

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

B E T W E E N:

HUMAN RESOURCES PROFESSIONALS ASSOCIATION

-and-

SONIA JAMES

NOTICE OF HEARING

THE COMPLAINTS COMMITTEE OF THE HUMAN RESOURCES PROFESSIONALS ASSOCIATION (the “Association”) has referred allegations that you have committed professional misconduct to the Discipline Committee under Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division I, Section 2; Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division I, Section 6; Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division II, Section 1; Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division II, Section 2; and/or Chapter V (General Duties Toward Employers, Clients, Employees, The Profession, and the Public), Division III, Section 1 of the Association’s *Rules of Professional Conduct* which is Schedule 1 to the General By-Law, and pursuant to section 32(1) of the *Registered Human Resources Professionals Association Act, 2013* (the “Act”).

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

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING, under the authority of s. 34 of the *Act* for the purpose of deciding whether you have committed professional misconduct. The Registrar shall schedule a date to determine a hearing date. The hearing will commence **at 9:30 a.m. on a date to be set by the Registrar** at Victory Verbatim,

Toronto Dominion Centre, 222 Bay Street, Suite 900, Toronto, Ontario. You may be represented by a lawyer or a person licensed to provide legal services in Ontario (a paralegal).

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

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

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

10. Direct that a failure to comply with the committee's order shall result in the revocation of your membership or the firm's registration.

11. Make any other order that the committee considers appropriate in the circumstances.

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

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

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

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

DATED at Toronto, Ontario the 11 day of May, 2020.



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

T. 1.800.387.1311
F. 416.923.7264

TO: SONIA JAMES

SCHEDULE "A"

STATEMENT OF ALLEGATIONS

SONIA JAMES

The Registrant

1. Sonia James (the "Registrant") first registered with the Human Resources Professionals Association (the "Association") in or around 2008.
2. The Registrant obtained the Certified Human Resources Professional (CHRP) designation on or about June 30, 2010.
3. The Registrant's certificate of membership and her designation were suspended for non-renewal in or around July 2013. Her certificate of membership and her designation were revoked on or about September 16, 2013.
4. The Registrant's certificate of membership and her designation (which now also included the Certified Human Resources Leader (CHRL) designation) were reinstated on or about November 4, 2014.
5. The Registrant's certificate of membership and her designations were suspended for non-renewal in or around July 2015. Her certificate of membership and her designations were revoked on or about September 30, 2015.

Using designations while suspended and revoked

6. Designations granted by the Board of the Association are only to be used by registrants of the Association.
7. If a registrant is suspended or revoked, a registrant no longer holds a designation and is not authorized to use, display or advertise designations granted by the Board of the Association.

8. It is alleged that the Registrant repeatedly used, displayed, and/or authorized the use of the CHRP and/or CHRL designation while she was suspended and/or revoked.

9. It is alleged that the Association repeatedly advised the Registrant that she was using the CHRP and/or CHRL designation improperly and/or asked her to cease use of the CHRP and/or CHRL designation immediately.

10. It is alleged that despite being advised by the Association of the information as set out above in paragraph 9, the Registrant continued to use, display, and/or authorize the use of the CHRP and/or CHRL designation.

11. It is alleged that the Association sent the Registrant correspondence and asked her to confirm in writing that any reference to her CHRP designation would be removed no later than November 29, 2013.

12. It is alleged that the Registrant did not comply with the request as set out above in paragraph 11 and did not confirm in writing that references to her CHRP designation would be removed no later than November 29, 2013.

13. It is alleged that the Association sent the Registrant correspondence and asked her to confirm in writing that any reference to her CHRP and/or CHRL designations would be removed no later than December 4, 2019.

14. It is alleged that the Registrant did not comply with the request as set out above in paragraph 13 and did not confirm in writing that references to her CHRP and/or CHRL designations would be removed no later than December 4, 2019.

Allegations of professional misconduct

15. It is alleged that the above conduct constitutes professional misconduct as defined in the Association Bylaws and following sections of the Association's *Rules of Professional Conduct*.

- a. A registrant shall be honest and forthright in representing their professional status. Pursuant to the *Registered Human Resources Professionals Act, 2013*, it is an offence to use the title Certified Human Resources Professional, Certified Human Resources Leader and/or Certified Human Resources Executive or the initials CHRP, CHRL and/or CHRE unless one has been granted the designation(s) and has maintained the right to use the designation(s) **(Chapter V, Division I, s. 2)**;
- b. A registrant shall reply as soon as possible to any correspondence from the Registrar of the Association, the Board of the Association, or an expert appointed by the Board or the Registrar **(Chapter V, Division I, s. 6)**;
- c. A registrant shall always provide accurate and complete information to the Association in relation to regulatory matters. Specifically, registrants shall not misrepresent their education, background, or experience in the process of obtaining certification, or claim to hold any title, credential, designation or certification that they have not earned, including on social media, within email signatures, on the registrant's business card or resume, or any online profile **(Chapter V, Division II, s. 2)**; and/or
- d. A registrant of the Association shall comply with the regulatory authority of the Association **(Chapter V, Division III, s. 1)**.

Providing incomplete and inaccurate information to the Association

16. In or about September 22, 2019, the Registrant answered "No" to the following question on the application for membership.

- a. Is there anything else that, although not mentioned specifically in the list above, could be deemed relevant to the determination of good character if

such were to come to light (e.g. misuse of designation)? (If in doubt, it is best to include these at this time).

17. It is alleged that the Registrant ought to have answered “Yes” as it is alleged that the Registrant had been improperly and repeatedly misusing the designation(s).

Allegations of professional misconduct

18. It is alleged that the above conduct constitutes professional misconduct as defined in the Association Bylaws and following sections of the Association’s *Rules of Professional Conduct*:

- a. A registrant warrants that all information provided in the context of registration with or certification by the Association is complete and accurate **(Chapter V, Division II, s. 1)**;
- b. A registrant shall always provide accurate and complete information to the Association in relation to regulatory matters. Specifically, registrants shall not misrepresent their education, background, or experience in the process of obtaining certification, or claim to hold any title, credential, designation or certification that they have not earned, including on social media, within email signatures, on the registrant’s business card or resume, or any online profile **(Chapter V, Division II, s. 2)**; and/or
- c. A registrant of the Association shall comply with the regulatory authority of the Association **(Chapter V, Division III, s. 1)**

APPENDIX

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

DISCIPLINE COMMITTEE OF THE
HUMAN RESOURCES PROFESSIONALS
ASSOCIATION

NOTICE OF HEARING

STEINECKE MACIURA LEBLANC

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Professionals Association