

# Registrar’s Report for Q2 2021

May 31, 2021

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The Registrar’s Report is produced on a quarterly basis. The Registrar’s Report details regulatory activity for the previous quarter. In addition, the Registrar’s Report includes special reports on pertinent issues and reviews trends and issues in the professional regulation in the previous quarter. The sections relating to the activity of specific committees were reviewed for accuracy by the Chair of the respective committee.



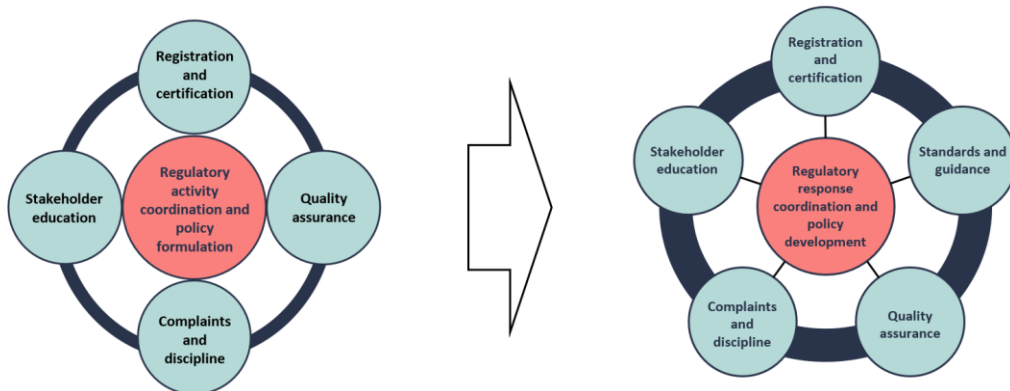
## New regulatory function diagram

For some time now, HRPAs had been using a diagram with four regulatory functions:

- Registration and certification
- Quality assurance
- Complaints and discipline (including capacity and review)
- Stakeholder education

Regulatory response coordination and policy development was seen as a fifth function that provided direction and coordination to the four functions. What has happened is that the HRPAs outgrew this four-function model. As a result, the *quality assurance* function was split into two separate functions—*standards and guidance* and *quality assurance*.

Previously the term quality assurance had been used as a portmanteau term to include all activities aimed at ensuring that, once registered, registrants continue to maintain their knowledge, skill, and competence and continue to practice their profession in a way that minimizes the risk to the public. Although this was not an incorrect usage, it did not accurately reflect the importance of *standards and guidance*. It also used the term *quality assurance* in an overly broad way compared to other professional regulatory bodies in Ontario.



The new standards and guidance function has defined its purpose as: *minimizing the risk to the public by ensuring that the profession has the standards required to promote and protect the public interest and the guidance required to help registrants apply the standards.*

Of course, it is not the diagram itself that is most important here. Rather the change in the diagram is an indicator of more fundamental change in HRPAs' approach to professional regulation.

### Standards and our enabling legislation

Standards are a description of a requirement, specification or characteristic that can be used as a point of reference in assessing the adequacy of qualifications, practices, professional ethics, or knowledge, skill, and proficiency.

Standards play a central role in our objects:

**4** The objects of the Association are,

- (a) to promote and protect the public interest by governing and regulating the practice of members of the Association and firms in accordance with this Act and the by-laws, including,
  - (i) establishing, maintaining, developing and enforcing **standards** of qualification,
  - (ii) establishing, maintaining, developing and enforcing **standards** of practice,
  - (iii) establishing, maintaining, developing and enforcing **standards** of professional ethics,
  - (iv) establishing, maintaining, developing and enforcing **standards** of knowledge, skill and proficiency, and
  - (v) regulating the practice, competence and professional conduct of members of the Association and firms;
- (b) to promote and increase the knowledge, skill and proficiency of members of the Association, firms and students;
- (c) to promote and protect the welfare and interests of the Association and of the human resources profession;
- (d) to promote inter-professional collaboration with other professional bodies;
- (e) to address any other matter that relates to the regulation of its members that the Board considers appropriate. 2013, c. 6, s. 4.

The purpose of professional standards is to promote and protect the public interest. The establishment, maintenance, development, and enforcement of professional standards is part and parcel of governing and regulating the practice of members, firms, and students.

'Professional standards' refer more than to just the standard themselves. Our enabling legislation refers to establishing, maintaining, developing, and enforcing standards.

- **Developing** refers to the identification of what standards may be needed and the process of developing a standard.
- **Establishing** refers to putting the standard in place (aka., 'enacting' a standard).
- **Enforcing** refers to taking the steps that are necessary to ensure that the standard is being applied as intended and that the practice of members, firms, and students is consistent with those standards. This includes all forms of monitoring and verification including practice inspections.
- **Maintaining** refers to ensuring that standards are reviewed on an appropriate schedule, it also means assessing the degree to which a standard has had the desired impact.

### **Standards and guidance**

Standards are not always sufficient, however. Standards are concise and definitive but often require interpretation and application to be effective in guiding conduct and practice in everyday situations. Professional guidance helps members, firms, and students interpret and apply standards to their specific context and situations.

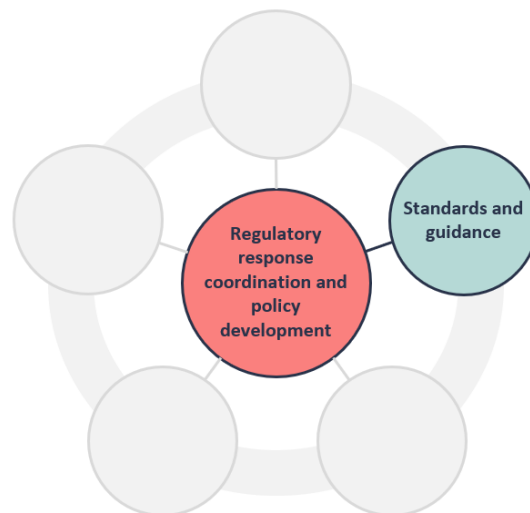
## Standards and guidance and risk-based regulation

HRPA has adopted risk-based regulation as its regulatory model. The basic idea is that the focus of regulation is to reduce, suppress, mitigate, or eliminate risks of harm to the public stemming from the practice of the profession. This works at two levels. At the level of individual standards or guidance statements, standards and guidance must be linked to an identified risk of harm. At the aggregate level, the objective is to maximize the reduction, suppression, mitigation, and elimination of risks of harm. This means focusing on those risks that, although infrequent, have more severe consequences or risks that have less severe consequences but that are more frequent.

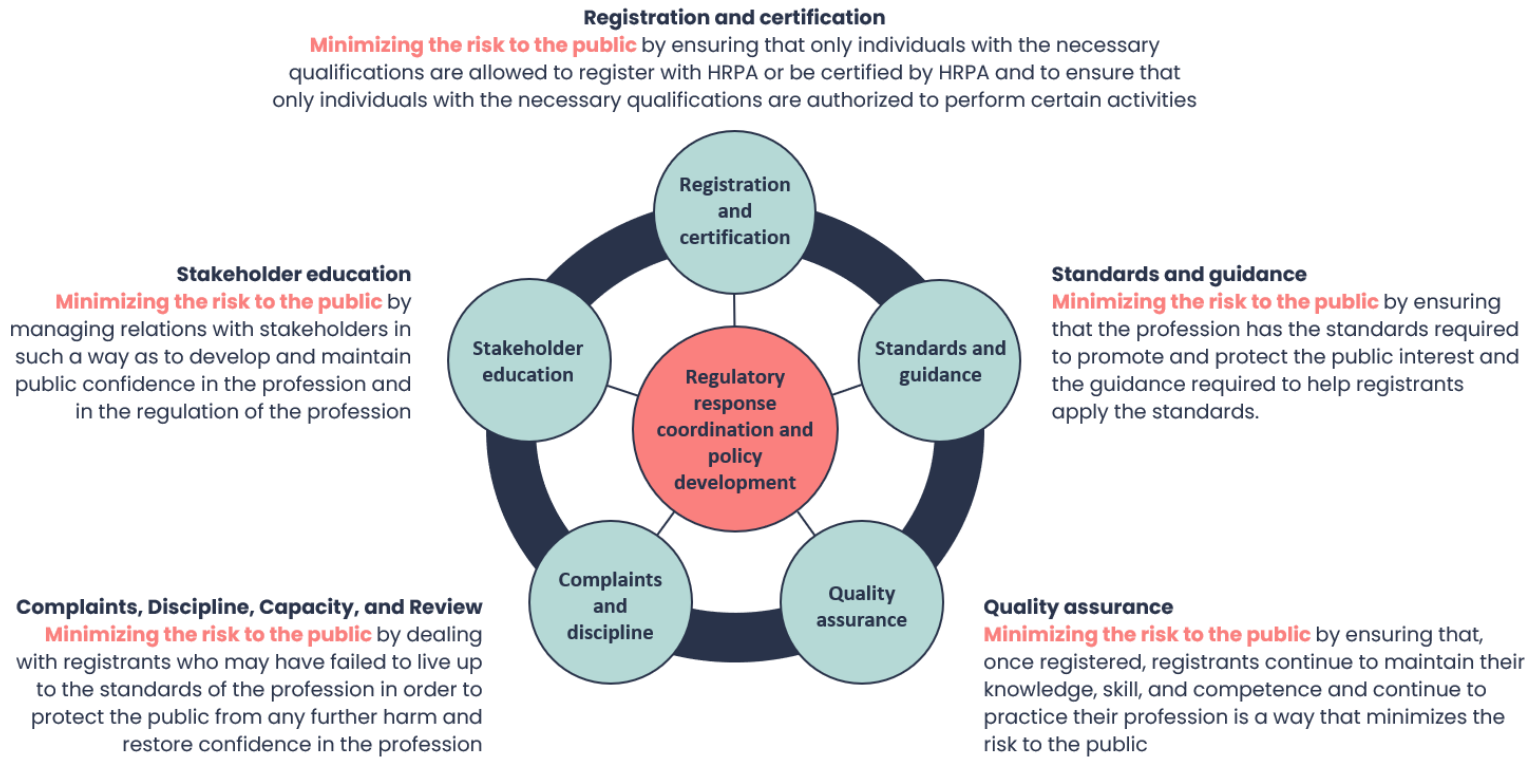
Risk-based regulation is based on the idea that registrants partner with their professional regulatory body to minimize the risks of harm stemming from the practice of the profession. As such, in order to implement the standards and guidance developed to minimize the risks of harm stemming from the practice of the profession, registrants need to understand how the standards and guidance are linked to risk reduction.

