

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TRADES**

Sherry Darvish, Chair
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BETWEEN:

ONTARIO COLLEGE OF TRADES

-and-

LUCIANO PANNUNZIO
(Member No. 13106333)

ORDER

PURSUANT TO AN ORDER dated May 28, 2018, this matter was heard by a panel of the Discipline Committee on August 16, 2018, pursuant to section 46(1)(a) of the *Ontario College of Trades and Apprenticeship Act* (the "Act");

UPON CONSIDERING the Member's admission to the allegations, an Agreed Statement of Fact, a Joint Submission on Penalty and Costs, written submissions of Counsel for the Ontario College of Trades (the "College"), and those of the Counsel for the Member;

THIS PANEL OF THE DISCIPLINE COMMITTEE, pursuant to section 46(2) of the Act, found the Member guilty of professional misconduct as set out in allegations (a), (b), (c) and (d) of the Notice of Hearing issued November 9, 2017; and as a result,

THIS PANEL OF THE DISCIPLINE COMMITTEE made the following orders:

1. The Registrar shall be directed to suspend the Member's Certificate of Qualification in the trade of 313D for a period of fifteen (15) months, commencing on the date of the Order, pursuant to paragraph 46(4)(2) of the Act;
2. The Member shall pay, within fifteen (15) months of the Order, a fine in the amount of \$1,000 to the Minister of Finance for payment to the Consolidated Revenue Fund, pursuant to paragraph 46(5)(2) of the *Ontario College of Trades and Apprenticeship Act* (the "Act");
3. The Registrar shall be directed to impose terms, conditions and limitations on the Member's 313D Certificate of Qualification for a period of fifteen (15) months, commencing on the date of the Order, pursuant to paragraph 46(4)(3) of the Act. The specified terms, conditions and limitations to be imposed shall be as follows:
 - a) "The Member may apply for, and the College will not oppose, the registration of Registered Training Agreement (RTA) in the trade of 313A";
 - b) "Should the member pursue an apprenticeship in the 313A trade, the Member shall:
 - i. provide all the information requested by the College in respect of his apprenticeship; and
 - ii. obtain the approval of the proposed RTA sponsor, by the College, before the RTA's registration with the Ministry of Training College and Universities";
 - c) "The Member may not pursue a Trade Equivalency Application in the trade of 313A";
 - d) "The Member may only engage in the Scope of Practice of the trade of 313A while under the direct supervision of a sponsor who is a journeyman in the trade of 313A and carrying on business in the trade";
 - e) "For the purposes of paragraph (d), "direct supervision" means the sponsor must physically be present at the work site with the Member while the work is being performed";

- f) "The Member may not engage or perform any tasks that involve the installation, maintenance or repair of any electrical connections on any HVAC equipment".
4. The Member shall not apply for variation of suspension or the terms, conditions and limitation thereof until the expiry of fifteen (15) month period from the date of the order;
 5. The Member shall be reprimanded by the Discipline Panel and the fact of the reprimand shall be recorded on the Public Register for a period of fifteen (15) months, pursuant to paragraph 46(5)(3) of the Act;
 6. The finding and the Order of the Panel shall be published in summary, with the name of the Member, in the official publication of the College and on the website of the Ontario College of Trades, pursuant to paragraph 46(5)(3) of the Act; and
 7. The Member shall pay to the College, within fifteen (15) months of the Order, costs in the amount of \$2,000, pursuant to paragraph 46(5)(4) of the Act.

"Sherry Darvish"
Sherry Darvish, Panel Chair
On behalf of the Panel

January 3, 2019
Date

End.