

2015.10.01

Council
APEGBC
4010 Regent Street, Suite 200
Burnaby, BC Canada V5C 6N2

Re: Council's desire to remove dissidents from council without criteria

Ref:

- My letter of March 1, 2015 on this subject
- Council's proposed amendments to the Act, 2015
- Your letter of August 4, 2015 rejecting the member petition submitted June 29, 2015, which included comment on this matter

I make further points against your desire to remove dissidents from council without a just process.

Your claim evades the concerns expressed by me and others about your proposed fitness for practice clause for the Act – it is open to abuse by council cliques and staff. (Noting for example that staff without professional licenses are dictating to licensed professionals in matters such as election statements. That is not acceptable.)

You claim objections were at a detail level, in fact my objection was on the **principle** of being a license to suppress dissent. That's an unprofessional approach to governance, which has already been tried in the engineering profession and in the municipal affairs field that Tony Chong is familiar with (among his failures is recognition that it cuts both ways). Your page <https://www.apeg.bc.ca/About-Us/Governance/Proposed-Amendments-to-the-Engineers-and-Geoscient/Understanding-the-Proposed-Amendments> says little, you should re-read my March 1, 2015 letter in which I point out that Rob Ford failed your proposed medical amendment because he obviously had psychological problems, and that you fail to provide criteria despite being pointed to the necessity.

I'll also note that the Association has an investigations procedure for competency and ethics,

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perhaps that procedure could be amended to expedite determination – it has the advantage and disadvantage of being outside of council (which would on the one hand remove it from council politics but on the other hand give committee members power over council members). I could do better than you at defining criteria – refer to my March 1, 2015 letter, but I think the amendment clause is not needed as there are other proposed amendments that provide substantial relief if any are truly needed. (One feeble excuse given by David Harvey and associates in Victoria last February is that the investigations process is too slow. Does it not include an option for interim action? Your desired to be able to remove a council member by groupthink is as serious as an accusation of unprofessional behaviour in technical work.)

I pointed you to the need for criteria, your response seems to be “trust us” – which I do not. In my judgement council members who arranged going behind member’s backs to force a fee increase were guilty of ethical misconduct. My judgement was reinforced recently by:

- the council member who said s/he could only think of evading non-compliance as a reason for objecting to mandatory CPD, apparently s/he didn’t digest my letter of March 1, 2015 to Council.
- the council member who accused me of taking my frustrations with council out on staff, when I criticized staff levels and titles. That’s bizarre, and contradicts claims of delegation to the CEO.

I caution you that definition of “public interest” is vague and subject to abuse and to political change, which is not a sustainable position for a professional association to be in.

I expect that the BC government’s justice function will reject your desire as it fails a natural justice test and is not enforceable – that will damage your reputation in government, and a court would overturn your Act amendment because it does not provide objective criteria to determine what “misconduct” of sufficient severity is – that will damage APEGBC’s reputation with the public.

I expect you to provide a copy to each member of council. Because a councilor recently made an improper accusation against members who do not agree with council, as though s/he had not read a letter to council, I will contact each council member to verify receipt.



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