regulatory body has had on their professional practice, as well as how we should proceed to strengthen the members' understanding of the College's mandate. We will be publishing the full report in the next edition of *College Matters*.

Your participation in the College and your feedback makes a difference!

Discipline

Introduction to the theme

The focus of this edition of *College Matters*, discipline, builds on the [September 2013](#) issue which featured the [Audit Process](#). In that edition we reminded you that as a regulatory body, we have processes in place to promote the high standards expected of members of the College. The Audit Process is **proactive** – the College reaches out to members and engages them first, in a self-examination of their actions and professional conduct. In this part of the process, they are guided and assisted where necessary by an Auditor. The audited members' responses are then reviewed by the Audit Committee for completion and compliance.

In contrast, the [Discipline process](#) is **reactive** – driven by reports from members and the public concerning a member who is perceived not to

be in compliance with the Standards and Ethics expected of a member of a regulated profession operating in the public interest. As with Audit, a committee of interested and committed members is in place and they receive reports, investigate and act on behalf of the members of the College. Their task is to appropriately respond to concerns brought forward and to seek resolution of the matters before them in a way that informs the member and those making the report. In addition, to inform all members of the College and the public, a Discipline Digest is published in all editions of *College Matters* and on the website.

As you read this edition, you will recognize the care and professionalism brought to this most serious function of the College.

Discipline: Process and Expectations

The *College of Applied Biology Act* provides the legal authority to investigate allegations that a member has fallen below the standards of practice set by the College and, where warranted, to take disciplinary action against the member. The College's discipline process sets out how a complaint is filed and the investigation and subsequent discipline procedures. The process is set out under Part 4 of the Act (Protection of the Public Interest) and in [Rule 15](#) (Investigation and Discipline). The process is summarized in the graphic following this article.

A person who believes that a member of the College has practiced applied biology in an incompetent manner, or been guilty of professional misconduct, conduct unbecoming a practicing member, or a breach of the Act or the Rules, may submit a complaint to the College. A member cannot resign to avoid the disciplinary process as the Act declares that the member remains subject to the jurisdiction of the College. Another important point to note in this process is that the College may, in its own name, initiate a complaint by referring a matter in writing to the Registrar.

When a member or non-member wishes to lodge a complaint against a member of the College, it is important to check whether that person was a member of the College at the time of the alleged infraction. To do this, contact the office via email at registrar@cab-bc.org or phone at 250-383-3306. To check out the list of current members in good standing go to the College members' database on the website. If you have determined that the person you wish to file a complaint against is a member in good standing, please include the following information:

- Your name and address
- Member name
- Quote the section from the Code of Ethics, the Act or the Rules which you feel the member has contravened
- Provide documentation that clearly substantiates your specific complaint
- Send it to the Registrar at the College office

Timelines are prescribed in the Rules to ensure a fair and consistent process. Once the Registrar confirms that the complaint meets the test for completeness, it is forwarded to the Discipline Committee within 7 days. The Discipline Committee reviews the complaint to confirm it falls within the jurisdiction of the College and contains sufficient particulars to refer the matter for investigation. If the answer is no to either of these two criteria, the complaint is dismissed. The Discipline Committee may, within 30 business days of receipt of the complaint, ask the Executive Director to request further information or clarification as required by the Committee from the Complainant. If the complaint proceeds, the Subject Member (whose practice is under question) is contacted with a request for a written response within 30 days. The Subject Member may provide at this time any information or records relevant to the complaint.

Within 7 business days of receipt of the Subject Member's response, or no later than 3 business days after the time for receiving comments from the Subject Member, the Discipline Committee will request that the Executive Director forward the information to the Complainant. The Complainant may choose to reply to the Member's response. If satisfied with the Member's response to the complaint, they may choose to withdraw the complaint. All information is to be received by the Executive Director within 30 business days of receipt of the material. In rare cases, the identity of the Complainant may be withheld from the Subject Member during the information collection and

investigation procedures to protect the identity of the Complainant. If the complaint is not withdrawn and comments are provided, the Discipline Committee will review all documents and may request additional information from either party. The Discipline Committee, based on their review, will:

- (i) Conclude there is not sufficient basis to proceed and the complaint is dismissed. A written report is prepared by the Discipline Committee and forwarded to the Complainant and Subject Member.
- (ii) Or decide that the complaint has sufficient basis to proceed. In this case, a citation would be issued against the Subject Member in the name of the College and proceed to a Discipline Hearing.

It is important to note that at anytime during this process a Subject Member can make a Conditional Admission. The criteria for a Conditional Admission are:

- The Conditional Admission must be clear as to whether it is intended to address all or only some of the matters which are the subject of the inquiry
- In presenting a Conditional Admission, the Subject Member is admitting to having engaged in the matters which are so named.

