

IN THE MATTER OF
THE FUNERAL AND CREMATION SERVICES ACT
AND IN THE MATTER OF LYLE BURKELL

BEFORE THE DISCIPLINE COMMITTEE)
OF THE FUNERAL AND CREMATION)
COUNCIL OF SASKATCHEWAN)

On Wednesday, the 24th day
of March, 2021.

ORDER OF THE DISCIPLINE COMMITTEE

Whereas discipline matters involving Lyle Burkell came up for hearing on Wednesday, March 24, 2021 in the presence of the Discipline Committee consisting of Patrick Grondin, Blair Scott, Rick Dutchak, Nancy Kirk, and Dan Martens;

And whereas proof of service of the Formal Complaint dated September 16, 2020 and Notice of Hearing was filed;

And whereas the Investigation Committee and Lyle Burkell entered into an Agreed Statement of Facts and Joint Submission as to Penalty;

The Discipline Committee hereby finds that Lyle Burkell is guilty of professional misconduct for harassing two students at their place of employment and orders the following pursuant to sections 56 and 57 of *The Funeral and Cremation Services Act*:

1. Pursuant to section 56(1)(e) of the Act, Lyle Burkell is hereby reprimanded.
2. Pursuant to section 56(1)(d), of the Act, Lyle Burkell may continue to be licensed under the following conditions:
 - a. Lyle Burkell shall attend and satisfactorily complete a continuing education course pertaining to harassment in the workplace, which shall be identified and assigned by the Investigation Committee, within six (6) months of the date of the Order made by the Discipline Committee. In the event that the course cannot be completed within the time period because of circumstances beyond the control of Mr. Burkell, the Registrar may, on application by Mr. Burkell, extend the time period in which the course might be taken. Mr. Burkell shall bear the costs of the

course. Mr. Burkell shall report the completion of the course to the Registrar forthwith upon its successful completion.

b. Lyle Burkell shall provide a written apology addressed to both students regarding his conduct within three (3) months of the date of the Order made by the Discipline Committee. The apology shall be provided to the Registrar, who will then provide it to both students.

3. Pursuant to section 57(1)(a) of the Act, Lyle Burkell shall pay the costs of the investigation and hearing, which costs shall be fixed in the amount of \$5,000.00. The costs shall be paid within twelve (12) months of the date of the Order made by the Discipline Committee. Failing payment, Mr. Burkell shall be suspended from the association pursuant to section 57(1)(b).

4. Pursuant to section 57(2) of the Act, a copy of the Order of the Discipline Committee shall be provided to the Saskatoon Funeral Home and both students.

5. Pursuant to section 57(3) of the Act, a copy of the Order of the Discipline Committee shall be provided to Mr. Burkell's current employer, if any.

Dated the 30th day of March, 2021.

DISCIPLINE COMMITTEE OF
THE FUNERAL AND CREMATION SERVICES COUNCIL OF SASKATCHEWAN

Patrick Grondin-Chairperson

Blair Scott

Rick Dutchak

Nancy Kirk

Dan Martens