

# Registrar’s Report for Q4 2022

November 30, 2022

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.

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## Top five regulatory highlights for 2022

Below are the five initiatives below stand out regarding what was achieved in 2022:

1. Issuance of professional guidance
2. Operational excellence
3. Updated orientation modules for HRPAs regulatory committees
4. Thought leadership
5. Formation of the *Regulatory Integrity Steering Committee*

### Issuance of professional guidance

The issuance of professional guidance is key to fulfilling HRPAs mandate to promote and protect the public interest. These fall under Object 4 (a) ii 'establishing, maintaining, developing and enforcing standards of practice', and Object 4 (a) iii 'establishing, maintaining, developing and enforcing standards of professional ethics.'

Issuing standards of practice and standards of professional ethics is a powerful way of influencing registrant practice and conduct in ways that minimize the risk to the public (provided, of course, that registrants are attentive to guidance provided by their professional regulatory body and embed the standards in their everyday practice.)

Interestingly, this is not the first time HRPAs issued professional guidance. In May 2010, the HRPAs Board of Directors approved HRPAs first practice guideline—*Requesting Notes to Validate Absences from Work from Physicians or Other Treating Health Care Professionals*. However, the fact that HRPAs had issued a practice guideline was never publicized and the vast majority of registrants never knew that the practice guideline ever existed. This 'invisible' practice guideline became something of an embarrassment and was rescinded in 2017.

What is different this time?

- The development of standards and guidelines is grounded in HRPAs risk-based regulation approach, which is focused on the important risks to the public stemming from the practice of the profession,
- The development of standards and guidelines is based on extensive research and consultation conducted by HRPAs Policy Development Team. The standards and guidelines are also subject to legal review before they are put forward for approval.
- Standards and guidelines are reviewed by multiple committees: the Professional Standards Committee (PSC), the Governance and Nominating Committee (GNC), and finally by the HRPAs Board of Directors.

In 2022, HRPAs introduced its new *Code of Ethics and Rules of Professional Conduct*. The previous *Code of Ethics and Rules of Professional Conduct* had been developed in 2008 and implemented in 2009. The new *Code of Ethics and Rules of Professional Conduct* represents a complete rewrite of the document.

In addition, the following guidance documents were developed (six practice guidelines and two practice standards), including:

- Practice Standard: **Conducting Workplace Investigations** – approved by the PSC, GNC, and the Board and published on HRPAs website September 28<sup>th</sup>, 2022. A webinar was also conducted about this new Practice Standard featuring Dean Benard, President & CEO of Benard & Associates on October 12<sup>th</sup>, 2022, for all registrants and members of the public. This standard was developed in consultation with Dean Benard and with legal review from an employment lawyer and our regulatory lawyer.
- Practice Guideline: **Addressing Racism and Racial Discrimination in the Workplace** – approved by the PSC, GNC, and the Board and published on HRPAs website September 28<sup>th</sup>, 2022. A webinar was also conducted about this new Practice Guideline featuring lawyer Laura Williams on October 17<sup>th</sup>, 2022, for all registrants and members of the public. This guideline was developed in consultation with three diversity, equity, and inclusion experts and with legal review from an employment lawyer and our regulatory lawyer.
- Practice Guideline: **Fostering Mental Health in the Workplace** – approved by the PSC on August 12, 2021, by the GNC on December 15, 2021 and the Board on July 25, 2022. This guideline has undergone review by both a regulatory lawyer and an employment lawyer and will be rolled out on January 18, 2023.
- Practice Guideline: **Social Media Use** – approved by the PSC on August 12, 2021, by the GNC on December 15, 2021 and the Board on July 25, 2022. This guideline has undergone review by both a regulatory lawyer and an employment lawyer and will be rolled out on January 18, 2023.
- Practice Guideline: **Terminations Checklist** – approved by the PSC on October 19, 2021, by the GNC on December 15, 2021 and the Board on July 25, 2022. This guideline has undergone review by both a regulatory lawyer and an employment lawyer and will be rolled out on January 18, 2023.
- Practice Guideline: **Addressing Unconscious Biases** – approved by the PSC on September 19, 2022 and going before the GNC at the January 2023 meeting for approval. This guideline has undergone review by both a regulatory lawyer and an employment lawyer.
- Practice Standard: **Addressing Workplace Violence, Including Domestic Violence** – drafted and presented at the November 2022 PSC meeting, with electronic motion in progress for approval with deadline of December 20<sup>th</sup>, 2022. The Standard will be reviewed by the Interim CEO of YWCA Canada before going before the GNC.
- Practice Guideline: **Accessibility in the Workplace** – drafted in November 2022 and currently under review by HRPAs internal HR team. It will be presented to the PSC in the New Year.

Additionally, a ninth document was developed in 2022, an Issue Brief related to duplicative proceedings. It was agreed at GNC that all practice standards and guidelines would undergo a legal review before final acceptance.

### **Operational excellence**

Although not planned, the recent difficulties that some Ontario professional regulatory bodies have had with the timely processing of registration applications suggested that the OOTR conduct an internal audit of its adherence to promised processing deadlines. The special report *Registration and*

*certification timelines at HRP*A was included in the Q3 Registrar's Report and tabled at the HRPA Board meeting of October 28, 2022.

The data from Q2 2022 was used to investigate the degree to which the OOTR met its promised time frames in the processing registration applications or the processing of certification requirements.

The important finding was that, in Q2 2022, over thousands of transactions, OOTR staff met 100% of its timeline commitments. When there were delays, in every case these had been caused by registrants or applicants and not by the OOTR.

### **Updated orientation modules for HRPA's regulatory committees**

In 2012, HRPA developed a comprehensive training framework for the members of its regulatory committees. Over time, however, modules became out of date (note that these training modules were developed before the passage of the *Registered Human Resources Professional Act, 2013* and most, not all, were last updated in 2016). When the material in a module got too far out of date, the OOTR simply stopped using it. By 2022, only four out of eight modules remained; Introduction to Decision-Making & Adjudication, Writing Reasons, Panel Assessment Skills and Assessing Good Character. No budget was set aside in 2022 to update the regulatory committee training modules. A solution, of sorts, was devised.

In Spring 2022, OOTR filmed and produced a conversation between Claude Balthazard, Registrar, and Rebecca Durcan, HRPA's regulatory counsel. The filmed conversation resulted in ten modules intended to replace the *Professional Regulation at HRP*A module:

- Module 1: The Different Kinds of Regulatory Committees at HRPA
- Module 2: The Act is the Most Important Document for HRPA
- Module 3: The Delegation of Authorities at HRPA
- Module 4: What is the Public Interest?
- Module 5: The Regulatory Impact Model at HRPA
- Module 6: The Big Shift from Reactive to Proactive Professional Regulation
- Module 7: Conditions for Success
- Module 8: The Role of Regulatory Counsel & Independent Legal Counsel
- Module 9: Working with Staff
- Module 10: Some Basic Parameters

### **Thought leadership**

In 2022, the OOTR explored a number of topics that are important to HRPA's mandate: HRPA's duties under the *Act*, regulatory excellence, the measurement of performance as a professional regulatory body, professional guidance, and risks associated with regulatory decision-making among other topics.

The following documents were drafted:

- a. *What are HRP*A's regulatory duties as set out in the *Regulated Human Resources Professionals Act, 2013*? (GNC, June 230, 2022, and Board, July 25, 2022)

- b. *What is regulatory excellence? Six experts were asked to provide a 500-word response to the question.* (GNC, June 30, 2022, and Board, July 25, 2022)
- c. *How to tell if an activity is 'regulatory' or not?* (GNC, June 30, 2022, and Board, July 25, 2022)
- d. *A guide to professional guidance* (Board, July 25, 2022)
- e. *Developing an appropriate measurement tool and assessment methodology to measure performance as a professional regulatory body* (GNC, June 30, 2022)
- f. *Are there particular threats or risks associated with regulatory decision-making on the part of any of HRPAs's regulatory committees or the Registrar?* (GNC, April 14, 2022)

### **Formation of the *Regulatory Integrity Steering Committee***

The purpose of this project is to ensure regulatory integrity which is essential to fulfilling the primary purpose of promoting and protecting the public interest by governing and regulating the practice of members, students and firms registered with the Association. Regulatory decision making is complex. *Regulatory integrity* is about ensuring that decision making that impact HRPAs's ability to fulfill its primary purpose of promoting and protecting the public interest is not unduly influenced by other factors such that the promotion and protection of the public interest is jeopardized, diminished, or compromised.

For professional regulatory bodies, it is not enough that actions and decisions do not detract from the promotion and protection of the public interest, actions and decisions must maximize the promotion and protection of the public interest. Ensuring regulatory integrity requires consideration of the public interest in all decisions and actions that may have an impact on the public interest. One could call this a '*public interest lens*' or '*public interest filter*.'

The key projects in maximize the promotion and protection of the public interest are the following set of interconnected projects:

1. Using the *Public interest decision tree*, review activities that purport to be regulatory and assess whether the activities are conducted with an intent to serve the public interest
2. Ensure regulatory integrity
  - a. Developing a framework and a process for analysing the public interest
  - b. Maximize the impact on the promotion and protection of the public interest by minimizing the risks of harms or potential risks of harms to the public stemming from the practice of the profession
  - c. Assess the impact of activities on the promotion and protection of the public interest
  - d. Identify threats, or potential threats, to regulatory integrity (where the promotion and protection of the public interest might be compromised)
3. Identify, quantify, and qualify risks to the public stemming from the practice of the profession
  - a. Maintain risk roster up to date (including emerging risks)
  - b. Ensure that all regulatory processes are risk-informed
  - c. External assessment of HRPAs's performance as a professional regulatory body

## Regulatory operations at-a-glance

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

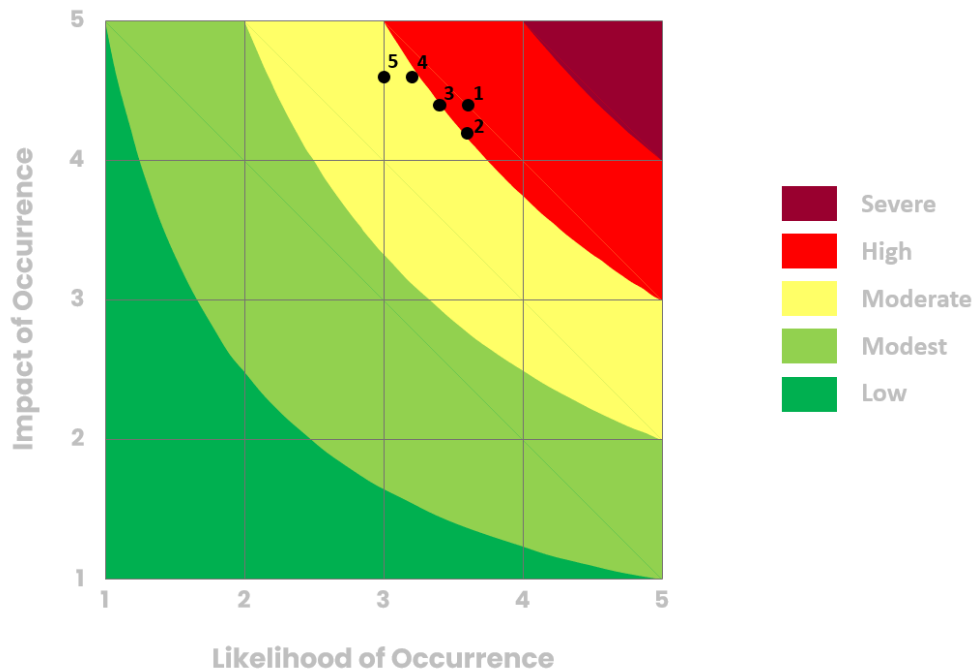


Regulatory committees have no control over the volume of applications, complaints, or referrals. These volumes can fluctuate significantly. For professional regulatory committees, performance is measured by (1) the timely disposition of cases, and (2) the quality of the decisions. The latter can be assessed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

### Regulatory committee performance overview

	Keeping up with referrals	No backlog	Decisions rendered in a timely manner	Decisions are upheld upon appeal
Registration Committee	●	●	●	●
Academic Standards (Diploma) Committee	●	●	●	●
Academic Standards (Degree) Committee	●	●	●	●
Experience Assessment Committee (Alternate Route)	●	●	●	●
Experience Assessment Committee (VOE Route)	●	●	●	●
CHRE Review Committee	●	●	●	●
Continuing Professional Development Committee	●	●	●	●
Complaints Committee	●	●	●	●
Discipline Committee	●	●	●	●
Capacity Committee	●	●	●	●
Review Committee	●	●	●	●
Appeal Committee	●	●	●	●

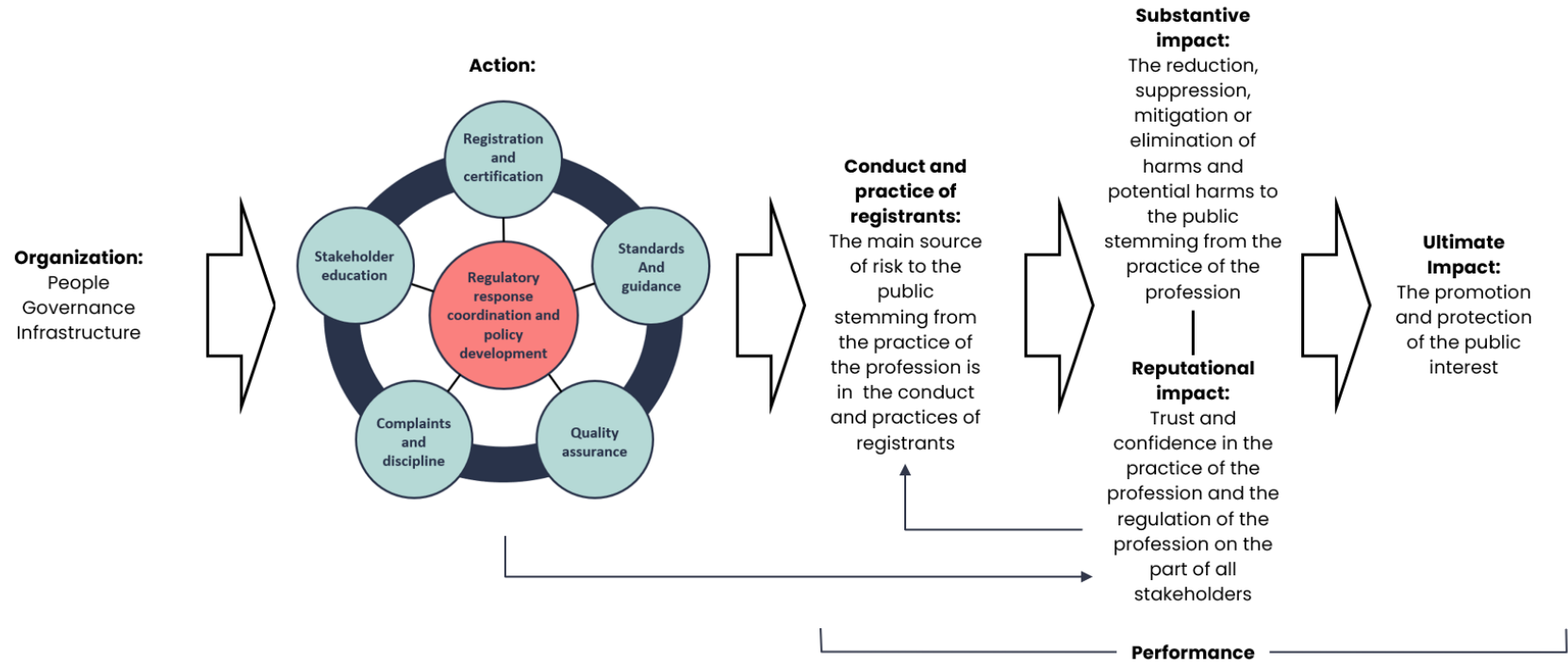
## Top 5 risks to the public stemming from the practice of the profession



Risk	Likelihood	Impact	Severity
1. Ignoring mental health issues employees are experiencing	3.6	4.4	15.84
2. Unconscious biases impacting important HR decisions – like hiring and promotions (ex. Anchoring bias, halo effect, confirmation bias, self-serving bias and attentional bias)	3.6	4.2	15.12
3. Discrimination of any kind against others in the workplace	3.4	4.4	14.96
4. Enabling systemic racism in the workplace	3.2	4.6	14.72
5. Misunderstanding, and/or non-compliance/breach of applicable employment laws, such as Employment Standards Act, Personal Health Information Protection Act, Occupational Health and Safety Act	3	4.6	13.8

# HRPA’s model of regulatory performance

HRPA’s model of regulatory performance is given below:





The model is best explained by working back from the ultimate objective or ultimate impact. The ultimate objective of HRPAs regulatory framework is the promotion and protection of the public interest.

### **The measure of success for professional regulation**

The measure of success for a professional regulatory body is in the extent to which harms and risks of harms to the public stemming from the practice of the profession have been reduced, suppressed, mitigated, or eliminated by the decisions and actions taken by the professional regulatory body. The objective is to maximize the reduction, suppression, mitigation, or elimination of risks to the public stemming from the practice of the profession by minimizing the risks to the public stemming from the practice of the profession.

### **Risk-based regulation**

Risk-based regulation is an approach to professional regulation that aims to maximize the impact of the professional regulatory body by focusing resources on those specific risks of harm which reduction, suppression, mitigation, or elimination would have the most benefit for the public.

### **Shift from passive regulation to proactive regulation**



HRPA and the Office of the Registrar (OOR) are shifting the emphasis from passive regulation to proactive regulation. This is in keeping with the idea of maximizing the reduction, suppression, mitigation, or elimination of harm to the public stemming from the practice of the profession. It is better to prevent harm from happening than to mitigate the harm once it has occurred.

### **Proximal outcomes**

Professional regulatory bodies minimize the risks to the public stemming from the practice of the profession by having an impact on the conduct and practice of their registrants.

### **The 'levers' of professional regulation**

There are five 'levers' to *regulatory action*, each is focused on having an impact on the conduct and practice of HRPAs registrants, with the intent of protecting the public interest by reducing, suppressing, mitigating, or eliminating of harms or potential harms to the public stemming from the practice of the profession. To the five 'levers' is a sixth function which is focused on ensuring that regulatory actions and decisions are coordinated to achieve maximum impact on the promotion and protection of the public interest by reducing, suppressing, mitigating, or eliminating the risks of harms or potential risks of harms to the public stemming from the practice of the profession.