## Standards and guidance and Regulatory response coordination and policy development

How are these two functions different and how do they interact? The *Regulatory response coordination and policy development* function conducts the research to identify and prioritize the risks to the public stemming from the practice of the profession. The idea is to maximize risk reduction given the resources at hand. The *Regulatory response coordination and policy development* function identifies standards or guidance that would have the most impact on risk reduction. Once it is determined which standards or guidelines are most needed, the 'establishment, maintenance, development, and enforcement' of standards is managed by the *Standards and guidance* function.



# New regulatory function diagram



## Special report: Unauthorized use of designations

HRPA grants the CHRP, CHRL, and CHRE designations under the authority of the *Registered Human Resources Professionals Act, 2013* and using the designations in Ontario without authorization is an offense under s. 26 of the *Act* and may be subject to a fine of up to \$25,000.

The purpose of designations (aka. protected titles) is to inform members of the public and users of the professional service that the designated professional has met the standards of qualification established for the designation. Unauthorized use of a protected title controlled by HRP A is prohibited under section 26 of the *Registered Human Resources Professionals Act, 2013*.

The *Act* enables HRP A to apply for an order prohibiting contravention. On application by the Association, the Superior Court of Justice may make an order prohibiting a person from contravening section 26, if the court is satisfied that the person is contravening or has contravened that section.

The *Act* provides for a court to order that the convicted person pay to the Association some or all of the costs reasonably incurred by it in prosecuting the offence and in undertaking any investigation related to the subject matter of the prosecution.

There are different scenarios with respect to unauthorized use of an HRP A designation:

- a. Individuals who never were registered with HRP A,
- b. Individuals who were registered with HRP A in the past and who were authorized to use one or more of HRP A's designations at that time but who resigned or were revoked,
- c. Individuals who were registered with HRP A in the past but who were never authorized to use one or more of HRP A's designations,
- d. Individuals who are currently registered with HRP A and who were authorized to use of our designations but who lost the authorisation to their designations because their registration is suspended (usually as a result of non-renewal) or for failure to complete the CPD requirement or both, or
- e. Individuals who are currently registered with HRP A but who never were authorized to use any of HRP A's designations (individuals registered in the *Student, Practitioner, or Allied Professional* class, including individuals that have begun their certification process but who have not yet completed all the requirements).

The unauthorized use of the designation(s) can present in a variety of forms:

- Use of designation initials on social media websites (e.g., LinkedIn).
- Falsifying an HRP A certificate.
- Claims that one is certified by HRP A on resumes, proposals, or biographies.

There are different reasons why individuals will use one of HRP A's designations without authorization.

The obvious reason is personal gain from misrepresenting oneself as being a certified Human Resources professional, but there are other reasons as well. Sometimes, the reason is a matter of inattention—that the individual forgot to update their profile after losing their authorization to use HRP A designations.

Not infrequently, HRP A will come across individuals who do not understand the difference between academic qualifications and professional designations. These individuals will claim, sometimes belligerently, that HRP A cannot take away a designation that they have earned.

**How big is the problem?**

In November 2019, the OOTR randomly selected 82 registrants who had been revoked for non-renewal on September 30, 2019 and viewed their LinkedIn profile. The purpose was to establish, on average, how many revoked members continue to use the designation(s) after having been revoked. The results are shown in the table below.

	<b>Count</b>	<b>Percent</b>
Non-Compliant	31	25.42%
Compliant	31	25.42%
No LinkedIn Profile Available	20	16.4%
Total Randomly Selected	82	100%

The data suggest that about 25% of individuals who are revoked fail to update their social media profiles after they are revoked. Given the number of designated registrants who are revoked each year, the numbers are significant. (The table below does not include designated registrants who resign or individuals who were registered with HRP A or registrants who use a designation without authorization.)

<b>Year</b>	<b>Number of designated members revoked</b>	<b>Estimated unauthorized use of designations</b>
2020	919	234
2019	686	174
2018	732	186
2017	707	180
2016	575	146

**What happens when there is a report of unauthorized use of an HRP A designation?**

Reports of unauthorized use of designations come from several sources:

- Registrants who are authorized to use one of HRP A’s designation report that a co-worker is claiming to be certified but isn’t.
- Employers, or employment firms, in the context of verifying information on applications.
- The Registrar when information comes to light that an individual may have been using an HRP A designation without authorization.



These allegations are usually anonymous whereby it is identified that a LinkedIn profile, email signature, company business profile and/or resume indicates that a non-registrant or registrant is holding themselves out as a designated registrant. Although difficult to believe, it has happened that some consultants have falsely claimed to be certified by HRP A on proposals for HRP A. One individual posted a forged CHRL certificate on LinkedIn.

The Registrar will investigate every allegation of unauthorized use of the designations received. The first step is to ascertain the basic facts:

- Is the individual currently registered with HRP A?
- If not, was the individual ever registered with HRP A? Was this individual authorized to use one of HRP A's designations at the time?
- How did they lose the authorization to use the designation? When did they resign or were revoked?
- If the individual is registered with HRP A, were they at some time authorized to use an HRP A designation?
- How did they lose the authorization to use an HRP A designation? Was it as a result of non-compliance with the CPD requirement or voluntary surrender?
- Is the registrant currently pursuing a designation with HRP A?
- What kind evidence do we have? Is it just an anonymous report? Is there tangible evidence such as documents or screenshots?

An important difference is whether the individual is, or was, a registrant or when the misuse of the designation occurred. If the individual is, or was, a registrant when the misuse of the designation occurred, unauthorized use of a designation is a matter of professional misconduct and could potentially result in a complaint. If the individual is not a registrant with HRP A, unauthorized use of designation would be an offence under our Act.

If the investigation demonstrates sufficient evidence that an unauthorized use of the designation(s) has occurred, then a cease-and-desist notice is issued.

### **Cease-and-desist notices**

There is no single 'cease-and-desist' notice. The aim is to correct the situation without greater escalation than is necessary.

If the individual has never been registered with HRP A and there is evidence of 'bad faith' or a deliberate intent to deceive or profit from unauthorized use of the designation, the tone of the letter will be sterner, and may be referred to regulatory counsel to issue the cease-and-desist notice.

If the individual was once registered with HRP A or the individual is currently registered with HRP A, the initial communication will assume that the unauthorized use of the designation was unintentional. In this case, the tone will be more of informing the individual that only authorized individuals are entitled to use an HRP A designation. The Individual is also asked to confirm in writing that these references have been removed.

If, pursuant to this notice, unauthorized use of the designation(s) continues, a sterner letter is sent.

If the individual is a registrant of HRPAs and is non-responsive to the cease-and-desist notices or refuses to stop using the designation(s), a referral is made to HRPAs's Complaints Committee.

If the individual is not a registrant of HRPAs, and the individual is non-responsive to the cease-and-desist notices, then the matter is escalated to HRPAs's regulatory legal counsel. Regulatory counsel may file for a Provincial Offense which would proceed in Ontario Provincial Court or may seek to obtain an injunction against the individual in Superior Court, as provided for in our Act. If the Association is successful, it may seek all or some of its legal costs against the individual.

### Cease and Desist Notices Issued

	2018	2019*	2020	2021
Total number of cease-and-desist notices issued	6	37	10	3
Total number who complied upon first notification	6	37	9	3
Total number escalated to legal counsel	0	0	2**	0

\*The 31 revoked individuals who were found to be using an HRPAs designation without authorization as uncovered in the random check are included here.

\*\*In 2020, there were two non-registrants that were escalated to regulatory counsel in order to issue a sterner cease-and-desist notice due to the nature of the allegations. Details of these allegations are listed below:

Nature of allegations	Disposition
It was alleged that a non-registrant of HRPAs provided a forged certificates to their employer.	A cease-and-desist notice served electronically on June 4, 2020 and in-person on July 17, 2020 by regulatory counsel. Individual remained non-responsive and due to lack of involvement on the part of the employer and limitation period concerns legal action was not pursued.
It was alleged that a non-registrant of HRPAs posted forged certificates on their LinkedIn profile.	An investigation firm was retained to identify the contact information for this individual in order to serve a cease-and-desist notice. Contact information could not be determined and the cease-and-desist notice could not be issued. The individual has since complied by removing the certificates and reference to the designation from their LinkedIn profile.

To date, no case has proceeded to court.

# Public Register

## Q2 Highlights:

- Total registration now stands at 23,957, with 23,413 members and 544 students. Between June 8, 2020, and June 7, 2021, total registration fell by 0.3%.
- As of June 7, 2021, HRPAs had 719 registrants residing in jurisdictions other than Ontario.

