



**RECOMMENDED ORDER
to the
DISCIPLINE COMMITTEE**

IN THE MATTER OF THE ENGINEERING,
AND GEOSCIENCE PROFESSIONS ACT,

AND

IN THE MATTER OF THE CONDUCT OF
Alex P.L. Lee, P.Eng. (#297244)

Investigation Case: #23-34

**APEGA
Recommended Order
to the
Discipline Committee**

In the matter of the Engineering and Geoscience Professions Act

and

**In the matter of the conduct of
Alex P.L. Lee, P.Eng.**

The Investigative Committee of the Association of Professional Engineers and Geoscientists of Alberta (“APEGA”) has conducted an investigation into the conduct of Alex Lee, P.Eng., (the “Registrant”) with respect to a complaint [REDACTED] (the “Complainant”) dated September 26, 2023 (the “Complaint”).

A. The Complaint

The Complainant lodged a complaint alleging the Registrant engaged in unprofessional conduct as defined in section 44(1) of the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (“EGP Act”) with respect to permitting non-professional staff members to submit Continuing Professional Development (CPD) modules for credit on the Registrant’s behalf.

The Investigative Committee conducted an investigation with respect to the following allegations outlined in the Complaint:

Allegation #1

Whether the Registrant engaged in unprofessional conduct and/or unskilled practice by permitting the Complainant and other non-engineering employees of Leeson Engineering Inc. to complete and submit the required CPD modules on his behalf to APEGA, APEGS, EGBC & EGM.

B. Agreed Statement of Facts

1. The Complainant was employed by the Registrant as an office staff member.
2. The Registrant holds a bachelor’s degree in industrial engineering from University of Regina (2008).
3. The Registrant is a director and Responsible Member (RM) with [REDACTED] [REDACTED] located in Vancouver, B.C.

4. The Registrant has been a member of Engineers Geoscientists British Columbia (EGBC) since 2018 and licensed to practice engineering in BC.
5. The Registrant has been an active professional member of APEGA since 2022 and licensed to practice engineering in Alberta.
6. The Registrant is a member of the Association of Professional Engineers and Geoscientists Saskatchewan (APEGS) since 2022 and licensed to practice engineering in Saskatchewan.
7. The Registrant is a member of Engineers Geoscientists Manitoba (EGM) since 2022 and licensed to practice engineering in Manitoba.
8. The Registrant cooperated with the investigation.

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

(a) Background:

(i) Facts Relating to Allegation #1:

Whether the Registrant engaged in unprofessional conduct and/or unskilled practice by permitting the Complainant and other non-engineering employees of Leeson Engineering Inc. to complete and submit the required CPD courses on his behalf to APEGA, APEGS, EGBC & EGM.

9. During the CPD reporting period of June 2022 to June 2023, the Registrant instructed the Complainant to complete and submit several of the Registrant's CPD modules required for annual CPD compliance on his behalf.
10. The modules completed were submitted to APEGS & EGM professional associations where the Registrant is licensed to practice engineering.
11. The Complainant completed the following learning modules on instruction of the Registrant:
 - A) APEGS Annual Ethics Training
 - B) APEGS Investigation & Discipline and The Code of Ethics Modules
 - C) EGM Good Character Learning Module
 - D) EGM Authenticating Documents Learning Module
12. The APEGS modules noted above were submitted by the Complainant to APEGS on January 16, 2023, and the EGM modules were submitted to EGM on February 28, 2023. The modules were credited to the Registrant despite

the Registrant not personally completing the modules.

13. The Registrant admits that he instructed the Complainant to complete these CPD modules on his behalf so the Registrant would meet his required continuing education hours.
14. It was not the Registrant's intention to deceive APEGS and EGM but rather the Registrant exercised poor judgment.
15. The Registrant acknowledges that the conduct described above constitutes unprofessional conduct.

C. Conduct

16. The Registrant freely and voluntarily admits that:

- a. At all relevant times the Registrant was an APEGA professional member (licensee etc.) and was thus bound by *The Engineering and Geoscience Professions Act* and the APEGA Code of Ethics.
- b. The Registrant acknowledges and admits that the conduct described in the allegations constitutes unprofessional conduct as defined in section 44(1) of the EGP Act:

Section 44(1) of the Act states:

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 a lack of skill or judgment in the practice of the profession or;

(e) displays a lack of knowledge or lack of skill or judgment in the carrying out of any duty or obligation undertaken in the practice of the profession.

