



File: 012-01

**Allegation:** That the subject member engaged in professional misconduct and in practice unbecoming a professional biologist. A complaint was submitted against a College member alleging contravention of the College Code of Ethics Principle 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. In particular, “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.”

The complainant alleged that the subject member did not provide their previous employer with field notes and background information related to completion of collection permits for which they were the lead researcher. The complaint alleged that the subject member had not responded to multiple requests for information. And that in not supplying the requested information and completing tasks associated with the provincial government permit process, the subject member was negatively impacting the reputation of their former employer and associated professionals. The complaint also stated that in not supplying the information necessary to complete the permit process, the company would be unable to obtain subsequent permits.

A second complaint was included as a result of the complainant’s inability to get a response from the subject member which compromised the company’s ability to provide a professional standard of service to clients and employers by conducting business practices fairly, avoiding conflict of interest and respecting client/employer confidentiality.

A third complaint was also included alleging the subject member did not meet the requirements in Principle 3 of the Code of Ethics: Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence and due diligence. The complaint alleges that the subject member did not make certain that at a minimum, appropriate documents, files and filing systems were maintained.

A fourth complaint was also submitted alleging violation of Principle 8 of the Code of Ethics: Avoid injuring the reputation of others through malice or negligence.



## Discipline Case Digest

**Member Action:** The subject member responded that they were not a member of the College when the work was undertaken. The subject member also stated that they were not responsible for making the permit filings. And finally, the subject member responded that they were not acquainted with the complainant. The subject member responded that they had done their due diligence before departing from the company. They reminded senior staff at the company that they would be available following their departure to assist with any clarification that could possibly come about in the conclusion of their association with the company. The subject member was informed that all was in order and the subject member's assistance was not needed.

**Decision:** After full and careful consideration of the material contained in the file, the complaint was dismissed, with a recommendation that the subject member maintain a professional style of communications and conduct and was reminded that it is a professional's responsibility to display due regard and courtesy in dealing with other professionals.

After receiving and reviewing extensive submissions from both the complainant and the subject member, the committee reached the conclusion that the subject member had provided an explanation for the issues raised by the complainant. The committee did note that the subject member's communication style with the complainant was not helpful in addressing the specific issues raised by the complainant.

**Postscript:** Sometimes circumstances can result in strained communications between two professionals. However, it is a professional's responsibility to display due regard and courtesy in all communications. Contravention of the Code of Ethics, Principle 9, "Maintain a standard of personal and professional conduct that does not reflect adversely on the College or its members" can result in a complaint to the College.