



Discipline File 10-01

Subject Members: Registered Professional Biologist, Registered Professional Biologist (names withheld)

Status: Dismissed by Discipline Committee

Date of Decision: December 2010

**Allegation:** that two members of the College engaged in professional misconduct when they severed a working relationship with a client.

**Background:** two members of the College were involved in undertaking an assessment of a property for a client. Sometime after the subject members closed their project file, the agencies involved reversed their initial opinion on the status of the property. The agencies stated that as their previous opinion had impacted the assessment undertaken by the subject members, a new assessment was not required, although the project proponent was required to undertake additional work. A second client, unrelated to the first, then approached the subject members requesting that a report be prepared that reflected the new opinion of the agencies. Although the subject members at first agreed to undertake the work, the working relationship appeared to deteriorate, and the subject members withdrew from the project. The second client then filed a complaint with the College alleging the subject members, among other things, had not met the commitments they had agreed to perform for the client.

**Committee Action:** the committee conducted an initial investigation and determined that the agency decision (both the initial and the follow up reconsideration) were not influenced by the actions of the subject members. Further, the committee noted that the subject members had advised the client, in writing, that they were severing the working relationship and were not going to bill the client for work that had not been completed. The Committee noted that any professional has the right to decide for whom they will and will not work, and so long as the work arrangement is concluded in a professional manner, a professional has the right to withdraw from a work assignment.

**Decision:** after full and complete consideration of the material contained in the file, the complaint was dismissed.