# HRPA's regulatory functions

## Registration and certification

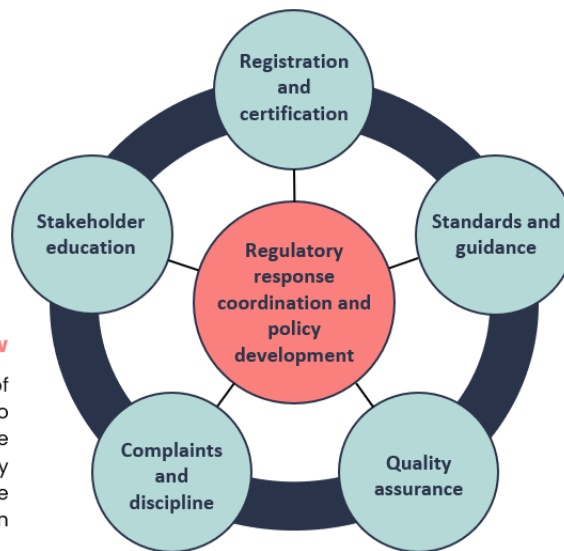
To contribute to the promotion and protection of the public interest by ensuring that only individuals with the necessary qualifications to practice the profession in safe and effective manner are allowed to register with HRP or to be certified by HRP and to ensure that only individuals with the necessary qualifications are authorized to perform certain activities

## Stakeholder education

To contribute to the promotion and protection of the public interest by managing relations with stakeholders in such a way as to develop and maintain public confidence in the profession and in the regulation of the profession

## Complaints, Discipline, Capacity, and Review

To contribute to the promotion and protection of the public interest by dealing with registrants who may have failed to live up to the standards of the profession in order to protect the public from any further harm and restore confidence in the profession



## Standards and guidance

To contribute to the promotion and protection of the public interest by ensuring that the profession has the practice standards and the practice guidelines guidance required to help registrants apply the standards such that the risks of harm to the public are minimized.

## Quality assurance

To contribute to the promotion and protection of the public interest by 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

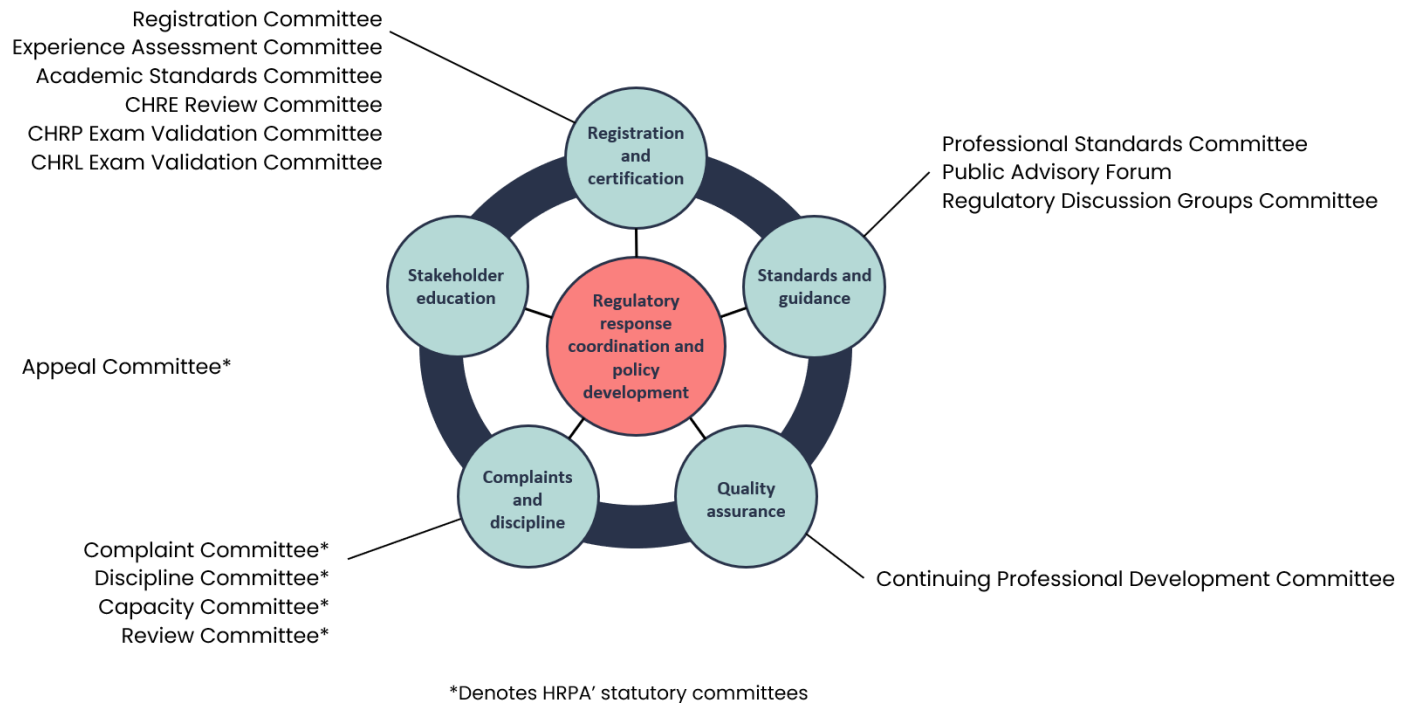
## Regulatory response coordination and policy development

To contribute to the promotion and protection of the public interest by to ensure that regulatory activities are coordinated such as to achieve maximum impact on the promotion and protection of the public interest by reducing, suppressing, mitigating or eliminating the risks of harms or potential risks of harms to the public stemming from the practice of the profession

## The role of regulatory committees

Regulatory committees play a variety of roles in making HRPAs regulatory framework work. An essential aspect of self-regulation is that professionals are in the best position to make judgments on the conduct and practice of other professionals. Where such judgments are required, committees are struck. In the case of the statutory committees, the establishment of the committee and the powers and duties of the committee are set out in the Act.

## HRPA's regulatory committees



Note that there is a difference between policy, and the application of policy. HRPAs regulatory committees (not counting the Board, the Governance and Nominating Committee, and the Professional Standards Committee) are not responsible for policy. HRPAs regulatory committees are responsible for applying policy in a diligent, conscientious, transparent, objective, impartial, and fair manner.

Although the work of HRPAs regulatory committees is essential to HRPAs performance as a professional regulatory body, there is much more to professional regulation than the work of HRPAs regulatory committees. This is a situation of ‘necessary but not sufficient’—effective decision-making by HRPAs regulatory committees is *necessary* for effective performance as a professional regulatory body, but it is not *sufficient* for effective performance as a professional regulatory body.

### **Organization**

Finally, the actions and decisions of the professional regulatory body are supported by an infrastructure of governance structure, culture and skills, and information technology.

## Special Reports

### **What is the difference between the registration report and the renewal report?**

This Registrar's Report includes two special reports—one on registration and the other on renewal—what is the difference?

The Registration Report takes a snapshot of HRPAs register on the last day of the fiscal year (November 30) and compares this snapshot to previous end-of-fiscal snapshots. The Registration Report also looks at the movement of registrants from one registration class to another since the previous end-of-fiscal snapshot.

The Renewal Report is based on renewal invoices issued. Renewal invoices are issued on or about March 15 of each year. Individuals joining HRPAs after March 15 are also issued renewal invoices for the next years. Students who register on or after March 1 are also registered for the next year. These students do not receive a renewal invoice. The final number of invoices issued is not known until June 1 of each year. Individuals joining after June 1 are not counted in the analysis of renewal rates for the year in progress.

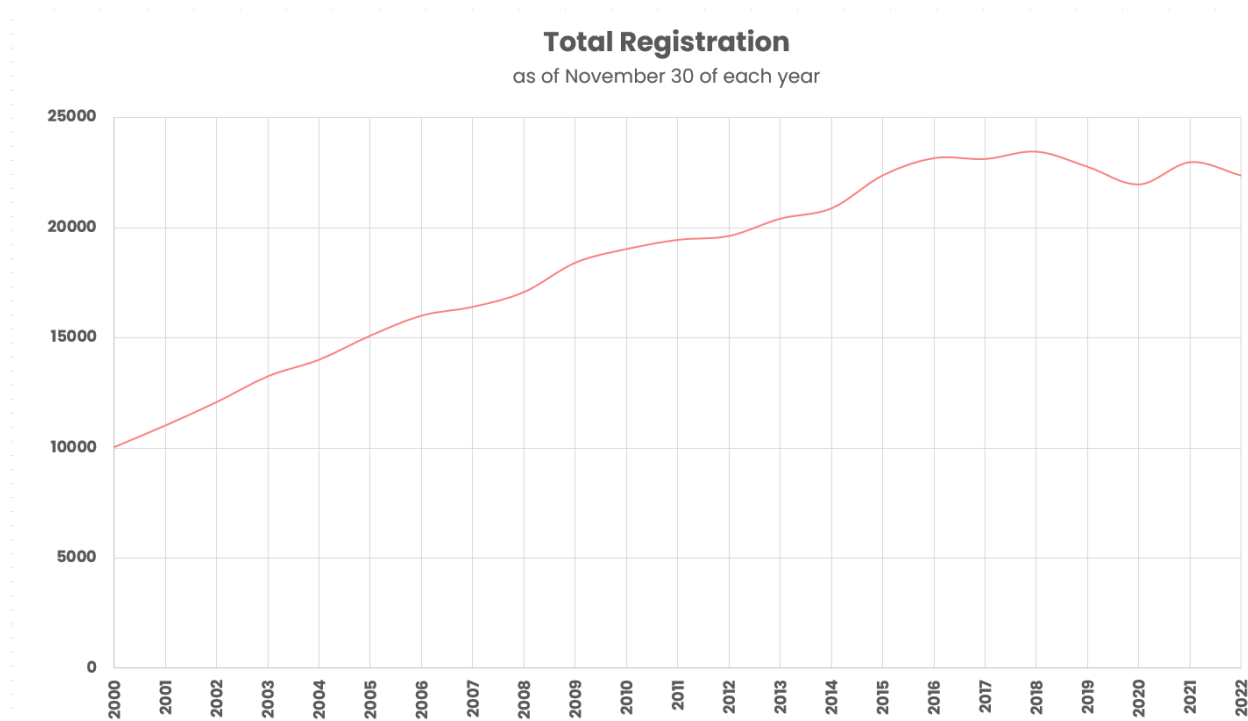
All this to say that the Registration Report and the Renewal Report answer different questions in different ways.

# Special report: Registration 2022

## Public register

HRPA ended the fiscal year (November 30, 2022) with 22,358 registrants. At end-of-fiscal last year (November 30, 2021) registration stood at 22,970. This represents a -2.7% year-over-year loss in registration. The peak end-of-fiscal registration count was in 2018, with 23,448 registrants. The breakdown by registration class is given later in this report.

## Registration count on November 30 from 2000 to 2022



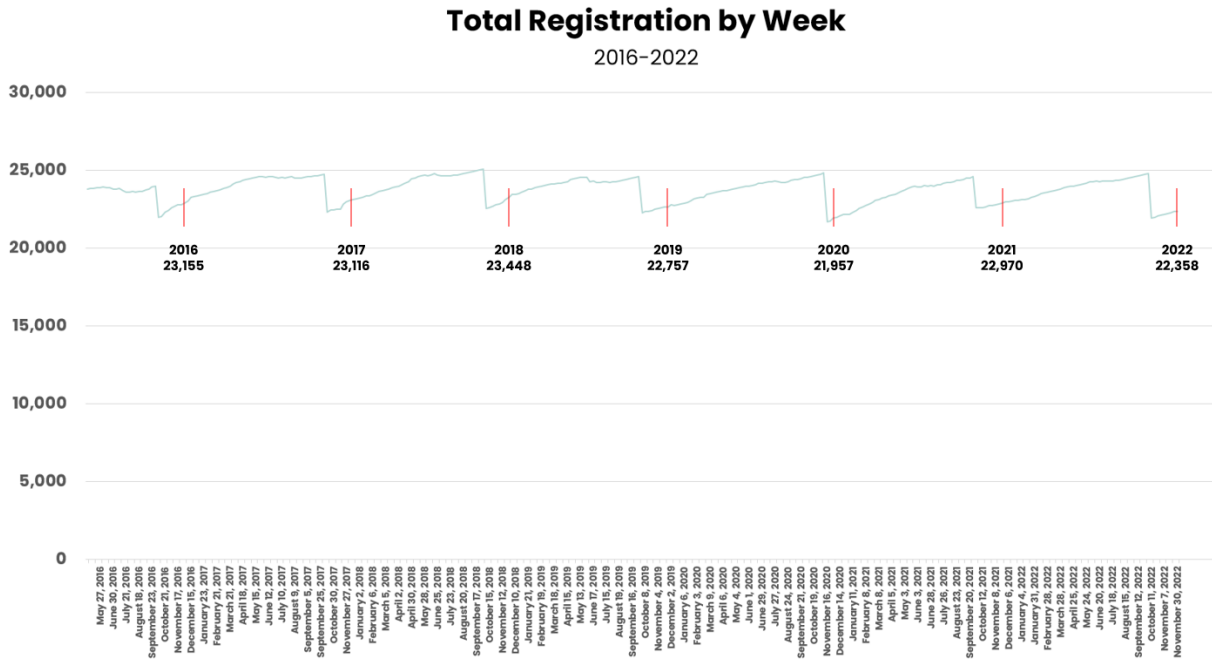
## Registration count by week

Registration count varies significantly throughout the year. The highest registration count in fiscal 2021-2022 was 24,796 on October 3, 2022, and the lowest registration count in fiscal 2021-2022 was 22,972 on December 6, 2021. For any given year, the highest registration count will occur just before revocation, and the lowest registration count will occur after revocation.

The highest registration count ever at HRP A was on September 30, 2018, with 25,068 registrants.

The figure below gives weekly registration counts for the last six years. Also indicated are the end-of-fiscal registration counts which are reported in the Annual Report.

## Registration count by week 2016–2021



There is a pronounced sawtooth pattern with a big drop at revocation. There are two ways of ending registration with HRP: resignation or revocation. Resignations take effect immediately but revocations for non-renewal can only take effect after proper legal notice. When registrants do not renew their registration and do not give any indication of their intention to end their registration with HRP, HRP must then go through formal steps before determining that the registrant has in fact ended their registration with HRP. Revocation for failure to renew occurs on October 1<sup>1</sup> of each year (in 2020, because of the extension to the renewal deadline, this date was November 13). The sawtooth pattern obtains because most registrants who do not intend to renew their registration with HRP will wait to be suspended and eventually revoked once the respective notice periods have passed.

The vertical red lines are end-of-fiscal counts. These are the registration counts that are reported in the Annual Report.

<sup>1</sup> Unless October 1 happens to fall on a weekend, in which case the next business day becomes the revocation date.

## 2022 Registration by class

The table below gives the 2022 registration counts by class.

### Registration counts by class

Registration class	2022	%
<b>Designated members</b>	<b>14,882</b>	<b>66.6%</b>
Certified Human Resources Executive (CHRE)	243	1.1%
Certified Human Resources Leader (CHRL)	8,825	39.5%
Certified Human Resources Professional (CHRP)	5,814	26.0%
<b>Undesignated Members</b>	<b>7,088</b>	<b>31.7%</b>
Practitioner	6,870	30.7%
Allied Professional	228	1.0%
<b>Total members</b>	<b>21,980</b>	<b>98.4%</b>
Students	378	1.7%
<b>Total registrants</b>	<b>22,348</b>	<b>100.0%</b>

### Total registration gains and losses

Each year HRPA attracts new registrants but loses existing registrants. A question to be answered is which has had more impact.

### Registration gains and losses 2019–2022

	Start	Gain	Loss	End
2022 (December 1, 2021, to November 30, 2022)	22,970	+2834	-3446	22,358
2021 (December 1, 2020, to November 30, 2021)	21,957	+3,555	-2,542	22,970
2020 (December 1, 2019, to November 30, 2020)	22,757	+2,533	-3,333	21,957
2019 (December 1, 2018, to November 30, 2019)	24,448	+1,585	-3,276	22,757

The -2.7% year-over-year is the result of both fewer gains and higher losses than in previous years, with the losses having more of an impact than the gains.

### Year-over-year change in registration count by registration class

The table below compares 2022 registration counts with 2021 registration counts by class, and Table 4 below gives the registration counts by class for the years 2015 to 2022.



## Comparing 2021 and 2022 registration counts by class

Registration class	2021	2022	% Change
<b>Designated members</b>	<b>14,918</b>	<b>14,882</b>	<b>-0.2%</b>
Certified Human Resources Executive (CHRE)	253	243	-4.0%
Certified Human Resources Leader (CHRL)	9,104	8,825	-3.1%
Certified Human Resources Professional (CHRP)	5,561	5,814	4.5%
<b>Undesignated Members</b>	<b>7,720</b>	<b>7,088</b>	<b>-8.2%</b>
Practitioner	7,505	6,870	-8.5%
Allied Professional	215	228	6.0%
<b>Total members</b>	<b>22,638</b>	<b>21,980</b>	<b>-2.9%</b>
Students	332	378	13.9%
<b>Total registrants</b>	<b>22,970</b>	<b>22,348</b>	<b>-2.7%</b>

The table on the next page gives registration counts by class from 2015 to 2021.

There are some important points, however. There have been dramatic changes in the number of individuals registered in the Student and Practitioner classes since 2018. This was not because of a loss of Student registrants or a gain of Practitioner registrants but a misclassification of these individuals. Many registrants registered in the Student class should have been registered in the Practitioner class. When these registrants were reclassified correctly because of a 'clean up,' this led to a sharp drop in the number of registrants in the Student class and a sharp increase in the number of registrants in the Practitioner class.

The figure below illustrates the issue. The corrections to the Student registration class were made in two phases, one in 2019 and another in 2020. This led to a reduction of registration in the Student class and a corresponding increase in registration in the Practitioner class. The implication of these corrections is that any comparison involving pre-2020 registration counts in either the *Student* or *Practitioner* registration classes are not likely to be very meaningful.

