

IN THE MATTER OF the Surveyors Act, R.S.O. 1990,
Chapter S.29

AND IN THE MATTER OF Bruce Johnson, O.L.S.

AND IN THE MATTER OF a Disciplinary Hearing
of the Discipline Committee of the Association of
Ontario Land Surveyors held in accordance with
Sections 26 and 27 of the said Act

DECISION AND ORDER

This matter convened before a duly constituted panel of five members of the Discipline Committee on April 15th, 2008. The member, Bruce Johnson, O.L.S., attended with counsel.

The Panel of the Discipline Committee was presented with a proposed Joint Submission and Undertaking by counsel for the Association and Mr. Johnson. After some discussion and amendment to the Joint Submission, the Panel confirmed that it was prepared to accept the said Joint Submission as amended.

Pursuant to the Joint Submission, the Panel of the Discipline Committee orders as follows:

1. The Member has entered a guilty plea to the charges and allegations of professional misconduct against the Member (the "Charges") as alleged by the Association, and as summarized in Schedule A attached hereto.
2. The Member has provided a written Undertaking to the Registrar in a form and content that addresses the underlying issues.

3. The Member has been reprimanded by this Panel of the Discipline Committee, and the reprimand will be recorded on the Register of the Association.
4. The Member shall pay to the Association, within ninety (90) days of April 15th, 2008, the sum of \$5,000 for costs.
5. The Member is required to comply with the terms of this Order, and also with the Undertaking provided to the Registrar, in all respects, failing which, this matter shall be referred back to the Discipline Committee.
6. The Panel is satisfied that the terms of this Joint Submission are fair and reasonable and protect the public interest.
7. This Order, along with a summary in the form attached as Schedule 'A' hereto, will be published in the Ontario Professional Surveyor and on the Association's website.
8. This Joint Submission and the agreement thereto by the Member may be set up as a complete bar and answer by the Association to any appeal or judicial review of this Order and Decision.

This Decision and Order may be signed in counterparts.

Decision rendered the 15th day of April, 2008.

SCHEDULE 'A'

Mr. E. Bruce Johnson, O.L.S., was charged with professional misconduct under the Surveyors Act, and specifically section 35.10 of Regulation 1026, as

amended which defines professional misconduct as including “failure by an employed member to act for an employer as a faithful agent or trustee...”

It was alleged that Mr. Johnson had misrepresented to his employer his activities during normal working hours. This resulted in a compromised ability to fulfill his duties to his clients or his employer.