



File #19-03

Subject Member: Registered Professional Biologist

Complaint Submitted: April 15, 2019

Date of Decision: February 28, 2020

Complaint Summary:

A complaint was submitted against a member of the College alleging unethical conduct. The complaint contained numerous allegations, including the following alleged violations of Principles in the Code of Ethics:

Principle 1: Provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice and reports in applied biology.

- Alleged the subject member used inappropriate tactics to ensure a bylaw was enforced.
- Alleged the subject member did not follow scientific advice when writing summary documents for the general public.

Principle 3: Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence.

- Alleged re-mapping of ecosystem data lacked scientific rigour.
- Alleged field verification of ecosystems lacked scientific rigour.

Principle 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.

- Alleged the subject member did not treat clients fairly.
- Alleged the subject member used a bylaw in an inappropriate manner to meet other objectives.

Principle 7: Maintain a standard of personal and professional conduct that does not reflect adversely on the College or its members.

- Alleged the subject member was responsible for the rescindment of a bylaw.

Principle 8: Avoid injuring the reputation of others through malice or negligence.

- Alleged the subject member damaged the reputation of another RPBio by stating negative opinions in workplace meetings



Decision:

After full and careful consideration, the Discipline Committee dismissed this complaint pursuant to Rule 15.19, which provides that a complaint that is “not within the jurisdiction of the Council,” “unfounded,” and “not one in which further proceedings would be in the public interest” should be dismissed or deferred. This file is now closed. The key points from the decision can be summarized as follows:

- Regarding Principle 1, the Discipline Committee held that the tools used were legal options available to the RPBio, and that this allegation does not fall within the jurisdiction of the College.
- Regarding Principle 3, the Discipline Committee held that the evidence did not support the allegation that the subject member gave false information.
- Regarding Principle 4, the Discipline Committee found that the allegations that the subject member did not treat clients fairly and that the subject member used a bylaw inappropriately were not supported by the evidence.
- Regarding Principle 7, the Discipline Committee held that the subject member did not have delegated authority as a decision-maker regarding rescindment of a bylaw. The subject member could not therefore be held responsible for the rescinding of the bylaw, which was a decision made by the appropriate governmental body.
- Regarding Principle 8, the Discipline Committee found that the allegedly injurious comments were made internally within the governmental body and were not sufficiently serious or public to cause damage to the reputation of another professional.