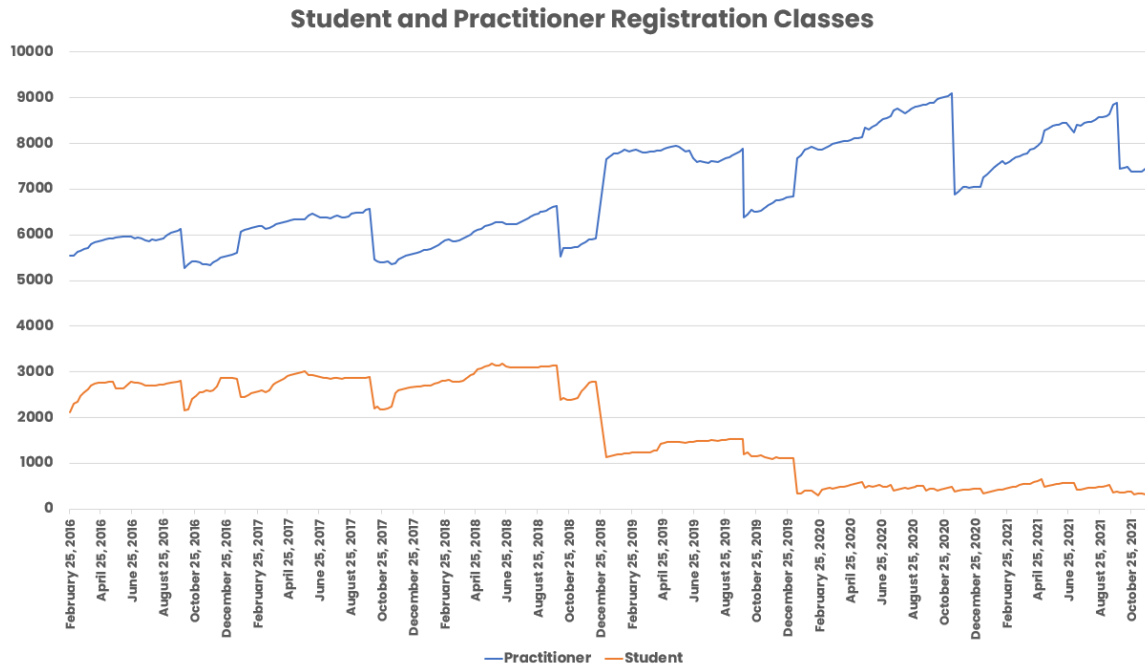
The Allied Professional class also shows a correction from 2018. Until 2018, registration with HRPAs was bundled with completion of the *Certificate in Human Resources for CPAs* program. This practice has since been discontinued resulting in a reduction in the number of registrants in the Allied Professional class.

Caution should be taken in interpreting Student class registration numbers, not because of the misclassification issue noted above—this issue was resolved in early 2020 and did not impact the 2021 year-over-year comparison—but because the Student class is inherently volatile. Many individuals in the Student registration class are there for only a matter of months before moving to another registration class.

## Registration by class 2015–2022

Registration class	2015	2016	2017	2018	2019	2020	2021	2022
<b>Designated members</b>	<b>13,980</b>	<b>14,681</b>	<b>14,717</b>	<b>14,529</b>	<b>14,649</b>	<b>14,286</b>	<b>14,918</b>	<b>14,882</b>
Certified Human Resources Executive (CHRE)	216	251	269	269	270	257	253	243
Certified Human Resources Leader (CHRL)	9,329	9,289	9,053	9,076	9,613	9,106	9,104	8,825
Certified Human Resources Professional (CHRP)	4,435	5,141	5,395	5,184	4,766	4,923	5,561	5,814
<b>Undesignated Members</b>	<b>5,841</b>	<b>5,626</b>	<b>5,759</b>	<b>6,144</b>	<b>6,993</b>	<b>7,252</b>	<b>7,720</b>	<b>7,088</b>
Practitioner	5,672	5,417	5,536	5,892	6,751	7,046	7,505	6,870
Allied Professional	169	209	223	252	242	206	215	228
<b>Total members</b>	<b>19,821</b>	<b>20,307</b>	<b>20,476</b>	<b>20,673</b>	<b>21,642</b>	<b>21,538</b>	<b>22,638</b>	<b>21,980</b>
Students	2,513	2,848	2,640	2,775	1,115	419	332	378
<b>Total registrants</b>	<b>22,334</b>	<b>23,155</b>	<b>23,116</b>	<b>23,448</b>	<b>22,757</b>	<b>21,957</b>	<b>22,970</b>	<b>22,348</b>

## Impact of the Student registration class 'clean-up'



## The proportion of HRPAs members who are designated from 2015 to 2022

On November 30, 2022, the proportion of HRPAs members who are designated was 66.56%.

There is an interest in the proportion (percentage) of HRPAs members who are designated. Data was available on a weekly basis from February 25, 2016<sup>2</sup>.

$$\text{Designated members as a percentage of membership} = \frac{\text{Number of members who are designated}}{\text{Total number of members}}$$

As noted above, however, any comparison involving pre-2020 registration counts in either the *Student* or *Practitioner* registration classes are not likely to be very meaningful. The work-around is to use total registration as the denominator. Calculated this way, the misclassification of Students would have no effect.

$$\text{Designated members as a percentage of registration} = \frac{\text{Number of members who are designated}}{\text{Total registration}}$$

The figure on the next page, gives the percentage of registrants who are designated on a weekly basis starting February 25, 2016.

Again, there is a strong cyclical variation in the proportion of registrants who are designated. For instance, in fiscal 2021-2022 the minimum designated members to total registration ratio was 61.46% on

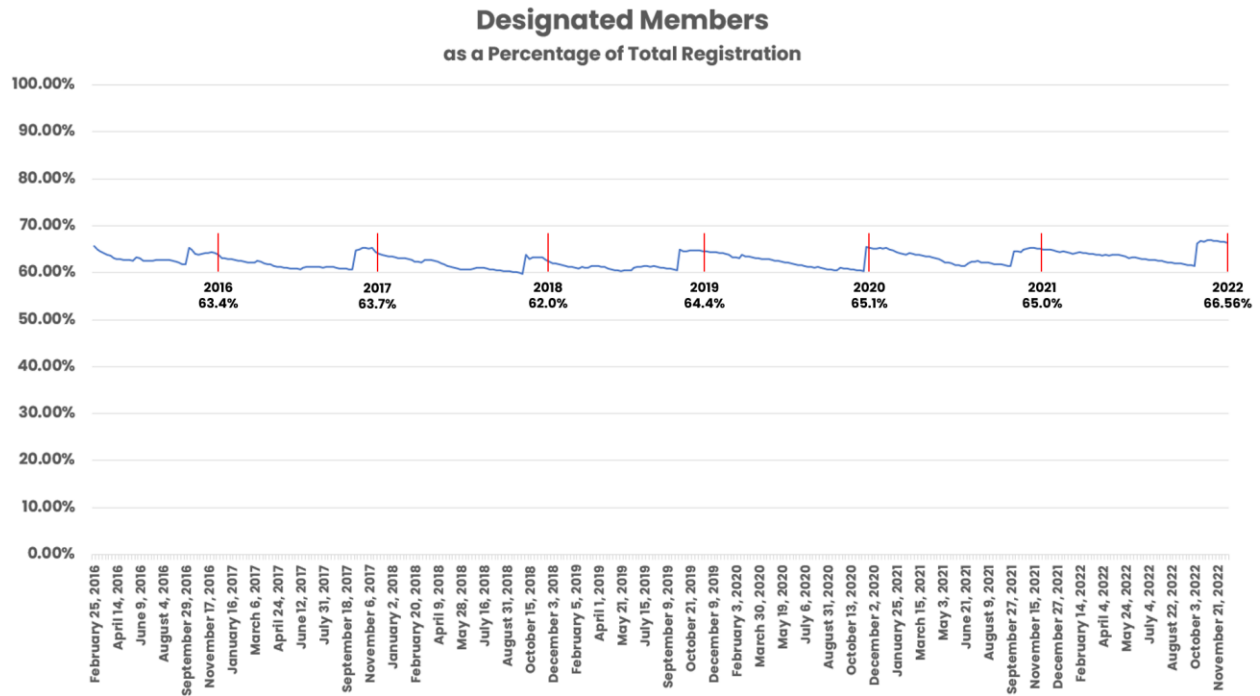
<sup>2</sup> It does not make sense to go much before this date. On October 28, 2014, the new designation framework was introduced. On that day, all CHRP candidates which were, before this date, undesignated registrants immediately became designated members. There was a big jump overnight in the proportion of designated members.

October 3, 2022, the maximum designated members to total registration ratio was 66.89% on October 31, 2010. On November 30, 2022, the proportion of HRP A registrants that are designated was 66.56%. This is the inverse of the pattern for total registration count. As noted above, the retention rate for designated members is significantly higher than for undesignated members and students. Therefore, revocation will have a greater impact on undesignated members and students.

Nonetheless, one can have a sense of the trend by considering the same date across the years. Figure 4 on the next page, gives the proportion of members who are designated on November 30 of each year since 2015.

The proportion of members who are designated appears to have edged slightly up over the last six years.

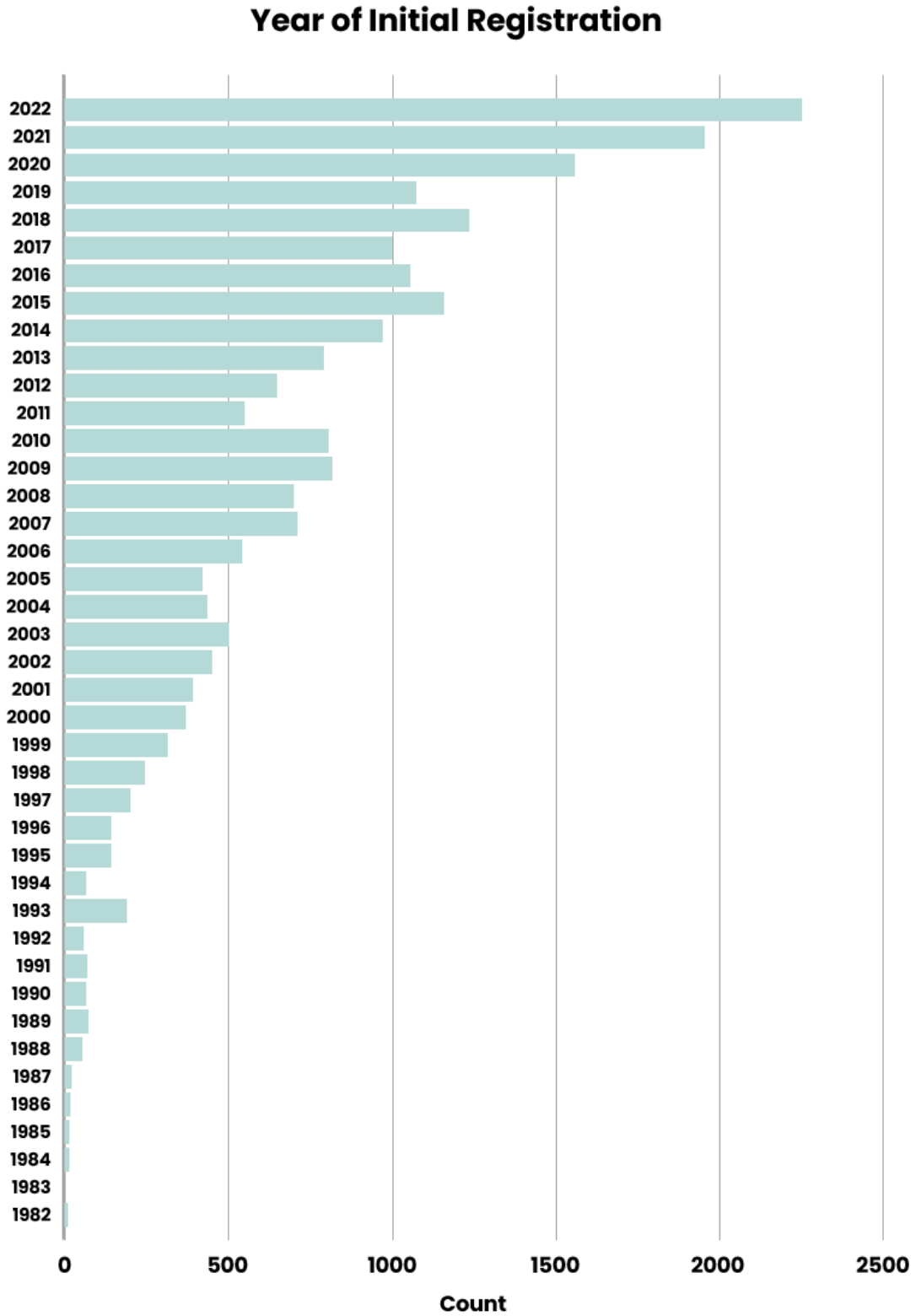
**Designated members as a percentage of total registration by week**



**Tenure**

The figure on the next page gives the registration count by year of initial registration—this also gives tenure with HRP A. The average tenure of HRP A registrants is 10.43 years, and the median tenure is 8 years.

Registration count by year of initial registration



### Percentage of registrants reaching different tenure milestones

Tenure	Count	Percent
30+ years	659	2.9%
25+ years	1,478	6.6%
20+ years	3,541	15.8%
15+ years	6,386	28.6%
10+ years	10,021	44.8%
5+ years	15,483	69.3%
<b>Total</b>	<b>22,347</b>	<b>100.0%</b>

### Initial registrations

Initial registrations refer to individuals who registered with HRP A between December 1, 2021, and November 30, 2022.

Initial registration can only be in one of three registration classes: Student, Practitioner, or Allied Professional. However, this may not be the registration class in which these individuals were registered on November 30, 2022. For instance, some individuals who will have initially registered in the Practitioner class will obtain one of the designations on or before November 30 and therefore be counted in this other class. Similarly, some individuals who will have initially registered in the Student class have moved on to another class on or before November 30 and therefore be counted in this other class.

Below is the table for the registration class in which individuals joined HRP A between December 1, 2021, and November 30, 2022. The table gives the number of registrations between the dates of December 1, 2021, and November 30, 2022, for each of the registration classes in which one can initially register as well as where these registrants were on November 30, 2022. Note that 496 individuals who registered with HRP A after the start of the fiscal year were already gone by the last day of the fiscal year.

### Initial registrations between December 1, 2021, and November 30, 2022

Registration class upon registration	Initial registrations	Registration Class at End-of-Fiscal (November 30, 2022)						
		CHRE	CHRL	CHRP	Practitioner	Allied Professional	Student	Non-registrant
Practitioner	2,068	1	32	99	1,688	0	0	248
Allied Professional	61	0	0	2	0	54	0	5
Student	515	0	0	5	182	0	309	19
<b>Total</b>	<b>2,644</b>	<b>1</b>	<b>32</b>	<b>106</b>	<b>1,870</b>	<b>54</b>	<b>309</b>	<b>272</b>

## **How many registrants who joined in 2022 had previously been registered with HRP A?**

There was a total of 498 registrants out of 2394 (21%) who rejoined in 2022 who were previously registered with HRP A.

This tells us that the upswing in registration in 2021-2022 is not the result of individuals coming back after dropping out for a year because of the COVID-19 pandemic.

### **“In-and-outers”**

*‘In-and-outers’* are Individuals who register on or after the first day of the fiscal year (i.e., on or after December 1) but who resign or are revoked before the last day of the fiscal year (i.e., on or before November 30). These individuals will not appear in either end-of-fiscal lists or tables, also they would not appear in any year-over-year comparisons.

Initial registrations can be in one of three classes: Student, Practitioner, or Allied Professional. Of course, by the end of the fiscal year some of these registrants will have moved to another registration class, but some will have resigned or been revoked for non-renewal.

Individuals who registered in either the Practitioner or Allied Professional registration classes between December 1, 2021, and June 1, 2022, and who did not renew their registrations (i.e., resignations or revocations) would not appear in either the 2021 end-of-fiscal registration list or the 2022 end-of-fiscal registration list. Individuals who registered in either the Practitioner or Allied Professional registration classes after June 1, 2022, would be registered for that year and therefore would appear on the 2022 end-of-fiscal registration list.

Because individuals who register in the Student registration class benefit from ‘push-through’ registration, the dates are a bit different. For students, initial registrations after March 1 include what remains of the current registration year and the following registration year. These individuals are not issued renewal invoices. Individuals who registered in the Student registration class between December 1, 2021, and March 1, 2022, and who did not renew their registrations (i.e., resignations or revocations) would not appear in either the 2021 end-of-fiscal registration list or the 2022 end-of-fiscal registration list. Individuals who registered in the Student registration class after March 1, 2022, would be registered for the next year by virtue of the ‘push-through’ and therefore would appear on the 2022 end-of-fiscal registration list.

*‘In-and-outers’* do not appear in end-of-fiscal tallies, but they do appear in the quarterly tally of new registrations in the registration section of the *Registrar’s Reports*, and unless a new registrant resigns before March 15, they will receive a renewal invoice and be included in the renewal statistics.

The table below gives the number of *‘in-and-outers’* as a percentage of initial registrations between the dates of December 1, 2021, and November 30, 2022.

**'In-and-outers'**

<b>Registration class upon registration</b>	<b>Count (new registrant acquisition)</b>	<b>Still registered at end of Fiscal</b>	<b>Non-registrant (in-and-outers)</b>	<b>Percent in-and-outers</b>
Practitioner	2,068	1,820	248	12.0%
Allied Professional	61	56	5	8.2%
Student	515	496	19	3.7%
<b>Total</b>	<b>2,644</b>	<b>2,372</b>	<b>272</b>	<b>10.3%</b>

**Inter-class movement**

The two tables on the next page tracks the movement of registrants between classes between November 30, 2021, and November 30, 2022.

The best way to understand the first table is to read it horizontally. For instance, on November 30, 2021, there were 5,561 individuals registered in the CHRP registration class. In what class were these individuals registered a year later? We find that, a year later, none of these individuals had obtained the CHRE designation, 87 had obtained the CHRL designation, 5,084 renewed their registration in the CHRP registration class, 72 were bumped down to the Practitioner registration class (either because they did not meet the Continuing Professional Development requirement or voluntarily because they no longer wanted to be subject to the Continuing Professional Development requirement), none went to the Allied Professional registration class, none went to the Student registration class, and 318 are no longer registered with HRP.

The second table gives the 'ins and outs' for each registration class. There are two ways that registration in each class increases: (1) individuals who enter the class upon initial registration (new registrations), and (2) individuals who enter the class from another class. There are two ways that registration in each class decreases: (1) individuals who move to another class, and (2) individuals who do not renew their registration (i.e., resignations and revocations).



