



Why is it important to document your files?

Proper record-keeping is essential for all engineers. It not only helps in organizing your day-to-day work, it also enhances the quality of your professional practice. What's more, you will be looked upon favorably by your clients, your employer and, as the case may be, by Order inspectors and even your insurers.

On the contrary, shoddy record-keeping or the absence thereof have been deemed serious violations which are derogatory to the profession and have been sanctioned by the Disciplinary Council by way of reprimands, fines or a month-long removal from the Ordre.

Consequently, it is paramount that you document your files and the following essential details will help you achieve proper record-keeping

MAIN OBLIGATIONS

To know more about your obligations, please refer to the Regulation respecting the keeping of records and consulting offices by engineers which aims at ensuring the preservation of the data and information collected. The Regulation applies as much to the purely technical elements and general aspects of the project.

The Regulation stipulates that you must keep and maintain, at the place where you practise your profession, a register of all your mandates and keep your active files up to date.

In addition, the Code of ethics of engineers states that engineers must provide reasonable access to clients' files as well as allow clients to make copies of documents.

DOCUMENT YOUR FILES: BEGINNING OF A MANDATE

After discussions with your client or employer, you should confirm, in writing, whether the mandate was accepted and if so, the scope of the work, or whether the mandate was refused. First and foremost, you should record the mandate in your register and include the following information:

If the mandate is confirmed:

- the date of the discussion or meeting;
- the name and contact information of the client, its representative or the employer's project manager;
- a description of the mandate as well as specific exclusions and inclusions;
- aspects related to the mandate and the name of those responsible for these matters;
- a schedule or time frame;
- reference to the fee agreement and to others involved (technicians, junior engineers), as the case may be;
- any other information relating to the scope of the mandate or project;
- any relevant document.

In the event of a potential mandate or if the mandate is refused:

- the date of the discussion or meeting;
- a description of the potential mandate;
- the name and contact information of the client, its representative or the employer's project manager;
- reasons for refusal, for example:
 - a conflict of interest;
 - the mandate exceeds your skills, your knowledge or knowhow or the means at your disposal;
 - inability to meet the deadlines;
 - incompatibility with your professional or moral values;
- a notice of refusal sent to the client, if applicable;
- written confirmation that no document received from the potential client is kept.

DOCUMENT YOUR FILE DURING THE COURSE OF THE MANDATE

When you accept a mandate, you must continue to document your file by including the following documents throughout the course of the mandate:

- correspondence with the client or with others involved;
- documents provided by the client;
- estimates, reports, plans, specifications, analyses, report studies or other document prepared by you;
- data provided by the client or collected by you or others involved;
- calculations, including their purpose, as well as methods used and standards and good practices applied, as the case may be;
- names and contact information of colleagues and experts with whom you consulted;
- copies of the file reports presented to the client or the employer's representative;
- written confirmation of instructions received during the course of the mandate and strategic decisions such as changes to the schedule or time frame;
- note signed by you or the client indicating the type of document removed from the file by the client as well as the date of such removal;
- copy of the itemized bill of fees:
 - time sheets of the engineer and others involved;
 - hours worked;
 - hourly rate of the engineer and others involved;
 - payments received;
- measures taken to ensure continuity of services in your absence.

END OF THE MANDATE

As for previous steps, you must keep the documents that relate to the end of the mandate, including the following elements:

- written confirmation of the end of the mandate and work carried out or reasons justifying the end of the mandate;
- list of documents returned to the client;
- written recommendations to the client, where applicable;
- final bill of fees;
- final payment

YOU MUST KEEP AND MAINTAIN A REGISTER OF ALL YOUR MANDATES AND KEEP YOUR ACTIVE FILES UP TO DATE.

You must keep your files for a minimum of 10 years as of the date of the last service rendered or, if the project is carried out, as of completion of the work.

To know more, please refer to the *Guide de pratique professionnelle* (only available in French) and turn to the section relating to the engineer's work ("Travail de l'ingénieur") under record-keeping ("La tenue de dossiers"), on the Ordre's site: gpp.oiq.qc.ca. These particular sections deal with document management and file structure as well as preservation and integrity of engineering documents. There you will also find a link to the *Regulation respecting the keeping of records and consulting offices by engineers*.

Due to the seriousness of the acts committed, the engineer could have been struck temporarily from the roll, but in this case, the Council felt that such a penalty would be too harsh. It felt that there were mitigating factors, such as the absence of proper supervision, the engineer's inexperience, the fact that the engineer was immediately fined and provided assurance that he would change the working environment. The engineer was reprimanded, fined a total of \$5,500 and required to pay the expenses, which amounted to around \$425.

Case number 22-13-0444

"IT COSTS WHAT IT COSTS!"

After producing an environmental assessment report, phase 1, the engineer was hired to perform a site characterization, phase 2, and remediation. He estimated the cost of the remediation work at \$30,000 to \$40,000.

The work began, but its scale of the work was a lot greater than the engineer had estimated. In fact, the total invoice amounted to \$77,755.74.

The respondent's technical competence was never in doubt in this project. While working on the project, the respondent, who was the project manager, erred not only in monitoring and controlling the costs, but also in communicating the information to his clients.

The inquiry revealed that the respondent had not promptly informed his clients of the actual contamination level or its impact and the cost of the work. He also did not provide his clients with precise enough reports so that they would understand that the scale of the work differed from the initial estimate.

The inquiry also revealed that the engineer neglected to manage the costs of the project because he did not compile the incurred amounts progressively as the work advanced and failed to inform his clients of the actual cost during the project.

For those reasons, the Disciplinary Council felt that the engineer had not fulfilled his obligation to properly inform his clients and lacked diligence in monitoring and controlling the cost.

The engineer was fined a total of \$2,500 and required to pay the expenses, which totalled \$1,792.

Case number 22-12-0439

"IT ALL LOOKS FINE; IT'S JUST TO OBTAIN A PERMIT"

As part of a project aimed at obtaining a permit for an addition to a property, the respondent signed and sealed six pages of plans that had not been designed by himself or under his immediate control and supervision.

The inquiry also revealed that the engineer did not know the applicable regulations, did not seek this information from the municipality, and was unaware that the project involved an addition to a mobile home and that the addition was prohibited by a shoreline protection policy.

The Disciplinary Council found the respondent guilty of producing addition plans to obtain a building permit without sufficient knowledge, and of signing and sealing these plans after they were prepared by someone else without his immediate control and supervision.

The respondent received two penalties totalling \$5,500 and was required to pay the expenses, which amounted to \$1,700.

Case number 22-13-0442

Expectations of engineers are high! Engineers are under pressure every day to meet the requirements of their projects and their deadlines. If they are negligent, not available enough, cut corners or overlook the impacts of their activities on the environment, life and health, they tarnish the honour and dignity of all the members of the profession and compromise public trust in the profession.

To learn more about the professional conduct expected of engineers, we suggest that you read the OIQ's professional practice guide on its Web site (<http://gpp.oiq.qc.ca/>). The full text of the decisions cited in this article can also be found on the OIQ's site, under "Recourses and Decisions." (<http://www.oiq.qc.ca/fr/recours/decisions/Pages/decisionsDisciplinaires.aspx>.)