

Date: September 20, 2018

Case No.: 17-011-FH

REGARDING THE CONDUCT OF AYORINDE SOLADEMI, P.ENG.

Under the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (“the Act”), a hearing into this matter was held by a Hearing Panel of the Discipline Committee on April 26, 2018. The hearing addressed the conduct of Ayorinde Solademi, P.Eng. (“Mr. Solademi”). Mr. Solademi was aware of the hearing date but did not attend the hearing and consented to the hearing proceeding in his absence.

The hearing dealt with the following charges:

1. On or about May 14, 2015, Mr. Solademi submitted a work experience record (WER) to APEGA in connection with his application for registration as a professional engineer in which he made false and/or inaccurate statements about his work experience during the period of January 2, 2012-May 14, 2015, the particulars of which include one or more of the following:
 - a. That he was employed by [Company A], although it was not incorporated until November 17, 2014;
 - b. That he performed work on behalf of [Company A] in Canada; and
 - c. That he was employed by [Company A] and [Company B] (contracted), thereby suggesting that [Company B] had a contractual relationship with [Company A] during the time in question, when that was not the case.
2. On or about September 16, 2016, Mr. Solademi submitted a WER to APEGA in connection with his application for registration as a professional engineer in which he made false and/or inaccurate statements about his work experience during the period of May 18, 2015-September 16, 2016, the particulars of which include one or more of the following:
 - a. That he performed work on behalf of [Company A] in Canada; and
 - b. That he worked on a project for [Permit Holder C].
3. On or about September 26, 2016, Mr. Solademi presented a WER to APEGA in connection with his application for registration as a professional engineer in which he made false and/or inaccurate statements about his work experience during the period of May 18, 2015-October 6, 2016, the particulars of which include one or more of the following:
 - a. That he performed work on behalf of [Company A];
 - b. That he worked on a project for [Permit Holder C]; and
 - c. That his supervisor at [Company A] was [Professional Engineer D], a member of APEGA.
4. Mr. Solademi provided false or incorrect information about his work experience in order to establish that he met the requirement to have at least 12 months of Canadian work experience, when in fact he did not have sufficient Canadian work experience to be eligible for registration.

It was alleged that the above-referenced conduct constituted unprofessional conduct as set out in Section 44 of the Act. An applicant for registration as a professional member of APEGA must have at least 48 months of acceptable engineering science or geoscience work experience. Of these 48 months, at least 12 months must be Canadian work experience.

The Investigative Committee and Mr. Solademi proceeded by way of an agreed statement of facts and an admission of unprofessional conduct. The agreed facts showed that on three occasions Mr. Solademi provided WERs which represented that the work described in each WER was performed in Canada. However, Mr. Solademi did not have any Canadian work experience and therefore did not meet the registration requirements. Further, when Mr. Solademi updated WER #3, he changed his supervisor to [Professional Engineer D], a professional member of APEGA. However, [Professional Engineer D] was not Mr. Solademi’s supervisor for the work outlined

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in the updated WER. [Professional Engineer D] was only Mr. Solademi's mentor.

The Board of Examiners of APEGA took into account Mr. Solademi's purported experience as shown in the WERs submitted and relied upon the fact that this work experience was supported by a P.Eng. supervisor. As a result, the Board of Examiners approved Mr. Solademi's application for registration and he was approved for registration on December 3, 2016. Mr. Solademi then wrote the National Professional Practice Exam in January 2017 and became a professional member of APEGA on February 8, 2017.

There was also a complaint received by APEGA in March 2017, alleging that Mr. Solademi had provided false information about his one year of professional experience in Canada and that [Professional Engineer D] had cooperated in providing false information. This complaint was referred to the Discipline Committee for a formal hearing on September 18, 2017.

In addition, in December 2017, Mr. Solademi advised [Professional Engineer E], the Director of Enforcement at the time, that he had voluntarily cancelled his registration with APEGA. [Professional Engineer E] advised Mr. Solademi that the hearing would still proceed. Under the *Act*, a hearing can proceed so long as the complaint was made within two years of the cancellation of the registration.

The Hearing Panel accepted the agreed statement of facts and the admission of unprofessional conduct by Mr. Solademi. The Hearing Panel found that all four charges were proven and were serious enough to constitute unprofessional conduct. The Hearing Panel noted that it is serious unprofessional conduct to make false representations to APEGA and to obtain registration as a professional engineer based on these false representations. APEGA must be able to rely on the honesty and integrity of its members and the members must be fully honest and accurate in the information that they provide to APEGA. Mr. Solademi's actions were detrimental to the best interests of the public and affected the integrity of the profession. He clearly breached the *Code of Ethics*, Rules of Conduct #3 and #5:

- (3) *Professional engineers and geoscientists shall conduct themselves with integrity, honesty, fairness and objectivity in their professional activities.*
- (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.*

The parties also made a joint submission on penalty. The Hearing Panel accepted the joint submission and made the following orders:

1. Mr. Solademi will be issued a formal reprimand.
2. Mr. Solademi will provide proof to the Director, Enforcement, to demonstrate that he has successfully completed *PROBE: Ethics and Boundaries Program* or such other course as may be approved in advance by the Director, Enforcement. Mr. Solademi will be responsible for all costs associated with the course.
3. Mr. Solademi will pay a portion of the costs of the hearing in the amount of \$1,750 to APEGA, which shall be due and owing within six (6) months of the date when the Discipline Committee's decision is served on Mr. Solademi.
4. Mr. Solademi will not be eligible for registration with APEGA unless and until the Director, Enforcement has confirmed that he has complied with paragraphs 2 and 3 above.
5. Once Mr. Solademi complies with paragraphs 2 and 3 above and meets all other requirements established in the governing legislation, including the Canadian work experience requirement, he may submit an application for registration to APEGA. Any future application for registration will be assessed in accordance with APEGA's criteria for registration at the time the application for registration is submitted.
6. Details of the Discipline Committee's decision will be published in *The PEG* and/or posted on APEGA's website, with Mr. Solademi's name.

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It was the view of the Hearing Panel that Mr. Solademi's actions constituted serious unprofessional conduct. If he had not admitted his conduct, cancelled his registration, and cooperated with the hearing, the Hearing Panel would have considered that more serious sanctions, including immediate cancellation of his registration, were required. However, the proposed orders protect the public because they require successful completion of the *PROBE* course before Mr. Solademi will be allowed to submit an application for registration. Mr. Solademi's cooperation also meant that the hearing could be completed in an efficient and timely manner. This decision will also protect the public and the integrity of the profession through publication of the decision, which will show that actions of this nature will have serious consequences and result in cancellation of any registration obtained by improper means.

Signed,

KEN LIU, P.ENG.

Panel Chair, APEGA Discipline Committee

BOB SWIFT, P.ENG.

Panel Member, APEGA Discipline Committee

TOM GREENWOOD-MADSEN, P.ENG.

Panel Chair, APEGA Discipline Committee

WANDA GOULDEN, P.ENG., P.GEO.

Panel Member, APEGA Discipline Committee

MURIEL DUNNIGAN

Public Member, APEGA Discipline Committee

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