DISCIPLINE COMMITTEE OF THE
HUMAN RESOURCES PROFESSIONALS ASSOCIATION

BETWEEN:

HUMAN RESOURCES PROFESSIONALS ASSOCIATION

-and-

WANDA HENDERSON

NOTICE OF HEARING

THE COMPLAINTS COMMITTEE OF THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION (the “Association”) has referred allegations that you have committed professional misconduct to the Discipline Committee under Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division I, Section 6; Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division III, Section 1; and/or Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division III, Section 5 of the Association’s Rules of Professional Conduct which is Schedule 1 to the General By-Law, and pursuant to section 32(1) of the Registered Human Resources Professionals Association Act, 2013 (the "Act").

Details about the allegations are contained in Schedule “A” to this Notice of Hearing.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING, under the authority of s. 34 of the Act for the purpose of deciding whether you have committed professional misconduct. The hearing date will be determined by a panel of the Discipline Committee (the “Panel”) at 9:30 a.m. on a date to be set by the Registrar at the Association, 150 Bloor Street West, Suite 200, Toronto, Ontario. You may be represented by a lawyer or a person licensed to provide legal services in Ontario (a paralegal).
IF YOU DO NOT ATTEND THE SET DATE OR THE HEARING in person or if you are not represented by a lawyer or paralegal, the Panel may proceed in your absence and you will not be entitled to any further notice of the proceedings.

SECTION 34(4) OF THE ACT PROVIDES THAT if the Panel finds that you committed professional misconduct, it may make an order, doing one or more of the following:

1. If at least two-thirds of the committee panel hearing the matter agree, revoke your membership or the firm’s registration.

2. Suspend your membership or the firm’s registration for a period determined in accordance with the by-laws.

3. Despite section 17 of the Act, direct that you refrain from using any designation, term, title, initials or description implying that you are a member of the Association or are authorized to use the designation, term, title, initials or description during the period of suspension.

4. Determine the timing and manner of the return of your certificate of membership to the Association.

5. Impose restrictions or conditions on the right of you or the firm to practise in the field of human resources.

6. Issue a reprimand and, if the committee considers it appropriate, direct that the reprimand be recorded in the register.

7. Direct you or the firm to take any specified rehabilitative measure, including requiring you or any member practising in the field of human resources through the firm to successfully complete specified professional development courses or to seek specified counselling or treatment.

8. Direct you or the firm to pay a fine and specify the timing and manner of payment.

9. Direct that the imposition of a measure under this subsection be postponed for a specified period or on specified terms, including the successful completion of specified courses of study.
10. Direct that a failure to comply with the committee’s order shall result in the revocation of your membership or the firm’s registration.

11. Make any other order that the committee considers appropriate in the circumstances.

You are entitled to know what evidence the Association has against you or knows about. As set out in the Appendix, disclosure of this evidence has been provided to you along with this Notice of Hearing.

You, or your representative, may contact the solicitor for the Association, Rebecca Durcan, in this matter:

Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4

Telephone: (416) 644-4783
Facsimile: (416) 593-7867

DATED at Toronto, Ontario the 16th day of April, 2020.

Dr. Claude Balthazard
Registrar and VP Regulation
HUMAN RESOURCES PROFESSIONALS ASSOCIATION
150 Bloor Street West, Suite 200
Toronto, ON M5S 2X9

T. 1.800.387.1311
F. 416.923.7264

TO: WANDA HENDERSON
SCHEDULE “A”

STATEMENT OF ALLEGATIONS

WANDA HENDERSON

1. At all material times, Wanda Henderson (the “Registrant”) was a member of the Human Resources Professionals Association (the “Association”).

2. In or about May 2017, the Registrant answered “Yes” to the following question on the Association Annual Renewal Form:

   a. Since your initial registration or since your last renewal, have you or your firm experienced a bankruptcy or filed a consumer proposal?

