

FIRE PROTECTION CASE SUMMARIES 2017

Note: Reference to one gender implies all other genders, unless the context requires otherwise.

CASE #16-13

STATEMENT OF COMPLAINT:

That the Respondent, a Registered Fire Protection Technician (RFPT) certified in the Emergency Lighting (EM), Fire Extinguishers (EX), and Special Suppression Systems (SP) endorsements, inspected and tested fire suppression equipment that did not meet NFPA 96 standards, but failed to observe critical failures with the equipment and marked the system as ready for operation when he should not have done so.

INVESTIGATION:

The above allegations, if found to be true, would be contrary to Principle 1 of the ASTTBC Code of Ethics and Practice Guidelines.

The Complainant, who is a Lieutenant with an Authority Having Jurisdiction (AHJ) was investigating a fire that had occurred within a restaurant. The fire was suspected to have originated within a deep fat fryer that had a built-in dry chemical extinguishing system which did activate, but did not extinguish the fire. The deep fat fryer had not been approved for use by the municipality and the dry chemical extinguishing systems had been banned since 1998, due to concerns about it malfunctioning. The kitchen exhaust and fire protection devices were installed without a permit and did not meet NFPA 96 standards. Further, the system did not have any means of manual activation nor would it notify building occupants if the system was activated.

The Complainant reviewed a testing and inspection report prepared by the Respondent for the subject location 7 days prior to the fire. Upon finding that many of the issues he had identified were not listed within the report, the Complainant submitted a complaint to ASTTBC.

Immediately upon receipt of the complaint, ASTTBC forwarded a copy via email to the Respondent for his comments. When the email bounced back as undeliverable, ASTTBC then attempted a subsequent courier delivery to his home address on ASTTBC's database, which was also returned as undeliverable. In a further attempt to reach the Respondent, ASTTBC contacted his employer, a company providing fire protection services, who confirmed that he was still employed with that company.

Two subsequent confidential notifications using the employer's address were made to the Respondent, and the employer confirmed that the Respondent did receive both notification letters. Very shortly after this notification delivery to the Respondent, ASTTBC was advised by the Respondent's employer that he was no longer employed with them.

The PRB noted that ASTTBC had made every reasonable attempt to contact the Respondent; however, he never contacted ASTTBC to provide his comments on the complaint. As he failed to respond to the allegations, the investigation into this complaint could not confirm what role, observations, actions or decisions were made by the Respondent with respect to this matter.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

ASTTBC as the Association is responsible for ensuring that members protect the public interest and it cannot do so if members do not cooperate with it. The PRB considered the Respondent's failure to respond to communication from ASTTBC, without adequate explanation, as a breach of ASTTBC Regulation 5.4 Duties of Members: a) *respond promptly to all communications from the Association*; and

of Principle 7 of the Code of Ethics: *Conduct themselves with fairness, honesty, courtesy and good faith towards clients, colleagues and others.*

Therefore, under section 4.7 d) v) E) of the ASTTBC Act and Regulations, the PRB temporarily suspended the Respondent's registration as a Registered Fire Protection Technician. The PRB further moved that the Respondent's reinstatement would be subject to the Respondent contacting ASTTBC and this case file being resolved to the satisfaction of the PRB.

OUTCOME:

The suspension was immediate, and the Respondent was notified of the suspension. Authorities Having Jurisdiction were also advised.

CASE #16-18

STATEMENT OF COMPLAINT:

That the Respondent, a Registered Fire Protection Technician (RFPT) certified in the Unit Emergency lighting (EM), Fire extinguishers (EX), and Water-based Fire Protection Systems (WA) endorsements, undertook tagging of fire protection equipment in a manner contrary to the ASTTBC Registered Fire Protection Inspection, Testing & Maintenance Guidelines.

INVESTIGATION:

The above allegations, if found to be true, would be contrary to the ASTTBC Fire Protection Practice Guidelines and Principle 1 of the ASTTBC Code of Ethics.

It had come to ASTTBC's attention that tags on previously inspected equipment had the Respondent's stamp on them; however, the initials within the stamp were of a different name.

The investigation determined that the inspection had been done by another individual who worked with the Respondent as an assistant, and whose name appeared to match the initials on the tags. When the Respondent was requested to provide his comments on the matter, he promised that, having read the ASTTBC Act & Regulations and now understanding that another individual could not sign his stamp, this practice would not be repeated. The Respondent further advised that his assistant had since applied for certification with ATTBC for the Fire Extinguisher and Unit Emergency Lighting endorsements.

PRACTICE REVIEW BOARD RECOMMENDATIONS:

The PRB reviewed the findings and noted that the Respondent acknowledged a misunderstanding on his part about the applicable Fire Protection policies on use of tags until this matter was brought to his attention. The Board also noted that the Respondent met with his office manager who arranged for a staff meeting to explain correct tag writing procedures, and the PRB appreciated this initiative. However, the PRB developed a concern with respect to the Respondent's practice on the use of stamps and tags. Tags that are filled in incorrectly mislead the Authorities Having Jurisdiction and the public, and can be counterproductive to public interest.

Therefore, the PRB required that the Respondent be levied a fine of \$250.00, as a deterrent to future violations of the ASTTBC Code of Ethics, and further, that the Respondent submit a statement of assurance, acceptable to the Registrar, that he had read, understood and would abide by the ASTTBC Fire Protection Practice Guidelines, with special attention to the use of stamps and tags.

The PRB further required that the Respondent's assistant submit a statement of assurance, acceptable to the Registrar, that he had read, understood and would abide by the ASTTBC Fire Protection Practice Guidelines, with special attention to the use of stamps and tags.

OUTCOME:

The Respondent made arrangements to pay the fine and submitted the required statement of understanding to the Registrar, who found it to be acceptable. The Respondent's assistant also submitted the required statement which the Registrar found to be acceptable.

No further action was required and the file was closed.