

Discipline Case: 2010-6

Subject Member: Registered Professional Forester

Referred to: Complaints Resolution Committee

Date of Decision: September 2010

Allegations

This case resulted from a complaint from two ABCFP members about the conduct another ABCFP member. The complaint alleges that the subject member:

1. Made disparaging remarks about fellow members during a public meeting.
2. Was unfairly critical of the work of fellow members at a public meeting.
3. May have been in a conflict of interest situation with regards to his professional aspirations and his membership on a committee that was charged with managing a licence.

The complainants felt that the subject members engaged in conduct unbecoming a member and may have contravened the following bylaws:

- 11.6.1 To abstain from undignified public communication with another member.
- 11.6.2 Not to unfairly criticize the work of other members or attempt to injure the professional reputation or business of another member.

Decision

In their notices of complaint the complainants requested that:

1. The subject member provide a disclosure letter as to whether the subject member intends to compete for a specific management contract.
2. The subject member make a commitment to not discrediting fellow professionals at public events and that this commitment be recorded by the ABCFP.
3. That the committee (Complaints Resolution Committee) rule regarding whether the situation that gave rise to the complaint was a conflict of interest situation and a breach of bylaw 11.6.1 or 11.6.2.

Subsequent to receiving notification of the complaint the subject member:

- a. Sent a disclosure letter as requested in #1 above that indicates that he/she has no intention of competing for the management contract.
- b. Published a letter of apology in regards to his/her conduct and made a commitment to ensure that further discussions take place in a mutually acceptable and respectful manner.

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After reviewing the case with the Complaints Resolution Committee (CRC), the registrar decided not to proceed with an investigation into this complaint. The subject member apologized for his potentially unprofessional behaviour and made a commitment to ensure that future public communications with members is done in a respectful manner. The statement by the subject member that he/she has no intention of competing for the specific management contract under discussion at the time the alleged breaches occurred technically circumvents a conflict of interest situation; however, this disclosure should have been made before commenting on the work of others, not after the fact. Our expectation is that the subject member will refrain from any conduct that may be in breach of bylaws 11.6.1 and 11.6.2 and he will abide by his commitment. If in the future, concerns are raised with regards to this member's professional conduct in relation to bylaws 11.6.1 and 11.6.2, then the information provided for complaint 2010-06 may be pertinent to a future complaint.