

Collusion: The Office of the Syndic of the Ordre des ingénieurs du Québec files seven disciplinary complaints

Montreal, June 9, 2014 – The Ordre des ingénieurs du Québec is announcing today that the Office of the Syndic has completed some inquiries and filed disciplinary complaints against six engineers and one former member involved in collusion schemes in the Gatineau region. The individuals who will have to answer to the Disciplinary Council of the OIQ are André Mathieu, Michel Famery, François Paulhus, Marc-André Gélinas, Claude Marquis, Maxime Asselin and Dave Boulay. The complaints filed concern violations of the Professional Code and the Code of Ethics of Engineers.

“The inquiries involving collusion raise some important questions about the professional conduct of professionals and the OIQ must take action. The complaints announced today show the determination of the OIQ’s Office of the Syndic to complete its inquiries so that the engineers who have committed potentially reprehensible acts may be judged by their Disciplinary Council,” stated Isabelle Tremblay, Eng., OIQ Vice President and Vice President of Finance and Treasurer.

The seven complaints filed with the Disciplinary Council are linked to the Charbonneau Commission. It should be noted that while the Office of the Syndic opens inquiries based on the testimonials heard by the Charbonneau Commission, it has to conduct its own inquiries and gather its own evidence before it can file a complaint.

This is a complicated task for the Office of the Syndic. It is currently conducting around one hundred other inquiries involving collusion and corruption. There are also approximately 400 active inquiries involving cases of illegal political contributions.

“Like the public and our members, the OIQ hopes that the sanctions imposed on the professionals who violated their Code of Ethics will be dissuasive and set an example,” explained Tremblay, Eng. The Disciplinary Council is responsible for determining the penalties that will be imposed on the engineers who are found guilty.

Next step: the Disciplinary Council

The dates for the hearing of the complaints announced today will be made public on the [OIQ Disciplinary Council’s Hearing Roll](#).

The Disciplinary Council is an independent body of the OIQ formed by 15 members: the Chair (an attorney designated by the Québec government) and 14 engineers appointed by the Board of Directors of the Ordre des ingénieurs du Québec. When a hearing is held, three people examine the complaint: the Chair of the Disciplinary Council and two engineers. All hearings are public.

Applicable penalties

The penalties issued are those set out in the Professional Code, which can include permanently striking an engineer from the OIQ’s membership roll or even revoking an engineer’s permit.

Except in the case of an acquittal, the decisions of the Disciplinary Council concerning the complaints announced today can be [consulted on the OIQ’s Web site](#). Furthermore, these decisions may be appealed with the Professions Tribunal or subjected to judicial review.

Prevention

Parallel to the inquiries that it conducts, the Office of the Syndic team has developed prevention measures aimed at members and the general public, such as the 1 877 ÉTHIQUE hotline, which was set up to answer questions about ethics and professional conduct from engineers, their clients or the general public.

This hotline handled over 1,300 calls in 2013-2014, some of which led to the opening of disciplinary inquiries.

The OIQ's commitment to the public

The OIQ has committed to protect the public through prevention and disciplinary activities, find concrete solutions to meet the profession's current challenges, and ensure transparent management.

About the Ordre des ingénieurs du Québec

Founded in 1920, the Ordre des ingénieurs du Québec has a membership of approximately 60,000 engineering professionals in all fields, except forest engineering. The mission of the OIQ is to ensure the protection of the public by supervising the practice of the profession within the framework of its constituent laws and ensure that the profession serves the public interest. For more information, go to <http://www.oiq.qc.ca>.

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More information about [all the steps in the disciplinary process](#) can be found on the OIQ's Web site.

Appendix: Names of the engineers charged and their alleged offences

Engineer	Registration on the Membership Roll	Offences <i>(Note: The applicable sections are cited after the table)</i>
André Mathieu	1974-01-07	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p> <p>Charge 4: Violation of section 4.02.03 c) of the Code of Ethics of Engineers</p>
Michel Famery	1989-08-16	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p> <p>Charge 4: Violation of section 4.02.03 c) of the Code of Ethics of Engineers</p>
François Paulhus (ex-member, struck from the roll in 2013 for non-compliance with the Regula- tion respecting mandatory con- tinuing education)	1992-08-01	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p> <p>Charge 4: Violation of section 4.02.03 c) of the Code of Ethics of Engineers</p>

<p>Marc-André Gélinas</p>	<p>1992-01-21</p>	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p> <p>Charge 4: Violation of section 4.02.03 c) of the Code of Ethics of Engineers</p>
<p>Claude Marquis</p>	<p>1978-10-11</p>	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p>
<p>Maxime Asselin</p>	<p>1999-04-01</p>	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p>
<p>Dave Boulay</p>	<p>1992-07-01</p>	<p>Charge 1: Violation of section 3.02.08 of the Code of Ethics of Engineers and section 59.2 of the Professional Code</p> <p>Charge 2: Violation of section 3.05.03 of the Code of Ethics of Engineers</p> <p>Charge 3: Violation of section 3.02.01 of the Code of Ethics of Engineers</p>

Professional Code (R.S.Q., c. C-36):

59.2. No professional may engage in an act derogatory to the honour or dignity of his profession or to the discipline of the members of the order, or practise a profession, carry on a trade, enterprise or business or hold an office or function that is inconsistent with the honour, dignity or practice of his profession.

Code of Ethics of Engineers (R.R.Q. 1981, c. I-9, r. 6):

3.02.01. An engineer must fulfill his professional obligations with integrity.

3.02.08. An engineer shall not resort nor lend himself to nor tolerate dishonest or doubtful practices in the performance of his professional activities.

3.05.03. An engineer must safeguard his professional independence at all times and avoid any situation which would put him in conflict of interest.

4.02.03. An engineer shall not abuse a colleague's good faith, be guilty of breach of trust or be disloyal towards him or willfully damage his reputation. Without restricting the generality of the foregoing, the engineer shall not, in particular:

[...]

(c) induce a colleague to commit an offence against the laws and regulations governing the practice of the profession.