## Registration by class as of June 7, 2021

	8-Jun-20	7-Jun-21	Net year-over-year gain (Loss)	% year-over-year gain (Loss)	% of total registration
<b>Designated members</b>	<b>14,909</b>	<b>14,783</b>	<b>-126</b>	<b>-0.8%</b>	61.7%
CHRE (including CHRE retired)	274	260	-14	-5.1%	1.1%
CHRL (including CHRL retired)	9,696	9,268	-428	-4.4%	38.7%
CHRP (including CHRP retired)	4,939	5,255	316	6.4%	21.9%
<b>Undesignated Members</b>	<b>8,638</b>	<b>8,630</b>	<b>-8</b>	<b>-0.1%</b>	36.0%
Practitioner	8,370	8,403	33	0.4%	35.1%
Allied Professional	268	227	-41	-15.3%	0.9%
<b>Total members</b>	<b>23,547</b>	<b>23,413</b>	<b>-134</b>	<b>-0.6%</b>	97.7%
Students (registered but not members)	484	544	60	12.4%	2.3%
<b>Total registrants</b>	<b>24,031</b>	<b>23,957</b>	<b>-74</b>	<b>-0.3%</b>	100.0%
<b>Students as a proportion of registrants</b>	2.0%	2.3%			
<b>Designated members as a proportion of membership</b>	63.3%	63.1%			
<b>Designated members as a proportion of registration</b>	62.0%	61.7%			

**Out-of-jurisdiction registration as of June 7, 2021**

	Ontario	Alberta	Quebec	British Columbia	Nova Scotia	New Brunswick	Saskatchewan	Manitoba	Northwest Territories	Newfoundland and Labrador	Prince Edward Island	Nunavut	Yukon	Total Canadian provinces excluding Ontario	Out of Canada	Total Out of Jurisdiction	Total
<b>Designated members</b>	<b>14,390</b>	<b>57</b>	<b>64</b>	<b>64</b>	<b>23</b>	<b>6</b>	<b>10</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>7</b>	<b>246</b>	<b>147</b>	<b>393</b>	<b>14,783</b>
CHRE (incl. CHRE retired)	239	3	4	4	2	1	0	0	0	0	0	0	0	14	7	21	260
CHRL (incl. CHRL retired)	9,019	32	38	37	13	5	6	3	2	-	1	3	3	143	106	249	9,268
CHRP (incl. CHRP retired)	5,132	22	22	23	8	0	4	3	0	2	1	0	4	89	34	123	5,255
<b>Undesignated Members</b>	<b>8,316</b>	<b>46</b>	<b>50</b>	<b>30</b>	<b>12</b>	<b>5</b>	<b>8</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>173</b>	<b>141</b>	<b>314</b>	<b>8,630</b>
Practitioner	8,095	42	49	30	12	5	8	6	3	3	6	1	2	167	141	308	8,403
Allied Professional	221	4	1	0	0	0	0	0	0	1	0	0	0	6	0	6	227
<b>Total members</b>	<b>22,706</b>	<b>103</b>	<b>114</b>	<b>94</b>	<b>35</b>	<b>11</b>	<b>18</b>	<b>12</b>	<b>5</b>	<b>6</b>	<b>8</b>	<b>4</b>	<b>9</b>	<b>419</b>	<b>288</b>	<b>707</b>	<b>23,413</b>
Students	532	4	1	0	0	1	1	1	0	0	0	0	0	8	4	12	544
<b>Total registrants</b>	<b>23,238</b>	<b>107</b>	<b>115</b>	<b>94</b>	<b>35</b>	<b>12</b>	<b>19</b>	<b>13</b>	<b>5</b>	<b>6</b>	<b>8</b>	<b>4</b>	<b>9</b>	<b>427</b>	<b>292</b>	<b>719</b>	<b>23,957</b>



## Regulatory activity coordination and policy formulation

The Policy Team continues to actively work on the shift towards risk-based regulation, reforming HRPAs' CPD requirements, and several other projects.

### Q2 Highlights:

- Best practices literature review was concluded to inform the overhaul of the CPD requirement. A report on best practice findings from the literature review has been written and is the basis of the internal project teams' discussions scheduled for Q3.
- Member and Student Survey Part 2 developed and sent to key stakeholders for input on regulatory operations effectiveness. The survey was sent out on June 2<sup>nd</sup> with initial close-out on June 18<sup>th</sup>. Due to a low response rate, the survey deadline was extended to July 5<sup>th</sup>.
- Issue briefs on paid sick leave and return to in-person work were developed.
- A Public Advisory Forum Sustainability Plan was drafted.
- CNAR conference abstract on risk-based regulation was accepted, with presentation to occur in the fall.
- Risk-based regulation practice tool update for Q2, with some improvements from the Q1 assessment.

### Governance and Nominating Committee (GNC)

The HRPAs Board of Directors has delegated to the Governance and Nominating Committee (GNC) the responsibility of overseeing regulatory activity at HRPAs.

At the March 18, 2021, meeting of the GNC, the Registrar:

- Tabled the Q1 2021 Registrar's Report
- Tabled a report on the registration of non-resident individuals

### CNAR Conference

This quarter, the Policy Team learned that our conference abstract submission on risk-based regulation was accepted by the Canadian Network of Agencies for Regulation (CNAR). The team will present at the conference on October 14, 2021, for a one-hour session, with the official session entitled as *"Preventing Risks to the Public Before They Happen: Practical Tools for Risk-Based Regulators."*

### Public Advisory Forum

Having a sounding board of public members is important in helping to inform the policy directions and initiatives of HRPAs. To that end, a Public Advisory Forum Sustainability Plan has been drafted, which outlines some recruitment strategies, how we will retain members, and the structure of meetings and topic selections. Once this plan is approved, recruitment efforts will begin.

## **Redeveloping the Continuing Professional Development (CPD) Requirement**

In Q1, research was underway to determine what current best practices for CPD exist. This work has continued into Q2. The purpose of this research is to understand the current CPD landscape in relevant jurisdictions and current best practices, in an effort to update HRPAs outdated CPD program – with the ultimate goal of elevating professionalism and mitigating, preventing, and/or eliminating the risks to the public stemming from the practice of the HR profession through robust and effective quality assurance programming.

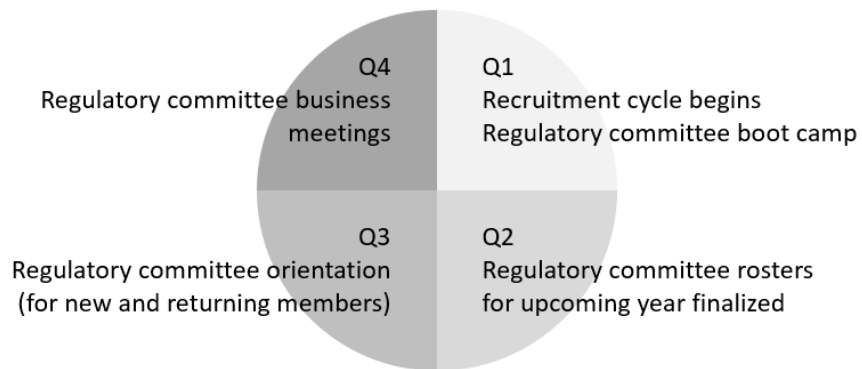
In May 2021, following the discovery phase, a report on CPD best practices including a jurisdictional scan was completed. A project charter has been developed to outline the details of the project including key deliverables, scope, risk analysis, stakeholder analysis, and so on. The project budget for next year is currently being assessed and should be finalized by Q3. The next step for the project is to assemble a project team with relevant internal stakeholders to act as a sounding board for the development process.

## Regulatory operations

Regulatory operations refer to the day-to-day workings of HRPAs regulatory committees and Office of the Registrar staff.



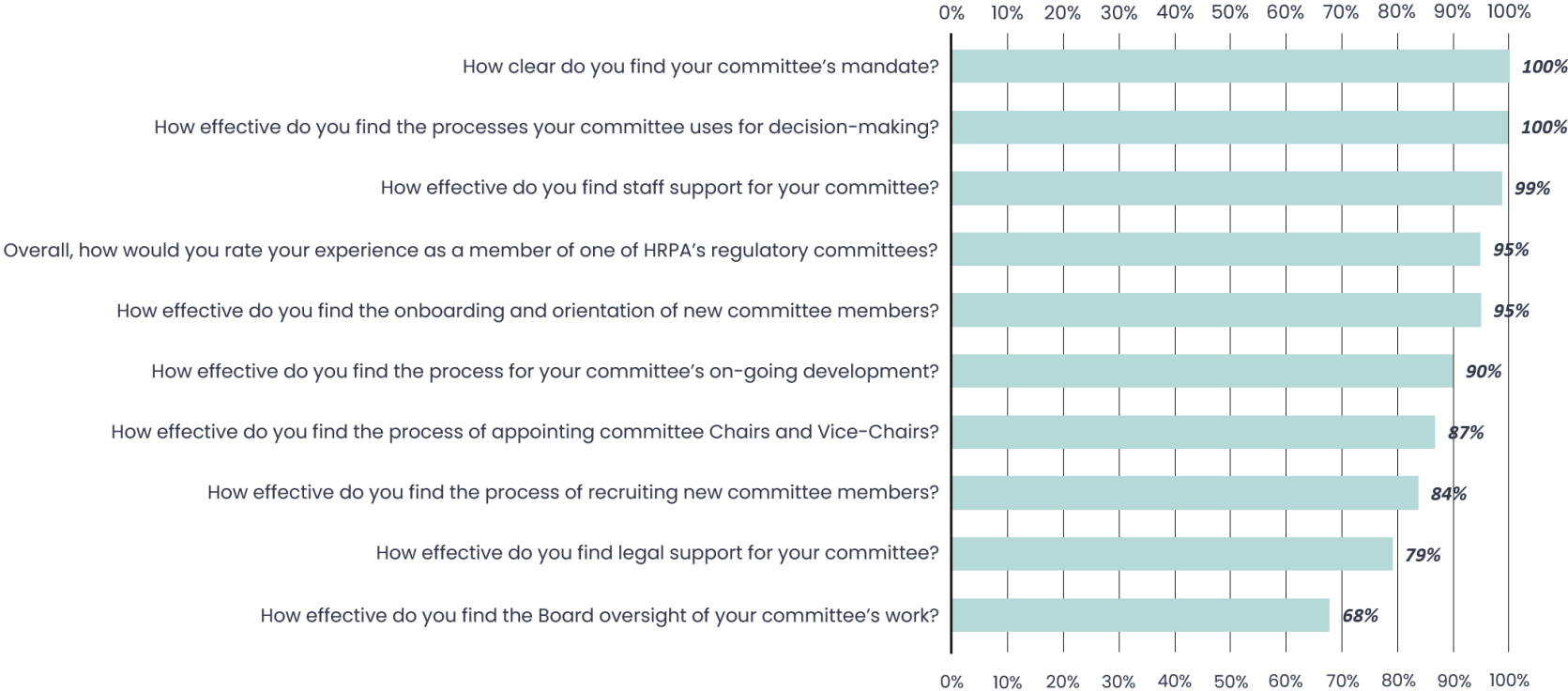
Q2 is a busy quarter for regulatory operations. In a process begun in Q1, all HRPAs regulatory committees review committee membership considering tenure limits as established in the terms-of-reference for each committee.



