

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

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

AND IN THE MATTER OF a discipline proceeding against Tammy Sepetis member of the Human
Resources Professionals Association.

PANEL: Giuseppa (Josie) Martinello, CHRP, CHRL(Chair)
 Amanda Swayer-Noel, CHRP, CHRL (designated panel member)
 Anupa Varghese, LLB (public registrant)

BETWEEN:

THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION

- and -

TAMMY SEPETIS

PRESENT:

Luisa Ritacca, Independent Legal Counsel to the Panel

Justine Wong, Counsel for the Human Resources Professionals Association

Tammy Sepetis, Registrant

Leon Presner and Sophia Levy-Presner, Counsel for the Registrant

DECISION, REASONS FOR DECISION AND ORDERS

This matter came on for hearing before a panel of the Discipline Committee (“the Committee”) on July 25, 2023 at the Human Resources Professionals Association (“HRPA”) at Toronto.

The hearing proceeded by way of videoconference. The Registrant was present with her counsel.

Publication Ban

At the outset of the hearing, the HRPAsought an order banning the publication of any information relating to the health status of the Registrant. The Registrant’s counsel confirmed that they consented to the request. Pursuant to section 9(1)(b) of the Statutory Powers Procedure Act, the Panel confirmed that it was prepared to grant the order sought. Any information regarding the Registrant’s health status is subject to the ban, including information described in the exhibits filed and, in this decision, and reasons for decision.

The Allegations

The allegations against the Registrant are set out in the Notice of Hearing, dated November 10, 2022, marked as Exhibit 1 to these proceedings. The allegations are as follows:

1. Tammy Sepetis (the “Registrant”) initially registered with the Human Resources Professionals Association (the “Association”) in or around June 2006. The Registrant holds the Certified Human Resources Professional and Certified Human Resources Leader designations.
2. It is alleged that in or around May and/or early June 2022, the Registrant filmed and/or posted a video to her TikTok account. It is alleged that the Registrant did the following in the video:
 - a. She used inappropriate and/or profane language to address individuals who participated in and/or supported the Freedom Convoy and/or their beliefs;
 - b. She said that as a Human Resources recruiter, she and/or other Human Resources professionals could and/or would prevent Freedom Convoy participants and/or their supporters from getting hired and/or terminate them based on their political beliefs and/or potential social media postings; and/or
 - c. She made unsubstantiated claims that it was “fact” that:
 - I. other Human Resources recruiters do not agree with Freedom Convoy participants and/or supporters; and/or
 - II. the majority of Canada does not agree with Freedom Convoy participants and/or supporters.
3. It is alleged that on or around June 6, 2022, the video was reposted on various

LinkedIn, Twitter and/or YouTube accounts.

4. It is alleged that the above conduct constitutes professional misconduct as defined in the following sections of the Association's *Rules of Professional Conduct*:
 - a. A registrant shall: 1) act in such a way as to respect the rights of all individuals involved; 2) act in such a way as to protect the dignity of all individuals involved; 3) ensure that human resources policies and practices respect the rights and protect the dignity of all individuals involved; (**Chapter III, Division III, section 1**);
 - b. A registrant shall not commit acts derogatory to the dignity of the profession (**Chapter III, Division III, section 5**); and/or
 - c. A registrant shall avoid an attitude or method which could harm the reputation of the profession and his or her proficiency to serve the public interest; shall also avoid discriminatory, fraudulent or illegal practices and shall refuse to participate in such practices (**Chapter VI, section 3**).

The Registrant's Plea

The Registrant admitted the professional misconduct as set out in the Notice of Hearing. The Panel conducted a plea inquiry and was satisfied that the Registrant's plea was voluntary, informed, and unequivocal.

Evidence

The parties presented the Panel with an Agreed Statement of Facts, which provided as follows:

The Registrant

1. Tammy Sepetis (the "Registrant") became a member of the Human Resources Professionals Association (the "Association") in or around June 2006.
2. The Registrant holds the Certified Human Resources Leader and Certified Human Resources Professional designations. Attached as Tab "A" is an excerpt of the Association Register.

TikTok Video

3. In or around May to early June 2022, the Registrant filmed and posted a video (the "Video") to her TikTok account.
4. It is agreed that in the Video, the Registrant:
 - a. Used inappropriate and profane language to address individuals who

- participated in and supported the Freedom Convoy and their beliefs;
- b. Said that as a Human Resources recruiter, she and other Human Resources professionals could:
 - i. Prevent Freedom Convoy participants and their supporters from getting hired;
 - ii. Terminate Freedom Convoy participants and their supporters based on their potential social media postings; and
 - c. Made unsubstantiated claims that it was “fact” that:
 - i. Other Human Resources recruiters do not agree with Freedom Convoy participants and supporters; and
 - ii. The majority of Canada does not agree with Freedom Convoy participants and supporters.
5. If the Registrant were to testify, she would say that:
- [REDACTED]
- b. She was not involved in reposting the Video to other social media accounts.

Admission of Professional Misconduct

6. It is agreed that the above conduct in paragraphs 3 to 5 constitutes professional misconduct as defined in the following sections of the Association’s Rules of Professional Conduct:
 - a. A registrant shall:
 - I. Act in such a way as to respect the rights of all individuals involved;
 - II. Act in such a way as to protect the dignity of all individuals involved;
 - III. Ensure that human resources policies and practices respect the rights and protect the dignity of all individuals involved; (**Chapter III, Division III, section 1**);
 - b. A registrant shall not commit acts derogatory to the dignity of the profession (**Chapter III, Division III, section 5**); and
 - c. A registrant shall avoid an attitude or method which could harm the reputation of the profession and his or her proficiency to serve the public interest; shall also avoid discriminatory, fraudulent or illegal practices and shall refuse to participate in such practices (**Chapter VI, section 3**).

