

# DISCIPLINE COMMITTEE HONORARIA POLICY

POLICY	Discipline Committee Honoraria Policy
NUMBER OF POLICY	CO-24-31
DATE OF POLICY	February 16, 2024
DATE OF LAST REVISION	June 15, 2018
APPROVED BY	Board

## DEFINITIONS

**“Alternative Complaint Resolution”** means a process or processes for the full or partial resolution of one or more matters to be dealt with at a discipline hearing and includes

- (a) negotiation,
- (b) mediation, or
- (c) other processes the parties agree to.

**“Bylaws”** means the bylaws of EGBC under the PGA.

**“Disciplinary Proceeding”**, for the purposes of this policy, means

- (a) an extraordinary action proceeding held pursuant to section 10.5 of the Bylaws for the purpose of considering extraordinary action pursuant to section 67 of the PGA,
- (b) an Alternative Complaint Resolution process pursuant to section 74 of the PGA,
- (c) one or more pre-hearing conferences convened by a Discipline Hearing Panel prior to the scheduled discipline hearing for the purposes outlined in section 1.6(4) of Schedule B of the Bylaws,
- (d) a discipline hearing held pursuant to section 75 of the PGA and any supplementary hearings related to penalty and costs, or
- (e) if not limited to a hearing in writing, a discipline hearing held pursuant to section 76 of the PGA regarding conduct in another jurisdiction, including any supplementary hearings on penalty and costs.

**“Discipline Committee”** means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

**“Discipline Hearing Panel”** means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

**“Discipline Resolution Panel”** means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of attempting to resolve one or more matters set out in a citation by means other than a discipline hearing pursuant to sections 72 to 74 of the PGA.

**“EGBC”** means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

**“Electronic Means”** includes videoconference, telephone conference, and webcasting.

**“Extraordinary Action Panel”** means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established for the purpose of considering action that may be taken pursuant to section 67 of the PGA [*Extraordinary action*].

**“Panel”** means one or more of the following:

- (a) Extraordinary Action Panel;
- (b) Discipline Resolution Panel;
- (c) Discipline Hearing Panel.

**“PGA”** means the *Professional Governance Act*, S.B.C. 2018, c. 47.

**“Registrant”** means the same as defined in Schedule 1, section 5 of the PGA [Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia].

**“Registrar”** means the individual appointed by the Board as registrar pursuant to section 31(1) of the PGA [Registrar and register for regulatory body], who may also be the Executive Director.

## POLICY STATEMENT

1. To recognize and encourage participation of Discipline Committee members on Panels in Disciplinary Proceedings, the Board approves the payment of honoraria to panelists when their service extends beyond one day.

## POLICY

### Payment of Honoraria for Disciplinary Proceedings

2. The members of a Panel will be paid an honorarium for each half day of a Disciplinary Proceeding beyond the first day.
3. For clarity, honoraria are not paid for a one-day Disciplinary Proceeding nor for the first day of a multi-day Disciplinary Proceeding.
4. Subject to paragraphs 2 and 3, the following honoraria payments will be made:
  - (a) the chair of a Panel will be paid \$500 for each half day,
  - (b) the other panelists on a Panel will be paid \$400 for each half day.
5. The chair and the other panelists are entitled to reimbursement for expenses reasonably incurred resulting from their participation on a Panel, pursuant to EGBC’s current expense reimbursement policies for volunteers.

## **Specific Policy Rules for the Different Types of Disciplinary Proceedings**

### Extraordinary Action Proceeding:

6. All extraordinary action proceedings conducted pursuant to section 10.5 of the Bylaws are subject to this policy.

### Alternative Complaint Resolution:

7. An Alternative Complaint Resolution process is subject to this policy only where the format of the Alternative Resolution process requires the Discipline Resolution Panel, the Registrar, and the Registrant subject to discipline to be in attendance either in person or by Electronic Means.

### Pre-Hearing Conferences:

8. Pre-hearing conferences are subject to this policy only where the Discipline Hearing Panel and one or both parties are in attendance either in person or by Electronic Means. The Discipline Hearing Panel's consideration of written motions is not subject to honoraria payments under this policy.
9. For the purposes of this policy, multiple pre-hearing conferences for the same file count as one Disciplinary Proceeding with respect to the payment of honoraria. This means honoraria payments are made for each half day of each pre-hearing conference for the same file after the first day of the first pre-hearing conference.

### Cancellation of Multi-Day Discipline Proceedings:

10. If a multi-day discipline proceeding is cancelled (as opposed to postponed or adjourned) within 5 business days of the scheduled Discipline Proceeding, the chair and the other panelists will be paid 25 percent of the honorarium amount as if the hearing proceeded, for up to a maximum honorarium payment for 4 days.

## **REVIEW DATES**

February 16, 2024 (CO-24-31) – Updated and Approved by the Board under the policy title “Discipline Committee Honoraria Policy”

June 15, 2018 (CO-18-52) – Updated and Approved by Council under the policy title “Payment of Honoraria to the Members of a Discipline Committee Inquiry Panel”

September 9, 1999 (CO 99-153) – Approved by Council under the policy title “Payment of Honoraria to the Members of a Discipline Committee Panel”