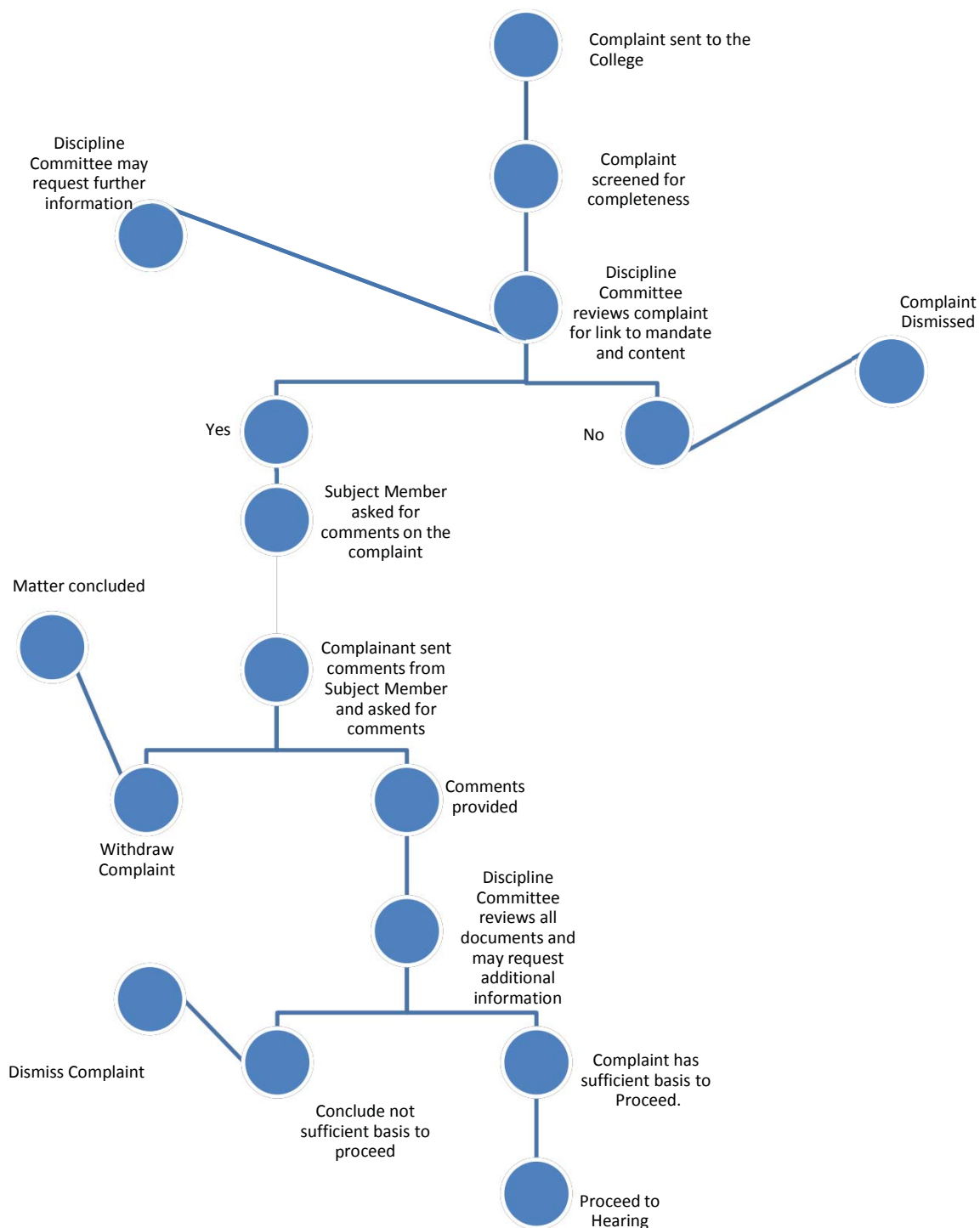
The Discipline Committee will review the Conditional Admission, and if it is acceptable to the Committee, shall suggest a penalty appropriate to the Committee.

The Subject Member will be advised of the decision of the Discipline Committee; where the decision is to not accept the Conditional Admission, the hearing will proceed.

Where the decision is to accept the Admission and a penalty is suggested, the Subject Member will have an opportunity to accept or reject the penalty. Where a penalty is suggested following acceptance of a Conditional Admission, and the Subject Member:

- does not accept the penalty, the hearing will proceed,
- accepts the penalty, the Conditional Admission and penalty will be published in a publication of the College and/or any other means deemed satisfactory to the Discipline Committee.

Discipline Complaint Procedure - Overview



Note: At any time during this process a subject member can make a Conditional Admission

December 2013

From the Chair's Perspective: Mel Kotyk, RPBio

December 2013

Hello fellow members:

I am fairly confident in saying that of all the College activities and Committees that the Discipline Committee is probably the least known, and the one that the general membership has the least contact with. In the latter circumstance that is a good thing, in the former it is not the best. The Discipline Committee can be likened to an insurance policy: it is a necessary thing to have, it provides you with some peace of mind that it is there in case you need it, but in a perfect world you hope you never need to call upon it. The purpose of this article is to demystify the Discipline Committee; outline who is on it and why; describe what we do – and what we don't do; speak a bit on the types of complaints we receive and in general terms describe why we make the decisions we do. I hope you will find this short article informative and not too dry, but I make no guarantees. However, first the dry stuff.

The Discipline Committee is a creature of Council and is mandated through the *College of Applied Biology Act* and Rules. Even though Council established the Committee and appointed the individuals to it, the committee is arm's length from Council and is independent of their direct involvement and intervention. The mandate of the Discipline Committee is to assess complaints from individuals who believe that the member has practiced applied biology in an incompetent manner, been guilty of professional misconduct, conduct unbecoming a practicing member, or a breach of the Act or Rules. Whereas the Council of the College is the elected governing body and whose mandate comes from government and the general membership, the Discipline Committee is strictly rule-based and guided by process and the Code of Ethics.

To ensure the Discipline Committee is balanced and objective there are currently 5 members on the Committee: three R.P.Bio's (one of whom is also a lawyer); and two lay members (i.e. non-R.P.Bio's, one of whom is a P.Geo, and the other an R.P.F). The purpose of this mix is to provide the public with assurance that the Discipline Committee is not a self-serving, self-protecting body. Our decisions are made on a consensus basis (all must be in agreement), and at least one lay member must be present in order to have a quorum. All meetings of the Discipline Committee are confidential and not subject to review or discussion other than by Committee members and

the College's Executive Director and Registrar, unless specifically forwarded to an independent investigator for investigation purposes.

