

## **Introducing HRPAs New Professional Guidance Webinar: Q&A**

**September 21, 2022**

**1. Will the HRPAs consider amending course related requirements based on the ethics and professional standards in addition to the existing nine mandatory course requirements?**

This has been considered, but not yet decided on. Once we have more information on this, we will share with all HRPAs members and students.

**2. Will practice guidelines take into account differences in legislation which may impact guidelines, for example the difference between the Canada Labour Code and the ESA?**

Our guidelines and practice standards generally focus on Ontario-related employment legislation, but, where applicable, we do have notes in areas where the Canada Labour Code should be referred to in some of the guidance. The expectation is that all HR professionals respect the laws that apply to them and the industry they are in at all times.

**3. Can you provide some examples of grey areas that will be touched on in the guidance?**

Most of HR can of course have grey areas, where the answer is often "it depends." Given that this is the case, one of the big changes in our updated Code of Ethics and Rules of Professional Conduct is providing additional guidance on areas where we see a lot of questions come up from registrants or where there are nuances.

For example, the modernized Code of Ethics and Rules of Professional Conduct now addresses what you can do when your employer asks you to do something that goes against the Code of Ethics and Rules of Professional Conduct – which we didn't have before. We also provide some additional guidance on areas including what to do when addressing conflicts of interests, more information on HRPAs bankruptcy reporting requirement, and information on the duty to report. Our Practice Guidelines and Standards then go even more specific on topic areas, helping to address grey areas.

#### **4. Will the new guidance be available on HRPAs website?**

Yes, as of September 28<sup>th</sup>, 2022 a brand new webpage, [www.hrpa.ca/guidance](http://www.hrpa.ca/guidance), houses all of our Practice Standards, Practice Guidelines, our modernized Code of Ethics and Rules of Professional Conduct, HRPAs Risk Roster, and a link to any relevant webinars on guidance.

#### **5. Will anything change for the CHRP and/or CHRL exams?**

For the remainder of 2022, there will be no changes to any of the exams. In the future, there will be minor changes to reflect our modernized Code of Ethics and Rules of Professional Conduct. Clearer guidance will be provided on this well in advance before any changes are made.

#### **6. Do we have a catchy acronym for our Code of Ethics and Rules of Professional Conduct?**

They weren't developed with that in mind, so currently we do not. We are always open for suggestions.

#### **7. How will the new guidance take into consideration that often times as HR professionals we make decisions or provide advice that may be overturned by a more senior member of the organization or global colleagues (including by HR professionals that are not members of HRPAs)?**

The general principle HRPAs has is the expectation that registered HR professionals provide advice that aligns with HRPAs Code of Ethics and Rules of Professional Conduct, recognizing that if you are not the decision-maker, this could be overturned, but you did what you could to try and have the right thing occur.

It is also suggested that you document what you've done, so that your advice, which should be clear about what the risks are, why the right way of doing it is the right way – is well documented in case you are ever subject to a complaint.

Documentation is always good to have, including for contentious decisions or difficult decisions.

#### **8. Will the new standards and guidance impact the CPD requirements we have?**

There are no immediate changes to the CPD requirements in place, however we are currently working on revising our CPD requirements which may include some requirements related to the new standards and guidance. Any changes will be announced well in advance.

**9. Will the Required Professional Capabilities (RPCs) be updated as well? Do the guidelines replace the RPCs or are they separate?**

The RPCs are no longer in place at the HRP and are not linked to the professional guidance issued.

**10. Are we looking at being nationally designated so we can practice anywhere in Canada?**

Essentially, all professional regulation is provincial. All professions are regulated provincially (e.g. accountants, lawyers, teachers, engineers, physicians), except for a very few that are under federal jurisdiction, such as airline pilots and air traffic controllers. Therefore, this is not something the HRP is looking into.

**11. Will there be any changes to the CHRE process due to the guidance?**

No, there are currently no plans to change the processes, other than that any reference to the previous Rules of Professional Conduct will be changed to reference our new, modernized Code of Ethics and Rules of Professional Conduct.

**12. Will arbitration decisions that criticize or take issues with HR's actions or advice lead the HRP to also take action against or investigate that member if it could be a violation against the Code of Ethics and Rules of Professional Conduct?**

There are different ways this could occur. There's a difference between judgment and bad faith. The HRP recognizes that professional judgment can differ between people, including different HR professionals, but the expectation is that the judgment takes into account the Code of Ethics and Rules of Professional Conduct, as well as professional guidance issued. If your professional judgment is out of line with the Code of Ethics and Rules of Professional Conduct and/or professional guidance or is acted upon in bad faith, this is where HRP would investigate upon receiving a complaint.