

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.

Message from our Registrar

The Cayton Report

The world of professional regulation is buzzing about the report written by Harry Cayton and the Professional Standards Authority, regarding the College of Dental Surgeons of British Columbia and the Health Professions Act. Different province, different profession, why should we care?

In the winter 2018 Regulatory Affairs Newsletter we referred to the flurry of governance reform proposals from a number of professional regulatory bodies in Ontario, but governments had been silent on the matter of governance reform. This silence may be coming to an end.

Professional regulatory bodies are *creatures of the Legislature*—literally. At any time, the government could choose to reorganize professional regulation. For instance, the government could choose to amalgamate professional regulatory bodies into a smaller number of entities. The government could also choose to create an oversight body to ensure that professional regulatory bodies remain focused on the public interest. These changes could make the contemplated governance reforms appear timid in comparison.



Message from our Registrar cont'd

Will this impact non-health professions? Who knows? In 2005, the Ontario Minister of Citizenship and Immigration commissioned George M. Thomson to conduct a Review of Appeal Processes from Registration Decisions in Ontario's Regulated Professions. This led to the creation of the Office of the Fairness Commissioner, a body which has oversight over all professional regulatory bodies—health and non-health.

Even if all this does not lead to legislative change that impacts HRPAs, the landscape of professional regulation is likely to change in significant ways, and this is bound to have knock-on effects on HRPAs. As such, keeping an eye on what is currently happening with the Cayton Report in British Columbia and across the regulatory field in general is a must to ensure HRPAs are ahead of the curve.

Claude Balthazard, Ph.D., C.Psych., CHRL
Registrar and VP Regulation



Discipline Matters

On January 3, 2019, a referral was made to the Discipline Committee alleging that Jonathan Barrett failed to submit supporting documentation that was requested by HRPAs as a result of Mr. Barrett answering yes to having been found guilty of an offense on his annual membership renewal form.

A hearing was held on April 15, 2019. Mr. Barrett failed to attend the hearing despite having been informed of the date, time and location. The Discipline Committee decided to proceed in his absence in accordance with s. 7 of the *Statutory Powers Procedure Act, 1990*, which states that if a party that was properly notified does not attend at a hearing, the Discipline Committee may proceed in the party's absence and the party will not be entitled to any further notice in the proceeding.

Based upon the evidence presented by HRPAs, the Discipline Committee concluded that Mr. Barrett was guilty of professional misconduct and ordered that he should appear for the panel for an oral reprimand. The Discipline Committee also directed the Registrar to suspend Mr. Barrett's membership for two (2) months from the date of the Order, during which time Mr. Barrett is prohibited from using any designation, term, title, initials or description implying that he is a member of the Association or is authorized to the designation, term, title, initials or description. Lastly, the Discipline Committee also ordered Mr. Barrett to pay the Association's costs fixed in the amount of \$5,026.23 within 24 months of the Order.

To read full decisions of the Discipline Committee, please visit the [Current & Past Discipline Proceedings](#) section of HRPAs's website. This is where HRPAs publishes all Notices of Hearing as well as discipline decisions in accordance with sections 13.06 and 13.10 of the By-laws.

For more information about HRPAs's policies related to discipline or review proceeding, please refer to Section 13 of our [By-laws](#).

Summary of Complaints

There were three open complaints prior to the start of 2019. Two of the three complaints from 2018 were disposed of in April and May 2019.

From January 1, 2019, four new complaints were registered. Three are in the information gathering stage, and one is with the committee for review.

Details for each case can be found below:

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2019-1	December 11, 2018	It is alleged that the member took an unreasonably long time to look into the complainant's harassment grievance, and did not follow legislation in the OHS, the organization's bargaining agreement or the Human Rights Code. It is alleged that the member failed to accommodate the complainant's requests while on medical leave. It is also alleged that the proper hiring protocol was not followed, and the member engaged in unethical hiring practices.	On May 2, 2019 the committee decided there was no need to further investigate this matter and accepted the withdrawal of this complaint.
C-2019-2	December 11, 2018	It is alleged that the member acted unprofessionally by sharing nude photos with an employee, having an affair with another employee and sending rude and threatening messages to the complainant.	
C-2019-3	December 23, 2018	It is alleged that the member conducted a fraudulent and biased investigation into a workplace complaint that was registered by the complainant. In addition, it is alleged that the member failed to understand, uphold and respect the principles of human rights and submitted false and misleading information regarding an HRTO complaint.	On April 4, 2019 the committee decided that there is no evidence to support professional misconduct and therefore no referral to Discipline was made.
C-2019-4	January 18, 2019	It is alleged that the member breached the complainant's confidentiality by making a third party aware of a situation that the complainant deemed to be confidential.	

