



APEGA Recommended Discipline Order

APEGA members and permit holders are required to practise engineering and geoscience skillfully, ethically, and professionally. They must meet all prescribed requirements and follow all applicable legislation and regulations, such as the [Engineering and Geoscience Professions Act, General Regulation, Code of Ethics, and APEGA bylaws](#). Investigation and enforcement—followed by, when necessary, judgment based on a fair hearing of the facts—are requirements of ours in service to the public interest. For more information, please visit www.apega.ca/enforcement/discipline-decisions.

Date: May 12, 2022

Discipline Case Number: 22-004

**IN THE MATTER OF THE ENGINEERING AND GEOSCIENCE PROFESSIONS ACT
AND
IN THE MATTER OF THE CONDUCT OF JULIE PINEAULT, P.Eng.**

Pursuant to the Engineering and Geoscience Professions Act,
being Chapter E-11 of the Revised Statutes of Alberta 2000
Regarding the Conduct of Julie Pineault, P.Eng.

The Investigative Committee of the Association of Professional Engineers and Geoscientists of Alberta (APEGA) has conducted an investigation into the conduct of Julie Pineault, P.Eng. (the Registrant) with respect to a complaint initiated by [Name withheld] (the Complainant, EGM) dated June 3, 2021 (the Complaint).

A. THE COMPLAINT

The Complainant filed a complaint alleging the Registrant engaged in unprofessional conduct and/or unskilled practice, as defined at section 44(1) of the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (*EGP Act*) in relation to the unlicensed use of the Registrants professional stamp.

The Investigative Committee's investigation focused on the following allegation which can be summarized as follows:

Whether the Registrant authenticated/signed-off on drawings for a project in the City of Winnipeg, by using her Engineer & Geoscientists Manitoba stamp when in fact she was not licensed to do so, thereby contravening the EGP Act or the APEGA Code of Ethics or both.



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B. AGREED STATEMENT OF FACTS

As a result of the investigation, it is agreed by and between the Investigative Committee and the Registrant that:

(i) Background:

1. The Registrant is a Professional Member of APEGA, and accordingly, was thus bound by the *Engineering and Geoscience Professions Act* and the *APEGA Code of Ethics*.
2. The Registrant completed her University education in Chicoutimi, Quebec. She started in geological engineering and transitioned into structural engineering. The Registrant stated she is also licensed to practice in the Province of British Columbia and Quebec.
3. The Registrant has an APEGA registration date of January 3, 2020.
4. The Registrant was a professional member of APEGA at the time of the incident.
5. The Registrant cooperated with the APEGA investigation.

(ii) Facts Relating to Allegation:

Whether the Registrant authenticated/signed-off on drawings for a project in the City of Winnipeg, by using her Engineer & Geoscientists Manitoba stamp when in fact she was not licensed to do so, thereby contravening the EGP Act or the APEGA Code of Ethics or both.

6. The Complainant was contacted by a City of Winnipeg employee [Name withheld]. They were the 'Structural Plans Examiner' in the Planning, Property and Development Department. As part of their regular responsibilities, they reviewed and researched the authenticated 'Balcony Guard' shop drawings in question and discovered the Registrant did not appear to have been properly licensed at the time she stamped the drawings. [Name withheld] contacted the EGM who confirmed what they had discovered.
7. EGM investigated and determined the Registrant's membership was not valid due to her license having been "*written off*" due to the non-payment of member fees to EGM in 2013. The Registrant had not been licensed to practice engineering in Manitoba since 2013.



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8. The Registrant had authenticated and signed balcony guard drawings on May 21, 2021, for a contractor with her old EGM stamp that she had not returned to EGM.
9. EGM confirmed they completed an investigation about the alleged unlicensed practice aspect per their regulations. The EGM's investigation concluded with the following rationale:

“Since the Registrant was not a member of ours at the time, we were limited with what we could do in terms of enforcement. Since she was willing to meet with us and acknowledge that she was in violation of the Act, and this was the first time she has had any indiscretion, we had her sign a declaration that she would cease any unauthorized practice of engineering in the province and that failure to do so would result in the Association taking legal action, as per the Act”.
10. On or about April 28, 2021, the Registrant was contacted by a friend who worked with an engineering company. They were looking for some assistance on a project in Winnipeg. The Registrant's friend provided her information to the contractor, who in turn contacted the Registrant and requested her to review and authenticate some drawings. The Registrant agreed to complete the work despite being aware that she was not licensed to practice engineering in Manitoba at the time.
11. The Registrant, aware she was not licensed to practice in Manitoba, began the process of re-instating her Manitoba license at the same time she started this work. She stated she commenced the on-line application and phoned EGM on two occasions to pose questions on how to complete parts of her application.
12. The Registrant, however, did not speak with anyone at EGM, did not recall if she left any messages, nor did she email EGM with her questions.
13. The Registrant believed there was a sense of urgency for her to complete the work as she had been contacted by the contractor on May 21, 2021, who inquired as to the status of her work.
14. The Registrant, despite knowing her EGM stamp was not valid, authenticated the drawings with her EGM digital stamp.
15. Shortly afterwards, the Registrant was contacted by the contractor who told her they had been made aware she was not approved to authenticate the drawings and no longer required her services. The Registrant apologized to the contractor.