Admission of Facts

7. By this document, the Registrant admits to the truth of the facts referred to in paragraphs 1 to 5 above (the **"Agreed Facts"**).
8. By this document, the Registrant states that:
 - a. She understands that by signing this document she is consenting to the evidence as set out in the Agreed Facts being presented to the Discipline Committee;
 - b. She understands that any decision of the Discipline Committee and a summary of its reasons, including reference to her name, will be published in the Association's annual report and any other publication or website of the Association;
 - c. She understands that any agreement between herself and the Association with respect to any penalty proposed does not bind the Discipline Committee; and
 - d. She understands and acknowledges that she is executing this document voluntarily, unequivocally, free of duress, free of bribe, and that she has been advised of her right to seek legal advice.

Decision and Reasons

The Panel finds that the Registrant engaged in professional misconduct as alleged and as fully described in the Agreed Statement of Facts.

The Panel was satisfied that the Registrant's conduct was a clear breach of her obligations as set out in the Rules of Professional Conduct. Her decision to post on a public platform, derogatory and demeaning comments about a group of people was problematic. She made unsubstantiated claims and suggested that those who supported the Freedom Convoy would not be hired by other HR recruiters. It was clear from the posting that she was a member of a regulated profession. Her posting disrespected the rights of a group of individuals, and it displayed an attitude that brought harm to the reputation of the profession.

Penalty

The parties presented the Panel with a Joint Submission on Penalty, which provided as follows:

The Human Resources Professionals Association (the **"Association"**) and Tammy Sepetis (the **"Registrant"**) agree and jointly submit that the following would be an appropriate order as to the penalty and costs in this matter:

1. The Registrant is required to appear before a panel of the Discipline Committee to be reprimanded following the hearing.
2. The Registrar is directed to immediately impose the following restrictions or conditions on the Registrant's certificate of registration:

- a. A requirement to notify all employers of the decision and reasons for a period of one month uninterrupted to commence immediately following the order;
- b. A requirement to successfully complete, at the Registrant's own expense, a course on professional boundaries and appropriate use of social media pre-approved by the Registrar with written proof of successful completion to the Registrar within three months of the date of the order; and
- c. A requirement to provide health information relevant to the conduct in this case to the Registrar until such time that the Registrar is satisfied that the health information is no longer required.

Counsel for the HRP submitted that the joint penalty was appropriate in all the circumstances. She argued that the penalty met the goal of specific and general deterrence and would ensure that the public interest was adequately protected. Further, she argued that this was not an appropriate case for a suspension, in light of the Registrant's continued cooperation and the facts regarding the health issue she was suffering at the time of the misconduct.

Counsel for the Registrant agreed that the proposed penalty was appropriate.

Penalty Decision and Reasons

The Panel recognized that it should not depart from the parties' proposed penalty unless ordering it would bring this process into disrepute or would otherwise be contrary to the public interest. In the circumstances, the Panel was satisfied that the penalty was appropriate and made the order accordingly.

The penalty was consistent with the handling of comparable cases of inappropriate misconduct on social media presented to the Panel by counsel. The Panel was satisfied that penalty reflects the principles and goals of sanctions which include protection of public, deterrence, general deterrence for the rest of the profession and rehabilitation and within the appropriate range.

At the conclusion of the hearing, the Panel delivered its reprimand to the Registrant. A copy of the reprimand is attached here as Appendix A.

I, Giuseppa (Josie) Martinello, CHRP, CHRL, sign this Decision and Reasons as Chair of the panel of the Discipline Committee on behalf of the members of the panel that heard this matter.

Date: August 1, 2023

Signed: Josie Martinello (Chair)

Panel: Amanda Swayer-Noel, CHRP, CHRL (designated panel member)
Anupa Varghese, LLB (public registrant)

Appendix A
REPRIMAND TO REGISTRANT

Ms. Sepetis, as you know, this Panel of the HRPD Discipline Committee has determined, based upon the Agreed Statement of Facts, that you violated the Rules of Professional Conduct and we have made findings of misconduct against you as a result.

In accordance with the Joint Submission on Penalty and Costs, the Panel has ordered you be given an oral reprimand as part of your sanction. The reprimand should impress upon you the seriousness of your misconduct.

You will be given an opportunity to make a statement at the end of the reprimand if you wish.

The Panel has found that you have engaged in professional misconduct, in that you filed and posted a video to your Tik Tok account where you used inappropriate and profane language to address individuals who participated in and supported the Freedom Convoy and their beliefs, and that you said as an HR recruiter, you and other HR professionals could prevent Freedom Convoy participants and their supporters from getting hired; and terminate Freedom Convoy participants and their supporters based on their potential social media postings.

██
██ As an HR professional with a designation, you are expected to act in a manner that is consistent with your responsibilities to the HRPD and the public, and in a manner that reflects positively on the profession.

We hope that you learn from this experience the importance of being careful and mindful about how you use your social media and in particular, the potential negative consequences and impact for you as a regulated professional.

We also hope that upon completion of the conditions imposed by the Panel's order that you continue to discharge your professional obligations honourably, as you have otherwise done since joining the HRP in 2006.