Summary of Complaints Cont'd

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2019-5	March 15, 2019	It is alleged that the member 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. member colluded with the complainant's supervisors to push the complainant out of the organization, failure to provide dignity in the workplace, failure to accommodate the complainant based on her needs (denying employee benefits), falsified facts relating to the complainant's insurance, slander and libel tactics, bullying and harassment, threats, and failing to adhere to legal requirements as an HR professional, etc.	
C-2019-6	April 1, 2019	It is alleged that the member made false allegations about a job applicant stating that they had fabricated portions of their resume and educational credentials, and therefore eliminated the applicant from the hiring pool of candidates.	
C-2019-7	April 10, 2019	It is alleged that the member lied to several employees on many occasions, and engaged in orchestrating wrongful dismissals based on fabricated facts. It is alleged that the member knew some important information pertaining to colleagues, but ignored it under the direction and influence of the company owners. It is alleged that the member failed to follow company policy regarding the dismissal of employees, and made no effort to remove herself from a position where collusion and retaliation was taking place. It is alleged that the member misled regulatory agencies and opposing counsel by providing them with false information, or ignoring their demand for information. It is alleged that the member engaged in acts of harassment, intimidation, and discrimination on the grounds of gender. It is alleged that the member failed to investigate death threats which were taking place within the company. It is alleged that the member refused employees access to their records and personal information (failed to produce complete and accurate documents for a legal matter, failed to provide employees with information pertaining to their RRSP plans).	

Notice to all Voting Members of HRPAs: 2019 Annual Meeting

HRPA Annual Meeting

Thursday, May 30, 2019, 12:00 p.m. - 1:00 p.m.

HRPA's Yorkville Conference Centre
150 Bloor Street West, Suite 201
Toronto, ON, M5S 2X9

416-923-2324



The Purpose of the Annual Meeting includes:

- Reading the minutes of the previous annual membership meeting and any subsequent general or special meetings;
- Confirm, refer or reject any By-law passed by the Board;
- Receive the audited financial statements;
- Appoint the auditor for the coming year;
- Receive reports from the Chief Executive Officer and the Chair of the Board on the activities of the Board and Association in the previous year;
- Receive a report on the election of Directors;
- Address any additional matters the Board determines may be properly brought before the meeting.

If you are a voting member who is unable to attend the Annual Meeting and you wish to vote, you may pre-register online, participate and vote via live webcast. Or you may designate a proxy holder to attend the meeting and to vote on your behalf by completing the [proxy form](#).

****PLEASE NOTE****

Pre-registration must occur no later than **Tuesday May 28, 2019 at 12:00 p.m.** You will not be able to enroll after that time.

To be valid, proxies must be delivered to the attention of the CEO of HRPAs by email to proxy@hrpa.ca or by letter mail to HRPAs – PROXY Encl.150 Bloor St. W., Suite 200, Toronto, ON M5S 2X9 or by fax to ATTN: HRPAs PROXY at 647-288-4326 **no later than Tuesday May 28, 2019 at 12:00 p.m.**

Quick Links:

[Register for the Annual Meeting – In person](#)

[Register for the Annual Meeting – Online webcast](#)

[I am unable to attend either in person or online and would like to submit a proxy](#)

[View and download Annual Meeting materials](#)

Are You Due to Submit Your CPD by May 31, 2019?

For information on your specific CPD cycle, you can access your online CPD log through the dashboard of your user account where your CPD cycle will appear in your online log, or you may contact an HRPAs staff member in the Office of the Registrar at registrar@hrpa.ca.

If you are due to submit your Continuing Professional Development (CPD) log by May 31, 2019, please submit your activities using the online CPD log that is accessible through your membership profile.

Detailed information about the CPD requirement is available in the Continuing Professional Development section of HRPAs website available [here](#).



Completing your Log

When completing your CPD log:

- Remember to ask yourself "Does this activity further my skills, competency, knowledge-base and abilities as an HR practitioner?" If the answer is 'Yes', then the activity should be logged.
- Review the CPD Handbook which provides instructions on how to access your online CPD Log and record your activities. This can be found on the HRPAs website [here](#).
- Review the CPD Log Categories and Definitions document as it contains detailed information regarding the different activities that fall under each category, as well as how to calculate the appropriate CPD hours. This can be found on the HRPAs website [here](#).