### Board oversight of regulatory committee report

At the end of the volunteer year, the Registrar prepares a report which informs the GNC and ultimately the Board of those activities undertaken to support regulatory committees in fulfilling their mandates. This year, the Board Oversight Report was tabled before GNC at its June 18, 2021, meeting

## Percentage of positive responses on perceived regulatory committee effectiveness questions





# Regulatory committee performance overview

Regulatory committees have no control over the volume of applications, complaints, or referrals. These volumes can fluctuate significantly. For professional regulatory committees, performance is measured by (1) the timely disposition of cases, and (2) the quality of the decisions. The latter can be assessed by the number of appeals which have overturned any decisions of the committee. The following is an overall assessment of committee performance – more details for each committee can be found below.

## Regulatory committee performance overview

Regulatory Committee	Operations
Registration Committee	
Academic Standards (Diploma) Committee	
Academic Standards (Degree) Committee	
Experience Assessment Committee (Alternate Route)	
Experience Assessment Committee (VOE)	
CHRE Review Committee	
Continuing Professional Development Committee	
Complaints Committee	
Discipline Committee	
Capacity Committee	
Review Committee	
Appeal Committee	

 Significant issues Committee struggling to keep up	 Some issues Some timeliness issues	 No significant issues No backlog
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## Registration and certification

The purpose of the registration and designations functions is to ensure that only competent and ethical professionals are registered and certified by HRP.

### Registration

HRPA is unique amongst professional regulatory bodies in Ontario in that it registers non-designated individuals. These individuals are registered in the Practitioner registration class.

### Q2 Highlights:

- HRP received 1072 registration applications. This includes both initial registration as a member and as a student.
- 21 registration applications were flagged for review by the Registration Committee due to a positive response to a good character question.
- In total, five cases were disposed of by the Registration Committee in Q2, out of which three applications were approved, one was approved with terms and conditions and one application was denied.
- The Associate Registrar approved eight applications for registration.
- There are currently five applications that are in the information gathering stage and one individual withdrew their application for registration.
- Two cases are currently under review, with a decision expected in Q3.
- In total, 1063 applicants were approved for registration and added to the public register in Q2 2021.

### Registration Committee

*Chair: Agnes Ciesla, CHRL*

*Vice-Chair: Cindy Zarnett, CHRL*

*Staff Support: Melissa Gouveia*

*Independent Legal Counsel: Stephen Ronan, Lerner LLP*

Not all applications for initial registration with HRP are automatically accepted. HRP has a *good character* requirement that all applicants for initial registration must meet.

The Registration Committee is a standing committee established under Section 8.04 of the By-laws to review every application referred to it by the Registrar. The Registration Committee makes two kinds of decisions:

- a. Determining the suitability of an applicant for registration or the appropriateness of the category of registration being applied for.
- b. Considering applications for removal or modification of any term, condition or limitation previously imposed on a registrant's registration with HRP.

The Registration Committee does not have the authority to deem that an applicant has met the requirements for registration where the registration requirement is prescribed as non-exemptible.

Less than 1% of applications indicate some event that would require further review.

### Registration Committee Activity\*

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Referral to Associate Registrar/Registration Committee	18	13	21			
Approved for registration	20	12	13			
Approved with conditions	0	2	1			
Awaiting Panel Review	0	1	2			
Awaiting supporting documentation	0	0	5			
Not approved	3	0	1			

\*The table above gives the activity and decisions of the Registration Committee in Q2 2021. It is to be noted that the numbers are a bit different than those related in Q2 Highlights because they include applications for initial registration which were received before Q2.

### Initial Registration in Q2 2021

	Count	Percent
New registrations as a member	854	80%
New registrations as a student	218	20%
Total new registrations	1072	100%

### New Registrant Jurisdiction Q2 2021

	Count	Percent
Ontario	1011	94%
International	34	3%
Alberta	7	< 1%
British Columbia	3	< 1%
Manitoba	2	< 1%
New Brunswick	1	< 1%
Nova Scotia	3	< 1%
Prince Edward Island	2	< 1%
Quebec	7	< 1%
Saskatchewan	1	< 1%
Total	1072	100%

Not surprisingly 94% of initial registrations are from Ontario. Interestingly, initial registrations from out of Canada are about equal to initial registrations from other Canadian provinces.

## Registration of Individuals Previously Registered with HRPA

	Count	Percent
Previously registered with HRPA	24	2%
Not previously registered with HRPA	1048	98%
Total new registrations	1072	100%

Less than 2% of new registrations were from individuals previously registered with HRPA but who had resigned or had been revoked for failure to renew their registration with HRPA. These individuals must reapply for registration as new registrants.

## Registration of Firms

The registration of firms has not yet been put into force.

## Designations

HRPA offers three designations - the Certified Human Resources Professional (CHRP), the Certified Human Resources Leader (CHRL) and the Certified Human Resources Executive (CHRE).

## Course Approval

The CHRP and the CHRL have a coursework requirement. The coursework is approved by the Academic Standards Committees. There is an Academic Standards Committee for diploma-level coursework and an Academic Standards Committee for degree-level coursework.

The Academic Standards Committees (Diploma and Degree) make two kinds of decisions:

- a. Reviewing course information from academic institutions for inclusion on HRPA's list of approved courses in fulfillment of HRPA's coursework requirement,
- b. Reviewing course information for courses not included on HRPA's list of approved courses on an individual basis in fulfillment of HRPA's coursework requirement.

Applications for course approval can be submitted by academic institutions or individuals.

Individuals with coursework that has not been approved by HRPA or that was completed outside of Ontario can apply to have their coursework approved in fulfillment of HRPA's coursework requirement. This is done on a course-by-course basis.

For courses taken outside of Canada, we do require an original equivalency report from WES, ICAS or CES to confirm the institution is accredited and the level of the coursework.

## Q2 Highlights

- Seven Ministry-approved non-degree HR courses were approved by staff in Q2.
- Three non-degree courses submitted by an institution in Q1 were reviewed in Q2. All were approved.

- Seventeen degree courses submitted by individuals and one degree course submitted by an institution in Q1 were reviewed in Q2. Eleven of the degree courses submitted by individuals, as well as the degree course submitted by an institution, were approved.
- Additionally, five degree courses submitted by individuals and one degree courses submitted an institution in Q2 were also reviewed. All were approved.

### Academic Standards Diploma Committee

Chair: Michelle White, CHRL

Vice-Chair: TBD

Staff Support: Melanie Liu

The Academic Standards (Diploma) Committee reviews all non-degree coursework (diploma, advanced diploma, post-diploma certificate, and not-for-credit coursework).

The standards for programs offered by colleges (i.e., Colleges of Applied Arts and Technology) are set by the Ministry of Colleges and Universities.

50223	The approved program standard for Business – Human Resources program of instruction leading to an Ontario College Diploma delivered by Ontario Colleges of Applied Arts and Technology
60223	The approved program standard for Business Administration – Human Resources program of instruction leading to an Ontario College Advanced Diploma delivered by Ontario Colleges of Applied Arts and Technology
70223	The approved program standard for Human Resources Management program of instruction leading to an Ontario College Graduate Certificate delivered by Ontario Colleges of Applied Arts and Technology

Although the Ministry approved program standards are not the same as HRPAs course standards, to avoid duplication, courses offered within programs under one of the standards above will be approved and do not need to be reviewed by the Academic Standards (Diploma) Committee.

### Institutional courses with Ministry approval

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Institutional courses with Ministry approval	18	3	7			

### Reviews of institutional applications without Ministry approval by the Academic Standards (Diploma) Committee

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Institutional applications reviewed	0	3	0			
Institutional applications approved	0	0	3			

**Reviews of individual applications by the Academic Standards (Diploma) Committee**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Individual applications reviewed	9	0	0			
Individual applications approved	9	0	0			

**Academic Standards Degree Committee**

*Chair: Julie Aitken Schermer (member of the public)*

*Vice-Chair: TBD*

*Staff Support: Melanie Liu*

The Academic Standards (Degree) Committee reviews all degree-credit coursework. University courses are reviewed for an 80% match with HRPAs standard course outlines.

**Reviews of institutional applications by the Academic Standards (Degree) Committee**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Institutional applications reviewed	24	1	1			
Institutional applications approved	18	0	2			

**Reviews of individual applications by the Academic Standards (Degree) Committee**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Individual applications reviewed	46	17	5			
Individual applications approved	15	0	16			

**Challenge Exams**

For each of the nine required courses, candidates may opt to write a Challenge Exam. Some use the Challenge Exam option instead of taking the course, others use the Challenge Exams to make up for a grade that was too low or for a course that has expired due to it having been completed more than 10 years ago.

- Challenge exams were held from May 10<sup>th</sup> to May 12<sup>th</sup>, 2021.
- There was a total of 77 challenge exam writers in May 2021.

