

**THE DISCIPLINE COMMITTEE OF THE
HUMAN RESOURCES PROFESSIONALS ASSOCIATION**

IN THE MATTER OF the *Registered Human Resources Professionals Act, 2013* and the
regulations thereunder;

AND IN THE MATTER OF a discipline proceeding against Wanda Henderson, member of the
Human Resources Professionals Association.

PANEL: Steven Lewis, LLB (Chair)
Jeffrey Donnelly
Nadwa Nimer, CHRP

BETWEEN:

THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION

- and -

Wanda Henderson

PRESENT:

Luisa Ritacca, Independent Legal Counsel to the Panel

Justine Wong, Counsel for the Human Resources Professionals Association

No one appearing for the Registrant, Wanda Henderson

DECISION AND REASONS FOR DECISION ON MOTION

This matter came on for hearing before a panel of the Discipline Committee (“the Committee”) on January 16, 2023 at the Human Resources Professionals Association (“HRPA”) at Toronto. The matter proceeded by way of videoconference.

Prior to the commencement of the hearing, the Panel was advised that the Association, with the consent of Ms. Henderson would be proceeding with a motion seeking to withdraw the allegations contained in the Notice of Hearing, described below.

At the conclusion of the hearing, the Panel advised counsel that it would grant the requested order. The Panel’s reasons granting the relief are as follows.

The Allegations

A Notice of Hearing was issued on September 27, 2022, which makes allegations against Ms. Henderson for her failure to comply with an earlier order of the Discipline Committee. In brief, the Association alleges that Ms. Henderson failed to pay a costs order and failed to communicate with the Association as required by the earlier order. The full Notice of Hearing is attached hereto as Appendix A at the end of this decision.

The Motion

The Association seeks an order allowing it to withdraw the allegations set out in the Notice of Hearing. The motion has been brought on consent of Ms. Henderson.

On December 1, 2022, Ms. Henderson signed an Acknowledgment and Undertaking (the “Undertaking”) in which she agreed to never reapply for or reinstate membership, registration, or any title, designation, initials, or similar status with the Association. Further, she acknowledged that her registration with the Association has been revoked for fee non-renewal and that she is no longer a registrant of the Association, and will be unable to use any language, designation, title or otherwise which would imply that she is a registrant of the Association. Ms. Henderson also undertook to pay to the Association costs in the amount of \$2,250.00, in nine equal installments monthly starting on January 1, 2023.

The Association confirmed that Ms. Henderson has already provided payment for January 2023 and that the full amount she has agreed to pay represents the amount that remained outstanding from Ms. Henderson’s earlier Discipline order.

Appendix A

DISCIPLINE COMMITTEE OF THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION

B E T W E E N:

HUMAN RESOURCES PROFESSIONALS ASSOCIATION

-and-

WANDA HENDERSON

NOTICE OF HEARING

THE COMPLAINTS COMMITTEE OF THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION (the “Association”) has referred allegations that you have committed professional misconduct to the Discipline Committee under Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division I, Section 6; Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division III, Section 1; and/or Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division III, Section 8 and/or 9 of the Association’s *Rules of Professional Conduct* which is Schedule 1 to the General By-Law, and pursuant to section 32(1) of the *Registered Human Resources Professionals Association Act, 2013* (the “Act”).

Details about the allegations are contained in **Schedule “A”** to this Notice of Hearing.

A PRE-HEARING CONFERENCE MAY BE HELD at a date, time, and place to be set by the Chair of the Discipline Committee. Note that in accordance with Rule 15.3(b) of the *Rules of Procedure of the Discipline Committee*, the Committee may direct a pre-hearing conference to be held electronically.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING, under the authority of s. 34 of the *Act* for the purpose of deciding whether you have committed professional

misconduct. The hearing shall take place on a date, time, place and format determined by the Chair of the Discipline Committee. Under Rule 16.2(b) of the *Rules of the Discipline Committee*, the Committee may hold the hearing by electronic conferencing.

You may be represented by a lawyer or a person licensed to provide legal services in Ontario (a paralegal).

The hearing will be open to the public, and the documents will be available to the public, unless the Discipline Committee determines otherwise pursuant to Rules 14 and 16 of the *Rules of the Discipline Committee*.

IF YOU DO NOT ATTEND THE HEARING in person or if you are not represented by a lawyer or paralegal, the Panel may proceed in your absence and you will not be entitled to any further notice of the proceedings.

SECTION 34(4) OF THE ACT PROVIDES THAT if the Panel finds that you committed professional misconduct, it may make an order, doing one or more of the following:

1. If at least two-thirds of the committee panel hearing the matter agree, revoke your membership or the firm's registration.
2. Suspend your membership or the firm's registration for a period determined in accordance with the by-laws.
3. Despite section 17 of the Act, direct that you refrain from using any designation, term, title, initials or description implying that you are a member of the Association or are authorized to use the designation, term, title, initials or description during the period of suspension.
4. Determine the timing and manner of the return of your certificate of membership to the Association.
5. Impose restrictions or conditions on the right of you or the firm to practise in the field of human resources.
6. Issue a reprimand and, if the committee considers it appropriate, direct that the reprimand be recorded in the register.
7. Direct you or the firm to take any specified rehabilitative measure, including requiring you or any member practising in the field of human resources through the firm to successfully complete specified professional development courses or to seek specified counselling or treatment.

