

REGULATORY AFFAIRS

HUMAN RESOURCES PROFESSIONALS ASSOCIATION

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From HRPAs Office of the Registrar:

The Human Resources Professionals Association (HRPA) is the professional regulatory body for Human Resources professionals in Ontario. *Regulatory Affairs* is HRPAs quarterly publication focusing on the legal, regulatory, governance, and ethical aspects of the profession. *Regulatory Affairs* includes all regulatory notices including summaries of complaints and discipline proceedings. *Regulatory Affairs* is distributed to all members and students registered with HRPAs.

Discipline Matters

There were no new referrals to the Discipline Committee in the second quarter of 2018.

To read full decisions of the Discipline Committee, please visit our [Current & Past Discipline Proceedings](#) section of HRPAs website.

Summary of Complaints Between March 1, 2018 and May 31, 2018

There was one open complaint prior to the start of the first quarter (December 1, 2017 to February 28, 2018), this complaint continues to be on hold pending the resolution of a civil lawsuit between the two parties of the complaint.

There were six new referrals to the Complaints Committee in the second quarter of 2018 and details of these referrals are listed below.

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2018-5	March 8, 2018	It is alleged that the member has acted in a harassing, intimidating and threatening manner and her behaviour is unbecoming of an HR professional.	

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2018-6	May 1, 2018	It is alleged that the member has acted in a manner that is unbecoming of a Human Resources Professional, denying the applicant a chance to speak in a meeting or meet with the member to discuss previous correspondence or have a witness present in a proposed meeting.	
*C-2018-7	May 5, 2018	It is alleged that the member failed to submit the requested supporting documentation required of a member who answers yes to having experienced a bankruptcy or has filed for a consumer proposal on their annual renewal form.	
C-2018-8	May 9, 2018	It is alleged that the member participated in several mediation and arbitration sessions despite the fact that the complainant did not want to participate in them. Additionally, the member was aware of a conflict of interest and did not declare it. The complainant alleges that the member knew her rights were being violated. The member acted in a dishonest manner.	
C-2018-9	May 9, 2018	It is alleged that the member breached confidentiality by sending the complainant the salary and beneficiary information of two other employees that work for the same company.	
C-2018-10	May 28, 2018	It is alleged that the member has engaged in several violations of the Rules of Professional Conduct when dealing with the complainant's return to work after a leave of absence i.e. breach of confidentiality, legal requirements as an HR professional, dignity in the workplace, etc.	

*C-2018-7 – This is a report made from the Registrar

HRPA 2018 Annual Meeting

On May 25, 2018, the Association held one of the most important meetings of the year, its Annual Meeting.

At this meeting members entitled to vote approved the minutes from the previous meeting, ratified the Associations revised By-laws and Schedules and appointed the Auditors for 2018-2019 Fiscal Year.

A copy of the By-laws and Table of Concordance outlining the changes were circulated to all members entitled to vote and posted online. This included all the specific detail on the changes proposed and included the rationale for each of the modifications.

At a high level the changes in our General By-laws focused on the following areas:

- Including retrospective language regarding enforceability of the By-laws,
- Additional housekeeping on cleaning up numbering inaccuracies, removal of duplication with the Act, to clarify existing practices and adding a table of contents for ease of use, and
- Revising the By-laws to include policies where all members are affected as Schedules.

The changes to the Chapter Governance and Operating Terms focused primarily on:

- Enhanced oversight,
- Consistency with the Association Statute and General By-Law,
- Revised terminology to eliminate confusion with the Associations Board and Officers, and
- Restructuring of Chapter Board Term and Chapter Positions.

To view the complete suite of revisions, along with HRPAs [Annual Report](#) you may view and download the materials online by visiting [HRPA's website](#).

If you have any questions related to the Annual Meeting please contact boardrelations@hrpa.ca.