## Challenge Exams Breakdown by Month

Month	Registrants	Pass	Pass Rate
January 2021	71	48	68%
May 2021	77	51	66%

## Challenge Exams Breakdown by Subject for the May 2021 Administration

Subject	Registrants	Pass	Pass Rate
Training and Development	8	2	25%
Compensation	8	7	88%
Organizational Behaviour	9	7	78%
Finance and Accounting	8	3	38%
Recruitment and Selection	10	8	80%
Human Resources Management	9	8	89%
Human Resources Planning	12	7	58%
Occupational Health and Safety	8	8	100%
Labour Relations	5	1	20%
<b>Total</b>	<b>77</b>	<b>51</b>	<b>66%</b>

## Experience Requirement and Alternate Route

### Experience Assessment Committee

*Chair: Mark Seymour, CHRL*

*Vice-Chair: Michelle Rathwell, CHRL*

*Staff Support: Arianne Andres*

The Experience Assessment Committee is a standing committee established under Section 8.04 of the By-laws to review every application referred to it by the Registrar. The Experience Assessment Committee makes two kinds of decisions:

- a. Determining the appropriateness and adequacy of the experience of each applicant to meet the experience requirement for the Certified Human Resources Leader (CHRL) designation.
- b. Determining the appropriateness and adequacy of the experience of each applicant to meet the coursework requirement for the Certified Human Resources Professional (CHRP) or the CHRL designation via the Alternate Route per the criteria as established by the Board.

### Experience Assessment Committee Activity (Validation of Experience)

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Validation of Experience applications received	163	69	60			

### Validation of Experience Results Released for Q2 2021

	Count	Percent
Successful	60	66.67%
Unsuccessful	30	33.33%
Total	90	100%

### Alternate Route

### Experience Assessment Committee Activity (Alternate Route)

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Alternate Route applications received	129	28	36			

### Alternate Route Results Released for Q2 2021

	Count	Percent
Successful	22	52.4%
Unsuccessful	20	47.6%
Total	42	100%

### Designation Exams

#### Q2 Highlights:

- HRPAs continue to experience significant increases in the number of candidates writing the CHRL Knowledge Exams (CHRL-KE), as well as the CHRP and CHRL Employment Law Exams (CHRP and CHRL ELE) in Q2. The CHRL-KE, CHRP and CHRL ELE, candidate counts were almost double compared to last year at this time. This looks promising for our recovery from the pandemic in 2020.
- HRPAs had another challenging accommodation request due to COVID-19 and the closure of numerous Prometric test centres. To assist, HRPAs turned to our disabilities expert to offer a solution as Prometric could not implement the Read and Write software, nor the live reader/scribe in the remote environment. The candidate successfully tested using a live reader and scribe, as well as the ability to use their read and write software and a live proctor, while



maintaining the security and integrity of HRPA’s exam content. This candidate wrote the CHRP Employment Law Exam, which also includes the use of employment legislation in PDF format, and we were able to implement a solution that utilized their read and write software for the PDF legislation. The exam content was delivered via OneDrive.

The CHRP requires successful performance on the CHRP Knowledge Exam (CHRP-KE) and the CHRP Employment Law Exam (CHRP ELE). The CHRL requires successful performance on the CHRL Knowledge Exam (CHRL-KE) and the CHRL Employment Law Exam (CHRL ELE).

The development and validation of certification exams is a complex process for which the input of members of the profession is essential. The CHRP Exam Validation Committee performs this role for the CHRP exams (the CHRP-KE and CHRP ELE), and the CHRL Exam Validation Committee performs this role for the CHRL exams (the CHRL-KE and CHRL ELE).

**Q2 2021 Exam Schedule**

<b>Exam</b>	<b>Window</b>	<b>Quarter</b>
CHRL-KE	March 1-15, 2021	Q2
CHRP-ELE	May 17-June 4, 2021	Q2
CHRL-ELE	May 25-June 9, 2021	Q2

**CHRP Exam Validation Committee**

*Chair: Claire Chester, CHRL*

*Staff Support: Kelly Morris, CHRL*

The Certified Human Resource Professional Exam Validation Committee (CHRP-EVC) is a standing committee established under the By-laws to:

- a. Approve all examination content used to evaluate CHRP candidates and make recommendations to the Registrar as to appropriate cut-scores for the CHRP exams.
- b. Approve examination blueprints for the CHRP-KE and CHRP ELE.

In Q2, the CHRP-EVC held the following exam related activities:

- A CHRP-KE Key Validation and Pass Mark Approval session was held in March of 2021.
- The CHRP-ELE Validation session was held in May of 2021.
- A CHRP-ELE Form Approval session was held in March of 2021.

The purpose of the Key Validation and Pass Mark Approval sessions is to obtain an agreement on the items that are appropriate for scoring and an agreement as to the appropriateness of the pass mark and pass rate for the CHRP Knowledge Exam written in February of 2021. The CHRP-EVC will make a recommendation to the Registrar to approve the agreed-upon pass mark. The purpose of the

Validation session is to review and validate items for future sittings of the CHRP Employment Law Exams, as well as the CHRP-KE Exams. All items were validated by the CHRP – EVC and the committee members were confident that the validated items would form a defensible exam. The Validation sessions were held over two days in May and were done virtually due to COVID-19.

### **CHRL Exam Validation Committee**

*Chair: Nancy Richard, CHRL*

*Staff Support: Kelly Morris, CHRL*

The Certified Human Resource Leader Exam Validation Committee (CHRL-EVC) is a standing committee established under the By-laws to:

- a. Approve all examination content used to evaluate CHRL candidates and make recommendations to the Registrar as to appropriate cut-scores for the CHRL exams.
- b. Approve examination blueprints for the CHRL-KE and the CHRL Employment Law Exams.

In Q2, the CHRL-EVC held the following exam related activities:

- The CHRL-KE Key Validation and Pass Mark Approval session was held in March of 2021.
- The CHRL-ELE Validation session was held in April of 2021.
- The CHRL-ELE Form Approval session was held in March of 2021.

The purpose of the Key Validation and Pass Mark Approval sessions is to obtain an agreement on the items that are appropriate for scoring and an agreement as to the appropriateness of the pass mark and pass rate for the CHRL Knowledge Exam written in March of 2021. The CHRL-EVC will make a recommendation to the Registrar to approve the agreed-upon pass mark. The purpose of the Validation session is to review and validate items for future sittings of the CHRL Employment Law Exams, as well as the CHRL-KE Exams. All items were validated by the CHRL – EVC and the committee members were confident that the validated items would form a defensible exam. The Validation sessions were held over two days in April and were done virtually due to COVID-19.

### **Technical Reports for Exams**

HRPA publishes the technical reports for the CHRP-KE, CHRL-KE, CHRP and CHRL Employment Law Exams. Technical reports are published for each administration (e.g., exam window) of the exams. There were four technical reports published in Q2 2021.

- [The CHRP Employment Law Exam – January 2021](#)
- [The CHRL Employment Law Exam – January 2021](#)
- [The CHRP Knowledge Exam – February 2021](#)
- [The CHRL Knowledge Exam – March 2021](#)

## **Examination Accommodations**

HRPA's Examination Accommodations Policy identifies to candidates what types of documentation is required when submitting their request for accommodations and explains and defines what disabilities may be. Accommodated candidates are provided with a detailed step-by-step guide on what to expect during the process of reviewing and approving their requests. HRPA has also implemented the Examination Accommodation Request Form, as well as an Acknowledgement of the Accommodations Provided form so that each candidate is made aware of the accommodations that HRPA has approved to be implemented.

In Q2, the HRPA reviewed and approved a total of 20 accommodation requests for CHRL-Knowledge Exam, as well as the CHRP and CHRL Employment Law Exam.

The types of accommodations requested include:

- Additional time
- Flexible breaks (stop-the-clock breaks), specifically for nursing mothers
- Assistance when performing the environment scan in the remote testing environment
- Memory Aid
- Medical devices
- Live reader and scribe
- Earplugs

## **Job Ready Program**

Completion of the Job Ready Program is required to earn the CHRP designation. The Job Ready Program is not graded but must be completed.

Between March 1, 2021 and May 31, 2021, 51 registrants completed the Job Ready Program and were granted the CHRP designation.

## **CHRE Review Committee**

*Chair: Bob Canuel, CHRP, CHRL, CHRE*

*Vice-Chair: Dennis Concordia, CHRE*

*Staff Support: Margaret Wilson, CHRL*

The CHRE Review Committee is a standing committee established under Section 8.04 of the By-laws to review every application referred to it by the Registrar to determine whether an applicant meets the criteria for the Certified Human Resources Executive (CHRE) as established by the Board.

## Q2 Highlights:

- At the end of Q2, 261 members held the CHRE.
- 11 CHRE applications were reviewed by the CHRE Review Committee in Q2; five were submitted at the end of Q1 and six were submitted in Q2. Three were successful and four were unsuccessful. The results for four of the applications reviewed in Q2 will be released at the beginning of Q3.
- Two CHRE applications submitted at the end of Q2 will be reviewed in Q3.

## CHRE Review Committee Activity in 2021

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Applications referred to Committee	39	11	11			
Designation granted by Committee	7	5	3			

The average time from HRPAs receiving a CHRE application to a decision being released was 42 days in Q2.

## Issuance of certificates

Certificates are issued for all three levels of designation: CHRP, CHRL, and CHRE. Due to HRPAs certificate redesign, the February 2021 issuance was delayed, and the certificates were issued in April 2021. The April 2021 issuance covered the November 2020 and February 2021 issuances, and a total of 640 certificates were issued. The next certificate issuance commenced in mid-May, and members are scheduled to receive their certificates in June. An email went out to 295 members notifying them that they could expect to receive their certificate during this issuance.

## Certificates Issued in 2021

	CHRP	CHRL	CHRE	Total
February 2021 (Q1) deferred to April 2021 (Q2)	530	102	8	640
May 2021 (Q2)	222	68	5	295
August 2021 (Q3)				
November 2021 (Q4)				
<b>Total</b>	<b>752</b>	<b>170</b>	<b>13</b>	<b>935</b>



## Standards and guidance

- The revised Rules of Professional Conduct and Code of Ethics draft has been developed and updated based on stakeholder consultation feedback, with further consultation scheduled to occur in Q3.
- Two practice guidelines on social media use and fostering mental health in the workplace have been drafted, consulted on with HRPAs CEO, and sent to initial key stakeholders/experts for feedback and validation.
- Research has begun for the third professional guidance topic, workplace terminations.
- The framework for developing and implementing professional guidance has been finalized.

