#45 The three contracts that every HRPA member should be aware of

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There are three contracts that every HRPA member should be aware of:

1. The social contract between the profession and society
2. The contract between the HRPA and the Ontario Legislature
3. The contract between members of the HRPA and the HRPA

But do read on. There is a deeper meaning to these contracts that pulls these together.

The social contract between the profession and society

Underlying it all is the social contract between the profession and society. In Sullivan (2000), we have:

“In Canada and the United States the social basis of the extraordinary grant of occupational authority and independence to professionalized occupations such as medicine and law has been a social contract between the profession and the public. ... In exchange for a grant of authority to control key aspects of their market and working

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1 The term member in this context is simply a shorthand for registrant, and is meant to include students registered with HRPA.
conditions through licensing and credentialing, professionals are expected to maintain high standards of competence and moral responsibility.2"

From Cruess, Johnston, & Cruess (2004), we have:

“Its members are governed by codes of ethics and profess a commitment to competence, integrity and morality, altruism, and to the promotion of the public good within their domain. These commitments form the basis of a social contract between a profession and society, which in return grants the profession a monopoly over the use of its knowledge base, the right to considerable autonomy in practice and the privilege of self-regulation. Professions and their members are accountable to those served, to their colleagues, and to society.3”

In striving to be considered true professionals and wanting to have the benefits of true professionhood, Human Resources professionals must subscribe to the social contract.

The contract between the HRPA and the Ontario Legislature

“These three contracts, together, are the foundation of professional regulation and why every HRPA member should be aware of them.”

The Registered Human Resources Professionals Act, 2013, can be understood as a legal contract between the HRPA and the Ontario Legislature. The Act is a formalization of the social contract with the HRPA acting on behalf of the profession and the Ontario Legislature acting on behalf of society. In essence, the contract between the HRPA and the Ontario Legislature goes as follows: “in exchange for the privilege of self-regulation and the delegation of authorities required to regulate the profession, the professional regulatory body agrees to accept the mission and mandate of governing and regulating its members in the public interest.”

The contract between members of the HRPA and the HRPA

The contract between each individual member of the HRPA and the HRPA complete the picture and binds each and every member to the contract between the HRPA and the Ontario Legislature.

Upon initial registration and upon annual renewal thereafter, all members agree to abide by the Act, the By-laws, the Rules of Professional Conduct, and all other professional guidance issued by the Association. The member agrees to be regulated by the HRPA and is aware that he or she can be subject of complaints if they are seen to be breaching the Act, By-Laws or Rules of Professional Conduct. This is a legally binding covenant between the member and the HRPA. When a complaint is brought forward against a member, at issue is not the dispute between the complainant and the member but the fact that the member may have broken the covenant between him or her and the Association.

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This is why the attestations in the registration application form and the registration renewal form are so important. This is the most important aspect of initial registration and renewal, and why initial registrations and renewals cannot be completed without sign-off on these attestations.

**The deeper meaning**

The deeper meaning of these contracts is the willingness of true professionals to be held accountable in a real and meaningful way to their professed commitment to “*competence, integrity and morality, altruism, and to the promotion of the public good within their domain.*”

I haven’t met a person yet who doesn’t claim to be professional. The difference between all those who claim to be professional and true professionals is that true professionals are willing to ‘*put their money where their mouth is*’ by supporting a professional regulatory body that will keep them accountable to their professed commitment.

The *Act* makes the implicit social contract an explicit legal and actionable one. HRPA becomes the mechanism by which members of the Human Resources profession hold themselves and each other accountable to the social contract. HRPA is the steward of the social contract between the profession and society.

To fulfil this role, however, HRPA must govern and regulate its members with vigilance and impartiality, and members must support this vigilance and impartiality. Otherwise, HRPA would not be credible in its role as steward of the social contract and the social contract would disappear, and with it the consequential benefits to the profession and its members.