The Alternate Route: Qualifying for the October 2018 Comprehensive Knowledge Exams

The Alternate Route can be used to meet the coursework requirement in order to qualify for the Comprehensive Knowledge Exams (CKE 1 or CKE 2). It is intended for individuals with advanced HR education or experienced HR professionals. To provide the greatest flexibility, there are two streams of the Alternate Route; Academic and Experience. A points-based system was developed that gives 'points' for experience, formal training, coursework, and other relevant designations. Fifty points are needed to pass the Alternate Route.

Submission deadlines are the last business day of each month for the Experience stream. If you would like to qualify for the October 2018 Comprehensive Knowledge Exams (CKE 1 or CKE 2) by submitting experience then please submit your Alternate Route application by June 29, 2018.

For more information on the Alternate Route, please go [HRPA's website](#).

Computer-Based Testing

In 2017, HRPAs successfully implemented computer-based testing (CBT) for all exams, including the Comprehensive Knowledge Exam 1, Comprehensive Knowledge Exam 2, and CHRP and CHRL Employment Law Exams. HRPAs will continue to offer all exams via CBT. Through CBT, HRPAs is striving to provide members with a more convenient way to schedule exams, as well as a more secure and rigorous testing technology than traditional paper-based Scantron exams. Prometric, our exam vendor, has a well-established track record of experience and success, and is the same vendor that provides SAT testing.

Test-takers are able to schedule their exam time within a two week long testing window. Test periods take place three times per year. The exams have a multiple-choice format.

Important information: test-takers need to write exams at a test centre location. There are approximately twenty-five locations across Ontario – the exams are proctored and are offered on a computer.

The process involves a simple three-step registration:

1. Establish your eligibility with HRPAs; eligibility means being an active registrant who is approved for the public register and who has met the coursework requirement or has an approved Alternate Route application.
2. Register and make payment for the exam with HRPAs.
3. Schedule your seat date, time and location directly on [Prometric's website](#).

For more information on all exams please go to [HRPA's website](#) or contact the Office of the Registrar at registrar@hrpa.ca.

Important Information Relating to the CHRP and CHRL Employment Law Examinations

The Ontario Legislature passed legislation that amended the *Employment Standards Act, 2000*, and the *Labour Relation Act, 1995*. These changes received Royal Assent. As the amendments are phased into legislation over the next couple of years, the CHRP and CHRL Employment Law Examinations will be updated accordingly as they come into effect.

For more information on the CHRP and CHRL Employment Law Examinations please go to [HRPA's website](#) or contact the Office of the Registrar at registrar@hrpa.ca.

Experience Requirement for the CHRL Designation

If you wish to earn the CHRL designation and have passed the knowledge exam (NKE, CKE or the CKE2) in or prior to November 2015, then you have until November 30, 2018 to submit your Validation of Experience application and proof of degree before additional requirements, such as the CHRL Employment Law Exam, will start to apply to you.

For more information about the Validation of Experience, including evaluation guidelines, tips, FAQs and a Validation of Experience handbook, please review the [Experience Requirement section](#) of HRPA's website or contact the Office of the Registrar at registrar@hrpa.ca.

What you need to know about the Degree Requirement in order to earn the CHRL Designation

Since 2011, to earn the right to use the Certified Human Resources Leader (CHRL) designation, applicants must have a degree from a recognized educational institution. The degree does not need to be in human resources. Applied degrees which are awarded by colleges are degrees. Degrees include advanced degrees.

It is important to note that certificates and diplomas do not meet the degree requirement.

In order to meet the degree requirement HRPA requires an original hard copy transcript that shows the degree's conferral date. Proof of degree must be mailed to HRPA's Office of the Registrar for verification and approval.

Non-Canadian degrees can count towards meeting the degree requirement as long as they are deemed equivalent to a Canadian degree. HRPA's Office of the Registrar accepts credential equivalency assessment reports from credential evaluation agencies and organizations.