OOTR Resources: Archived Webinars

Did you know that HRPAs Office of the Registrar offers two series of webinars - the **Understanding Professional Regulation** series and the **How-To** series?

The webinars in the Understanding Professional Regulation series explore various topics relating to HRPAs mandate as a professional regulatory body. These are eligible for CPD and are open to both registrants and non-registrants. There is no cost associated with these webinars.

Some of the **Understanding Professional Regulation** series webinar topics include:

- Renewal, Resignation, Suspension, Revocation, Reinstatement and Re-achievement
- What do to if a Complaint is About YOU?
- The Professional Liability Insurance Requirement Explained
- The Requirement to Notify the Registrar of Bankruptcies and Insolvency Events

The **How-To** series guides candidates through various Office of the Registrar processes and applications. These too are free to registrants and non-registrants, and are *not* approved for CPD credit.

Some of the How-To series webinar topics include:

- The Continuing Professional Development (CPD) Requirement Explained
- Let's Talk Exams
- The Experience Requirement Explained

How Can I Best Utilize the Webinars?

Both series of webinars provide useful information that can be used to enhance your practice as an HR professional. Some of the ways you may choose to use them include:

- Reflective practice
- Independent study
- Communities of practice
- Discussions with colleagues
- Certification support and information

Please be advised that registration is required to receive the login details. Registration is separate for each webinar. To access the archived webinars please visit the [HRPA website](#).



HRPA's Flexible Coursework Requirement

Did you know that the HRPA's coursework requirement, required to qualify for the Comprehensive Knowledge Exams (CKE 1 or CKE 2), has been designed with flexibility in mind?

The traditional method of meeting the coursework requirement consists of successful completion of courses in nine subject areas. Successful completion means obtaining a grade of 70 percent or better over all nine subject areas with no single subject area below 65 percent. Courses must be completed within ten years of the date you are registered to write the CKE 1 or CKE 2 to be considered for eligibility.

The nine required subject areas are:

Human Resources Management (HRM)

Organizational Behaviour

Finance and Accounting

Human Resources Planning

Occupational Health and Safety

Training and Development

Labour Relations

Recruitment and Selection

Compensation

There are various ways of getting credit for these nine subject areas. One option is to take one or all of the required courses from HRPA's Online Academic Program or from an Ontario college or university that offers courses approved by HRPA. Another option is to write a Challenge Exam for one or each subject area, which is similar to taking a final exam for each course. Each course completed by either method is valid for ten years from the date of completion.

HRPA also has what we call the Alternate Route to meeting the coursework requirement. The Alternate Route is intended for individuals with advanced HR education, or for experienced HR professionals. To provide the greatest flexibility, 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 and qualify for the CKE 1 or CKE 2.

It is encouraged to review the Guide to the Alternate Route which goes into a lot of detail about the variety of ways experience and credentials can be combined to meet the coursework requirement without necessarily taking all or any of the courses. It is important to note that when we refer to HR experience as being eligible for the Alternate Route, the experience does not need to be acquired in Ontario, international experience can apply as long as it is professional-level experience in the scope of practice of HR.

For individuals who have taken equivalent courses in one or more of the nine subject areas, in other jurisdictions, they can apply to have their courses approved for credit towards the coursework requirement by submitting a Course Approval Application to HRPA for review by the Academic Standards Committee. If approved these courses will be counted towards meeting the coursework requirement.

If you have any questions about the different options, or if you would like to discuss the best way for you to meet the coursework requirement, please contact us at registrar@hrpa.ca.

CKE1/CKE2: Registration Information

Registration for the June 2019 CKE1/CKE2 is now open. The registration fee for the CKE1 is \$275.00 (+HST) and the fee for the CKE2 is \$325.00 (+HST).

The CKE1 testing window is **June 3 to June 17, 2019**.

The CKE2 testing window is **June 24 to July 9, 2019**.

To register for the CKE1, please click [here](#).

To register for the CKE2, please click [here](#).

Validation of Experience and Alternate Route (experience stream): Submission Deadline

If you are looking to submit your Alternate Route (experience stream) or Validation of Experience application form, the submission deadline is the last business day of each month. The assessment takes anywhere from 6-8 weeks, and HRPAs staff will notify you of your result by email within that timeframe.

For more information including evaluation guidelines, tips, FAQs and handbooks for these applications, please review HRPAs website at the following links:

[Validation of Experience](#)

[Alternate Route \(experience stream\)](#)

Feedback Regarding this Newsletter?

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

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