**Inter-class movement**

Registration class	November 30, 2021	November 30, 2022						
		CHRE	CHRL	CHRP	Practitioner	Allied Professional	Student	Non-registrant
Certified Human Resources Executive (CHRE)	253	238	0	0	4	0	0	11
Certified Human Resources Leader (CHRL)	9,104	4	8,612	0	75	0	0	413
Certified Human Resources Professional (CHRP)	5,561	0	87	5,084	72	0	0	318
Practitioner	7,505	1	97	594	4,747	10	0	2,056
Allied Professional	215	0	2	9	1	161	0	42
Student	332	0	1	28	126	0	70	107
Non-registrant	2,335	0	26	99	1,845	57	308	X

**Detailed account of the ins and outs of each registration class between November 30, 2021, and November 30, 2022**

Registration class	November 30, 2021	No longer registered with HRP A	Moved to another class	Came from another class	New registration in class	November 30, 2022
Certified Human Resources Executive (CHRE)	253	11	4	5	0	243
Certified Human Resources Leader (CHRL)	9,104	413	79	187	26	8,825
Certified Human Resources Professional (CHRP)	5,561	318	159	631	99	5,814
Practitioner	7,505	2,056	702	278	1,845	6,870
Allied Professional	215	42	12	10	57	228
Student	332	107	2,027	0	308	378

**Out-of-province registration as of November 30, 2022**

	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	International	Total outside Ontario	Total
<b>Designated members</b>	<b>14,467</b>	<b>67</b>	<b>66</b>	<b>69</b>	<b>30</b>	<b>9</b>	<b>9</b>	<b>7</b>	<b>2</b>	<b>8</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>277</b>	<b>138</b>	<b>415</b>	<b>14,882</b>
Certified Human Resources Executive (CHRE)	223	2	4	4	3	1	0	0	0	0	0	0	0	14	6	20	243
Certified Human Resources Leader (CHRL)	8,588	33	39	36	15	7	5	0	2	5	1	3	2	148	89	237	8,825
Certified Human Resources Professional (CHRP)	5,656	32	23	29	12	1	4	7	0	3	2	0	2	115	43	158	5,814
<b>Undesignated Members</b>	<b>6,876</b>	<b>34</b>	<b>44</b>	<b>30</b>	<b>12</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>145</b>	<b>77</b>	<b>222</b>	<b>7,098</b>
Practitioner	6,661	30	42	29	10	3	6	3	3	4	1	2	1	134	75	209	6,870
Allied Professional	215	4	2	1	2	1	0	0	0	1	0	0	0	11	2	13	228
<b>Total members</b>	<b>21,343</b>	<b>101</b>	<b>110</b>	<b>99</b>	<b>42</b>	<b>13</b>	<b>15</b>	<b>10</b>	<b>5</b>	<b>13</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>422</b>	<b>215</b>	<b>637</b>	<b>21,980</b>
Students	370	3	2	2	0	0	0	0	0	0	0	0	0	7	1	8	378
<b>Total registrants</b>	<b>21,713</b>	<b>104</b>	<b>112</b>	<b>101</b>	<b>42</b>	<b>13</b>	<b>15</b>	<b>10</b>	<b>5</b>	<b>13</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>429</b>	<b>216</b>	<b>645</b>	<b>22,358</b>

## Resident and non-resident registrations 2017–2022

	2017	2018	2019	2020	2021	2022
<b>Ontario residents</b>	22,513	22,845	22,173	21,359	22,307	21,713
<b>Residents of other anadian provinces</b>	378	359	343	346	412	429
<b>International residents</b>	225	244	241	252	251	216
<b>% non-residents</b>	2.6%	2.6%	2.6%	2.7%	2.9%	2.9%
<b>% International residents</b>	0.97%	1.04%	1.06%	1.15%	1.09%	1.00%

HRPA has 645 (2.9%) registrants who are not residents of Ontario. Again, the proportion of registrants who do not reside in Ontario may be drifting up ever so slightly.

### Practice through firms

Although HRPA has not yet proclaimed the by-laws relating to the registration and regulation of firms (Section 12 of the HRPA By-laws), the registration and renewal processes require applicants and registrants to indicate whether they practice through a firm, and if so, what type of firm they are practicing through.

#### Do you practice through a firm?

Yes	1314	6%
No	21,044	94%
<b>Total</b>	<b>22,358</b>	<b>100.0%</b>

#### What type of firm do you practice through?

Sole proprietorship	277	21%
Partnership	73	6%
Limited Liability Partnership	162	12%
Corporation	802	61%
<b>Total</b>	<b>1314</b>	<b>100.0%</b>

### Authorized for independent practice

To be authorized for independent practice, one must meet the Professional Liability Insurance (PLI) requirement. The Professional Liability Insurance (PLI) requirement has two essential components: (1) to obtain enough professional liability insurance, and (2) to notify the Registrar of such. Authorization for independent practice is recorded in the public register.

#### Registrants who are authorized for independent practice

Yes	602	3%
No	21,756	97%
<b>Total</b>	<b>22,358</b>	<b>100.0%</b>

The numbers do not line up in an important way: 1,314 registrants indicated that they were in independent practice, yet only 602 are authorized for independent practice.

**Crosstabulation of authorization for independent practice with practice through a firm**

		<b>Authorized for Independent Practice</b>		<b>Total</b>
		<b>Yes</b>	<b>No</b>	
<b>Practicing through a firm</b>	<b>Yes</b>	383	219	602
	<b>No</b>	613	11,236	11,849
<b>Total</b>		<b>996</b>	<b>11,455</b>	<b>12,232</b>

The numbers don't quite line up. Likely registrants do not understand what it means to practice through a firm.

## Special report: Renewal 2022

Although the pandemic continues to impact our lives, 2022 saw a return to normal in many ways. This year the usual time frames for registration renewal were in place.

Milestone	Date
'Push through' registration begins for Students	March 1, 2022
Renewal invoices issued	March 15, 2022
Registration opens	April 4, 2022
Renewal deadline	May 31, 2022
Suspension deadline	July 15, 2022
Revocation deadline	October 3, 2022

The renewal campaign proper was eight weeks long. However, it was possible to renew one's registration until revocation, which gives a twenty-seven-week window in which to renew one's registration with HRP. This year revocation was on October 3 instead of September 30 because HRP's offices closed to observe the *National Day for Truth and Reconciliation* and October 1 fell on a weekend.

For 2022, the renewal dues were again frozen at 2020 rates.

This year, the application of the late dues' penalty of \$100 for members and \$20 for students was postponed until July 4, 2022, although this was not announced until after the registration deadline to not encourage late renewal.

The bottom line was that the overall renewal rate in 2022 was 85.8%. Although this is low compared to last year's, 89.4%, it is not that far from historical renewal rates.

### Registration class is registration class in which the renewal invoice was issued

Renewal invoices are generated on or about March 15 for all individuals appearing on the register at that time. Renewal invoices are also generated for individuals who register with HRP after March 15 up to May 31.

Renewal rates are reported according to the registration class in which the renewal invoice was issued. For instance, a registrant is issued a renewal invoice for the *Practitioner* class, but this individual is granted the CHRL designation after the invoice is generated. Upon renewal, this individual would be counted as a *Practitioner* who has renewed. Changes in registration class come into effect at the time a registrant meets the requirements for a new class. However, invoices, once issued, are not updated, or reissued for that year. For example, an individual registered in the Practitioner class who is granted a designation after March 15 will see their registration class changed to their new class immediately, but their invoice will remain at the Practitioner level. However, for the purpose of renewal statistics, it is registration class when the invoice was issued that counts.

### Students and 'push-through' registrations

On a monthly basis, individuals registered in the Student class whose graduation date on file is in the next month are asked to confirm their graduation date to ensure that the information is accurate. Individuals who no longer qualify for the Student class are notified that their registration class will change to the Practitioner class.

Individuals who initially register in the Student class benefit from the *recent graduate discount*. For two renewal cycles after the individual has moved to another class, their dues will remain at the Student dues level. These are known as *transitional invoices*.

Students with graduation dates on or before the end of February are issued transitional invoices. Students with graduation dates of March 1 or later are issued Student invoices.

Students who register on or after March 1 up to and including May 31, are registered for the remainder of the registration year and for the next year. This is called push-through registration. These registrants are not issued a renewal invoice as they are 'automatically' registered for the next registration year.

### Calculating renewal rates

Renewal rates are calculated as follows:

$$\text{Registration Class Renewal Rate} = \frac{\text{Number of renewals in any class}}{\text{Number of renewal invoices issued in class}}$$

**Table 1: Renewal rates by registration class**

	<b>Renewal invoices issued</b>	<b>Renewal invoices paid</b>	<b>Renewal invoices unpaid</b>	<b>Renewal rate</b>
<b>Designated members</b>	<b>15,175</b>	<b>14,621</b>	<b>554</b>	<b>96.3%</b>
Certified Human Resources Executive (CHRE)	255	244	11	95.7%
Certified Human Resources Leader (CHRL)	9,164	8,782	382	95.8%
Certified Human Resources Professional (CHRP)	5,756	5,595	161	97.2%
<b>Non-designated members</b>	<b>8,757</b>	<b>6,041</b>	<b>2,716</b>	<b>69.0%</b>
Practitioner	8,490	5,838	2,652	68.8%
Allied Professional	267	203	64	76.0%
<b>Total members</b>	<b>23,932</b>	<b>20,662</b>	<b>32,70</b>	<b>86.3%</b>
Students	396	204	192	51.5%
<b>Total registrants</b>	<b>24,328</b>	<b>20,866</b>	<b>3,462</b>	<b>85.8%</b>

The renewal rate for designated members is significantly higher than for undesignated members (96.3% v. 69.0%).

## Differences in renewal rates across registration classes over time

The table below gives the renewal rates for the different classes of registration for the last five years.

### Renewal rates by registration class for the last five years

	2017	2018	2019	2020	2021	2022
<b>Designated members</b>	<b>95%</b>	<b>95%</b>	<b>95%</b>	<b>93%</b>	<b>96%</b>	<b>96%</b>
Certified Human Resources Executive (CHRE)	94%	95%	95%	92%	95%	96%
Certified Human Resources Leader (CHRL)	96%	96%	96%	93%	97%	96%
Certified Human Resources Professional (CHRP)	93%	92%	94%	92%	96%	97%
<b>Non-designated members</b>	<b>69%</b>	<b>75%</b>	<b>77%</b>	<b>69%</b>	<b>78%</b>	<b>69%</b>
Practitioner	70%	76%	78%	69%	78%	69%
Allied Professional	55%	70%	75%	67%	83%	76%
<b>Total members</b>	<b>88%</b>	<b>89%</b>	<b>90%</b>	<b>84%</b>	<b>90%</b>	<b>86%</b>
<b>Students</b>	<b>69%</b>	<b>65%</b>	<b>66%</b>	<b>81%</b>	<b>77%</b>	<b>52%</b>
<b>Total registrants</b>	<b>85%</b>	<b>86%</b>	<b>87%</b>	<b>83%</b>	<b>89%</b>	<b>86%</b>

Clearly, 2020 was an exceptional year and renewal rates have returned to pre-pandemic levels. Setting aside 2020, and 2021 as a rebound year, renewal rates have been consistent over the years. The renewal rate for designated members was 96%, for non-designated members it was 69%, and for students it was 52%.

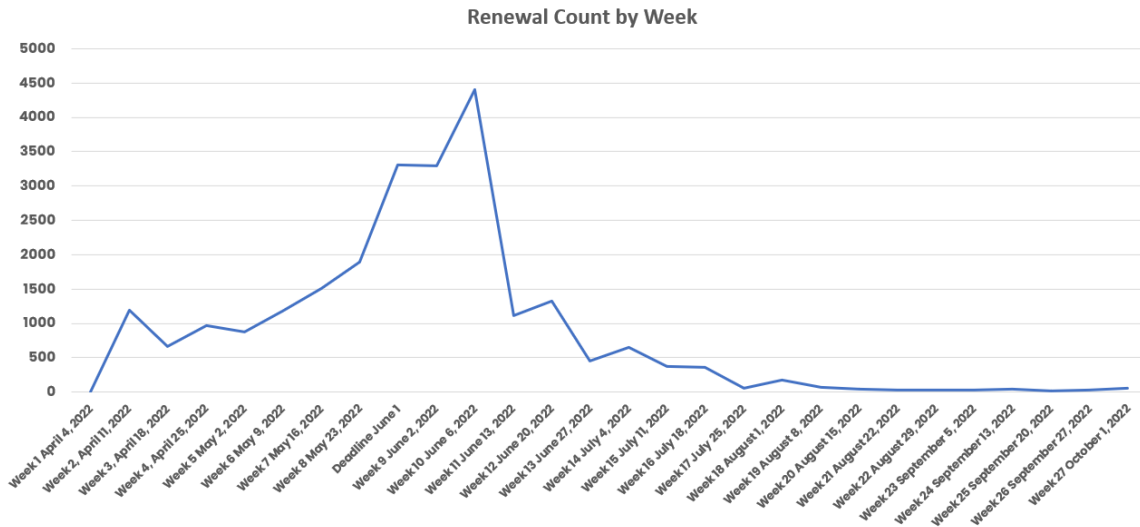
Caution should be taken in interpreting the numbers for Students, however. In 2019 and 2020, significant changes were made to how *Students* were accounted for.

Also, for the *Allied Professional* registration class, in previous years registration with HRPAs was bundled with the attendance in certain professional development offerings. For these *Allied Professionals*, the first-year registration dues were deemed to be included in the price of the professional development offering. In the following year, however, *Allied Professionals* were expected to pay dues (which are nonetheless much less than for other registration classes except Students). At that time, most of these individuals would not renew their registration with HRPAs. Since HRPAs abandoned this practice, the renewal rate for Allied Professionals has increased significantly.

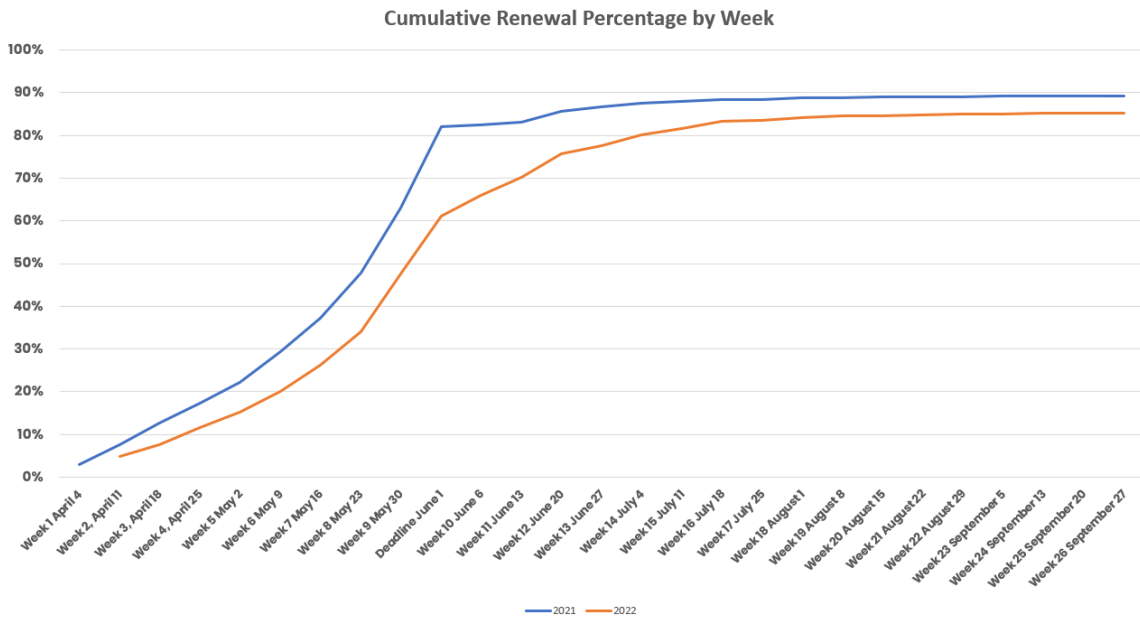
### Renewal progress

The figure below gives the weekly renewal counts from the start of the renewal period (April 1, 2022) through to the revocation deadline (October 1, 2022).

## Renewal by week April 1, 2022, to October 1, 2022



## Cumulative overall renewal rate by week



In 2022, the on-time renewal rate was quite low at 61.1% (see below). On the other hand, the rate of late renewals was higher—enough to close the gap to some extent but not enough to catch up with last year’s renewal rate.



## On-time renewal

On-time renewal is the proportion of renewal invoices issues that were paid at the deadline.

	Renewal invoices issued	Renewal invoices paid on or before deadline	Renewal invoices unpaid at deadline	On-time renewal rate
<b>Designated members</b>	<b>15,175</b>	<b>11,204</b>	<b>3,971</b>	<b>73.8%</b>
Certified Human Resources Executive (CHRE)	255	169	86	66.3%
Certified Human Resources Leader (CHRL)	9,164	6651	2,513	72.6%
Certified Human Resources Professional (CHRP)	5,756	4,384	1,372	76.2%
<b>Non-designated members</b>	<b>8,757</b>	<b>3,528</b>	<b>5,229</b>	<b>40.3%</b>
Practitioner	8,490	3,403	5,087	40.1%
Allied Professional	267	125	142	46.8%
<b>Total members</b>	<b>23,932</b>	<b>14,712</b>	<b>9,220</b>	<b>61.5%</b>
Students	396	124	272	31.3%
<b>Total registrants</b>	<b>24,328</b>	<b>14,854</b>	<b>9,474</b>	<b>61.1%</b>

Year	Invoices issued	Invoices paid on or before renewal deadline	On-time renewal rate
<b>2022</b>	24,328	14,854	61.1%
<b>2021</b>	24,008	19,716	82.1%
<b>2020</b>	24,175	18,652	77.2%
<b>2019</b>	23,692	17,398	73.4%

Whereas last year's (2021) on-time renewal rate was above normal, this year's (2022) on-time renewal is below normal.

## Ghosting index

There are two ways of ceasing to be registered with HRP—*resignation* and *revocation*. The proper way of terminating registration with HRP is by resigning. The issue faced by HRP is akin to *ghosting* in employment.

*“Employers are concerned about the growing trend of candidates who don’t show up to scheduled interviews, don’t arrive on the first day of work or even quit without giving notice. This trend is also known as “ghosting” in the workplace.”<sup>3</sup>*

When employees quit without giving notice, the employer must go through some legal steps to establish that the employee has terminated the employment relationship. Registration with HRP is similar. When registrants do not respond to requests to renew their registration with HRP by either renewing or resigning, they are ‘ghosting.’ HRP must then go through some formal steps before ascertaining that the registrant has in fact terminated their registration with HRP.