After a complaint is received by the College, and some basic screening takes place (i.e. verification that the person against whom the complaint is being made is actually a member and that the alleged infraction occurred while a member), the complaint is forwarded to the Discipline Committee. The Committee examines the complaint, and weighs it against a few basic criteria such as: has sufficient information been provided; is the complaint simply frivolous or vexatious; does it fall within the mandate of the Committee; and, is there a potential that the Act or Code of Ethics has been violated. If there is possible merit to the complaint, the material provided to the Committee is sent to the Subject Member (the person against whom the complaint is being made), and they are asked to provide a response to the allegations. Once that response is received the Committee examines this contrary information and sends a response to the Complainant for their retort. Sometimes there was a simple misunderstanding between the parties and the complaint is dropped; other times the Subject Member may admit that some errors were made and make a Conditional Admission; other times there is a vehement denial of any wrong doing whatsoever and in this case the complaint may proceed to a discipline hearing.

Again, the key to the whole process is whether or not the Code of Ethics has been violated. There are nine tenets that outline a member must:

1. Provide objective, science-based, unfettered, forthright and intellectually-honest opinion, advice and reports in applied biology.
2. Undertake assignments and offer opinions only in areas in which they are competent.
3. Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence.
4. Provide a professional standard of service to clients and employers by conducting business practices fairly, avoiding conflict of interest and respecting client/ employer confidentiality.

5. Have regard for the health and safety of the public in the performance of professional duties.
6. Uphold professional obligations to the College while in the workplace.
7. Maintain a standard of personal and professional conduct that does not reflect adversely on the College or its members.
8. Avoid injuring the reputation of others through malice or negligence.
9. Recognize the duty to address poor conduct and/or practice of another member in order to protect the public interest, the profession, and the reputation of the College.

The Discipline Committee does not arbitrate between differing opinions on a particular issue no matter how strongly held the opinions or viewpoints of the individuals involved. The Committee does not intervene when an individual does not like a particular decision, or would have preferred a different outcome. Many of the complaints received by the College are based on the opinion that the Subject Member should have or could have approached a particular situation differently than the way they did (i.e. a difference of opinion). This is especially true in the case of applying standards with respect to the *Riparian Area Regulation*, or when applying weight to some aspects of data and less weight to other aspects when dealing with issues ranging from land development to aquaculture.

If the Subject Member performed their duties to the best of their ability, taking into account all the necessary safeguards for their decision making and

applied best management standards and practices but possibly still made an error, then this could be a practice standards issue and not Discipline. In these situations, the Discipline Committee is likely to dismiss the complaint against the Subject Member because none of the nine tenets of the Code of Ethics appear to be violated. However, if the Subject Member flagrantly ignored their obligations, were either careless or negligent in the performance of their duties, or were unprofessional in their duties such as maligning another professional, then they may be culpable and subject to discipline by the College.

The practice of biology is very much a science, but sometimes an art as well, and therefore differing opinions and healthy debate is part of the scientific process. As the College and its members mature in our understanding of what it means to be a professional, clarity will continue to evolve and hopefully greater definition between differences in practice and contraventions to the Code of Ethics will become sharper.

Please don't hesitate to contact our Executive Director, Registrar, or myself if you have any questions regarding the Discipline Committee, our processes, and how it they work. See this link for a record of decisions <https://www.cab-bc.org/discipline-digest>. Remember, the Discipline Committee is like an insurance policy for the College; it needs to be there, it provides the public with the confidence it needs to have respect for our profession, but the more infrequently it is called to intervene in a matter, the better.

Mel Kotyk, RPBio
Discipline Chair

Ethicsology 101: Guidance on Principle 9 of the College Code of Ethics

The Code of Ethics of the College was revised in 2012. The current Code includes 9 principles with specific standards attached to each principle, framed "to meet this principle, members must..." The Code is actionable in that a member's professional and personal conduct can be assessed against these principles and standards in the event of a discipline matter.

This column provides guidance to members on the application of Principle 9 of the Code of Ethics, which states:

A member must recognize the duty to address poor conduct and/or practice of another member in order to protect the public interest, the profession, and the reputation of the College.

To meet this principle the member must:

- address the conduct issue while respecting the rights and reputation of the other member;

- where one College member believes another College member has engaged in poor practice and/or conduct, i.e. has contravened the College Act and/or Rules, the member making the allegations should, where possible, approach the other member privately to seek clarification of the actions before making any public statements or notifying the College. In undertaking this approach the member must:
- make every effort to maintain respectful regard; and
- not maliciously or negligently injure the reputation of the other member;
- where it is not possible for a College member to raise a matter of poor practice or conduct directly with the other College member, or where discussions between College members have not resolved the situation satisfactorily, and where the member is of the opinion that the matter merits the attention of the College, the member must report the allegations by filing a complaint with the College in accordance with the Act and Rules.

What does the College mean by poor conduct or practice?

The College of Applied Biology Act identifies the circumstances where the conduct or practice of a member may warrant the attention of the College. The circumstances are:

1. Professional misconduct which is defined as: misconduct by a member of the College relating to the performance of duties undertaken while engaged in applied biology, and includes a breach of the rules;
2. Conduct unbecoming a practicing member, which is defined as conduct that:
 - a. Brings the college or its members into disrepute (note that this can include behavior in a member's personal life that reflects poorly on the profession as a whole),
 - b. Undermines the scientific methods and principles that are the foundation of the applied biological sciences, or
 - c. Undermines the principles of stewardship of aquatic and terrestrial ecosystems and biological resources,
3. A breach of the Act or Rules,

4. Incompetent performance of duties undertaken while engaged in applied biology.

Why should I address poor conduct or practice of another member?

If you think of other professions such as lawyers, medical doctors, engineers etc., poor practice or conduct by one professional can tarnish the reputation or credibility of all those who practice the profession. We can all think of examples where this has occurred. The same is true of the College – if there are members that are not meeting the standards set out in the Code of Ethics in their professional or personal life, then it has implications for how all members of the College are perceived.

The College relies on its members to recognize poor conduct and/or practice of another member and address it.

Why doesn't the College initiate action against members on its own?