### **Professional Guidance and Rules of Professional Conduct Updates**

Part of the risk-based regulation research conducted showed some gaps in key areas of risk – including the importance of providing membership and students with guidelines related to social media use and fostering mental health in the workplace. This quarter, guidelines on those topics were drafted, consulted on with HRPAs CEO, and sent to key stakeholders/experts for validation and feedback. Next quarter, the aim is to draft a communications and change-management plan for each of the guidelines and prepare to send the professional guidance documents for approval to the Professional Standards Committee, the Governance and Nominating Committee and the Board. Additionally, three other topics have been selected for professional guidance this year, including a terminations checklist, workplace investigation guidance, and guidance related to racism in the workplace.

The refresh and modernization of the Rules of Professional Conduct and Code of Ethics continues to progress, with a revised draft consulted on with multi-level stakeholders. A revised version of the draft based on these consultations is underway and will be further consulted on in Q3.

### **Professional Standards Committee (PSC)**

The Professional Standards Committee held its second meeting on April 19, 2021. The main topic was Professionalism. One of HRPAs stated goals is to elevate professionalism. The discussion centered around why elevating professionalism may be needed, what is meant by professionalism and the disconnect between how the public may see the profession versus how the profession may see itself. A similar discussion was previously held at the Chapter Regulatory Discussion Group. The following questions were posed as part of the discussion at the Chapter level, and the results were shared with the PSC:

1. Do you agree that the professionalism of HRPAs registrants needs elevating?
2. To the extent that the professionalism of HRPAs registrants does need elevating, what specific aspects of the professionalism of HRPAs registrants need elevating?

3. Research has shown that individuals tend to overestimate their degree of professionalism (i.e., that many professionals are not as professional as they think they are). Do you agree?
4. What initiatives should HRPAs implement to elevate the professionalism of HRPAs registrants?

There was also a brief discussion of the development process for professional guidance, and the difference between practice standards and practice guidelines, and when to use which. The purpose was to set the stage for the next PSC meeting, at which the first draft guidelines will be shared and discussed.



## Quality assurance

### Continuing Professional Development

#### Continuing Professional Development Committee

*Chair: Vito Montesano, CHRL*

*Vice-Chair: Serenela Felea, CHRL*

*Staff Support: Elisabeth Ramdawar*

The Continuing Professional Development (CPD) Committee is a standing committee established under Section 8.04 of the By-laws to audit every continuing professional development log referred to it by the Registrar. The CPD Committee makes two kinds of decisions:

- a. Determining whether the continuing professional development requirement has been met per the criteria as established by the Board.
- b. Reviewing every extension request for a member's continuing professional development period referred to it by the Registrar to determine whether there are valid grounds to grant an extension per the Continuing Professional Development Extension Policy.

#### Q2 Highlights:

- There are 5,339 designated registrants due to submit their CPD Log by May 31, 2021. Of those, 4,636 designated registrants have submitted their CPD log as of May 31, 2021.
- The total number of registrants who were due to submit their CPD log this year and received an extension was 190 in Q2.

#### Summary of CPD Activity for 2021

	Due	Submitted		Extensions	
		Count	Percent	Count	Percent
CHRP	1626	1398	86%	68	4.2 %
CHRL	3604	3150	87.4 %	120	3.3 %
CHRE	109	88	80.7 %	2	1.8%
<b>Totals</b>	<b>5339</b>	<b>4636</b>	<b>86.8 %</b>	<b>190</b>	<b>3.6 %</b>

**Continuing Professional Development (CPD) Log Submissions**

	2020	2021*				2021
	Total	Q1	Q2	Q3	Q4	Total
CPD logs due to be submitted	3500	5627	5339			
CPD logs submitted	2920	865	4636			

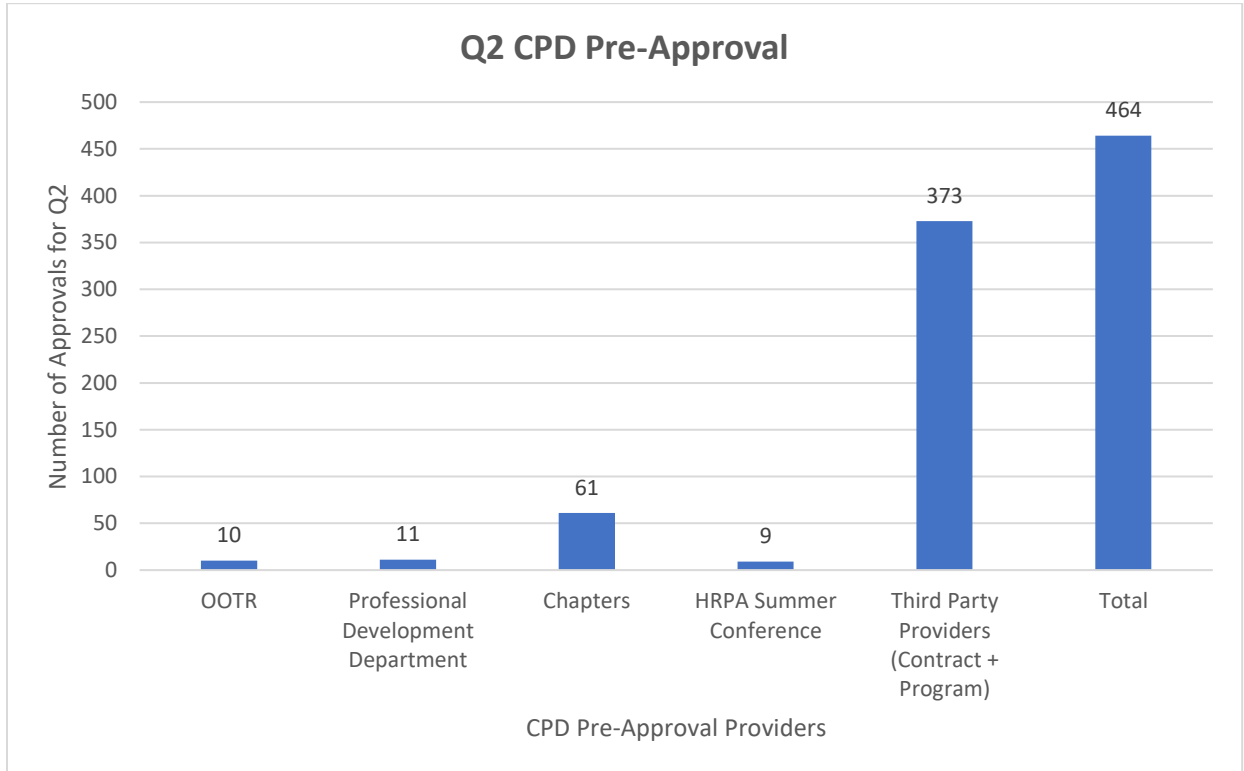
\*Due to an increase in CPD Extension requests and resignations during Q2, the number of CPD Logs due to be submitted was revised to 5339.

**CPD Pre-Approval**

For Q2, a total of 464 events were pre-approved for CPD. The events can be broken down into five categories:

- HRPAs Office of the Registrar
- HRPAs Chapters
- HRPAs Professional Development Department
- HRPAs Summer Conference
- Third-Party Contract and Program Providers

**Summary of CPD Pre-Approved Sessions for Q2**







## Complaints, discipline, capacity and review

### Complaints Committee

*Chair: Jennifer Cooper, LL. B (member of the public)*

*Vice-Chair: Michael Burokas, JD (member of the public)*

*Staff Support: Jenny Eum*

*Independent Legal Counsel: Lonny Rosen, C.S., Rosen Sunshine LLP*

The Complaints Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the "Act") and the By-laws to every complaint referred to it under Section 31 of the Act and section 15.03 of the By-laws. If the complaint contains information suggesting that the member, student or firm subject to the complaint may be guilty of professional misconduct as defined in the by-laws, the committee shall investigate the matter. Following the investigation of a complaint, the Complaints Committee may:

- direct that the matter be referred, in whole or in part, to the Discipline Committee;
- direct that the matter not to be referred to the Discipline Committee;
- negotiate a settlement agreement between the Association and the member, student or firm and refer the agreement to the Discipline Committee for approval;
- or take any action that it considers appropriate in the circumstances and that is not inconsistent with the Act or the By-laws, including cautioning or admonishing the member, firm, or student.

### Q2 Highlights:

- Two decisions were issued in Q2.
- One complaint referred to the Committee prior to Q2 is currently being reviewed by the panel.
- Seven new complaints were registered in Q2.