A Ghosting Index can be calculated:

$$\text{Ghosting Index} = \frac{\text{Revocations}}{\text{Resignations} + \text{Revocations}} = \frac{2,956}{490 + 2,956} = 85.8\%$$

Ghosting is not good. One would want the Ghosting Index to be as low as possible.

Only a minority of registrants who will not renew their registration with HRP notify HRP of their intentions. Only about 18% of registrants who will not renew their registration with HRP notify HRP of their intentions.

If registrants who no longer wished to renew their registration with HRP resigned as opposed to letting their registration lapse, most of the drop in registration would occur on or about the renewal deadline.

### **Renewal Dues Assistance Program (RDAP)**

The *Renewal Dues Assistance Program (RDAP)* is an update to the *Reduced Dues and Member Disability Assistance Program (MDAP)* which had been in place previously. The most notable difference between RDAP and previous programs is that the RDAP program offers more levels of dues relief than the previous approach. The amount of dues assistance can vary from 20% (where a registrant pays 80% of normal dues) to 100% (where a registrant pays 0% of normal dues).

RDAP is available upon renewal only, it is not available upon initial registration.

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<sup>3</sup> <https://www.peoplescout.com/insights/ghosting-in-the-workplace/>

## 2022 RDAP usage by registration class

	Renewal invoices paid	RDAP usage	RDAP usage as percentage of invoices paid
<b>Designated members</b>	<b>14,621</b>	<b>651</b>	<b>4.5%</b>
Certified Human Resources Executive (CHRE)	244	3	1.2%
Certified Human Resources Leader (CHRL)	8,782	366	4.2%
Certified Human Resources Professional (CHRP)	5,595	282	5.0%
<b>Non-designated members</b>	<b>6,041</b>	<b>213</b>	<b>3.5%</b>
Practitioner	5,838	210	3.6%
Allied Professional	203	3	1.5%
<b>Total members</b>	<b>20,662</b>	<b>0</b>	<b>0.0%</b>
Students	204	0	0.0%
<b>Total registrants</b>	<b>20,866</b>	<b>864</b>	<b>4.1%</b>

- In 2022, 4.1% of renewing registrants participated in the RDAP.

## Renewal dues assistance usage for last six years

Year	Renewal invoices paid	RDAP usage	RDAP usage as percentage of invoices paid
<b>2022</b>	20,866	864	4.1%
<b>2021</b>	21,367	1,122	5.3%
<b>2020</b>	20,065	1,537	7.7%
<b>2019</b>	21,089	1,064	5.0%
<b>2018</b>	21,192	498	2.3%
<b>2017</b>	20,934	701	3.3%

As noted above, the amount of dues assistance can vary from 20% (where a registrant pays 80% of normal dues) to 100% (where a registrant pays 0% of normal dues). The average amount of relief was 73.6% (which means that the average participant in the RDAP paid 26.4% of the full dues amount).

Across all participants in RDAP, the total value of full dues would have been \$364,580. The total amount of dues relief was \$294,780.

## Retired registrants

The dues for retired members are set at \$100. In 2022, HRPA had 263 registrants with retired status.

Across all retired members, the total full dues would have been \$128,140. With retired dues, these registrants paid a total of \$25,705.

	<b>Renewal invoices paid</b>	<b>Retired status</b>	<b>Retired status as percentage of invoices paid</b>
<b>Designated members</b>	<b>14,621</b>	<b>232</b>	<b>1.6%</b>
Certified Human Resources Executive (CHRE)	244	13	5.3%
Certified Human Resources Leader (CHRL)	8,782	214	2.4%
Certified Human Resources Professional (CHRP)	5,595	5	0.1%
<b>Non-designated members</b>	<b>6,041</b>	<b>31</b>	<b>0.5%</b>
Practitioner	5,838	30	0.5%
Allied Professional	203	1	0.5%
<b>Total members</b>	<b>20,662</b>	<b>263</b>	<b>1.3%</b>
Students	204	0	0.0%
<b>Total registrants</b>	<b>20,866</b>	<b>263</b>	<b>1.3%</b>

## 2022 Annual Report on Compliance

Although the term ‘compliance’ is the usual term used by professional regulatory bodies to refer to the degree to which registrants abide by the rules established by the professional regulatory body, it is an unfortunate choice of words. For some, the word ‘compliance’ suggests the idea of coercion, or of being forced to do something that one does not want to do. A better word would be ‘adherence,’ as in ‘adherence to the rules established by the professional regulatory body.’

Professionals do not feel coerced into abiding by rules when:

- The rationale for the rule is seen as reasonable and necessary,
- The regulated professional sees the professional regulatory body as legitimate, competent, and ethical,
- The regulated professional agrees that regulation is needed,
- The regulator can document the beneficial impact of such rules

For instance, most Canadians are accepting of facemask mandates. This is because most Canadians see the mandate as reasonable and necessary, that it is being mandated by legitimate, competent, and ethical authority, which leaving the wearing of facemasks to individuals would not be in the interest of the greater good, and that authorities can document the beneficial impact of facemask wearing.

Professional regulatory bodies simply cannot achieve their objectives by controlling the conduct and practice of the professionals they regulate. The only way professional regulatory bodies can reach their objectives is when professionals ‘*carry a bit of the professional regulatory body with them*’ whenever and wherever they practice the profession. Professional regulatory bodies are *influencers*, not *controllers*. In the end, regulated professionals are the implementors of practice standards. Compliance does not refer to the extent to which registrants ‘obey orders’ of their professional regulatory body, but the extent to which they have internalized the professional guidance issued by their professional regulatory body and applied this guidance in everyday professional practice.

This engagement with professional regulation acts as a multiplier. Practice guidance can only have an impact to the extent that it is put into effect by registrants.

Regulatory initiatives intended to reduce, suppress, mitigate or eliminate harms and potential harms to the public stemming from the practice of the profession



Registrant engagement in professional regulation



Actual reduction, suppression, mitigation or elimination of a harm or potential harm to the public stemming from the practice of the profession

There are three requirements for which the level of compliance is known or for which evidence can be used to estimate overall compliance with the requirement even without being able to ascertain whether individual members, firms, or students comply with the requirements. These are:

1. the requirement to obtain and maintain professional liability insurance for registrants in independent practice and
2. the requirement to notify the Registrar of any insolvency event (i.e., bankruptcy or consumer proposal).
3. the CPD requirement,

**The requirement to obtain and maintain professional liability insurance for registrants in independent practice**

The requirement for HRPAs registrants in independent practice to obtain professional liability insurance and to notify the Registrar of such has been in place since 2009. The Professional Liability Insurance Requirement requires:

1. That the registrant obtains Professional Liability Insurance
2. That the Registrant notify the Registrar that they have obtained Professional Liability Insurance
3. That this information is kept up to date

Estimating the actual Professional Liability Insurance compliance rate is relatively straightforward.

$$PLI \text{ compliance rate} = \frac{\text{Number of registrants authorized for independent practice on the public register}}{\text{Number of registrants subject to the PLI requirement}}$$

The numerator is simply the number of registrants who have complied with the Professional Liability Insurance Requirement. This is indicated in the public register as being “authorized for independent practice.” At the time of the survey, 614 registrants were authorized for independent practice on the public register.

The denominator is the number of HRPAs registrants in independent practice. Based on the Member and Student survey results, 7.9% of HRPAs respondents indicated that they were in independent practice and thus subject to the Professional Liability Insurance Requirement. With 23,958 registrants (at the time of the survey), one would estimate that 1,894 registrants to be in independent practice.

$$PLI \text{ compliance rate} = \frac{\text{Number of registrants approved for independent practice}}{\text{Expected number registrants in independent practice}} = \frac{543}{1,894} = 28.6\%$$

	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>Estimated PLI requirement adherence rate</b>	22.0%	17.3%	26.4%	28.5%	38.3%	37.6%		32.4%	28.6%

The data was not available for 2019 because the question asking whether the respondent was in independent practice was not included in the Member and Student Survey that year.

As noted earlier in this Registrar’s Report the PLI compliance rate for registrants practicing through firms was 37.2% based on information supplied at registration or renewal.

### Professional Liability Insurance requirement compliance

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Number of survey respondents	2,093	2,188	2,472	2,919	3,508	2,781	2,334	2,278	821	702	773
Number of survey respondents self-reporting independent practice	242	192	245	183	269	160	148		70	56	43
Number of respondents self-reporting compliance with PLI requirement	79	91	136	113	171	105	100		54	66	101
<b>Self-reported compliance rate</b>	<b>32.6%</b>	<b>47.4%</b>	<b>55.5%</b>	<b>61.7%</b>	<b>63.6%</b>	<b>65.7%</b>	<b>67.6%</b>		<b>77.1%</b>	<b>117.9%</b>	<b>234.9%</b>
Proportion of survey respondents in independent practice	11.56%	8.78%	9.91%	6.27%	7.67%	5.75%	6.34%		8.53%	7.9%	5.57%
Number of registrants	19,934	20,402	19,697	22,264	23,713	24,124	23,978	24,544	24,354	23,958	24,287
Estimated number of registrants in independent practice	2,305	1,790	1,952	1,396	1,818	1,388	1,520		2,076	1,894	1,351
Number of registrants authorized for independent practice		393	338	368	519	531	572		673	543	586
Number of registrants in non-compliance with requirement		1,397	1,614	1,028	1,299	857	948		1,403	1,351	763
<b>Objective Professional Liability Insurance compliance rate</b>		<b>22.0%</b>	<b>17.3%</b>	<b>26.4%</b>	<b>28.5%</b>	<b>38.3%</b>	<b>37.6%</b>		<b>32.4%</b>	<b>28.6%</b>	<b>43.4%</b>

### Comparing actual compliance rate with self-reported compliance rate

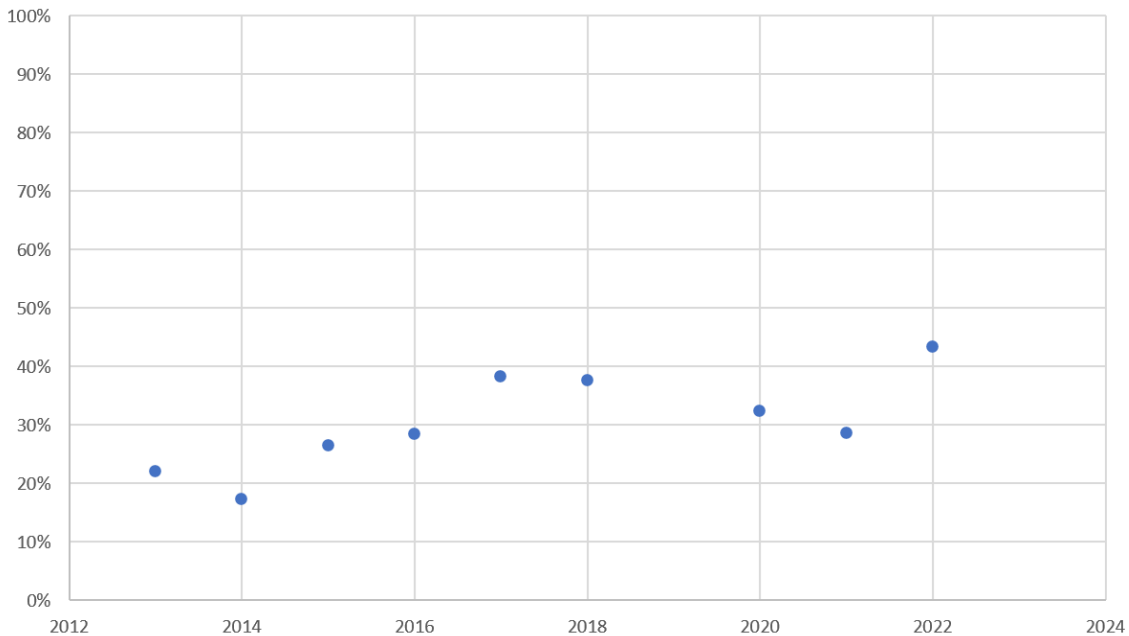
The Member and Student Survey asked whether respondents were in independent practice and whether they had obtained professional liability insurance. This provides an easy PLI compliance rate based on self-report.

$$PLI \text{ compliance rate } SR = \frac{\text{Number of respondent indicating that they have obtained PLI}}{\text{Number of respondents indicating that they are in independent practice}}$$

$$PLI \text{ compliance rate } SR = \frac{38}{54} = 70.3\%$$

70% of respondents that are in independent practice indicate that they are in compliance with the Professional Liability Insurance Requirement, but the actual compliance rate is closer to 32%. More on this discrepancy later.

Estimated Compliance Rate for PLI Requirement



### The requirement to notify the Registrar of any insolvency event (i.e., bankruptcy or consumer proposal)

The requirement to notify the Registrar of any insolvency event is entrenched in the Act. The rationale for members to notify the Registrar of insolvency events is that there are additional risks to others stemming from the insolvency event. For instance, HR professionals often have broad access to corporate records, financial accounts, pension & benefit accounts, and payroll-related accounts—that broad access increases the possible risk to an employer should an HR professional be under intense financial pressure. Historical cases of fraud demonstrate the link between financial desperation and



misconduct. HR professionals who have experienced an insolvency event may also find it difficult to maintain their independence and improperly influenced by creditors<sup>4</sup>.

The compliance rate for the requirement to notify the Registrar of insolvency events is calculated by dividing the actual number of notifications divided by the expected number of notifications.

$$\text{Insolvency event compliance rate} = \frac{\text{Actual number of notifications}}{\text{Expected number of notifications}}$$

In the last 12 months before the Member and Student Survey, there were 5 reports of insolvency events to the Registrar and 1 report of insolvency events in the context of applications for registration (which are handled by the Registration Committee).

$$\text{Actual number of notifications} = 6$$

The expected number of notifications is calculated by taking the incidence rate for insolvency events in the general population and multiplying the number of members by this rate. Based on the data published by the Office of the Superintendent of Bankruptcies, the consumer insolvency rate in Ontario in 2021 was 2.5 per 1000.

$$\text{Expected number of notifications} = .0025 \times 22,309 \cong 56$$

Calculating the insolvency event compliance rate for 2022:

$$\text{Insolvency event compliance rate} = \frac{\text{Actual number of notifications}}{\text{Expected number of notifications}} = \frac{6}{56} = 10.7\%$$

#### **Adherence Rate for the Requirement to Notify the Registrar of Insolvency Events**

	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Proportion in population 18 to 65	0.0034	0.0034	0.0038	0.0034	0.0029	0.0025
Member count <sup>5</sup>	21,445	21,273	23,085	23,768	23,414	22,309
Expected number of insolvencies	73	72	88	81	68	56
Actual number of notifications	3	10	2	2	8	6
Compliance rate	4.1%	13.9%	2.3%	2.5%	11.8%	10.7%

Because the numbers are small, one would expect more variability in the estimated insolvency event compliance rate. One could argue that HRPAs members are, for some reason, less likely to experience an insolvency event than the general population. An interesting observation is that in the years 2016 to 2018, the insolvency rate amongst survey respondents was significantly *higher* than the insolvency rate for the Ontario general population aged 18 or over. There is no reason to believe that the insolvency rate amongst HRPAs members is less than that for the general population.

<sup>4</sup> That is why, for instance, ‘bankrupts’ are not allowed to sit on HRPAs Board of Directors.

<sup>5</sup> The requirement to notify the Registrar of any insolvency event applies only to members and not to students. The member count here does not include students. Also, the member count is taken as the member count on the day the survey was launched.

### Comparing actual compliance rate with self-reported compliance rate

In 2021, the Member and Student Survey asks the following question: "If you were to experience a bankruptcy or insolvency event, would you notify the HRP A Registrar as such, as required by our Act and By-laws?" The question was not repeated in 2022, so the 2021 data were used. Based on the responses to this question, an 82.5% compliance rate would be expected.

Descriptor	Relative frequency	Assigned probability	Expected value
Definitely	57.4%	1.00	0.574
Probably	21.2%	.75	0.159
Maybe	5.7%	.5	0.0285
Don't know	10.5%	.5	0.0525
Probably not	4.2%	.25	0.0105
Definitely not	1.0%	.00	0
			.825

This means that registrants overestimate their compliance by a wide margin--82.5% based on self-report v. 10.7% actual compliance rate. Members say that they would likely notify the Registrar of an insolvency should they experience such an event, but they are unlikely to do so when they do experience such an event.

### Compliance with the CPD requirement

The compliance rates for the requirement to notify the Registrar of insolvency events (10.7%) and the requirement for registrants in independent practice to obtain professional liability insurance and to notify the registrar of such (28.6%) stand in contrast to the compliance rate for the Continuing Professional Development requirement (82.8%).

This suggests the conditions under which compliance will be high:

1. That one is subject to the CPD requirement is easily established
2. Whether one has complied with the requirement is easily established
3. The consequences are significant and enforced

Unfortunately, for other requirements such as the requirement to obtain Professional Liability Insurance and the requirement to notify the Registrar of insolvency events, identification depends on self-reporting.

It is difficult to know that a registrant is in independent practice if the registrant does not notify HRP A that this is the case. Similarly, it is difficult to know that a registrant has experienced an insolvency event if the registrant does not notify HRP A that this is the case.

## Self-reports of compliance overestimate actual compliance by a fair margin

### Adherence rates based on self-report v. compliance rates based on evidence

	Compliance rate based on self-report	Compliance rate based on data
Reporting of insolvency events	82.5%	10.7%
Obtaining PI and notifying the Registrar of such	70.3%	32.4%

There are likely many reasons for the discrepancy between self-reports of compliance and actual compliance.

For instance, regarding the requirement for members to notify the Registrar of any insolvency event, we are dealing with an event which, for most respondents, has not happened—it is a hypothetical event. It may be that individuals simply do not have a good idea as to how they would act if this were to happen to them.

This does not explain the overestimation of actual compliance for the Professional Liability Insurance Requirement, however. Here, one explanation might be that survey respondents were not comfortable in admitting that they were not in compliance with the Professional Liability Insurance Requirement, even though the survey was anonymous.

This does suggest that self-reports of compliance cannot be taken as evidence for compliance.

### Some implications

#### Compliance rates are very low, at least when no means of monitoring are available

One implication of the above is that one cannot assume that registrants will comply with a requirement unless there is a means of verification.

Sometimes, professional regulation is about getting professionals to do certain things in service of keeping the public safe that they would not necessarily do on their own. If professional regulatory bodies only asked professionals to do what they would have already done, there would be no need for a professional regulatory body. But that does not mean that this must be perceived as an imposition or a burden.