For more information about this requirement and for a listing of evaluation agencies and organizations, please go to [HRPA's website](#).

Why do we have to fill out a Form to Resign?

The reason is that dropping one's registration with HRP A can have significant consequences. The HRP A Designation Reinstatement and Re-achievement Policy states:

Former members whose membership was revoked for non-payment of dues or who resigned their membership may rejoin at a later date by submitting a new application for membership. If the former member wishes to earn back a designation previously granted by HRP A, they must meet the designation requirements in place at the time they rejoin the Association. Any requirements previously met that are still valid do not need to be repeated.

This means that any previous grandfathering disappears as former members must meet the designation requirements in place at the time they rejoin the Association. Also, if any exams or coursework are more than 10 years old, these requirements will need to be repeated.

HRP A cannot assume that an individual no longer wants to be registered with HRP A just because he or she has failed to pay their dues.

This explains (1) why HRP A requires individuals to fill out a form to resign their membership or registration in HRP A, and (2) why HRP A goes through a formal sequence of notice of impending suspension, suspension with notice of impending revocation, and notice of revocation.

The reason for both is the same to ensure that (1) individuals are making a conscious and informed decision in terminating their membership or registration or, alternately, (2) that the former member or registrant was given ample opportunity to stop the revocation process.

What is important here is that any registrant who wishes to resign must indicate that he or she fully understands the implications of their resignation. A simple email or voicemail saying 'I want to resign' does not do that. The resignation form is designed to make the process simple and straightforward.

Another aspect of resignation is that the public register will indicate that the member has resigned as opposed to having been revoked due to non-payment of dues. Suspensions and revocations for non-payment of dues are recorded as such in the public register. The simple way of avoiding having the public register indicate that one was revoked for non-payment of dues is to duly resign.

Do You Practice HR Independently? A Guide to Professional Liability Insurance

All registrants of HRP A who provide HR services as independent practitioners, whether on a full-time, part-time, infrequent or volunteer basis, are required to carry professional liability insurance in accordance with the By-Laws. This obligation applies to registrants who may only perform very occasional consulting work, even if that consulting work is done without any payment or compensation. **If you practice HR independently, you must submit proof of liability insurance to the HRP A.**

Professional liability insurance is intended to cover claims made against a professional person for the losses suffered by a third party because of the failure on the part of the professional to meet the expected standards of performance of the professional's services. This type of insurance is also called 'malpractice liability' or 'errors and omissions' insurance. The terms are generally regarded as synonymous by the insurance industry.

The reason HRPAs requires its registrants in independent practice to carry professional liability insurance is because it is in the public interest to do so. But in this case it is also in the registrant's interest to carry professional liability insurance. All professionals in independent practice have some exposure to claims of liability, whether these claims are ultimately found to be groundless or not. The cost of defending oneself against such claims, let alone the cost of any settlement, can be devastating to independent practitioners.

To submit your proof of insurance, please complete the Professional Liability Insurance Coverage Information Form (which can be found on www.hrpa.ca) and submit a copy of your insurance policy or certificate. With these two items, we will update your profile to reflect your insurance coverage and on our Public Register we will indicate that you are "Authorized for Independent Practice". Many individuals who are in need of independent HR consultants will review HRPAs Public Register to vet potential consultants to ensure that they are authorized for independent practice. Without submission of the Form and your insurance policy or certificate, the HRPAs will not authorize you for independent practice.

Office of the Registrar Communications

Don't be the last to know!

Get up-to-date information from the Office of the Registrar on Professional Regulation, including HR Designations every Monday by email.

Feedback Regarding this Newsletter?

If you have any questions, comments or suggestions for future publications, please let us know!

Human Resources Professionals Association (HRPA)

150 Bloor Street West, Suite 200
Toronto, ON
M5S 2X9

Telephone: 416.923.2324
Toll Free: 1.800.387.1311

Email: registrar@hrpa.ca
Website: www.hrpa.ca