

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

Raymond Ramdayal, Chair)
John Borlase) Thursday, the 9th day of January 2020
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BETWEEN:

ONTARIO COLLEGE OF TRADES (the “College”)

-and-

YAKUP YALCIN (the “Member”)
(Member No. 13865572)

ORDER

PURSUANT TO A PRE-HEARING CONFERENCE ORDER made on August 22, 2019, this matter was heard and determined on January 9, 2020 in accordance with section 46(1)(a) of the *Ontario College of Trades and Apprenticeship Act* (the “Act”) by a three-member panel of the Discipline Committee;

UPON CONSIDERING the Member’s admissions to allegations (a), (b) and (c) in the Notice of Hearing issued on January 10, 2019; an Agreed Statement of Facts signed in counterparts, respectively on January 2 and 3, 2020; and oral submissions on the agreed facts;

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) and (c) of the Notice of Hearing;

AFTER MAKING FINDINGS of professional misconduct against the Member, the panel heard joint submissions with respect to penalty and costs, as a result of which,

THIS PANEL OF THE DISCIPLINE COMMITTEE made the following orders (the “Order”):

1. The Registrar shall be directed to suspend the Member’s Certificate of Qualification in the trade of Electrician—Construction and Maintenance (“309A”) for a period of twelve (12) months, commencing on the date of the Order, pursuant to paragraph 46(4)(2) of the *Act*.
2. The Member shall pay a fine in the amount of \$2,000, to be paid by the Member to the Minister of Finance for payment into the Consolidated Revenue Fund within twelve (12) months of the date of the Order, in such manner as the Hearings Coordinator directs, pursuant to paragraph 46(5)(2) of the *Act*.
3. The Member shall be reprimanded by the Discipline Panel at the conclusion of the hearing and the fact of the reprimand to be recorded on the Public Register of the College for an unlimited period pursuant to paragraph 46(5)(1) of the *Act*.
4. The Registrar shall be directed to impose terms, conditions, and limitations on the Member’s 309A Certificate of Qualification pursuant to paragraph 46(4)(3) of the *Act*, commencing on the date of the Order. The specified terms, conditions and limitations to be imposed shall be as follows:
 - (a) The Member shall not perform any work in the 309A trade unless employed or engaged by a licensed electrical contractor (“LEC”), as defined in *O Reg 570/05* to the *Electricity Act, 1998*, who employs at all times at least one designated master electrician, as defined in *O Reg 570/05* to the *Electricity Act, 1998*, who cannot be Ibrahim Karacan or the Member himself.
 - (b) The Member shall not perform any work within the scope of practice of the 309A trade unless his work is directly supervised by a designated master electrician, who must be physically on site at all times when the Member performs work in the 309A trade.
 - (c) The Member shall not again attempt the Electrical Safety Authority’s (“ESA”) Master Electrician Examination and pursue registration as a Master Electrician, on the basis of his

holding a 309A Certificate of Qualification, until twenty-four (24) months from the date of the Order.

- (d) The Member shall provide a copy of the Order, within 30 days of its issuance, and a copy of the reasons for decision, within 30 days of their issuance, to the ESA, by registered mail, and shall provide a copy of the letters and proof of delivery to the College's Hearings Coordinator within 5 days of their respective delivery to the ESA.
 - (e) The Member shall provide a copy of the Order and the Discipline Committee's reasons for decision to any LEC employing or engaging the Member and to all designated master electricians working for that LEC and/or supervising the Member's 309A work prior to the Member performing any 309A work for such LEC.
 - (f) The Member shall not be entitled to use or rely on any work experience he gained as an electrician prior to the expiry of the suspension in paragraph 1 of this Order in an application for any certificate, statement, advanced standing as an apprentice, or for any similar credential, in relation to any other electrical trade, including but not limited to, Electrician—Domestic and Rural (309C) and Industrial Electrician (442A).
 - (g) While a 309A Certificate of Qualification holder, the Member shall not enter into or seek to enter into a training agreement referred to in subsection 65(1) of the *Act*, either as a sponsor of an apprentice in the Member's personal capacity; or by causing or allowing the sponsorship of an apprentice, directly or indirectly, by any employer sponsor which the Member owns or for which the Member is a partner, director, officer or shareholder who owns directly or beneficially more than 10% of the common shares thereof.
5. Pursuant to subsection 46(7) of the *Act*, the Member shall not apply to vary the terms, conditions and limitations listed in paragraph 4 of this Order until the later of: (i) the date the Member obtains a Master Electrician License from the ESA in accordance with the terms, conditions, or limitations in subparagraph 4(e); or (ii) 24 months after the expiry of the suspension in paragraph 1.
6. The finding and the Order of the Panel shall be published in detail with the name of the Member, online and/or in print, including, but not limited to, in the official publication of the College, on the College's website, and on the College's public register, pursuant to paragraph 46(5)(3) of the *Act*.

7. The Member shall pay the College's costs, fixed in the amount of \$4,000, pursuant to paragraph 46(5)(4) of the Act, payable in such manner as the Hearings Coordinator directs and in accordance with the following schedule:

- (a) \$1,000 on the date of the Order;
- (b) \$1,000 on or before July 15, 2020
- (c) \$1,000 on or before January 15, 2021; and
- (d) \$1,000 on or before July 15, 2021.

Date: January 9, 2020

"Raymond Ramdayal"
Raymond Ramdayal, Panel Chair
On behalf of the Discipline Committee Panel

End.