In situations where there is a significant risk to the public, and to the extent possible, verification mechanisms must be included in any initiative. However, HRP A will not be able to achieve acceptable levels of compliance through enforcement, the only solution is to develop a culture of compliance or 'good professional citizenship'. The idea is that whether one agrees with a particular rule or requirement, one complies out of respect for one's professional regulatory body or out of respect for the profession.



## Regulatory activity coordination and policy formulation

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

### Q4 Highlights:

- The modernized Code of Ethics and Rules of Professional Conduct, HRPAs Risk Roster, and two professional guidance documents were officially launched September 18<sup>th</sup>, on a brand-new webpage: [www.hrpa.ca/guidance](http://www.hrpa.ca/guidance)
- Four free webinars were provided to registrants related to the launch of the revised Code of Ethics and Rules of Professional Conduct and professional guidance, including: Introducing Professional Guidance, the new Code of Ethics and Rules of Professional Conduct, the new Practice Standard on Conducting Workplace Investigations, and the new Practice Guideline on Addressing Racism and Racial Discrimination in the Workplace.
- A public guide to the Code of Ethics and Rules of Professional Conduct, as well as public guides for HRPAs Workplace Investigations Standard and Racism and Racial Discrimination Guideline were developed and posted in HRPAs new Resources for the Public website.
- The Practice Guideline on Addressing Unconscious Biases was approved by the Professional Standards Committee (PSC), and will go before the Governance and Nominating Committee (GNC) in the New Year.
- Professional guidance on accessibility in the workplace as well as workplace violence has been drafted.
- A third all HRPAs staff learning module was launched to further learnings about professional regulation.
- HRPAs new Public Advisory Forum was launched and held two meetings– the first meeting being introductory in nature and the second meeting being about HRPAs new brand campaign.
- The Policy Team attended the annual CNAR conference and learned about a wide range of important topics pertaining to regulation and networked with other Canadian regulators.
- A proposed framework for implementing a Practice Inspection program at HRPAs was drafted.

### Professional Guidance

The policy team was excited to launch in this quarter its new professional guidance, risk roster, and Code of Ethics and Rules of Professional Conduct – all available on one webpage. This launch included four webinars related to guidance – all of which were well attended, with many reaching over 500 live attendees. Simultaneously, a new Resources for the Public website was launched, which includes guides related to the Code of Ethics and Rules of Professional Conduct, the Workplace Investigations Standards and the Addressing Racism and Racial Discrimination in the Workplace Guideline. The policy team developed these guides specifically for members of the public to explain how the Code and Rules, as well as the professional guidance issues, affect them.

In this quarter we also received approval from the PSC on the unconscious bias practice guideline and drafted two more professional guidance documents – one related to accessibility in the workplace, the other related to workplace violence.

Lastly, a proposed framework was developed regarding what a Practice Inspection program may look like at HRP, including the resource implications. The framework was based on the information collected as part of an Environmental Scan of the practice inspection and assessment programs of the other Ontario regulators.



## 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.

#### Q4 Highlights:

- HRP received 691 registration applications. This includes both initial registration as a member and as a student.
- Ten registration applications were flagged for review due to a positive response to a good character question.
- Out of the ten flagged applications, the Associate Registrar approved five applications for registration where a referral to the Registration Committee was not warranted upon review. One is awaiting panel review.
- There are currently three applications that are in the information gathering stage and one individual withdrew their application for registration.
- In total, 686 applicants were approved for registration and added to the public register in Q4 2022.

### 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 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\*

	2021	2022				2022
	Total	Q1	Q2	Q3	Q4	Total
Referral to Associate Registrar/Registration Committee	65	11	1	4	6	21
Approved for registration	47	6	5	4	5	20
Approved with conditions	7	0	0	0	0	0
Awaiting Panel Review	7	1	0	0	1	2
Awaiting supporting documentation	16	3	2	1	3	9
Withdrew application	7	1	1	2	1	5
Not approved	1	0	0	0	0	0

\*The table above gives the activity and decisions of the Registration Committee in Q4 2022. It is to be noted that the numbers are a bit different than those related to Q4 Highlights because they include applications for initial registration which were received before Q4.

### Initial Registration in Q4 2022

	Count	Percent
New registrations as a member	542	79%
New registrations as a student	144	21%
Total new registrations	686	100%

### Initial registration class in Q4 2022

	Count	Percent
Allied	11	2%
CHRE	1	<1%
CHRL	11	2%
CHRP	9	1%
HR IEP	43	6%
Practitioner	467	68%
Students	144	21%
Total	686	100%

## New Registrant Jurisdiction Q4 2022

	Count	Percent
Ontario	649	95%
International	15	>2%
Alberta	4	<1%
British Columbia	8	>1%
New Brunswick	2	<1%
Nova Scotia	2	<1%
Northwest Territories	3	<1%
Quebec	3	<1%
Total	686	100%

Not surprisingly 95% 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 HRP A

	Count	Percent
Previously registered with HRP A	18	>2%
Not previously registered with HRP A	668	98%
Total new registrations	686	100%

Less than 2% of new registrations were from individuals previously registered with HRP A but who had resigned or had been revoked for failure to renew their registration with HRP A. 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 Academic Standards Committee approves the coursework.

The Academic Standards Committee makes two kinds of decisions:

- a. Reviewing course information from academic institutions for inclusion on HRP A's list of approved courses in fulfillment of HRP A's coursework requirement,



- b. Reviewing course information for courses not included on HRPAs list of approved courses on an individual basis in fulfillment of HRPAs coursework requirement.

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

Individuals with coursework that has not been approved by HRPAs or that was completed outside of Ontario can apply to have their coursework approved in fulfillment of HRPAs 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.

**Academic Standards Committee**

*Chair: Michelle White, CHRP, CHRL*

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

*Vice-Chair: Kate Toth, CHRP, CHRL*

*Staff Support: Thomas Callitsis*

The Academic Standards Committee reviews all non-degree coursework (diploma, advanced diploma, post-diploma certificate, and not-for-credit coursework) and all degree-credit coursework. University courses are reviewed for a minimum 80% match with HRPAs standard course outlines.

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 Committee.

**Institutional courses with Ministry approval**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Institutional courses with Ministry approval	18	27	0	0	18	10	28

**Reviews of institutional applications without Ministry approval for non-degree coursework (diploma, advanced diploma, post-diploma certificate, and not-for-credit coursework)**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Institutional applications reviewed	0	3	0	1	0	0	1
Institutional applications approved	0	3	0	1	0	0	1

**Reviews of individual applications for non-degree coursework (diploma, advanced diploma, post-diploma certificate, and not-for-credit coursework)**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Individual applications reviewed	9	0	0	0	0	0	0
Individual applications approved	9	0	0	0	0	0	0

**Reviews of institutional applications for all degree-credit coursework**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Institutional applications reviewed	24	6	10	2	7	3	22
Institutional applications approved	18	3	8	2	6	3	19

**Reviews of individual applications for all degree-credit coursework**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Individual applications reviewed	46	32	7	12	11	7	37
Individual applications approved	15	26	1	5	6	1	13

**Challenge Exams**

For each of the nine required courses, candidates may opt to sit 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.

- There were no Challenge Exams held this quarter.
- The next administration of Challenge Exams will be held January 16<sup>th</sup> – 20<sup>th</sup>, 2023.

**Note:** There will be four administrations of Challenge Exams in 2023. This is an increase from the previous three administrations we have offered in previous years. The increase of administrations of Challenge Exams during the year will allow more opportunities for registrants to complete the necessary coursework without feeling rushed, as the decrease in number of administrations of our Knowledge Examinations has created a larger waiting period.

**Experience Requirement and Alternate Route**

**Experience Assessment Committee**

*Chair: Michelle Rathwell, CHRP, CHRL*  
*Vice-Chair: Elizabeth Blunden, CHRP, CHRL*  
*Staff Support: Rina Truong*

The Experience Assessment Committee is a standing committee established under Section 8.04 of the By-laws to review every application referred to 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.

**Q4 Highlights:**

The Experience Assessment Committee held their annual Committee business meeting on November 25, 2022.

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

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Validation of Experience applications received	163	266	47	46	47	59	199

**Validation of Experience Results Released for Q4 2022**

	Count	Percent
Successful	9	64.3%
Unsuccessful	5	35.7%
Total	14	100%

**Alternate Route**

### Experience Assessment Committee Activity (Alternate Route)

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Alternate Route applications received	129	112	36	20	25	21	102

### Alternate Route Results Released for Q4 2022

	Count	Percent
Successful	4	44.4%
Unsuccessful	5	55.6%
Total	9	100%

### Designation Exams

#### Q4 Highlights:

- HRPA continues to experience a strong number of candidates writing the CHRP Employment Law Exams (CHRP-ELE), the CHRL Employment Law Exams (CHRL-ELE), and the CHRP Knowledge Exams (CHRP-KE). There was a slight decrease in the number of CHRL Knowledge Exams (CHRL-KE) candidates in Q4.

#### Q4 2022 Exam Schedule

Exam	Window
CHRP-KE	October 11 – 25, 2022
CHRL-KE	November 15 – 29, 2022
CHRP-ELE	September 6 – 20, 2022
CHRL-ELE	September 21 – October 5, 2022

#### 2022 CHRP Knowledge Exam

Administration window	Number of candidates	Pass rate for first time writers	Overall pass rate	Reliability
April 4 – 18, 2022	355	75.1%	64.87%	.92
October 11 – 25, 2022	365	61.9%	56.9%	.90
<b>Total</b>	<b>720</b>	<b>68.5%</b>	<b>60.88%</b>	<b>.91</b>

## 2022 CHRP Employment Law Exam

Administration window	Number of candidates	Pass rate for first time writers	Overall pass rate	Reliability
January 5 – 14, 2022	141	95.7%	95.6%	.81
March 1 – 15, 2022	120	95.8%	99.1%	.75
September 6 – 20, 2022	209	95.7%	97.0%	.78
<b>Total</b>	<b>470</b>	<b>95.7%</b>	<b>97.2%</b>	<b>.78</b>

## 2022 CHRL Knowledge Exam

Administration window	Number of candidates	Pass rate for first time writers	Overall pass rate	Reliability
May 3 – 17, 2022	275	66.9%	73.3%	.929
November 15 – 29, 2022	262	63.6%	69.8%	.92
<b>Total</b>	<b>537</b>	<b>65.25%</b>	<b>71.55%</b>	<b>.9245</b>

## 2022 CHRL Employment Law Exam

Administration window	Number of candidate	Pass rate for first time writers	Overall pass rate	Reliability
January 19 – 28, 2022	143	85.2%	85.9%	.79
March 16 – 30, 2022	153	82.2%	89.6%	.76
September 21 – October 2022	227	86.2%	86.4%	.79
<b>Total</b>	<b>523</b>	<b>84.5%</b>	<b>87.3%</b>	<b>.78</b>

## Exam volume 2016–2022

	20	2017	2018	2019	202	2021	2022
CHRP Knowledge exam	911	504	598	607	522	1,052	720
CHRL Knowledge exam	957	642	762	763	598	928	537
CHRP Employment Law exam	246	414	358	415	459	468	470
CHRL Employment Law exam	293	466	528	609	601	654	523
<b>Total</b>	<b>2,40</b>	<b>2,02</b>	<b>2,24</b>	<b>2,39</b>	<b>2,18</b>	<b>3,102</b>	<b>2,250</b>

### **CHRP Exam Validation Committee**

*Chair: Claire Chester, CHRL*

*Vice-Chair: Roxanne Chartand, CHRL*

*Staff Support: Kelly Morris, CHRP, 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 Q4, the CHRP-EVC held the following exam related activities:

- A CHRP-ELE Key Validation Session and a CHRP-ELE Pass Mark Approval Session was held in September 2022.
- A two-day CHRP-ELE Validation Session was held in September and October 2022.
- A CHRP-KE Key Validation and a CHRP-KE Pass Mark Approval Session was held in November 2022.

The purpose of the Key Validation and Pass Mark Approval Sessions are 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 Employment Law Exam written in September 2022 and for the CHRP Knowledge Exam written in October 2022. The CHRP-EVC makes a recommendation to the Registrar to approve the agreed-upon pass mark. The purpose of the Validation Sessions is to review and validate items for future sittings of the CHRP Employment Law Exam. All items that the CHRP-EVC agreed were fair and appropriate were validated for the exam and the committee members were confident that the validated items would form a defensible exam. The Validation Sessions were held over two days in September and October 2022 and continue to be done virtually.

### **CHRL Exam Validation Committee**

*Chair: Nancy Richard, CHRL*

*Vice-Chair: Jennifer King, CHRL*

*Staff Support: Kelly Morris, CHRP, 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 Q4, the CHRL-EVC held the following exam related activities:

- A CHRL-ELE Key Validation Session and a CHRL-ELE Pass Mark Approval Session was held in October 2022.
- A two-day CHRL-ELE Validation Session was held in September and October 2022.
- A two-day CHRL-KE Validation Session was held in November 2022.
- A CHRL-KE French Form Approval Session was held over six days in September, October, and November 2022.

The purpose of the Key Validation and Pass Mark Approval Sessions are 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 Employment Law Exam written in September–October 2022. The CHRL-EVC makes a recommendation to the Registrar to approve the agreed-upon pass mark. The purpose of the Validation Sessions is to review and validate items for future sittings of the CHRL Employment Law Exam and the CHRL Knowledge Exam. All items that the CHRL-EVC agreed were fair and appropriate were validated for the exam and the committee members were confident that the validated items would form a defensible exam. The Validation Sessions were held over two days in September, October, and November 2022 and continue to be done virtually. The purpose of the French Form Approval Session is to ensure the accuracy of the translation provided by the translation company and that the context, content, and level of difficulty of the items going from English to French remains intact.

### **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 three technical reports published in Q4 2022.

[The CHRP Employment Law Exam – September 2022](#)

[The CHRL Employment Law Exam – September – October 2022](#)

[The CHRP Knowledge Exam – October 2022](#)

### **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 utilizes the Examination Accommodation Request Form and the Acknowledgement of the Accommodations Provided Form so that each candidate is made aware of the accommodations that HRPA has approved to be implemented.

In Q4, one CHRP Knowledge Exam and two CHRL Knowledge Exams were delivered in French.

In Q4, the HRPA reviewed and approved a total of 9 accommodation requests for the CHRP and CHRL Employment Law Exam and the CHRP and CHRL Knowledge Exams being written in the Fall 2022.

The types of accommodations requested include:

- Additional time
- Flexible breaks (stop-the-clock breaks) for both breast-feeding candidates and those with ADHD as well as those who need to stretch and stand-up during their exam
- Snacks, drinks, and medication available to test-taker while taking their exam
- Separate room
- Reading software
- Virtual reader
- Paper-based exam in French



## 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 September 1, 2022 and November 30, 2022, 299 registrants completed the Job Ready Program and were granted the CHRP designation.

## CHRE Review Committee

*Chair: Janet Brooks, CHRL, CHRE*

*Vice-Chair: Bruce Fraser, CHRP, CHRL, CHRE*

*Staff Support: Margaret Wilson, CHRP, 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.

### Q4 Highlights:

- At the end of Q4, 248 registrants held the CHRE designation.
- Six CHRE applications were referred to CHRE Review Committee in Q4, one was successful. Of the six applications reviewed, three were submitted to HRPA at the end of Q3 and three applications were received at the end of Q4 and will be reviewed in Q1 2023.

## CHRE Review Committee Activity

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Applications referred to Committee (Reviewed)	39	31	5	6	6	6	23
Designation granted by Committee	7	14	1	0	2	1	4

The average time from HRPA receiving a CHRE application to a decision being released was 25.3 business days in Q4. Despite a trend of increasing complexity of decisions this is a decrease in the average time of a decision from Q3 (which was 30 business days). It should be noted that the application deadline is the last business day of each month and that the applications for a month are not actioned until the application deadline. This extends the average time for a decision to be released in the cases of individuals submitting applications at the beginning of a month.

## Issuance of certificates

Certificates are issued for all three levels of designation: CHRP, CHRL, and CHRE. In Q4 the certificate issuance commenced in mid-November, and members are scheduled to receive their certificates in

December. An email went out to 217 members notifying them that they could expect to receive their certificate during this issuance.

**Certificates Issued in 2022**

	<b>CHRP</b>	<b>CHRL</b>	<b>CHRE</b>	<b>Total</b>
February 2022 (Q1)	72	58	0	130
May 2022 (Q2)	368	53	1	422
August 2022 (Q3)	62	45	1	108
November 2022 (Q4)	180	35	2	217
<b>Total</b>	<b>682</b>	<b>191</b>	<b>4</b>	<b>877</b>



## Standards and guidance

### Professional Standards Committee (PSC)

*Chair: Claudine Cousins, CHRP, CHRL*

*Vice-Chair:Carolynn Jaye, CHRP, CHRL*

*Staff Support: Mara Berger*

The Professional Standards Committee is a standing committee established under Section 8.04 of the By-laws. The Professional Standards Committee is a policy and oversight committee with the mandate to ensure, on behalf of the HRP Board, that HRP establishes, maintains, develops, and enforces the professional standards as it was tasked to do by its enabling legislation.

#### Q4 Highlights:

- The PSC approved the draft Practice Guideline on Addressing Unconscious Biases, which will now go before the GNC for approval.
- The PSC met on November 16, 2022 to review the Draft PSC Workplan for 2023 outlining the scope of projects. Some items scheduled for next year include the Competency Framework, Accessibility in the Workplace Guidance, and refreshing the Risk Roster.
- The PSC also discussed the draft Practice Standard on Addressing Workplace Violence, Including Domestic Violence. The Standard was developed by the Policy team in conjunction with a small working group from the Professional Standards Committee.
- The Workplace Violence Standard was revised based on feedback received from the PSC. An electronic motion will be tabled to approve the revised Workplace Violence Standard for submission to the Governance and Standing Committee. The motion closed in Q4.

The Professional Standards Committee held one meeting in Q4 on November 16, 2022. The focus of the meeting was the draft Practice Standard on Addressing Workplace Violence, Including Domestic Violence.

Overall, the PSC found the standard thorough, comprehensive and clear but recommended a few revisions. The committee had two main suggestions regarding the scenarios presented. They recommended including an example about an inferred threat of violence in the workplace and revising a scenario to reflect the threat/instance of violence in a remote setting.

The suggested changes to the standard were made following the meeting and the guideline will be recirculated to the committee for review and approval. The electronic motion to approve the revised standard for submission to the Governance and Nominating Committee closed at the end of Q4.



## Quality assurance

### Continuing Professional Development Committee

*Chair: Serenela Felea, CHRP, CHRL*

*Vice-Chair: Sarah Bhairo, CHRP, CHRL*

*Staff Support: Alexia Moschetta*

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.