The College does have the ability to initiate and investigate an issue that comes to its attention. The College conducts proactive audits of a portion of our members each year to identify potential practice-related issues, and works with members to improve practice, where necessary. However, the College does not specifically monitor members' reports, advice, or behavior in professional or private life to ensure they meet the standards of the College. Therefore, in most cases, the discipline process is triggered by a complaint from another member or from the public.

What is my first step when I notice poor conduct or practice of another member?

If you suspect a College member of poor conduct or practice, evaluate the situation carefully before taking action. If safety of the public/workers is the concern, act immediately (Principle 5 of the Code of Ethics). In other matters, here are some things to keep in mind:

- Biologists/technologists can disagree without one or the other necessarily being wrong or violating the Code of Ethics. Scientific debate is a cornerstone of good science.

- Approaching an issue as a misunderstanding or honest mistake instead of assuming incompetence or unethical behavior can help frame the issue in a non-adversarial light.
- People have different perceptions of risk, and how individuals apply trade-offs can lead to conflicts, but differences in risk tolerance do not necessarily indicate incompetent or unethical behavior.

If possible, the best approach is to contact the member directly to discuss the issue in a professional manner. Even though it may be uncomfortable or difficult to initiate the discussion, it is an important first step, and allows the member to respond and clarify the situation. When initiating the discussion, be respectful and specific. Here are some suggestions when engaging the member on a sensitive issue:

- Focus on issues rather than personality.
- Avoid statements such as “you always...” or “you never...”, and avoid insults (stupid, idiot, biased, ridiculous – I’m sure you can think of a few others).
- Ask questions to clarify the reasoning behind an action, decision, or recommendation. Examples:
- Instead of positioning your view as “you’re wrong”, ask questions and elicit an explanation, such as “I have concerns about recommendation 1 for x, y, z reasons; can you explain how you came to this recommendation?”
- Ask how they considered the information expressed in omitted references, suggesting that the information could be pertinent to the discussion, rather than accusing a member of bias and purposely omitting valid references.
- Ask “why did you decide to use method x instead of method y?” instead of implying incompetence by saying “method x is not appropriate in this situation.”
- At all times conduct yourself professionally. Standards for respectful interactions are outlined in Principle 8 of the Code of Ethics.

What if I can’t approach the other person directly?

The College recognizes that occasionally there are situations where it may not be possible to discuss the issue with the other member directly. In that case you should consider whether the situation warrants making a complaint to the College.

So when should I should lay a complaint with the College?

If discussion with the member does not resolve your concerns, or if you feel you cannot directly approach the member, you must decide whether you believe the matter warrants consideration by the College.

Before laying the complaint, review the Code of Ethics and supporting documents to ensure that you have a clear understanding of the basis for your concern. Complaints must be based on the Code, or the Act and Rules. Any complaint that comes before the Discipline Committee will be assessed by the standards outlined in the Code. If, after review, you feel strongly that the member’s conduct violates the Code or is unbecoming to a member of the College, make a complaint to the College. Remember, a professional disagreement of opinion is not necessarily a violation of the Code.

How do I lay a complaint?

Before laying a complaint, make sure that the person was a member of the College at the time of the alleged infraction by contacting the Registrar of the College. Once you are sure that the person was a member, forward the following to the College by mail, attention of the Registrar: details of your complaint including your name and contact information; the member(s) name(s); quote the section of the Code of Ethics, Act or Rules which you believe the member has *contravened*; and any supporting documentation.

I have reviewed the Code of Ethics and have strong concerns about the conduct/practice of another member, but I don’t want to ruin his/her career. What should I do?

It can be a difficult decision to make a complaint against another member but it’s your professional responsibility. Be assured that the discipline process is fair and the penalty, if any, will be commensurate with the issue. The test for discipline is a clear violation of the Code of Ethics, or personal or professional misconduct as identified in the Act or Rules. When you bring a matter to the attention of the College, the College will assess the situation to determine whether the complaint warrants the attention of the Discipline Committee. Once a complaint is referred to the Discipline Committee they take over all aspects of the matter.

A new tool called a Practice Review is currently being developed and will be used where a member's conduct or practice is questionable but does not meet the test of a discipline case. Look for more information from the College in a future edition of *College Matters*.

I am worried that if I lay a complaint with the College I will lose my job/client or will be subject to retaliation.

This is a difficult subject. Making your employer/client or coworkers aware of your responsibilities as a professional can help. The Code of Ethics is clear

on your responsibility, and can be used to support your actions where your conduct is measured and professional.

Addressing the conduct or practice of your colleagues is never an easy matter but it is a professional responsibility where misconduct or poor behavior or practice is suspected. The Act, Rules, Code of Ethics, and College policies are designed to uphold the public interest and the professional reputation of the College and its members, while being fair to both Subject Members and Complainants.

Vanessa Craig, RPBio
Vice-President
Ethics Chair

Professionalism and Personal Conduct: Charting a Course for a new Profession

Reprinted from the June 2012 issue of *College Matters*.

By Murray Rankin, Q.C. College of Applied Biology

As members of the College of Applied Biology, I think all of you are well aware that you must take particular care not to debase the currency of this newly minted profession. But just what does that mean in practice? What can your self-governing profession legitimately discipline you for? What is the line between what you can do as an individual without attracting discipline and your duty to the profession? What about your rights to free expression, which are guaranteed under the *Canadian Charter of Rights of Freedoms*: do they not still apply? That is what I would like to address in this short article.

As everyone should be proud to recall, the College of Applied Biology was established under a BC statute that is unique in North America. The College is now on an equal footing with other self-governing professions in this province -- doctors, lawyers, dentists and the like. All of these professions have one thing in common: they have been given a license by the Legislative Assembly, by law, to govern their members. And courts will be reluctant to second-guess the good faith efforts by self-governing colleges to regulate their members. Any court that is called upon to review the discretion conferred by the statute upon your College would do so in

a deferential way, interfering only if it concluded that the decisions made by the College or discipline tribunal were considered unreasonable. Therefore, even if a Court were to disagree with a particular disciplinary decision, it would have to take note of the fact that the Legislature did not confer this power upon the Courts -- rather, it conferred this power upon the College and the committees to which the College has delegated these powers.