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16. The Registrant advised both the Complainant and APEGA what had occurred. She provided insight on a significant personal event in her life which she believed contributed to her lack of judgement.
17. The Registrant takes her obligation to the engineering profession seriously; she regrets and apologized for her actions.
18. The Registrant never completed her licensing application in Manitoba and only recently returned her stamp to EGM.
19. The Registrant admits the conduct as presented and accepts responsibility for her actions.

C. CONDUCT BY THE REGISTRANT

20. The Registrant freely and voluntarily admits that at all relevant times the Registrant was a professional member of APEGA, and thereby bound by the *Engineering and Geoscience Professions Act* and the *APEGA Code of Ethics*.
21. The Registrant acknowledges that the conduct described above constitutes unskilled practice and/or unprofessional conduct as defined in Section 44(1) of the *Act*:

Section 44(1) Any conduct of a professional member, licensee, permit holder, certificate holder or member-in-training that in the opinion of the Discipline committee or the Appeal Board,

- a) *is detrimental to the best interests of the public,*
- b) *contravenes a code of ethics of the profession as established under the regulations,*
- c) *harms or tends to harm the standing of the profession generally,*
- d) *displays a lack of knowledge of or lack of skill or judgement in the practice of the profession, or*
- e) *displays a lack of knowledge of or lack of skill or judgement in the carrying out of any duty or obligation undertaken in the practice of the profession*



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Whether or not that conduct is disgraceful or dishonorable, constitutes either unskilled practice of the profession or unprofessional conduct, whichever the Discipline Committee or the Appeal Board finds.

The Rules of Conduct of the APEGA Code of Ethics state:

1. Professional engineers and geoscientists shall, in their areas of practice, hold paramount the health, safety and welfare of the public and have regard for the environment.
 2. Professional engineers and geoscientists shall undertake only work that they are competent to perform by virtue of their training and experience.
 3. Professional engineers and geoscientists shall conduct themselves with integrity, honesty, fairness and objectivity in their professional activities.
 4. Professional engineers and geoscientists shall comply with applicable statutes, regulations and bylaws in their professional practices.
 5. Professional engineers and geoscientists shall uphold and enhance the honour, dignity and reputation of their professions and thus the ability of the professions to serve the public interest.
22. The Registrant acknowledges that the conduct described above is conduct that is detrimental to the best interests of the public, displays a lack of judgement in the practice of the profession, and contravenes the Code of Ethics as established under the regulations.
23. Further, the Registrant acknowledges that the conduct described above constitutes a breach of Rules 1, 3, 4 and 5 of the Code of Ethics.

D. Recommended Orders

24. On the recommendation of the Investigative Committee, and by agreement of the Registrant with that recommendation, and following a discussion and review with the Discipline Committee Case Manager, the Discipline Committee hereby orders that:
 - a. The Registrant shall be reprimanded for her conduct and this order shall serve as the reprimand.



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- b. The Registrant shall pay a fine in the amount of \$750.00. The fine is a debt owing to APEGA and shall be paid within six (6) months of the date this order is approved by the Discipline Committee Case Manager.
- c. The Registrant shall disclose that she is the subject of APEGA disciplinary procedures to all other engineering regulatory bodies to which the Registrant holds membership and provide each regulator with a copy of this Order. APEGA's Director, Enforcement shall be copied on all disclosures made by the Registrant within sixty (60) days of being notified that this Order has been approved by the Discipline Committee Case Manager.
- d. The Registrant shall provide written confirmation to the Director, Enforcement, within thirty (30) days of being notified that the Recommended Order has been approved by the Discipline Committee Case Manager, that she has reviewed the following APEGA publications, and that the Registrant will comply with the requirements therein:
 - i. Practice Standard 'Authenticating Professional Work Products' (January 2022).
- e. If the Registrant fails to provide the Director, Enforcement with proof that she has completed the requirements noted above in Paragraphs 24 (b), (c) and (d) within the timelines specified, the Registrant shall be suspended from the practice of engineering until the requirements are met. If the requirements are not completed within 6 months of the suspension date, the Registrant shall be cancelled.

If there are extenuating circumstances, the Registrant may apply to the Director, Enforcement, for an extension prior to the noted deadlines. If such an application is made, the Registrant shall provide the Director, Enforcement, the reason for the request, a proposal to vary the schedule, and any other documentation requested by the Director, Enforcement.
- f) This matter and its outcome will be published by APEGA as deemed appropriate, and such publication will name the Registrant.



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IN WITNESS WHEREOF the undersigned agrees with the Agreed Statement of Facts and Acknowledgement of Unprofessional Conduct/Unprofessional Practice in its entirety.

Signed,

MS. JULIE PINEAULT, P.Eng.

MR. GERALD LANGILLE, P.Geo.
Panel Chair, APEGA Investigative Committee

MR. RALPH HILDENBRANDT, P.Eng.
Case Manager, APEGA Discipline Committee

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