### Q4 Highlights:

In 2022, there were 4,255 designated registrants that were due to submit their CPD log by May 31, 2022. Of those, 3,525 designated registrants submitted their CPD log as of November 30, 2022. 173 members had their authorization to use an HRP A designation revoked for non-renewal and CPD non-compliance, 161 members were moved to the Practitioner class, 72 resigned or retired, and 324 were granted an extension.

### Continuing Professional Development (CPD) Committee Activity

	202	2021	2022
<b>CPD logs due to be submitte</b>	3,50	5,258	4,255
<b>CPD logs submitted</b>	2,920	4,971	3,525
<b>CPD compliance rate</b>	83.4	94.5%	82.8%

### CPD 2022 Audit

This year a total of 129 designated registrants were selected randomly for the CPD audit and were notified via email on April 5, 2022. Of the 129 selected for the audit, 87 members initially complied with the audit request.

- 68 members passed the audit.
- 1 member is required to submit additional information to finalize the audit.
- 1 member resigned after initially complying with the audit request.
- 17 members were granted an extension for the audit deferring it to 2023 in Q4, bringing the total number of extensions granted for the audit to 33.

- 26 members did not submit their audit documents and are CPD audit non-compliant.

The audit review happened virtually again this year due to the pandemic. To support a virtual audit, the Committee utilized an online submission platform. Staff support conducted the necessary follow-up on submissions that required additional information to finalize the audit review. The CPD Committee grants staff support authorization to finalize the submissions, provided that the member submits the requested information noted on the audit summary.

### **CPD Pre-Approval**

For Q4, a total of 1027 events were pre-approved for CPD. The events can be broken down into four categories:

- HRPAs Chapters
- HRPAs Office of the Registrar
- HRPAs Professional Development and Learning
- Third-Party Contract and Program Providers



## Complaints, discipline, capacity and review

### Complaints Committee

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

*Vice-Chair: Jackie Chavarie, CHRL*

*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 consistent with the Act or the By-laws, including cautioning or admonishing the member, firm, or student.

### Q4 Highlights:

- There were three new complaints filed in Q4.
- Six decisions were issued.
- There are five complaints still in progress that have been referred to the Committee prior to Q4.

### Summary of Complaints Activity

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Referrals to Complaints Committee	9	13	3	3	4	3	13
Decision issued by Complaints Committee	2	8	5	1	0	6	12
Average time to dispose of complaint (days)	154	153	226	71	0	183	120

There were three referrals to the Complaints Committee in Q4. All three cases are currently in the information gathering stage. Details of these referrals are listed below:

## Complaints Received in Q4 2022

Case	Date complaint filed	Nature of allegations
C-2022-11	September 28, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter III, Division III, s. 1: Registrants support, promote and apply the legislative requirements and the principles of human rights, equity, dignity and respect in the workplace, within the profession and in society as a whole. Specifically,</p> <p>1. A registrant shall:</p> <p>(1) act in such a way as to respect the rights of all individuals involved;</p> <p>(2) act in such a way as to protect the dignity of all individuals involved</p>
C-2022-12	September 29, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter I, s.10 Professionalism. Human resources professionals are committed to creating and implementing policies, practices, and processes to effectively organize and manage human resources. This is achieved through ethical practice, high personal standards of behaviour, and accountability to the best interests of individuals and the public (including employers and the working population). A human resources professional's conduct should reflect positively on the human resources profession, their employer and/or client, inspire the respect and trust of their employer and/or client, and avoid even the appearance of impropriety.</p> <p>(10) you shall not retaliate or condone retaliation or reprisal of any type against employees for exercising their rights under the applicable employment standards, occupational health and safety and/or human rights legislation, including, but not limited to, their right to file a complaint or grievance, reporting serious misconduct in good faith, participating in an investigation, or questioning your practices.</p> <p>Chapter II, s.7 Trustworthiness. Human resources professionals ensure they preserve the highest standards of ethics, transparency, and truthfulness in all work-related activities.</p> <p>(7) you consider the accuracy and source of information before allowing it to be used in employment-related decisions.</p> <p>(8) you ensure that information you provide is truthful, accurate, and contains all relevant details.</p> <p>(9) you take reasonable steps to correct false or misleading statements or reports within your control if you become aware of them in the course of your professional activities.</p> <p>Chapter III, s.3 Respect. Human resources professionals value and consider the needs and rights of all and treat all with dignity.</p> <p>(3) you promote and maintain a healthy, safe and inclusive workplace. You do not engage in or condone any acts of harassment, intimidation, discrimination, physical or psychological violence.</p>

C-2022-13	October 20, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter I, s.1  Professionalism. Human resources professionals are committed to creating and implementing policies, practices, and processes to effectively organize and manage human resources. This is achieved through ethical practice, high personal standards of behaviour, and accountability to the best interests of individuals and the public (including employers and the working population). A human resources professional's conduct should reflect positively on the human resources profession, their employer and/or client, inspire the respect and trust of their employer and/or client, and avoid even the appearance of impropriety.  (1) you know, understand your obligations to, and practice under the spirit and rule of, relevant laws and regulations, HRPAs Code of Ethics and Rules of Professional Conduct, and any additional professional directives, standards or guidance issued by the HRPAs. You know and understand your obligations relating to same.</p> <p>Chapter II, s. 3, 6  Trustworthiness. Human resources professionals ensure they preserve the highest standards of ethics, transparency, and truthfulness in all work-related activities.  (3) you do not use your position, especially access to personal information, private and/or confidential information, for personal, material or financial gain or the appearance of such, or to provide an unfair advantage to any party in any situation.  (6) you acquire and disseminate information through ethical and responsible means.</p> <p>Chapter III, s.1  Respect. Human resources professionals value and consider the needs and rights of all and treat all with dignity.  (1) you treat all third parties with whom you interact in your professional activities, regardless of your relationship to or with them, with courtesy and in accordance with the values and rules contained here.</p> <p>Chapter IV, s. 1  Competence. Human resources professionals are the experts in applying human resources knowledge, skills, and professional values when providing high-quality human resources advice and services. Human resources professionals demonstrate a lifelong commitment to excellence in practice through continuous learning and by teaching others.  (1) you practice only in the areas in which you have the appropriate knowledge, skills, and available resources.</p> <p>Chapter V, s. 1, 3  Equity and Fairness. Human resources professionals strive to ensure that people are treated fairly by ensuring that all policies, rules, regulations, and laws are applied appropriately, equally, and without bias.  (1) you will respect principles of equity, diversity, inclusion and belonging by fostering an environment that offers safety, belonging and inclusion for all,</p>
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		<p>valuing differences between each unique individual and understanding, accepting, and treating everyone fairly.</p> <p>(3) you develop, administer, and advocate for policies and procedures that foster fair, consistent, inclusive and equitable treatment for all.</p> <p>Chapter VI, s. 1, 3</p> <p>Best Interest of Others. Human resources professionals demonstrate a commitment to the parties whose interests they serve by accepting responsibility to act on behalf and for the benefit of those they serve.</p> <p>(1) in all your professional activities, you bear in mind the central role that work, and the work environment plays in employees' lives, and you do everything you reasonably can to ensure that the environment adheres to all policies and legal requirements to support individual well-being.</p> <p>(3) you provide full and accurate information and do not withhold information from parties with whom you interact professionally and who have a need or a right to know.</p>
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Six complaints were disposed of in Q4, please refer to the table below for details.

#### Complaints Disposed of in Q4 2022

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2022-01	February 10, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter II – Division IV – Balancing Interests</p> <p>PRINCIPLE: Registrants must strive to balance organizational, and employee needs and interests in the practice of their profession. Specifically,</p> <p>1. A registrant must understand that while they may be employed or retained by one concern, he or she has a duty to parties other than their employer or their client.</p> <p>(1) registrant must respect the dignity of all individuals.</p> <p>(2) a registrant must respect the legal rights of all employees, including the rights of individuals who were previously employees of an organization and those pursuing employment with an organization.</p> <p>(3) in adversarial situations or in situations with competing interests, a registrant is required to act in good faith towards all parties at all times.</p> <p>(4) when a registrant is engaged to act as a mediator, whether formally or informally, the registrant shall act in an impartial and unbiased manner; and</p> <p>(5) a registrant must not use the power of their position, especially the access to personal information, to gain unfair advantage in any situation.</p>	<p>October 11, 2022</p> <p>No referral to Discipline.</p>

		<p>Chapter II – Division V – Confidentiality</p> <p><b>PRINCIPLE:</b> Registrants must hold in strict confidence all confidential information acquired in the course of the performance of their duties and not divulge confidential information unless required by law and/or where serious harm is imminent. As part of their practices as professionals, registrants will have access to and be responsible for much personal information and have specific duties with respect to such information. Registrants have duties with respect to (1) the handling and management of files and records related to the management of the human resources function; (2) the kind of information that is shared by employees of an organization in confidence, and (3) the respect of all laws pertaining to the protection of personal information. Registrants must treat the handling of confidential, personal, or privileged information with the utmost importance as it is core to the credibility of their profession. Specifically,</p> <p>1. A registrant shall ensure that files and records that contain personal information are handled appropriately in accordance with accepted professional practice and in accordance with all appropriate laws. This requirement applies regardless of the medium on which the information is stored:</p> <ul style="list-style-type: none"> <li>(1) all records and files containing personal information must be secure.</li> <li>(2) access to such records and files must be limited to those individuals who have a legitimate need to know.</li> <li>(3) the policies regarding access to files and records must be stated explicitly and communicated to those on whom the information is collected upon demand.</li> <li>(4) systems and processes need to be in place to ensure the accuracy of the records and files; and</li> <li>(5) employees shall not be denied access to their files and records.</li> </ul> <p>2. Because of the nature of their role, information is shared with human resources professionals in confidence. In such situations, a registrant must exercise caution:</p> <ul style="list-style-type: none"> <li>(1) in dealing with information provided in confidence, a registrant must be guided by the desire to find a resolution that is acceptable to all parties. If a registrant believes that he or she cannot play a constructive role in the matter, the registrant must inform the party or parties that this is the case.</li> <li>(2) as appropriate, a registrant must inform relevant parties of the limits of confidentiality.</li> <li>(3) as applicable, a registrant must notify individuals that information suggesting that there is imminent risk to an identifiable person, or group, of death, or serious bodily harm, including serious psychological harm that interferes with health or well-being cannot be held in confidence; and</li> </ul>	
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		<p>(4) as applicable, a registrant must notify individuals that information regarding acts that may be criminal or otherwise illegal cannot be held in confidence.</p> <p>3. For the purposes of preserving the secrecy of confidential information brought to his or her knowledge in the practice of his or her profession, a registrant shall:</p> <p>(1) refrain from using such information with a view to obtaining a direct or indirect benefit for himself or herself or for another person.</p> <p>(2) take the necessary measures to prevent his or her colleagues and the persons under his or her authority or supervision from disclosing or making use of such information that becomes known to them in the performance of their duties; and</p> <p>(3) avoid holding or participating in indiscreet conversations concerning an employer or client or employee and the services provided to such employer, client, or employee.</p> <p>4. When required by law or by order of a tribunal of competent jurisdiction, a registrant shall disclose confidential information, but the registrant shall not disclose more information than is required.</p> <p>5. When a registrant believes upon reasonable grounds that there is imminent risk to an identifiable person, or group, of death, or serious bodily harm, including serious psychological harm that substantially interferes with health or well-being, the registrant must disclose confidential information where it is necessary to do so in order to prevent death or harm, but shall not disclose more information than is required.</p>	
C-2022-02	February 10, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter II – Division III – Dignity in the Workplace  P R I N C I P L E: Registrants support, promote and apply the legislative requirements and the principles of human rights, equity, dignity and respect in the workplace, within the profession and in society as a whole.</p> <p>Specifically,</p> <p>1. A registrant shall:</p> <p>(1) act in such a way as to respect the rights of all individuals involved.</p> <p>(2) act in such a way as to protect the dignity of all individuals involved.</p> <p>(3) ensure that human resources policies and practices respect the rights and protect the dignity of all individuals involved.</p> <p>2. A registrant shall, as far as the registrant is able, contribute to the furthering of human rights, equity, dignity and respect in the workplace.</p> <p>3. In the practice of their profession, a registrant shall bear in mind:</p>	October 11, 2022 No referral to Discipline. Letter of Advice issued.

		<p>(1) the importance of work and the work environment for the psychological well-being of individuals.</p> <p>(2) the necessary health and safety measures in the work environment in which the registrant practices his or her profession.</p> <p>(3) the protection of the physical and mental health of the persons under his or her authority or supervision.</p> <p>(4) the importance of courses and programs for the advancement, training, development or promotion of the persons under his or her authority or supervision.</p> <p>(5) the confidentiality of the records of persons under his or her authority or supervision and of the confidential information concerning these people that becomes known to him or her in the practice of his or her profession.</p> <p>4. Under no circumstances shall a registrant engage in, or condone:</p> <p>(1) any acts of harassment or intimidation.</p> <p>(2) any acts of physical or psychological violence.</p> <p>(3) any acts of discrimination on the grounds of age, ancestry, colour, race, citizenship, ethnic origin, creed, disability, family status, marital status (including single status), gender identity, gender expression, receipt of public assistance (in housing only), record of offences (in employment only), sex (including pregnancy and breastfeeding) and sexual orientation as noted in the Ontario Human Rights Code.</p> <p>5. A registrant shall not commit acts derogatory to the dignity of the profession. Specifically, registrants should avoid the following:</p> <p>(1) advising or encouraging someone to commit a discriminatory, fraudulent or illegal act.</p> <p>(2) refusing to counsel or to represent a person on the sole ground that the person lodged a complaint against another registrant of the Association or that the person filed a claim against another registrant of the Association.</p> <p>(3) failing to notify the Registrar of the Association that the registrant has reasonable grounds to believe that another registrant of the Association has contravened the HRP Code of Ethics or the HRP Rules of Professional Conduct.</p> <p>(4) drawing up a declaration or report the registrant knows to be incomplete, without mention of any restriction, or that the registrant knows to be false.</p> <p>(5) allowing a person not registered with the Association to pass themselves off as a registrant of the Association or allowing a person who has not been granted a professional designation by the Association to use such title or initials reserved for the registrants of the Association who have been granted such designation.</p> <p>(6) not informing the Registrar of the Association at the proper time that a person who is not registered with the Association has passed themselves off as a registrant of the Association or that a person who has not been granted the Certified Human Resources Professional (CHRP) designation, the Certified Human Resources Leader (CHRL) designation</p>	
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		<p>and/or the Certified Human Resources Executive (CHRE) designation has passed themselves off as having the designation.</p> <p>Chapter II – Division V – Confidentiality</p> <p>PRINCIPLE: Registrants must hold in strict confidence all confidential information acquired in the course of the performance of their duties and not divulge confidential information unless required by law and/or where serious harm is imminent.</p> <p>As part of their practices as professionals, registrants will have access to and be responsible for much personal information and have specific duties with respect to such information. Registrants have duties with respect to (1) the handling and management of files and records related to the management of the human resources function; (2) the kind of information that is shared by employees of an organization in confidence, and (3) the respect of all laws pertaining to the protection of personal information. Registrants must treat the handling of confidential, personal, or privileged information with the utmost importance as it is core to the credibility of their profession. Specifically,</p> <p>1. A registrant shall ensure that files and records that contain personal information are handled appropriately in accordance with accepted professional practice and in accordance with all appropriate laws. This requirement applies regardless of the medium on which the information is stored:</p> <ul style="list-style-type: none"> <li>(1) all records and files containing personal information must be secure.</li> <li>(2) access to such records and files must be limited to those individuals who have a legitimate need to know.</li> <li>(3) the policies regarding access to files and records must be stated explicitly and communicated to those on whom the information is collected upon demand.</li> <li>(4) systems and processes need to be in place to ensure the accuracy of the records and files; and</li> <li>(5) employees shall not be denied access to their files and records.</li> </ul> <p>2. Because of the nature of their role, information is shared with human resources professionals in confidence. In such situations, a registrant must exercise caution:</p> <ul style="list-style-type: none"> <li>(1) in dealing with information provided in confidence, a registrant must be guided by the desire to find a resolution that is acceptable to all parties. If a registrant believes that he or she cannot play a constructive role in the matter, the registrant must inform the party or parties that this is the case.</li> <li>(2) as appropriate, a registrant must inform relevant parties of the limits of confidentiality.</li> <li>(3) as applicable, a registrant must notify individuals that information suggesting that there is imminent risk to an identifiable person, or group, of death, or serious bodily</li> </ul>	
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		<p>harm, including serious psychological harm that interferes with health or well-being cannot be held in confidence; and (4) as applicable, a registrant must notify individuals that information regarding acts that may be criminal or otherwise illegal cannot be held in confidence.</p> <p>3. For the purposes of preserving the secrecy of confidential information brought to his or her knowledge in the practice of his or her profession, a registrant shall:</p> <p>(1) refrain from using such information with a view to obtaining a direct or indirect benefit for himself or herself or for another person.</p> <p>(2) take the necessary measures to prevent his or her colleagues and the persons under his or her authority or supervision from disclosing or making use of such information that becomes known to them in the performance of their duties; and</p> <p>(3) avoid holding or participating in indiscreet conversations concerning an employer or client or employee and the services provided to such employer, client, or employee.</p> <p>4. When required by law or by order of a tribunal of competent jurisdiction, a registrant shall disclose confidential information, but the registrant shall not disclose more information than is required.</p> <p>5. When a registrant believes upon reasonable grounds that there is imminent risk to an identifiable person, or group, of death, or serious bodily harm, including serious psychological harm that substantially interferes with health or well-being, the registrant must disclose confidential information where it is necessary to do so in order to prevent death or harm, but shall not disclose more information than is required.</p>	
C-2022-04	March 10, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Division III–Dignity in the Workplace  P R I N C I P L E: Registrants support, promote and apply the legislative requirements and the principles of human rights, equity, dignity, and respect in the workplace, within the profession and in society as a whole.  Specifically,  1. A registrant shall:  (1) a registrant shall act in such a way as to respect the rights of all individuals involved.</p> <p>4. Under no circumstances shall a registrant engage in or condone:  (1) any acts of harassment or intimidation.  (2) any acts of physical or psychological violence.</p> <p>Division V–Confidentiality  P R I N C I P L E: Registrants must hold in strict confidence all confidential information acquired in the course of the performance</p>	<p>September 23, 2022  Referred to the Discipline Committee.</p>

		<p>of their duties and not divulge confidential information unless required by law and/or where serious harm is imminent. As part of their practices as professionals, registrants will have access to and be responsible for much personal information and have specific duties with respect to such information. Registrants have duties with respect to</p> <ol style="list-style-type: none"> <li>(1) the handling and management of files and records related to the management of the human resources function.</li> <li>(2) the kind of information that is shared by employees of an organization in confidence, and</li> <li>(3) the respect of all laws pertaining to the protection of personal information. Registrants must treat the handling of confidential, personal, or privileged information with the utmost importance as it is core to the credibility of their profession.</li> </ol>	
C-2022-07	June 9, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter III, Division III, s.1: Dignity in the Workplace Principle: Registrants support, promote and apply the legislative requirements and the principles of human rights, equity, dignity and respect in the workplace, within the profession and in society as a whole. Specifically, 1. A registrant shall: <ol style="list-style-type: none"> <li>(1) act in such a way as to respect the rights of all individuals involved.</li> <li>(2) act in such a way as to protect the dignity of all individuals involved.</li> <li>(3) ensure that human resources policies and practices respect the rights and protect the dignity of all individuals involved.</li> </ol></p> <p>Chapter III, Division III, s.5(1): A registrant shall not commit acts derogatory to the dignity of the profession. Specifically, registrants should avoid the following: <ol style="list-style-type: none"> <li>(1) advising or encouraging someone to commit a discriminatory, fraudulent or illegal act.</li> </ol></p> <p>Chapter III, Division IV, s.1(1) and s.1(2): Balancing Interests Principle: Registrants must strive to balance organizational and employee needs and interests in the practice of their profession. Specifically, 1. A registrant must understand that while they may be employed or retained by one concern, he or she has a duty to parties other than their employer or their client. <ol style="list-style-type: none"> <li>(1) a registrant must respect the dignity of all individuals.</li> <li>(2) a registrant must respect the legal rights of all employees, including the rights of individuals who were</li> </ol></p>	October 27, 2022 Referred to the Discipline Committee.

