



File #18-01

Subject Member: Registered Professional Biologist

Complaint Submitted: February 14, 2018

Date of Decision: April 3, 2019

Complaint Summary:

A complaint was submitted by a member of the College (the complainant) against a Registered Professional Biologist (RPBio) alleging unethical conduct. In particular, the allegations indicated the RPBio breached the following Principles of the Code of Ethics:

- a) Code of Ethics – Principles 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.
- b) Code of Ethics – Principle 8. Avoid injuring the reputation of others through malice or negligence.

The complainant alleges the RPBio breached confidentiality by utilizing private information to further the RPBio's business interests during consultancy work. As well, the complainant alleges the RPBio damaged the reputation of the complainant by discussing private matters related to the individual's lifestyle and how they conduct their business operations with clients and other individuals.

The subject member made additional allegations related to contract infringement.

Decision:

The Discipline Committee completed a thorough review of the allegations which included information provided by the complainant and the RPBio. It was determined the RPBio did not breach confidentiality as it pertains to Principle 4 of the Code of Ethics. Information shared was within the context of normal business dealings and was not a breach of confidentiality.

Regarding Principle 8 of the Code of Ethics, the information that was passed along to the complainant was considered 'third-hand' comments and the allegations were unsubstantiated and without context. There was no evidence the RPBio initiated any of the comments that were alleged to damage the reputation of the complainant. Additional information provided regarding impacting the reputation of the complainant lacked substance.



The complainant was reminded by the Discipline Committee that some of the allegations provided in the complaint are handled by civil proceedings and are not under the purview of the College Discipline process. In addition, the complainant was advised that the College's discipline process is not to be used as a surrogate for other grievances such as disputes regarding unpaid invoices.

The Discipline Committee determined the allegations were not supported by the evidence provided, and the complaint was dismissed.

Complaint file 18-01 is closed.