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.

17. The Member also acknowledges that the conduct described above breaches Rule(s) of Conduct #3.

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.*

D. Recommended Orders

18. On the recommendation of the Investigative Committee, and by agreement of the Member 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 their conduct and this order shall serve as the reprimand.
 - b. The Registrant shall pay a fine in the amount of \$1,000.00. 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 provide the Discipline Manager, within twelve (12) months of the date this order is approved by the Discipline Committee Case Manager, written confirmation/proof of successful completion (passing grade) of a post-secondary level course relating to ethical practice, that is satisfactory to the Discipline Manager, such as *Ethics for Professional Practice (University of Calgary Continuing Education, ADL 213)*.
 - d. If the noted course is no longer available on approval of this order, at the discretion of the Discipline Manager another course in ethical practice may be authorized for substitution if it is deemed substantially equivalent. The Registrant shall be responsible for all costs associated with the completing the course.

- e. The Registrant shall provide the Discipline Manager, within six (6) months of the date this order is approved by the Discipline Committee Case Manager, written confirmation that they have reviewed the following APEGA publication(s), and that the Registrant will comply with the requirements therein:
- i. *Ethical Practice Guideline* (August 1, 2022)
- f. The Registrant shall provide the Discipline Manager, within six (6) months of the date this Order is approved by the Discipline Committee Case Manager, letters of apology to EGM and APEGS suitable to the Discipline Manager. The letters of apology shall include what the Registrant has learned about the ethical and professional responsibilities of a professional engineer with respect to CPD, and how these learnings will affect his future practice. The letters shall be addressed to the respective parties:
- i. Association of Professional Engineers & Geoscientists of Saskatchewan
Attn: Stormy D.C. Holmes, P.Eng., FEC, FGC (Hon.),
Registrar
300 - 4581 Parliament Avenue
Regina SK S4W 0G3
apegs@apegs.ca
 - ii. Engineers Geoscientists Manitoba
Attn: Michael Gregoire, P.Eng. MBA FEC
CEO, Registrar, and Secretary
870 Pembina Highway
Winnipeg, MB R3M 2M7
mgregoire@enggeomb.ca
- g. If there are extenuating circumstances, the Registrant may apply to the Discipline Manager for an extension prior to the noted deadlines. If such an application is made, the Registrant shall provide the Discipline Manager the reason for the request, a proposal to vary the schedule, and any other documentation requested by the Discipline Manager.
- h. If the Registrant fails to provide the Discipline Manager with proof that they have completed the requirements noted above within the timelines specified, or any extended timeline granted, the Registrant shall be suspended from the practice of engineering for a minimum of thirty (30) days. If the non-monetary requirements in this Order are not completed within six (6) months of the suspension date, the Registrant shall be cancelled. In the event of cancellation, the Registrant will be bound by APEGA's reinstatement policy.

- i. This matter and its outcome will be published by APEGA as deemed appropriate and such publication will name the Registrant.

I, Alex P.L. Lee, P.Eng., acknowledge that before signing this Recommended Discipline Order, I consulted with legal counsel regarding my rights or that I am aware of my right to consult legal counsel and that I hereby expressly waive my right to do so. I confirm that I agree to the facts and admissions as set out above in this Recommended Discipline Order, and that I agree with the Orders that are jointly proposed.

Further to the above, I acknowledge that I have reviewed APEGA's "Good Standing Policy." I understand that I will not be considered to be a member "in good standing" until I have fully complied with the Orders set out above, and I understand that good standing status may affect membership rights or benefits, or the ability to volunteer with APEGA in any capacity.


Further to the above, I acknowledge that a copy of this Order and my identity will be disseminated to all provincial and territorial engineering and geoscience regulators in Canada.

Further to the above, I acknowledge that a copy of this Order and my identify shall be provided to the APEGA Practice Review Board.

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

Alex P.L. Lee, P.Eng. 
Signed with ConsignO Cloud (2024/09/20)
Verify with verifio.com or Adobe Reader.

Alex P.L. Lee, P.Eng.


Signed by Tannis Sharp, P.Eng., P.Geol. (2024/09/23)
Verify with verifio.com or Adobe Reader.

Tannis Sharp, P.Eng., P.Geol. (Panel Chair)
APEGA Investigative Committee

APEGA Discipline Committee

By: Kim Maddin 
Signed with ConsignO Cloud (2024/10/18)
Verify with verifio.com or Adobe Reader.

Case Manager