8. Direct you or the firm to pay a fine and specify the timing and manner of payment.
9. Direct that the imposition of a measure under this subsection be postponed for a specified period or on specified terms, including the successful completion of specified courses of study.
10. Direct that a failure to comply with the committee's order shall result in the revocation of your membership or the firm's registration.
11. Make any other order that the committee considers appropriate in the circumstances.

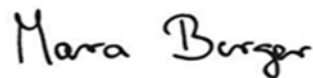
You are entitled to know what evidence the Association has against you or knows about. As set out in the Appendix, disclosure of this evidence has been provided to you along with this Notice of Hearing.

You, or your representative, may contact the solicitor for the Association, Rebecca Durcan, in this matter:

Steinecke Maciura LeBlanc
Barristers & Solicitors
401 Bay Street
Suite 2308, P.O. Box 23
Toronto, ON M5H 2Y4

Telephone: (416) 644-4783
Facsimile: (416) 593-7867

DATED at Toronto, Ontario the 27 day of September, 2022.

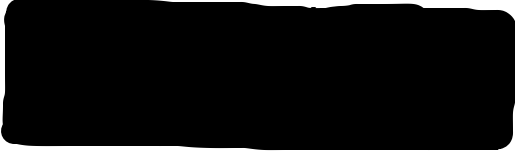


Mara Berger
Associate Registrar
HUMAN RESOURCES
PROFESSIONALS ASSOCIATION
150 Bloor Street West, Suite 200
Toronto, ON M5S 2X9

T. 1.800.387.1311

F. 416.923.7264

TO: WANDA HENDERSON



SCHEDULE "A"
STATEMENT OF ALLEGATIONS
WANDA HENDERSON

1. At all material times, Wanda Henderson (the "Registrant") was a member of the Human Resources Professionals Association (the "Association").
2. On or about October 9, 2020, a Panel of the Discipline Committee made a finding of professional misconduct against the Registrant and issued the following order (the "Order"):
 - a. Issuing a Reprimand to Ms. Henderson.
 - b. Suspension of Ms. Henderson's Certificate of Registration and CHRP designation for a period of 1 month.
 - c. Imposing the following terms, conditions and limitations on Ms. Henderson's Certificate of Registration:
 - i. Requiring Ms. Henderson to comply with a previous decision by the Review Committee.
 - ii. Requiring Ms. Henderson to complete the HRPAs Job Ready Program within 6 months.
 - iii. Requiring Ms. Henderson to reply to any communication from the HRPAs within 15 days.
 - d. Payment of costs in the amount of \$3,000 on a schedule to be set by the Registrar.
3. The language of the Order mirrored a Joint Submission on Penalty and Costs that was tendered by the Association and the Registrant.

4. It is alleged that:
 - a. Despite the fact that the Registrant had agreed to the terms of the Order; the Registrant failed to comply with certain portions of the Order, specifically paragraph 2(c) and/or 2(d);
 - b. Despite repeated reminders from the Association, the Registrant failed to comply with certain portions of the Order, specifically paragraph 2(c) and/or 2(d);
 - c. Despite the Association providing extensions, the Registrant failed to comply with certain portions of the Order, specifically paragraph 2(c) and/or 2(d);
 - d. The Registrant repeatedly failed to reply to communications from the Association within 15 days and/or in a prompt fashion and/or at all.
5. The By-laws of the Association state:
 - a. **3.01 Obligation of Members, Students and Firms to Abide and Attest:**
All Members, Students, and Firms shall as a condition of initial registration with HRP A and as a condition of any subsequent renewal of registration with HRP A agree to abide by the Act, the By-Laws of the Association, the HRP A Rules of Professional Conduct, and any other professional guidance issued or amended from time to time by the Association. This agreement shall be in the form of a written attestation using the form prescribed for that purpose.
6. It is alleged that the above conduct constitutes professional misconduct as defined in the Association Bylaws and following sections of the Association's *Rules of Professional Conduct*.

- a. A registrant shall reply as soon as possible to any correspondence from the Registrar of the Association, the Board of the Association, or an expert appointed by the Board or the Registrar (**Chapter V, Division I, s. 6**); and/or
- b. A registrant of the Association shall comply with the regulatory authority of the Association (**Chapter V, Division III, s. 1**), specifically Article 3 of the Association Bylaws; and/or
- c. A registrant shall promptly and faithfully abide by whatever sanctions may be imposed as a result of a disciplinary process (**Chapter V, Division III, s. 8**); and/or
- d. A registrant shall adhere to any undertaking or agreement that the member has made with the Association (**Chapter V, Division III, s. 9**).

APPENDIX

1. The documents to be tendered in evidence at the hearing have been sent with this Notice of Hearing.
2. The *Rules of Procedure of the Discipline Committee* have been sent with this Notice of Hearing.
3. Take notice that the documents that have been and may later be disclosed to you will be tendered as business documents pursuant to the *Evidence Act* of Ontario.
4. All documents that are disclosed to you in this matter are disclosed on the basis that they are to be used solely for the purpose of this proceeding and for no other purpose.

DISCIPLINE COMMITTEE OF THE
HUMAN RESOURCES PROFESSIONALS
ASSOCIATION

NOTICE OF HEARING

STEINECKE MACIURA LEBLANC

Barristers & Solicitors

401 Bay Street

Suite 2308

Toronto, ON M5H 2Y4

Rebecca Durcan

Telephone: (416) 644-4783

Facsimile: (416) 593-7867

Lawyers for the Human Resources
Professionals Association