

FOLLOW UP DISCIPLINARY NOTICE
ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS

Stay of Suspension for Yulin Gao

Mr. Gao entered into a Consent Order dated January 14, 2016, with the Discipline Committee Review Panel in lieu of proceeding to a disciplinary hearing.

The Consent Order provided that Mr. Gao would be suspended for six months but that the suspension would be stayed if, by March 15, 2016, there was satisfactory evidence produced to APEGBC that Mr. Gao successfully completed a one-day, individualized in-person Sensitivity and Boundaries Awareness Coaching Program (the "Program").

Mr. Gao provided APEGBC with satisfactory evidence that he completed the Program on March 8, 2016. Mr. Gao's suspension is therefore stayed and will not come into effect. Mr. Gao is still required to complete follow-up sessions at one week, one month, two months, three months, six months, nine months and twelve months.

The full Consent Order is attached to this Notice.

**IN THE MATTER OF THE ENGINEERS AND GEOSCIENTISTS ACT
R.S.B.C. 1996, CHAPTER 116, as amended**

and

IN THE MATTER OF YULIN GAO, P. Eng.

CONSENT ORDER

WHEREAS on March 26, 2015, a Notice of Inquiry was issued to Yulin Gao, P. Eng. ("Mr. Gao"), pursuant to s. 32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, chapter 116, as amended (the "*Act*");

AND WHEREAS the Association of Professional Engineers and Geoscientists of the Province of British Columbia ("APEGBC") and Mr. Gao wish to resolve the matter by consent in order to avoid the need for a disciplinary inquiry;

Mr. Gao admits that he contravened the *Code of Ethics* of APEGBC and demonstrated unprofessional conduct contrary to the *Act* by, between 2008 and 2012, engaging in unwanted conduct toward a female employee at the engineering firm where he was employed (the "Firm") to whom he was in a position of authority. More specifically Mr. Gao admits that, while at the Firm's offices and in public settings, he at times positioned himself closer to the employee than appropriate for business communications and, while doing so, sometimes deliberately made physical contact with her. On occasion, he made comments to her about her appearance that she reasonably perceived to be of a sexual nature. On other occasions, he requested and received a hug from her. He contacted her by text, email and telephone after hours for non-business purposes and on occasion asked her to perform tasks, such as minding his children while they were in the office, that were unrelated to her employment. This communication and contact was unwanted by the female employee and continued despite her verbal and written requests that he stop. He now understands that his conduct constitutes unprofessional conduct and is inappropriate in the workplace. APEGBC has no evidence to suggest that Mr. Gao engaged in such behaviour toward any other person. Mr. Gao has taken steps to educate himself on appropriate professional boundaries in his interactions with co-workers.

THEREFORE by consent, this Order is made, pursuant to the s. 32 of the *Act*:

1. Mr. Gao agrees that he shall be suspended for 6 months, provided that the suspension shall be stayed on provision by March 15, 2016 of satisfactory evidence to APEGBC that he has successfully completed a one-day individualized in-person Sensitivity and Boundaries Coaching Program with TIG (the "Program"), as described in correspondence from TIG dated January 11 2016.


2. Mr. Gao agrees that he shall successfully complete follow up sessions to the Program with TIG at one week, one month, two months, three months, six months, nine months and twelve months (the "Follow Up Sessions") after completion of the Program.
3. Mr. Gao agrees that he shall provide such written authority as is necessary to enable TIG to report to APEGBC as to his attendance and successful completion of the Program and the Follow Up Sessions.
4. Mr. Gao agrees that his participation in the Program and Follow Up Sessions are at his own expense.
5. Mr. Gao shall pay, within 60 days of the reference date of this Consent Order, \$10,000 as a contribution to APEGBC'S costs; and
6. If Mr. Gao fails to comply with any of the terms of this Consent Order, his membership in the APEGBC shall be suspended until every default has been remedied in accordance with the terms of this Consent Order.

The full text of this Consent Order will be published by the APEGBC in print and electronic publications including on the APEGBC's website.

This Consent Order has the same force and effect as an order made under s. 33(2) of the *Act* and may be dealt with under s. 34 of the *Act* if conditions in this Consent Order are not met.

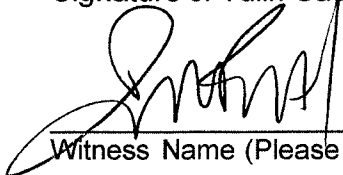
The APEGBC and Mr. Gao agree that this Consent Order may be executed in counterpart and delivered as an electronic document.

This Consent Order is approved and accepted by Mr. Gao this 14th day of January, 2016.



 Yulin Gao, P. Eng.

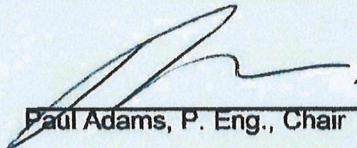
Signature of Yulin Gao, P. Eng. witnessed by:



 Witness Name (Please Print) and Signature

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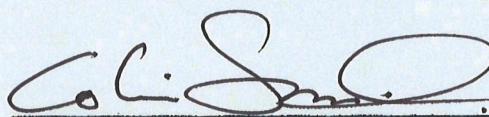
This Consent Order is approved and accepted by the Discipline Review Panel of the Discipline Committee this 24th day of January, 2016:



Paul Adams, P. Eng., Chair

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Neil Cumming, P. Eng., Member



Colin Smith, P. Eng., Member