**Table 29: Summary of Complaints Activity**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Referrals to Complaints Committee	9	0	7			
Decision issued by Complaints Committee	2	2	2			
Average time to dispose of complaint (days)	154	142.5	185			

There were seven referrals to the Complaints Committee in Q2, all of which are currently in the information gathering stage. Details of these referrals are listed below:

## Complaints Disposed of in Q2 2021

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2021-2	March 3, 2021	It is alleged that the member breached the Rules of Professional Conduct by failing to meet: 1) competence, 2) legal requirements, 3) dignity in the workplace, 4) balancing of interests, 5) conflict of interest	TBD
C-2021-3	April 5, 2021	It is alleged that the member breached the Rules of Professional Conduct by failing to support: 1) Professional Growth and Support of Other Professionals, 2) Dignity in the Workplace, 3) Balancing Interest	TBD
C-2021-4	April 12, 2021	It is alleged that the member breached the following Rules of Professional Conduct: 1) as they breached another person's trust, voluntarily mislead another person, betray another person's good faith, or use unfair practices, 2) falsified report or instruct someone else to falsify any statement or report, 3) allow misleading statements and/or reports to stand uncorrected.	TBD
C-2021-5	May 17, 2021	It is alleged that the member breached the Rules of Professional Conduct by failing to: 1) provide services of a high quality, 2) practice in keeping with all applicable laws, 3) adhere to any statutory acts (Occupational Health and Safety Act), 4) once aware, take steps to stop HR programs or policies that are illegal, 5) respect the rights of all individuals involved, 6) protect the dignity of all individuals involved, 7) ensure that HR policies and practices respect the rights and protect the dignity of all individuals involved, 8) bear in mind the importance of work and the work environment for the psychological well-being of individuals, 9) shall not condone any acts of harassment or intimidation, 10) shall not condone any acts of discrimination on the grounds of disability, 11) failing to notify the Registrar of the Association that they have reasonable grounds to believe that another registrant of the Association has contravened the HRP Code of Ethics or the HRP Rules of Professional Conduct, 12) Understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes	TBD

		<p>respecting the dignity of all individuals, 13) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the rights of all individuals, 14) Understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in good faith towards all parties at all times in adversarial situations, 15) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in an impartial and unbiased manner when engaged as a mediator, 16) act with courtesy and respect toward employees, 17) breach another person's trust, voluntarily mislead another person, betray another person's good faith, 18) ensure the HR policies and practices of the organization respect the rights and dignity of all stakeholders, 19) ensure the HR policies and practices of the organization respect all applicable laws</p>	
C-2021-6	May 17, 2021	<p>It is alleged that the member breached the Rules of Professional Conduct by failing to:</p> <ol style="list-style-type: none"> <li>1) provide services of a high quality, 2) practice in keeping with all applicable laws, 3) adhere to any statutory acts (Occupational Health and Safety Act), 4) respect the rights of all individuals involved, 5) protect the dignity of all individuals involved, 6) bear in mind the importance of work and the work environment for the psychological well-being of individuals, 7) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the dignity of all individuals, 8) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the rights of all individuals, 9) act with courtesy and respect toward employees, 10) breach another person's trust, voluntarily mislead another person, betray another person's good faith. </li></ol>	TBD
C-2021-7	May 17, 2021	<p>It is alleged that the member breached the Rules of Professional Conduct by failing to:</p> <ol style="list-style-type: none"> <li>1) provide services of a high quality, 2)</li> </ol>	TBD

		<p>practice in keeping with all applicable laws, 3) adhere to any statutory acts (Occupational Health and Safety Act), 4) once aware, take steps to stop HR programs or policies that are illegal, 5) respect the rights of all individuals involved, 6) protect the dignity of all individuals involved, 7) ensure that HR policies and practices respect the rights and protect the dignity of all individuals involved, 8) bear in mind the importance of work and the work environment for the psychological well-being of individuals, 9) shall not condone any acts of harassment or intimidation, 10) shall not condone any acts of discrimination on the grounds of disability, 11) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the dignity of all individuals, 12) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the rights of all individuals, 13) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in good faith towards all parties at all times in adversarial situations, 14) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in an impartial and unbiased manner when engaged as a mediator, 15) act with courtesy and respect toward employees, 16) breach another person's trust, voluntarily mislead another person, betray another person's good faith, 17) ensure the HR policies and practices of the organization respect the rights and dignity of all stakeholders, 18) ensure the HR policies and practices of the organization respect all applicable laws, 19) when called to represent an organization at OLRB, the member shall be sufficiently prepared to undertake this representation, 20) shall not directly or indirectly, distribute or publish comments or remarks the member knows to be false or which are overtly false, with respect to a commission of inquiry.</p>	
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C-2021-8	May 17, 2021	<p>It is alleged that the member breached the Rules of Professional Conduct by failing to:</p> <ol style="list-style-type: none"> <li>1) provide services of a high quality,</li> <li>2) practice in keeping with all applicable laws,</li> <li>3) adhere to any statutory acts (Occupational Health and Safety Act),</li> <li>4) once aware, take steps to stop HR programs or policies that are illegal,</li> <li>5) respect the rights of all individuals involved,</li> <li>6) protect the dignity of all individuals involved,</li> <li>7) ensure that HR policies and practices respect the rights and protect the dignity of all individuals involved,</li> <li>8) bear in mind the importance of work and the work environment for the psychological well-being of individuals,</li> <li>9) shall not condone any acts of harassment or intimidation,</li> <li>10) shall not condone any acts of discrimination on the grounds of disability,</li> <li>11) failing to notify the Registrar of the Association that they have reasonable grounds to believe that another registrant of the Association has contravened the HRP Code of Ethics or the HRP Rules of Professional Conduct,</li> <li>12) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the dignity of all individuals,</li> <li>13) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes respecting the rights of all individuals,</li> <li>14) understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in good faith towards all parties at all times in adversarial situations,</li> <li>15) Understand that while they may be employed by one concern, they have a duty to parties other than their employer. This includes acting in an impartial and unbiased manner when engaged as a mediator,</li> <li>16) act with courtesy and respect toward employees,</li> <li>17) breach another person's trust, voluntarily mislead another person, betray another person's good faith,</li> <li>18) ensure the HR policies and practices of the organization respect the rights and dignity of all stakeholders,</li> <li>19) ensure the HR policies and practices of the organization respect all applicable laws,</li> <li>20) when</li> </ol>	TBD
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		called to represent an organization at OLRB, the member shall be sufficiently prepared to undertake this representation, 21) shall not directly or indirectly, distribute or publish comments or remarks the member knows to be false or which are overtly false, with respect to a commission of inquiry.	
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Two complaints were disposed of in Q2, please refer to the table below for details.

### Complaints Disposed of in Q2 2021

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2020-8	November 3, 2020	It is alleged that the member breached the Rules of Professional Conduct through 1) failing to successfully redeploy an individual; 2) using unethical, underhanded, and bullying tactics; ignoring employees mental health.	March 1, 2021 No referral to Discipline, no evidence to support professional misconduct.
C-2020-7	November 17, 2020	It is alleged that the member breached the Rules of Professional Conduct by 1) acting in a demeaning and discriminatory manner towards the complainant; 2) failing to investigate on the matters requested by the complainant.	March 3, 2021 No referral to Discipline, no evidence to support professional misconduct.

### Discipline Committee

*Chair: Stephanie Izzard, CHRL*

*Vice-Chair: Lynne Latulippe (member of the public)*

*Staff Support: Margaret Wilson, CHRL*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Discipline Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the "Act") and the By-laws to hear every matter referred to it by the Complaints Committee under Section 34 of the Act and section 15.03 of the By-laws. The Discipline Committee shall:

- a. Determine whether the member, student or firm is guilty of professional misconduct as defined in the by-laws.
- b. If the Committee finds a member, student or firm guilty of professional misconduct, exercise any of the powers granted to it under Subsection 34(4) of the Act.

**Q2 Highlights:**

- There were no referrals to the Discipline Committee reviewed in Q2.

**Discipline Committee Activity**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Referrals to Discipline Committee	2	0	0			
Decision issued by Discipline Committee	1	1	0			

**Capacity Committee**

*Chair: Stephanie Izzard, CHRL*

*Vice-Chair: Lynne Latulippe (member of the public)*

*Staff Support: Margaret Wilson, CHRL*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Capacity Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the "Act") and the By-laws to hear every matter referred to it by the Association under Section 47 of the Act and section 15.03 of the By-laws. The Capacity Committee shall:

- Determine whether a member or student is incapacitated.
- If the Committee finds a member or student is incapacitated, exercise any of the powers granted to it under Subsection 47(8) of the *Act*.

**Q2 Highlights:**

- There were no capacity hearings conducted in Q2.

**Capacity Committee Activity**

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Referrals to Capacity Committee	0	0	0			
Decision issued by Capacity Committee	0	0	0			

## Review Committee

*Chair: Damienne Lebrun-Reid (member of the public)*

*Vice-Chair: TBD*

*Staff Support: Margaret Wilson, CHRL*

*Independent Legal Counsel: John Wilkinson, Partner, WeirFoulds LLP.*

The Review Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the "Act") and the By-laws to review every matter referred to it by the Registrar under Section 40 of the Act. The Review Committee may:

- a. Determine whether the member or firm's bankruptcy or insolvency event may pose a risk of harm to any person;
- b. Direct the Registrar to investigate the matter;
- c. Determine whether a hearing is warranted and, if so, to conduct hearings when warranted to determine whether the member or firm's bankruptcy or insolvency event poses a risk of harm to any person;
- d. Upon a determination that there are reasonable grounds for believing that the member or firm's bankruptcy or insolvency event poses or may pose a risk of harm to any person following a hearing, exercise any of the powers granted to it under Subsection 41(8) of the Act.

### Q2 Highlights:

- There were two decisions issued by the Review Committee in Q2, one decision was from a notice of bankruptcy or insolvency event from Q4 in 2020 and one decision was from Q1 in 2021.
- The average time to decision was 127 days.

### Review Committee Activity\*

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Notices of bankruptcies or insolvency events	3	1	1			
Decisions issued by the Review Committee	1	1	2			

\*While the Review Committee reviews all bankruptcy or insolvency events involving members of HRP, the Registration Committee is seized with considering bankruptcy or insolvency events of applicants for registration as part of the Good Character requirement.





## Appeal

### Appeal Committee

*Chair: Melanie Kerr, CHRL*

*Vice-Chair: Maureen Quinlan (member of the public)*

*Staff Support: Stephanie Jung*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Appeal Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the "Act") and the By-laws. to review every request for appeal filed under the Act and the By-laws by registrants of HRP or members of the public. The Appeal Committee shall determine whether there was a denial of natural justice or an error on the record of the decision of the committee or the Registrar and to exercise any of the powers granted to it under the Act and Section 22 of the By-laws.

### Q2 Highlights:

- Six decisions were issued this quarter: two overturned the original decision and four upheld the original decision. All decisions issued related to decisions originally made by the Experience Assessment Committee.
- Two new appeals were filed in Q2, both on matters that aren't typically seen: One appeal pertained to a decision of the Registrar to revoke a designation and membership; one appeal pertaining to a decision of the CHRL Exam Validation Committee and how the functional cut score was finalized. Both of these appeals are currently with a panel of the Appeal Committee to determine if the Appeal Committee has jurisdiction. If the Appeal Committee deems they don't have jurisdiction, the appeal will be dismissed. If the Appeal Committee deems they do have jurisdiction, the appeal will move forward through the normal review process.