The Act creating the College contemplated several committees. One of them is the Discipline Committee and the Council has the authority to delegate a wide range of its powers for discipline to this committee. One of the powers that the Council cannot delegate is the power to make rules. And Council has in fact made rules governing discipline. Rule 15 sets out an elaborate code for investigation and discipline. This Rule is intended to comply with the rules of procedural fairness that the common law provides to all members. In addition, Schedule 2 of the Rules sets out nine principles that constitute the College's "Code of Ethics". Several of these principles relate to professionalism.

But just what is professionalism? Among other things, most agree that the main criteria for a "professional" are the following:

- a) Expertise and specialized knowledge in a field which one is practicing;
- b) High quality work;
- c) A high standard of professional ethics,

behavior and work activities while carrying out one's profession. Often the professional is required to put the interest of the client ahead of his or her own interests;

- d) Appropriate treatment of relationships with colleagues: an example must be set to perpetuate the attitude of one's business without doing it harm;
- e) A professional is an expert who is master in a specific field.

The College's Code of Ethics makes many references to professionalism. For example, it requires members to "provide a professional standard of service ... by conducting business practices fairly, avoiding conflicts of interest and respecting client/employer confidentiality". (Principle 4).

It requires members to "uphold professional obligations to the College while they are in the workplace" (Principle 6) and to "maintain a standard of personal and professional conduct that does not reflect adversely on the College or its members". (Principle 7).

Principle 9 states that members must "recognize the duty to address poor conduct and/or practice of another member in order to protect the public interest, the profession, and the reputation of the College. In addition, the Code of Ethics contains several principles in which professionalism is at the core. For example, a member must "provide a professional standard of service to clients and employers by conducting business practices fairly, avoiding conflict of interest and respect client/ employer confidentiality". (Principle 4).

Similarly, a member must "uphold professional obligations to the College while in the workplace" (Principle 6) and "maintain the standard of personal and professional conduct that does not reflect adversely on the College or its members. (Principle 7).

How do these lofty Principles, however, come to apply to members? First, the Act specifically enables the Council to make rules establishing "standards of professional and ethical conduct, including a Code of Ethics". In other words, the College has explicit legal authority, conferred by the Legislature, to make these rules. Rules are also contemplated for standards of competence.

Discipline proceedings may be authorized by the Council "if there is reason to believe that the

member may have been guilty of one or more of the following:

- 1) Professional misconduct;
- 2) Conduct unbecoming a practicing member; and
- 3) Incompetent performance of duties undertaken while engaged in applied biology."

Members are also required by the statute to cooperate with any disciplinary investigation, to answer questions, produce relevant information and provide explanations where called upon. Penalties are contemplated for failure to do so. Ultimately, discipline hearings can be held by panels appointed under the Act and penalties may be imposed and membership in the College suspended if a member is found to have transgressed these Rules.

But what do these phrases mean? Firstly, the phrase "professional misconduct" is defined simply as misconduct by a member "relating to the performance of duties undertaken while engaged in applied biology". This is in turn defined to include a breach of the Rules, including, of course, the Code of Ethics. It must be stressed that in your profession, professional misconduct only applies in relation to the performance of applied biology. Technically, other forms of misconduct that may occur when you are not performing such duties are not subject to discipline.

As noted at the outset, the Legislature does not take a position on what such duties entail or what misconduct may be. It is content to confer this responsibility on the College. That is the hallmark of a self-governing profession such as yours. However, the Legislature will not hesitate to remove these powers should it conclude that the College is not protecting the public. A recent example came with the amendments to the BC *Teachers Act*. The Legislature concluded, after a notorious report by consultant Don Avison, that the College of Teachers was simply not doing its job in adequately disciplining its members.

What about the phrase "conduct unbecoming a practicing member"? This is much more subjective. Three categories of activity are defined to constitute "conduct unbecoming":

- a) Firstly, if the member brings the College or its members into disrepute; or
- b) If he or she "undermines the scientific methods and principles that are the foundation of the applied biological sciences" or

- c) lastly, if he or she “undermines the principles of stewardship of aquatic and terrestrial ecosystems and biological resources”.

The phrase “stewardship” is nowhere defined in the College Act. However, there are many definitions available, most of which convey the concept of responsible resource management, entailing a commitment to the needs of ecosystems and their components. Just as beauty is in the eye of the beholder, it is the College, in the professional judgment of those members delegated the authority to discipline, that is called on to determine what “stewardship” may mean in a particular instance.

For some members, the most interesting area of professional discipline will be determining exactly what conduct the Council (and potentially the panel of the discipline committee that has to pass judgment on particular conduct) believes will “bring the College or its members into disrepute”. What about one’s rights as an individual outside of the workplace? It seems beyond doubt that all professionals must conduct themselves outside the workplace in such a manner as not to debase the currency of their profession. Again, the Legislature explicitly conferred on the College the ability to police such conduct that is found “unbecoming a practicing member”. Every fact situation will be different and it is impossible to provide “cut and dried” standards.

Let’s take a few examples derived from other professions. It is likely that the harm to the public would be by far the most crucial consideration. Therefore, dishonest conduct would no doubt be considered more serious than conduct that might be considered disgraceful. But do we not all have private lives? How far can private conduct be relevant in disciplinary matters? A famous case from Ontario involves a lawyer who hired a number of young girls in horse shows across North America. He seduced these young girls and was even convicted in the United States for transporting a girl for immoral purposes. He was disbarred for conduct unbecoming a lawyer and the Court upheld his disbarment because “his conduct was not only reprehensible, but it seriously reflects upon and shatters his professional integrity to the point where the protection of the public is involved”.

