

Questions from November 23, 2009, webcast on regulation

“What the future may bring for the regulation of the Human Resources Profession in Ontario”

1. *How does the regulation of the HR profession in Ontario relates to the regulation of the profession in Canada?*

This was covered in the first webinar in this series. You may want to go back to that presentation which is archived. In a nutshell, the regulation of professions is a provincial matter. There is no regulation of HR at a federal level because these are provincial powers. Across provinces, HR is regulated in Quebec and Ontario, HR is unregulated in the other provinces.

2. *Whom do I contact if I have not received any of the recertification code?*

Send an email to registrar@hrpa.ca. Put ‘regulation webinar recertification code’ in the subject line. Indicate which of the regulation webinars you attended.

3. *If a public act is enacted, what is a "best guess" on timing, and will ALL HR practitioners be impacted by the public act?*

Timing is a difficult question to answer because of the vagaries of political process, which also includes elections, cabinet shuffles, and so on. We are talking here of a minimum of a couple of years, but it could take much longer than that.

4. *Is this being proposed for all provinces or is Ontario looking at this alone?*

This is being proposed by Ontario because these are provincial powers. Every provincial association would need to work with its respective provincial legislature.

5. *Will HRPAs efforts in pursuing a public Act strengthen the HRPAs position with regard to Bill 14 and the paralegal issue?*

Yes. Should a public act be enacted to regulate Human Resources management it would strengthen HRPAs position in many respects, not only issues such as Bill 14 and paralegal regulation.

6. *What is the difference in timeframe, in how long it takes to enact a Private Act vs. a Public Act?*

A private act can be passed in a year or so, a public act will take at least two years, but could take much longer.

7. *I did not receive any emails for the previous webinar for my recertification points. Did I need to contact the Registrar's office?*

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8. *How do you define "regulated profession"? Anyone can work in HR, they do not have to be members and I think most of us see regulated as being the same as restricted.*

What makes a profession 'regulated' is the existence of an act of legislature which delegates powers of regulation to a professional association or regulatory body. Human Resources management is regulated because of the existence of the *Human Resources Professionals Association of Ontario Act, 1990*. The restriction you are referring to is 'licensure.' Many confuse 'licensure' and 'regulation.' A profession does not need to be licensed to be regulated.

9. *Thank You for the response. I was asking about "regulated profession" in response to members not knowing that we are regulated and the definition would make the difference.*

In fact, this is one of the reasons we chose to do a series of webinars on regulation. We still have some way to go, but this was a good first step.

10. *What are the next steps that the HRPA plans to move forward with towards this initiative?*

These are still very early days with respect to this initiative. Currently, HRPA is pulling together a plan for moving forward with this objective.

11. *How does the NCCA Accreditation assist with the efforts to move to a Public Act?*

Demonstrating that we are competent regulators cannot but help in our attempts to get a public act. It would indicate that we take our regulatory responsibilities very seriously.

12. *Would Public Regulation place any restrictions on HR Practitioners who are not members of HRPA and not CHRP's?*

It could, but it is really too early to tell. The legislation is not drafted yet. Such restrictions already exist. For instance, HR practitioners who are not members of HRPA and who have not met the requirements set out by HRPA cannot use the 'Certified Human Resources Professional' designation or the initials 'CHRP' after their names. You are probably referring to limitations on the right to practice, however. Whether a public act would include any restrictions to the right to practice is too early to tell.

13. *Is there something we as members can do to help the process?*

It is very early in the process. In time, there will be a role for all members who wish to participate in making this happen.

14. *I agree with the intent behind obtaining a public act but how does the profession also get the respect it needs from senior management?*

Getting respect from senior management is a whole topic in its own right. Nonetheless, being governed by a public act would enhance the status of the profession and have a positive impact on respect from senior management.