3. As a result, and on or about June 30, 2017, the Association followed up with the Registrant and asked her to provide documentation relating to the bankruptcy or consumer proposal. On or about July 24, 2017, the Registrant submitted the Reporting Form and provided a copy of the Proposal to Creditors.

4. On or about May 16, 2018, the Registrant was notified that the Review Committee was requesting further documentation along with answers to certain questions. The Registrant was asked to respond by June 15, 2018.

5. On or about June 18, 2018, the Registrant responded and answered the Review Committee’s questions, however she failed to provide any of the requested documentation.

6. On or about February 8, 2019, the Registrant was notified of the Review Committee’s decision. The decision requested that the Registrant provide an update and further documentation. The Registrant was asked to respond by March 8, 2019.
7. On or about March 8, 2019, the Registrant responded and requested a copy of the Review Form referred to in the decision. This was provided to the Registrant on or about March 14, 2019. The Registrant did not provide a further response.

8. On or about March 26, 2019, the Association followed up with the Registrant. The Registrant responded that she was unsure she had all of the required information in order to complete the form.

9. On or about April 3, 2019, April 17, 2019, June 7, 2019 and/or July 2, 2019, the Association followed up with the Registrant by e-mail and/or telephone. Although the Association received confirmation their e-mails had been successfully delivered, the Registrant did not respond and missed each of the deadlines and extensions provided.

10. On or about July 15, 2019, the Association contacted the Registrant via telephone. The Registrant indicated that she would submit the requested information by July 19, 2019. No further response was received from the Registrant.

11. On or about July 22, 2019, the Association followed up with the Registrant, however no response was received.

12. On or about September 18, 2019, the Associate Registrar of the Association filed a complaint against the Member. The complaint was sent to the Registrant by the Office of the Registrar on September 18, 2019 and reminded the Registrant that she is required to co-operate fully with the investigation and to provide any requested documents. The Registrant did not respond to the letter of the Office of the Registrar by the October 18, 2019 deadline.

13. The Bylaws of the Association state as follows:

   a. **Article 16.03** - As part of the annual renewal process, Members and Students are required to indicate whether any of the reportable events set
out in section 16.01 have occurred since the last renewal cycle. Members and Students must complete the annual confirmation even if they have previously notified the Registrar of the occurrence of one or more of the reportable events under Section 16.01. The Member and Student must make all relevant disclosures as set out in Section 16.02 above, unless these disclosures were previously made to the Registrar.

b. **Article 16.06** - A failure to comply with Section 16 on the part of any Member or Student represents Professional Misconduct as defined in the By-laws and may be subject to a complaint against the Member or Student.

14. It is alleged that the above conduct constitutes professional misconduct as defined in the Association Bylaws and following sections of the Association’s *Rules of Professional Conduct:*

a. A registrant shall reply as soon as possible to any correspondence from the Registrar of the Association, the Board of the Association, or an expert appointed by the Board or the Registrar (**Chapter V, Division I, s. 6**);

b. A registrant of the Association shall comply with the regulatory authority of the Association (**Chapter V, Division III, s. 1**), specifically Article 16 of the Association Bylaws; and/or

c. A registrant shall assist with any disciplinary processes of the Association, or any investigation into possible misconduct on the part of either himself or herself or on the part of any other registrant by the Association: (1) registrants must respond promptly and forthrightly to any request by the Registrar, the Board of the Association or other duly authorized person in connection to any disciplinary process or any investigation into possible
misconduct; (3) registrants shall forward to the Association any documents that are requested by the Association in the context of a registration matter, complaint, review, disciplinary process or investigation into possible misconduct. (Chapter V, Division III, s. 5).
APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.
2. The Rules of Procedure of the Discipline Committee have been sent with this Notice of Hearing.
3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the Evidence Act of Ontario.
4. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.
HUMAN RESOURCES PROFESSIONALS ASSOCIATION - and - WANDA HENDERSON

DISCIPLINE COMMITTEE OF THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION

NOTICE OF HEARING

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Lawyers for the Human Resources Professionals Association