Another example involved an engineer who was working for a mining company and mishandled trust funds. He was expelled from the Association of Professional Engineers and the Court agreed that

this dishonesty could well translate into issuing engineering reports that were not trustworthy: honesty was held to be a prerequisite of professionalism. Another engineer was found to have been properly disciplined for enabling demolition and reconstruction work on a personal building project without obtaining the necessary permits from the City and in defiance of a “stop work order”. A final example involved a teacher in Quesnel who was found guilty of unprofessional conduct for publishing a series of articles in the local newspaper that were found to be discriminatory against homosexuals. Even though this occurred on an off-duty basis, it was found that the conduct could legitimately be subject to professional discipline because his conduct did not involve views expressed as a private citizen but rather as a teacher and counsellor and it was found that this activity negatively affected the school system and his ability to carry on his professional obligations. Even though his *Charter* rights to free expression were considered, his activity was nevertheless found to be “conduct unbecoming a teacher”.

Closer to the activity of registered professional biologists, consider the case of a UK veterinarian who was disciplined for neglecting his own livestock on the basis that this would certainly bring his profession into disrepute.

What about an RPBio. who engages in civil disobedience, perhaps to protest government environmental policy? Contempt of court involves deliberate or wilful disobedience of a court order. Because an injunction is an order of the court, any person who violates an injunction, for example during civil disobedience, can be charged with contempt. The difference between civil and criminal contempt is not always easy to determine: if the conduct amounts to “a public defiance or violation of the order so as to make the contempt criminal as opposed to civil” it amounts to criminal activity and fines and imprisonment may follow. Would a conviction for criminal contempt constitute “conduct unbecoming”?

What about a RP Bio who is convicted for fishing or hunting without a license out of season? Should she not know better? Would such activity not bring the profession not only into disrepute but perhaps into ridicule – particularly if this conviction were front page news in a local paper somewhere in the province?

These are the kind of issues that may well be addressed over time. As more cases come forward, it will of course be easier to draw more certain

conclusions as to the kinds of conduct that the College considers worthy of the attention of BC's newest self-governing profession. But what is already clear is that the College has the obligation to consider a wide variety of conduct – occurring both in and out of the office -- in determining whether its members are achieving the requisite standard of professionalism.

Murray Rankin, QC, was a senior administrative lawyer and is now a Member of Parliament in Victoria. He has advised a wide array of

administrative tribunals at the federal and provincial levels and been counsel for several self-governing professions in disciplinary matters.

Links to Rule 15 and Schedule 2 (the College's Code of Ethics) referenced in the preceding article can be found at: <https://www.cab-bc.org/files/College%20Rules.pdf> and <https://www.cab-bc.org/files/Schedule%20of%20Code%20of%20Ethics.pdf>.

Updates

Qualified Persons Initiative

The current definition states that a Qualified Person (QP) is a person who has training and expertise in a discipline, and who has been through a process that evaluates their qualifications and confirms them as competent to perform work in their area of expertise. The evaluation process may be carried out by a professional association, the provincial government, or another type of organization. The QP Initiative uses Qualified Person as a generic term that includes self-regulating professionals, and accredited practitioners. The QP Initiative is proposing a new definition which states that a Qualified Person is one who possesses the specified knowledge, skills, training, experience and other requirements to perform a specified type of work as set out in legislation; set out in government policy or; required by an organization satisfactory to government that has the responsibility for specifying the requirements.

With this new definition, the requirements include holding an accreditation bestowed by government; a professional association constituted under an Act, or; other organization satisfactory to government.

Attainment of the requirements is either (i) verified through a process undertaken by government, a professional association or other organization satisfactory to government, to confirm that all requirements are met, or (ii) self-assessed by members of a professional association constituted under an Act, where a code of ethics requires members to operate only within their area of expertise.

The QP Initiative is also undertaking a case study project, which will have two main phases. The first will show how the framework elements competency, accountability and guidance and other factors operate in current use for a range of QP applications. The second phase will look at how effective each QP use is. The case studies will be used to inform further development of the QP Framework and build a common understanding of QP uses and framework elements.

The QP applications to be examined are:

1. Forest professional use in woodlot management.
2. Registered Professional Forester use in preparing and implementing a Forest Stewardship Plan.
3. The role of the Qualified Environmental Professional in the *Riparian Areas Regulation* in assessing impact from land development.
4. Use of approved persons in reclamation of contaminated sites.
5. Use of Professional Engineers in verification of bridge installation/completion.
6. Wastewater practitioner role in *Sewerage System Regulation*.
7. Appraiser role in setting value of crown land.

December 2013

Summary of Complaints Submitted to the College

Complaint Statistics	2008	2009	2010	2011	2012	2013
Breach of Act and/or Ethics	3	3	4	3	5	2
<i>Complaints Resolved</i>						
Conditional Admission						
Discipline Hearing		1*				
Review on Record		1*				
<i>Complaints in Process</i>	1		1	2	2	
<i>Complaints Rejected/Dismissed</i>	2	3	3	2*	5*	5*

*included carry over from previous year.

Summaries of all complaint submissions are available for review at:

<https://www.cab-bc.org/discipline-digest>

Reminder: Ethics Requirements for Newly Registered Members

Schedule 3, section 1.4 (Professional Ethics) states as a condition of membership (beginning in 2008) all newly registered members (RPBios and RBTechs) must successfully complete an ethics seminar up to 1 year before the date of application and within 3 years of being granted registration.

For the information of newly registered members, the College defines a program on professional ethics to include a discussion on what it means to be a professional and on the elements of professional practice such as competence, independence, integrity, due diligence and accountability. Once completed, the member must contact the College to report the name of the course and the date the course was completed.