		<p>previously employees of an organization and those pursuing employment with an organization.</p> <p>Chapter VI, s.1: A registrant shall avoid any behaviour that would be unbecoming of a registrant of a profession. The registrant shall, in particular, act with courtesy and respect towards employers, employees, registrants of other professions, other registrants of the Association and the public.</p> <p>Chapter VI, s.3: A registrant shall avoid any attitude or method which could harm the reputation of the profession and his or her proficiency to serve the public interest. The registrant shall also avoid discriminatory, fraudulent or illegal practices and shall refuse to participate in such practices.</p>	
C-2022-08	June 9, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter III, Division III, s.1 (1,2,3), 4(1,2,3), 5(1,4)</p> <p>1. In the practice of Human Resources Management, a registrant shall:</p> <p>(1) act in such a way as to respect the rights of all individuals involved.</p> <p>(2) act in such a way as to protect the dignity of all individuals involved.</p> <p>(3) ensure that human resources policies and practices respect the rights and protect the dignity of all individuals involved.</p> <p>2. A registrant shall, as far as the registrant is able, contribute to the furthering of human rights, equity, dignity and respect in the workplace.</p> <p>3. In the practice of Human Resources Management, a registrant shall bear in mind:</p> <p>(1) the importance of work and the work environment for the psychological well-being of individuals.</p> <p>(2) the necessary health and safety measures in the work environment in which the registrant practices his or her profession.</p> <p>(3) the protection of the physical and mental health of the persons under his or her authority or supervision.</p> <p>(4) the importance of courses and programs for the advancement, training, development or promotion of the persons under his or her authority or supervision.</p> <p>(5) the confidentiality of the records of persons under his or her authority or supervision and of the confidential information concerning these people that becomes known to him or her in the practice of his or her profession.</p> <p>4. Under no circumstances, in the practice of Human Resources Management, shall a registrant engage in, or condone:</p> <p>(1) any acts of harassment or intimidation.</p>	<p>October 27, 2022</p> <p>Referred to the Discipline Committee.</p>



		<p>(2) any acts of physical or psychological violence.</p> <p>(3) any acts of discrimination on the grounds of age, ancestry, colour, race, citizenship, ethnic origin, creed, disability, family status, marital status (including single status), gender identity, gender expression, receipt of public assistance (in housing only), record of offences (in employment only), sex (including pregnancy and breastfeeding) and sexual orientation as noted in the Ontario Human Rights Code</p> <p>5. A registrant shall not commit acts derogatory to the dignity of the profession.</p> <p>Specifically, registrants should avoid the following:</p> <p>(1) advising or encouraging someone to commit a discriminatory, fraudulent or illegal act.</p> <p>(4) drawing up a declaration or report the registrant knows to be incomplete, without mention of any restriction, or that the registrant knows to be false.</p> <p>Chapter III, Division IV, s 1(1,2,3)</p> <p>1. A registrant must understand that while they may be employed or retained by one concern, he or she has a duty to parties other than their employer or their client.</p> <p>(1) a registrant must respect the dignity of all individuals.</p> <p>(2) a registrant must respect the legal rights of all employees, including the rights of individuals who were previously employees of an organization and those pursuing employment with an organization.</p> <p>(3) in adversarial situations or in situations with competing interests, a registrant is required to act in good faith towards all parties at all times</p>	
C-2022-09	June 9, 2022	<p>It is alleged that the member breached the following Rules of Professional Conduct:</p> <p>Chapter II, Division I, s 1, 2, 3(2), 4, 5, 6</p> <p>1. A registrant shall discharge his or her professional obligations with competence and integrity. A registrant shall provide professional services of a high quality</p> <p>2. A registrant shall practice the profession of Human Resources Management in keeping with generally recognized standards of practice and all applicable laws.</p> <p>3. A registrant shall bear in mind the limitations of his or her skills, knowledge, and the means at his or her disposal. Registrants shall avoid, in particular:</p> <p>(2) accepting an engagement in respect of which the registrant has not acquired or is unable to acquire, in the proper time, the necessary competence.</p> <p>4. A registrant shall not accept a number of engagements or tasks in excess of that which the interest of his or her clients or the respect of his or her professional obligations may allow.</p>	October 27, 2022 Referred to the Discipline Committee.

		<p>5. A registrant may not practice or perform certain professional acts under conditions or in situations which could impair the dignity of the profession or the quality of services the registrant provides.</p> <p>6. A registrant shall prevent the inappropriate use and application by others of the tools, techniques, and processes used in the practice of Human Resources Management.</p> <p>Chapter II, Division II, 1, 3, s5(2)</p> <p>1. A registrant shall not act in a manner that is dishonest, fraudulent, criminal, or illegal, or with the intent of circumventing the law.</p> <p>3. When advising an employer or client, a registrant shall not knowingly assist in or encourage dishonesty, fraud, crime, or illegal conduct, or instruct the employer or client on how to violate or circumvent the law.</p> <p>5. A registrant shall not:</p> <p>(2) knowingly participate in or condone any act of retaliation on the part of the organization that employs them or to which they are providing service against employees who are exercising their right to launch a complaint or grievance.</p> <p>Chapter II, Division IV, s1(1, 2, 3), 3</p> <p>HR practitioners must either avoid or disclose a potential conflict of interest that might influence or might be perceived to influence personal actions or judgments. Specifically,</p> <p>1. A registrant shall safeguard his or her professional independence at all times. The registrant shall, in particular:</p> <p>(1) ignore any intervention by a third party which could influence the fulfillment of his or her professional obligations to the detriment of his or her employer or client.</p> <p>(2) avoid carrying out a task contrary to his or her conscience or to the principles governing the practice of his or her profession; or</p> <p>(3) avoid any situation in which the registrant would be in conflict of interest.</p> <p>3. A registrant may represent an employer or client, notwithstanding his or her personal opinion on the employer's or client's position in the matter</p>	
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**Discipline Committee**

*Chair: Lynne Latulippe, (member of the public)*

*Vice-Chair: Steven Lewis, LL. B, Allied Registrant*

Staff Support: Margaret Wilson, CHRP, 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.

#### Q4 Highlights:

- Three Notices of Hearing were served on registrants in Q4. The Notices of Hearing have been made publicly available on the [Discipline](#) section of the HRP website.
- HRP's Discipline Committee hears any allegations referred to it by the Complaints Committee to determine whether the member, student or firm is guilty of professional misconduct or incompetence and applies the appropriate and just remedy to the registrant who is the subject of the allegation(s). Three referrals have been made to the Discipline Committee.
  - One hearing has been scheduled for January 16, 2023. The referral was made to the Discipline Committee on September 6, 2022, and the [Notice of Hearing](#) has been served to the registrant. It has been alleged that the Registrant failed to comply with certain portions of an Order and despite repeated reminders from the Association, the Registrant ignored the numerous communications to facilitate compliance, and that the failure to comply constitutes a breach of HRP's Code of Ethics and Rules of Professional Conduct. The hearing will be held virtually and is open to the public.
  - The two other hearings are anticipated to occur in Q1 or Q2 of 2023.

#### Discipline Committee Activity

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Referrals to Discipline Committee	2	0	0	0	0	3	3
Decision issued by Discipline Committee	1	1	0	0	0	0	0

#### Capacity Committee

Chair: Lynne Latulippe, (member of the public)

Vice-Chair: Steven Lewis, LL. B, Allied Registrant

Staff Support: Margaret Wilson, CHRP, 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:

- a. Determine whether a member or student is incapacitated.
- b. 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.

#### **Q4 Highlights:**

There were no capacity hearings conducted in Q4.

#### **Capacity Committee Activity**

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Referrals to Capacity Committee	0	0	0	0	0	0	0
Decision issued by Capacity Committee	0	0	0	0	0	0	0

#### **Review Committee**

Chair: Damienne Lebrun-Reid, LL. B (member of the public)

Vice-Chair: Graham Stanclik, CHRP, CHRL, CPM

Staff Support: Carolyn Lepera

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.

**Q4 Highlights:**

- There were no new disclosures of bankruptcy or insolvency events in Q4.
- The Review Committee issued three decisions in Q4. All three cases resulted in the Review Committee requesting additional information, which was received in Q4. Each panel's review of the additional information concluded in the Review Committee requesting ongoing monitoring.

**Review Committee Activity\***

	<b>2020</b>	<b>2021</b>	<b>2022</b>				<b>2022</b>
	<b>Total</b>	<b>Total</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>
Notices of bankruptcies or insolvency events	3	4	1	1	3	0	5
Decisions issued by the Review Committee	1	4	1	1	3	3	8

\*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, LL. B (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 first determine whether the appeal falls within the Committee’s jurisdiction and then 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.

### Q4 Highlights:

The Appeal Committee had their annual business meeting on November 16, 2022, and looked at trends, issues, and learnings that have come up in 2022.

Four appeals were filed in Q4:

- Three appeals were filed against decisions of the Experience Assessment Committee.
  - One appeal was regarding the results of their Alternate Route application. This appeal was settled via the Alternate Resolution Process.
  - Two appeals were regarding the results of their Validation of Experience application. One appeal is currently with HRP for response. The other appeal is currently being reviewed by the Committee Chair.
- One appeal filed regarding a decision of the Registrar is going through a jurisdiction review.

A little background as to when and how a jurisdictional review is triggered on an appeal: Once an appeal is filed, it is initially reviewed by the Chair of the Appeal Committee. The Committee Chair can order a jurisdiction review to determine if the appeal can move forward in the appeal process. A panel of the Appeal Committee is then struck to determine whether the appeal falls within the Committee’s jurisdiction. The Committee’s jurisdiction is outlined in the *Registered Human Resources Professionals Act, 2013* and in HRP’s By-laws. If the panel determines that the appeal falls within the Committee’s jurisdiction, the appeal will continue its way through the appeal process. If the panel determines that the appeal doesn’t fall within the Committee’s jurisdiction, a *Notice of Intention to Dismiss* is sent to the appellant and HRP. Both parties (Appellant & HRP) will then have the opportunity to submit written arguments against dismissal. The panel will then meet again and determine whether the Committee does or does not have jurisdiction over the appeal.

## Appeal Committee Activity

	2020	2021	2022				2022
	Total	Total	Q1	Q2	Q3	Q4	Total
Number of appeals filed*	11	12	1	1	3	4	9
Settled via the Alternate Resolution Process	8	0	0	0	1	1	2
Decisions issued by the Appeal Committee	5	12	0	2	0	2	4

\*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.

## Q4 2022 Appeal Committee Activity

	Date Appeal Filed	The Nature of the Appeal	The Outcome of the Appeal
A-2022-02	May 4, 2022	The Registrar did not consider extenuating circumstances in the designation reinstatement requirements. CHRL designation	This appeal underwent a jurisdiction review and was approved to move forward in the

		should be reinstated without meeting any additional requirements.	appeal process. A panel met in September 2022 to review the merits of the appeal. A decision was issued in October 2022 upholding the Registrar's decision.
A-2022-04	July 2, 2022	The Registrar did not consider extenuating circumstances in the designation reinstatement requirements. CHRL designation should be reinstated without meeting any additional requirements.	A decision was issued in November 2022 declining the appeal on jurisdictional grounds.
A-2022-05	August 15, 2022	The Registrar did not consider extenuating circumstances in the designation reinstatement requirements. CHRL designation should be reinstated without meeting any additional requirements.	The appeal is currently undergoing a jurisdiction review.  <i>A Notice of Intention to Dismiss</i> was issued to the appellant and HRPAs in November 2022. The panel met again in November 2022 and a decision is currently being written.
A-2022-07	November 14, 2022	The Experience Assessment Committee made an error in the assessment of the Validation of Experience application.	The appeal is currently with HRPAs for response.
A-2022-08	November 18, 2022	The Experience Assessment Committee made an error in the assessment of the Alternate Route application.	The appellant and HRPAs came to an agreement via the Alternate Resolution Process and the appellant withdrew their appeal in November 2022.
A-2022-09	November 26, 2022	The Experience Assessment Committee made an error in the assessment of the Validation of Experience application.	The appeal is currently with the Committee Chair for review.

### Breakdown of Appeal Decisions

Appeal Outcomes	Count
Total number of requests for appeal received September 1, 2022 and November 30 2022	4
Total number of appeals settled via the Alternate Resolution Process	1
Total number of final appeal decisions released September 1, 2022 and November 30, 2022	2
Decisions upholding the original decision	1
Decisions overturning the original decision	0
Appeal declined on jurisdictional grounds	1

\*In Q4, the average time to decision was 152 days. Both decisions involved jurisdiction reviews.





## **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 Q4, a *Regulatory Affairs* Newsletter was published on September 26, 2022. The next publication will be in Q1 2023 on January 30, 2023.

# Trends and Issues in Professional Regulation

## Bill 36: A game changer?

On October 19, 2022, the BC Minister of Health introduced new legislation to replace the *Health Professions Act (HPA)*, the umbrella statute by which the government has established a common regulatory system for the province's health professions.

The new *Health Professions and Occupations Act (HPOA)*, which received Royal Assent on November 24, 2022, lays the groundwork for transforming how regulators fulfill their mandate to protect the public. This new legislation reflects Harry Cayton's 2018 review of both the *HPA* and the former College of Dental Surgeons of BC, and the subsequent recommendations from the all-party Steering Committee on the Modernization of Health Profession Regulation in 2020.

It is now up to Cabinet to determine when the *HPOA* will take effect.

There are two major concerns that underly the *Health Professions and Occupations Act* in BC: *regulatory capture* and *regulatory efficiency*.

The Wikipedia entry for regulatory capture is as follows:

*"Regulatory capture is a form of government failure that occurs when a regulatory agency, created to act in the public interest, instead advances the commercial or political concerns of special interest groups that dominate the industry or sector it is charged with regulating."*

Although professional self-regulating organizations are not agents of the government in a technical sense of the term, they are created to act in the public interest. The duty to act in the public interest is a defining characteristic of professional regulatory bodies. When a professional regulatory body begins to advance the commercial or political interests of the professionals they regulate, the professional regulatory body can be said to have been 'captured.'

Many of the initiatives introduced in the last ten years or so can be understood as 'anti-regulatory capture' initiatives. The new *Health Professions and Occupations Act (HPOA)* includes most of these:

- Increased focus on the public interest
- Transparency initiatives
- Changes to structural aspects such as the balance between professional and public members on councils and committees
- Appointment processes instead of elections
- The advent of right-touch regulation and risk-based regulation
- Measurement and assessment initiatives such as the PSA's Standards of Good Regulation and the College Performance Measurement Framework
- The creation of oversight bodies like the Office of the Superintendent of Professional Governance in BC

- Creation of separate bodies for professional discipline
- Legislation to split 'associations' from 'professional regulatory bodies' like we have seen in Alberta

One important aspect of the *Health Professions and Occupations Act* (BC) is the plan to reduce the number of health professional regulatory bodies from fifteen to six.

The importance of this is that the talk of amalgamations simply could not have happened without letting go of the '*one profession, one professional regulatory body*' assumption. Amalgamation means that professionals will be regulated by individuals who are not of their profession. The assumption had been that only members of a profession would be able to govern and regulate other members of the profession. It was assumed that being governed and regulated by peers was important for the buy-in to profession regulation. The new assumption is that professional regulation is 'professionalizing' meaning that the skills of regulation are transferable from one profession to the next.

This means that many professions will simply not be in control of their professional regulatory body. It also means that professionals need to get used to the fact that many regulatory decisions may be made by professionals who are not in their profession.

In BC, the wave of amalgamation has already begun:

- In October 2020, B.C.'s three nursing colleges were amalgamated into one.
- In September 2021, the nursing college was amalgamated with the College of Midwives, and the College of Physician and Surgeons was amalgamated with the College of Podiatrists.
- In September 2022, B.C.'s four oral-health colleges, which included dentists, dental assistants, dental therapists, dental hygienists, and dental technicians, were amalgamated into one regulatory college.

More to come:

- One amalgamation will combine the colleges for dietitians, occupational therapists, opticians, optometrists, physical therapists, psychologists, and speech and hearing professionals into one regulator.
- The other amalgamation will combine the colleges for chiropractors, massage therapists, naturopathic physicians, traditional Chinese medicine, and acupuncturists.

These amalgamated professional regulatory bodies will be more efficient—smaller regulatory bodies struggle to deliver on their mandate. But these amalgamations are only possible once the '*one profession, one professional regulatory body*' assumption is abandoned.

Of course, the big question is whether such changes will make their way East. So far, there has been no indication that Ontario is planning to implement these kinds of changes. It may be, however, the economic benefits of amalgamation that may push these changes forward.