Licensure for Human Resources is too big a topic to do it justice in a short article such as this, but let’s touch upon some key points. What most members think about when they think of licensure is that only certified Human Resources professionals would be authorized to practice Human Resources. That kind of licensure is very unlikely to happen anytime soon, but let’s look at what kind of licensure may be possible and what it would take for it to happen. In fact, some may be surprised to learn that a limited form of licensure has already come to Human Resources and that this may be a model for the future.

“In fact, some may be surprised to learn that a limited form of licensure has already come to Human Resources and that this may be a model for the future.”

Over time, licensure has moved from the broad to the more specific by focusing on ‘controlled acts.’ A controlled act is an act that only authorized individuals may perform. Controlled acts are narrower than ‘the practice of a profession.’ In fact, the performance of ‘controlled acts’ may be only a small part of what a typical practitioner does, and many practitioners may not perform any of the controlled acts their profession has been authorized to perform. Consider Industrial/Organizational Psychologists, for example, although psychology is a licensed profession in that it has the authorization to perform certain controlled acts, none of these controlled acts are relevant to the practice of industrial/organizational psychology. There is nothing that an Industrial/Organizational Psychologist can do that, say, that an OD consultant or anyone else for that matter cannot do.
It is also the case that controlled acts may not be exclusive to a single profession. For instance, psychotherapy may be performed by registered psychotherapists, psychologists, social workers, and psychiatrists. This is sometimes referred to as overlapping scopes of practice.

But here is the interesting point: licensure has already come to Human Resources in a limited way, and this may be a model for the future.

The conduct of investigations is a controlled act in Ontario. The *Private Security and Investigative Services Act, 2005*, (PSISA) prohibits non-authorized individuals from acting as a private investigator or holding themselves out as one unless they hold the appropriate licence under PSISA. This prohibition might have applied to Human Resources professionals were it not for an amendment to the *Registered Human Resources Professionals Act, 2013*, which authorizes Human Resources professionals registered with HRPA to conduct workplace investigations either as employees of the employer or as independent consultants engaged by the employer.

That is a form of licensure. It is narrow, in that it is focused on a specific controlled act, and it is non-exclusive, in that other occupational groups may also have access to this controlled act—but it is licensure.

More generally, here is what it takes for licensure to happen:

- There must be a specific activity that if not performed well would cause harm to the public
- That Human Resources professionals are uniquely qualified to perform these specific activities because of their unique training
- That the risks to the public of allowing individuals who are not qualified to perform these activities are simply too great
- Convince the Ontario Legislature of the above

Although this sounds straightforward, it actually has widespread implications. For instance, if Human Resources is to claim a specific activity as one that only Human Resources professionals can do without putting the public at risk, it is important that mechanisms are put in place to ensure that this is so. Certification processes would need to ensure that all certified individual can perform these specific acts. Also, there would need to be stronger mechanisms to ensure that individuals who are authorized to perform this controlled act maintain their competence in regards to the performance of this controlled act including practice inspections and the like. In short, the regulatory mechanisms around protected acts must be robust. If an act is deserving of licensure, it means that the risk to the public is significant; and if the risk to the public is significant is must be an important concern for the professional regulatory body.

Another possibility is to license certain controlled acts but that this license is ‘on top of’ certification. In other words, that certified Human Resources professionals must meet additional requirements to obtain and maintain the license to perform these controlled acts. In this approach, not all certified Human Resources professionals would be authorized to perform these controlled acts. This is similar to accounting where the general practice of accounting is not licensed but the practice of public accounting is. Interestingly, only about 5% of accountants who are members of CPA Ontario have a public accounting license.
But let’s not get too far ahead of ourselves. Licensing requires robust regulation, and that is the challenge of the moment. Unless we, as a profession, can demonstrate that we can implement a robust regulatory regime, the Legislature is unlikely to consider any petition for licensure of any kind.