The College has reviewed and can recommend the following professional ethics courses/seminars as meeting this requirement:

1. Given by the Association of Professional Biology of BC at their Annual Conference and throughout the year - APB Professional Ethics Course. <http://www.professionalbiology.com/>
2. Given by the British Columbia Institute of Agrologists - BCIA Ethics Workshop. <http://www.bcia.com/>

There may be other courses which meet the College requirements. Please contact the College if you have another course you would like the College to consider as meeting the requirements.



Membership Update

The College wishes to welcome and congratulate the following new members:

NEWLY REGISTERED PROFESSIONAL BIOLOGISTS

Adam Goodwin	2501	Corey Corbett	2513	Russell Walton	2522
Brock Ramshaw	2505	Laura Keating	2514	Harm Gross	2523
Luanne Patterson	2506	Dana O'Bryan	2515	Michael Johnston	2524
Nickolas Bartok	2507	Lise Galand	2516	Melissa Brown	2525
Douglas Vincent	2508	Jennifer Trowell	2517	Kofi Boa-Antwi	2526
Shawneen Walker	2509	Christina Czembor	2518	Lana Miller	2527
Carla Davis	2510	Jim Webb	2519	Lisa Helmer	2528
Raechel Lukie	2511	Eric Harrison	2520	Scott Taylor	2529
Alyson McHugh	2512	Daniel Knee	2521		

RETURNING (RE-INSTATED) REGISTERED PROFESSIONAL BIOLOGISTS

Roy Crowther	735	Catherine Jacobsen	2409	Maggie McConnell	2276
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NEWLY REGISTERED BIOLOGY TECHNOLOGISTS

Rachel Saraga	65	Trevor Hann	66
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NEWLY ENROLLED BIOLOGISTS IN TRAINING

Lian Kwong	792	Heather Stewart	795	Shawn Laidlaw	797
Breanne Patterson	793	Carrie Dillman	796	Colin Rombough	798
Adam Haulena	794			Courtney Kellock	799

NEWLY ENROLLED TECHNOLOGIST TRAINEES

Jeffrey Belanger	23
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NEWLY ON LEAVE MEMBERS

Trainee (RBTech)		RPBio		RBTech	
Melanie Hawes	14	Kennedy Boateng	2418	Becky Phillips	42

NEWLY RETIRED MEMBERS

RPBio	
Alexander Argue	339

December 2013

Reminder: CPD Requirements for On Leave members

Please note that Rule 7.13.5 came into effect in 2011. Rule 7.13.5 provides that after one year of temporary withdrawal, On Leave members must complete 50% of the CPD requirements for each of the subsequent years on temporary withdrawal. The 5 year limit remains in effect as the time that a member can be on Temporary Withdrawal.

Biologist in Training – Are you considering upgrading to RPBio status?

As of January 2008 all Biologist in Training (BIT) members are limited to a 6 year time limit for active BIT status. This means those members who were BITs before January 2008 have until December 31, 2013 to upgrade to RPBio status. Every newly enrolled BIT from that period on has 6 years from the date status was awarded to upgrade. Three additional criteria must be met: professional report, work experience and letters of reference. To aid the member in meeting the report requirement the Credentials Committee has prepared a guideline document for the submission of a professional report. This guideline document can be downloaded from the College website at <https://www.cab-bc.org/files/Report%20Guideline.pdf>.



2014 AGM & Conference Notice

The 2014 College Conference and AGM will be held at the Sheraton Vancouver Airport Hotel on March 7th, 2014. The Conference theme of Policy and Legislation Update Sessions (PLUS 3) will continue, with a particular focus this year on federal regulatory changes and the practice of applied biology. We are also pleased to announce there will be a presentation by Ken Cossey, Director of Lands at the Songhees Nation, who will speak to the Land Code movement among First Nations and the potential implications for the management of natural resources in Canada. Adam Kreek, Olympic Gold Medalist, will also be joining the Conference as the keynote speaker. Members are encouraged to contact Rebecca (assistantregistrar@cab-bc.org) with any suggestions for speakers or panel topics.



Resolution Call

College of Applied Biology

In accordance with Rule 3.18 and 3.19, resolutions are being solicited for discussion and action at the 2014 Annual General Meeting of the College of Applied Biology to be held in Vancouver, B.C. on March 7th, 2014. Submissions should be outlined in the following form:

- A. In that (outline issue or problem)
- B. Be it resolved that (state the resolution)
- C. Discussion (present points concerning the need, logic or benefit of the resolution).

Resolutions must be received by no later than 4:00 pm February 7th, 2014:

Registrar, College of Applied Biology
#205 – 733 Johnson Street
Victoria, B.C. V8W 3C7
Email: registrar@cab-bc.org
Fax: (250) 383-2400

Rule 3.18 All resolutions must be received in writing by the Registrar 28 days prior to their presentation at a meeting, so as to allow full development of arguments for and against the resolution which will be presented to the membership. This requirement for submission of a motion 28 days prior to presentation at a meeting may be waived by unanimous consent of Council members.

Rule 3.19 The mover of the resolution must provide a resolution package consisting of the written text of the resolution along with the names, original signatures and membership numbers of the mover and seconder. Failure to meet these provisions means the resolution shall not be placed on the agenda.

December 2013



Calls for Nominations to College Council (2014 - 2016)

Nominations for the 2014 College Council elections (4 positions) are now open, and will close at 2pm, December 27, 2013. Know someone who would make a good Councillor. Maybe yourself?

Positions available are:

President (two year term – 1 to be elected)
 Vice-President (two year term – 1 to be elected)
 Regional Councillor (two year term – 2 to be elected)
 Councillor-at-Large (two year term – 1 to be elected)
 All practicing members in good standing are eligible, although the Regional Councillor position must be filled by a member from outside Greater Victoria, Greater Vancouver, and the Lower Fraser Valley.

Nomination forms can be found at <https://www.cab-bc.org/files/2014Nomination%20form.pdf> , and require the signature of the nominee and two nominators (i.e., voting members in good standing). Nomination forms may be mailed, faxed, or scanned and emailed to the College office. Nominations forms must be received by 2pm December 27, 2013.