### Appeal Committee Activity

	2020	2021				2021
	Total	Q1	Q2	Q3	Q4	Total
Number of appeals filed*	11	5	2			
Settled via the Alternate Resolution Process	8	0	0			
Decisions issued by the Appeal Committee	5	1	6			

\*Please note: The number of appeals filed will not necessarily be equal to the number of appeals settled or decided by the Appeal Committee, since appeals filed in one year may be resolved in the following year.

## Alternate Resolution Process

One factor that influences the number of appeals that are heard by the Appeal Committee is the HRPAs alternate resolution process for appeals. If the Registrar believes that the appellant has shown in their Request for an Appeal that something may have gone wrong with the process or that there may have been a denial of natural justice, the Registrar may extend an offer to the appellant to settle the appeal. Under those circumstances, the appellant has three options:

1. Accept the offer and withdraw the appeal,
2. Accept the offer with the provision that a panel of the Appeal Committee review and sign off on the agreement between the appellant and HRPAs, or
3. Reject the offer, which means the appeal will proceed as an uncontested appeal.

Appellants are never pressured to choose one option or another. The benefit for appellants and HRPAs is a quicker resolution of the matter. Concerning appeals of decisions of the Experience Assessment Committee (EAC), the settlement usually involves having the Validation of Experience (VOE) or alternate route application reviewed by a second independent panel. Most appellants who are appealing a decision by the EAC want a ‘second opinion’ on their application. As noted above, the Appeal Committee was not established to give second opinions but to review the process by which the decision was arrived at.

The impact of the alternate resolution process is that most of the decisions of the (EAC) where the facts suggest that an appeal might be warranted, never make it to being reviewed by a panel of the Appeal Committee as the VOE or Alternate Route application is sent to a new Experience Assessment Committee (EAC) panel for review.

## Q2 2021 Appeal Committee Activity

	<b>Date Appeal Filed</b>	<b>The Nature of the Appeal</b>	<b>The Outcome of the Appeal</b>
A-2020-11	November 28, 2020	The Experience Assessment Committee failed to consider the correct facts and failed to apply the correct rule in deciding on the appellant’s Alternate Route application.	A decision was issued in March 2021 overturning the Experience Assessment Committee’s decision. The Alternate Route application is to be assessed by a new panel of the Experience Assessment Committee.
A-2021-01	December 3, 2020	The Experience Assessment Committee failed to consider the correct facts in Positions 1 & 2 in the Validation of Experience application and were not impartial in their decision.	A decision was issued in March 2021 upholding the Experience Assessment Committee’s decision.
A-2021-02	December 8, 2020	The Experience Assessment Committee made an error in assessment on the Alternate Route application.	A decision was issued in April 2021 upholding the Experience Assessment Committee’s decision.

A-2021-03	December 20, 2020	The Experience Assessment Committee made an error in assessment on the Alternate Route application.	A decision was issued in April 2021 upholding the Experience Assessment Committee's decision.
A-2021-04	January 3, 2021	The Experience Assessment Committee did not fully assess the Validation of Experience application in its entirety.	A decision was issued in April 2021 upholding the Experience Assessment Committee's decision.
A-2021-05	January 26, 2021	The Experience Assessment Committee made an error in assessment on the Alternate Route application.	A decision was issued in May 2021 overturning the Experience Assessment Committee's decision. The Alternate Route application is to be assessed by a new panel of the Experience Assessment Committee.
A-2021-06	March 30, 2021	The Registrar made an error in revocation. CHRP designation should be reinstated without meeting any additional requirements.	The Committee Chair and Vice-Chair decided to strike a panel to review whether the Committee had jurisdiction over the appeal. The panel met in April 2021. The panel decided they needed more information from HRP. The panel will be meeting in June 2021 to review the additional information from HRP.
A-2021-07	April 1, 2021	The CHRL Exam Validation Committee's functional cut scores for the March 2021 sitting of the CHRL Knowledge Exam is incorrect.	The Committee Chair and Vice-Chair decided to strike a panel to review whether the Committee had jurisdiction over the appeal. The panel met in May 2021 and issued a <i>Notice of Intention to Dismiss</i> to the appellant and HRP. The appellant and HRP have been given 30 days to submit written responses. A review date is in the process of being confirmed for the panel to review the submissions and make a final decision regarding jurisdiction.

### Breakdown of Appeal Decisions

<b>Appeal Outcomes</b>	<b>Count</b>
Total number of requests for appeal received March 1, 2021 and May 31, 2021	2
Total number of appeals settled via the Alternate Resolution Process	0
Total number of final appeal decisions released March 1, 2021 and May 31, 2021	6
Decisions upholding the original decision	2
Decisions overturning the original decision	4

\*In Q2, the average time to decision was 99 days.



## **Stakeholder education**

### **Regulatory Affairs Newsletter**

The *Regulatory Affairs* newsletter is published under By-laws 13.06 and 13.07.

As set out in the By-laws, the *Regulatory Affairs* newsletter shall include but not be limited to:

- (a) Notices of annual meetings.
- (b) Election results; and
- (c) All information as set out in Section 21.03 and Section 21.08 concerning discipline or review proceedings. Where there is a dissenting opinion prepared by a member of the panel and the decision, finding or order of the Discipline Committee or the Review Committee is to be published, in detail or summary, any publication will include the dissenting opinion.

In Q2, a *Regulatory Affairs* Newsletter was published on March 8, 2021. The next publication will be in Q3 on July 5, 2021.

### **Member and Student Survey Part 2**

Member and Student Survey Part 2 developed and sent to key stakeholders for input on regulatory operations effectiveness. The survey was sent out on June 2<sup>nd</sup> with initial close-out on June 18<sup>th</sup>. Due to a low response rate, the survey deadline was extended to July 5<sup>th</sup>. The key findings will be included in the Q3 Registrar's Report.

## Trend and Issues in Professional Regulation

In Q2 2021, professional regulatory bodies were, for the most part, getting back to normal as the COVID-19 restrictions eased somewhat. This quarter's *Trends and Issues* updates two items that have appeared in recent Registrar's Reports.

- Update on the passage of the Health Statutes Amendment Act, 2020 (No. 2) (Alberta)
- Update on the passage of the *Chartered Professionals in Human Resources of Saskatchewan Act (Sask.)*

### Update on the passage of the Health Statutes Amendment Act, 2020 (No. 2) (Alberta)

In the Trends and Issues section of the Q3 2020 Registrar's Report, an item appeared on the changes the Alberta government had made, and was planning to make, to the governance of health professional regulatory bodies in Alberta.

Bill 30, the *Health Statutes Amendment Act, 2020, (No. 1)* (Alberta) was passed on July 28, 2020 and came into force with some exceptions on July 29, 2020. This *Act* altered the composition of boards of directors of the health professions' tribunals, college councils, and committees (such as complaints reviews), by increasing public membership on these oversight bodies to 50 percent. Bill 46, the *Health Statutes Amendment Act, 2020, (No.2)* (Alberta) was passed on December 8, 2020 and came into force with some exceptions on December 9, 2020. This *Act* introduced sweeping changes to the regulation of health professions in Alberta including clauses that specifically prohibit professional regulatory bodies from acting as or holding themselves out as professional associations. Together, these two statutes will have a profound impact on professional regulatory bodies in Alberta and quite possibly beyond Alberta as well.

Alberta was seen as the bastion of 'dual mandate' professional organizations with many health professional regulatory bodies acting as both the professional regulatory body and the association for their profession. Legislation that establishes professional regulatory bodies tends to focus on enablement rather than prohibitions. Such legislation tends to focus on what professional regulatory bodies can or should do rather than on what they cannot or should not do. Also, 'association functions' do not require enablement since there is no delegation of provincial powers. This opened the door for professional organizations to act as associations even when this is not enabled by statute. What has changed is that Alberta's Bill 46 specifically prohibits professional regulatory bodies from acting or holding themselves out as professional associations.

The new language for the *Health Professions Act* (Alberta) leaves little wriggle room:

- 3.1 A college that immediately before the coming into force of this section serves or purports to serve as a professional association must
- (a) within 6 months after the coming into force of this section, provide the Minister with a plan to divest itself of its professional association functions, and
  - (b) effective 18 months after the coming into force of this section, have no functions of, connection to or affiliation with a professional association.

This section of the Act has yet to be proclaimed but when it is the clock will begin to count down.

Of course, these changes only apply to health colleges in Alberta. What is more worrisome is that these changes are another indicator that the faith of governments in the ability or willingness of professional regulatory bodies to put the public interest first has eroded significantly.

**Update on the passage of the *Chartered Professionals in Human Resources of Saskatchewan Act (Sask.)***

In the Q1 2021 Registrar’s Report it was noted that Bill 19, the *Human Resources Profession Act* was given first reading in the Saskatchewan Legislature on December 9, 2020. Given that Bill 19, the *Human Resources Profession Act* is a government bill, its chances of becoming law were quite good.

Indeed, the *Chartered Professionals in Human Resources of Saskatchewan Act (Sask.)* received Royal Assent on May 13, 2021.

First reading	December 9, 2020
Second reading	April 21, 2021
Third reading	May 11, 2021
Royal Assent	May 13, 2021

The name of the Act was changed, and a few other changes were made but the Act that was passed was pretty much the Act which received first reading and which was reviewed in the Q1 2021 Registrar’s Report.

As a result of the passage of the *Chartered Professionals in Human Resources of Saskatchewan Act (Sask.)*, CPHR Saskatchewan becomes a regulatory authority as defined by the Canadian Free Trade Agreement (CFTA). As such HRPAs are required to recognize designations granted by CPHR SK without any additional material requirements. Until the passage of the *Chartered Professionals in Human Resources of Saskatchewan Act (Sask.)* only l’Ordre in Quebec, and of course HRPAs, had been a regulatory authority as defined by the Canadian Free Trade Agreement (CFTA).