What does Council Do?

The Council is the governing body of the College, as authorized in the College of Applied Biology Act (Section 5). Council consists of nine elected members: six Councillors (three of which have to be from outside Victoria and the Lower Mainland), the President and two Vice-Presidents, the immediate Past-President, and up to three Lay Councillors appointed by the Minister of Environment. The term of office is for two years, with half the elected positions (except Past-President) normally coming up for election each year.

The Council's primary duties are as follows:

- 1) general oversight of College affairs (approval of policies, procedures, staff responsibilities, budgets, etc.);
- 2) making 'rules' under the Act (including credentials, discipline, audits and practice review requirements); and
- 3) acting as the appeal body ('Review of the Record') for credentials and discipline panel decisions.

What is the Time Commitment?

Council normally meets for one day, six times a year. Additional meetings may be held, as needed, usually via conference call, to deal with time-pressing matters. Typically an additional day of preparation

is needed for each regular Council meeting. Council members also serve on one or more Council Committees. Committee time commitments can vary substantially, but are usually a week or so of time spread throughout the year. While not many in number, these Council and Committee meetings are crucial to the smooth and accountable running of the College and Councillors are expected to make every effort to attend and participate.

What are the Qualifications?

All practicing College members in good standing are qualified to serve on Council, and no previous experience (except for the President) is required. A desire to serve the public and the profession is all that is really needed.

What is the Compensation?

Councillors are volunteers, and receive no payment for their time, although out-of-pocket expenses (e.g., travel, accommodation) are covered. Service on Council does count towards Continuing Professional Development requirements (10 points per year, almost one-third of annual required CPD points).

Need More Information?

The Act, Rules, and College policies can be found on the College web site: <https://www.cab-bc.org/act-rules-and-policies> .

If you wish to discuss what Council is all about or what you may be getting into contact the Chair of the Nominating Committee, Brian Churchill, at collegepresident@cab-bc.org or the College office at registrar@cab-bc.org or (250) 383-3306.

Brian Churchill, R.P.Bio.
 Nominations Committee Chair



College Matters seeks an Editorial Board

The College's Strategic Plan places significant emphasis on both outreach to members and involvement of members in the affairs of the College. One tactic for meeting both these objectives is to create an Editorial Board. This Board will plan for and recommend to the Communication Committee themes/content for *College Matters*, solicit or produce content and make recommendations as to format and other matters that support the enhancement of member communication.

As a first step to meet this objective, the Communications Committee has established Interim Terms of Reference for an Editorial Board (see page 10) and at this time is calling for expressions of interest from our membership in serving on the Board. Some factors we will consider in appointing the Board members are:

- interest and enthusiasm in becoming more involved in the work of the College,
- representation across membership categories,
- past experiences with a range of writing styles and purposes, and
- a vision for enhancing this important communication tool of the College.

If you have any questions, or if participation in your College in this manner is of interest to you, please submit your current Curricula Vitae and a brief written response addressing the 4 factors listed above to Rebecca at assistantregistrar@cab-bc.org.

In Memoriam

Jeffrey Bertoia RPBio #2167

November 6, 1976 - September 7, 2013



“Are not the mountains,
waves and skies
A part of me and my soul,
As I of them?”
—Lord Byron



It is with great sadness that we share the loss of our beloved son, brother, uncle, friend, and all around amazing person, Jeff Bertoia. He is survived by his loving parents, Robert and Carole (Marsh) Bertoia, sister Kristine (Brent), nieces Lauren and Amy, extended family, and his hundreds of friends who were truly his family.

Jefe lived his life to the fullest, and made the most of every single minute. He achieved and experienced more in his 36 years here than many of us will in a lifetime. He died in a paragliding accident in Squamish, doing what he loved. We thank the Squamish Search and Rescue Crew for their dedication and service, and we ask that donations be made to them in lieu of flowers.

In Memoriam

Curt Kerns, RPBio #1303

August 13, 2013



WetlandsPacific is saddened to report that Curt Kerns, President/Chief Science Officer of WetlandsPacific Corp. passed away suddenly on August 13th in Nanaimo, B.C. Curt was a passionate supporter and advocate for environmental issues. He was especially interested in the use of constructed wetlands to remediate wastewater. Recently he became interested in the importance of soil remediation through organic enrichment. Curt held an M.S. in Fisheries Science, minor in agricultural economics, and was a Registered

Professional Biologist and Certified Fisheries Scientist. As a former tenured, associate professor in the aquatic sciences, he was an avid believer in education and took every opportunity to continue to provide information to the public. He was an innovator, and to that end he held three patents in a new class of constructed wetlands, the Vegetative Tertiary Filter and a patent pending on the development of passive treatment bed. He was recognized for his innovation by being awarded the MISTIC Award for Environmental Excellence, and the BCWWA Award for Excellence in Decentralized Wastewater Technology. Curt was a long-time member of the British Columbia Water and Wastewater Association (BCWWA) and a founding member of Western Canada Onsite Wastewater Management Association of BC (WCOWMA-BC) where he served on the Board of Directors for both organizations and on a variety of other Boards and Committees as a representative of the onsite wastewater industry.

In Memoriam

Gary Rosberg RPBio (Ret) #111

July 14, 1950 – July 13, 2013



Gary passed away peacefully in his sleep after a year long battle with cancer. Gary was a well known fisheries biologist in the Lower Mainland and will be well missed by friends, family and coworkers. After graduating from UBC with a degree in Zoology, Gary went on to work with many consulting firms before settling down to educate others in a position at BCIT. Gary worked as a fisheries instructor in the

Fish, Wildlife and Recreation program at BCIT for 18 years. He was a well respected and influential instructor to those around him and his love for fishing and the environment will be passed on for years to come.