



A webinar presented by the Office of the Registrar

Discipline: How does it Work?

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1. Do the charges have to be proven beyond a reasonable doubt or just to the point of having likely occurred?

The term, “beyond a reasonable doubt,” is appropriate for criminal matters in the courts; however, the same standard of proof is not applicable for civil matters (such as regulatory hearings and tribunals). The standard of proof in a civil case lies more on a balance of probabilities, which essentially means it was more likely than not that something occurred in a certain way.

2. What if you as an HR practitioner come to know about someone’s misconduct but the person shared is not willing to make it formal?

If the person who is alleged to have engaged in professional misconduct is a member of the HRP, they are bound to abide by our rules of professional conduct. Complaints against an HRP member can come from members or the public at large; meaning, the complaint doesn’t have to be formally made by the “victim” of the misconduct.

3. How many cases does the committee have to deal with?

The discipline committee deals with matters on an as-needed basis. At this point, the HRP sees about 1-3 Discipline cases per year.

4. What if the complaint against a HRP member is proven to be false?

If the Discipline Committee find the HRP has not engaged in professional misconduct, the hearing will be closed and dismissed. The members’ discipline record will be expunged, and a note of the outcome will be included in the next issue of Regulatory Affairs.

5. Should the member hire legal counsel?

This is up to the discretion of the member; however, it is encouraged that the Member hires legal counsel. HRP hearings are a serious judicial process and are subject to the Statutory Powers Procedures Act, 1990 (SPPA); navigating the legal framework and hearing process would be challenging.

6. Can general members attend like they allow in courts?

Yes, discipline hearings are public and both HRP members and public attendees are permitted to attend, unless otherwise stated. Making the hearings open to the public is an important aspect of the discipline process because it protects the public interest through transparency.

7. How long are the discipline matters posted? If there is a consequence, how long will people be able to find it in/on the register?

If the Discipline Committee orders to have the discipline record placed on the Register, the record will be on the Register as long as the person remains a member of the HRP. If the person resigns or if their designation is revoked, they will remain on the public register for 10 years, including their discipline record.

8. How long does the entire process usually take from initial accusation to panel decision?

It depends on a variety of factors, from availability of the discipline committee and the respondent, to delays due to litigation from other bodies (i.e., Criminal court). The HRP has seen some discipline matters closed after a matter of weeks, as well as cases which have taken more than a year to close. Ultimately, it would be inappropriate to provide a general timeline, as each discipline matter is unique.

9. Are members at large made aware of “the issues” that led to the case (while ensuring confidentiality); so that we can proactively be mindful?

There are a number of ways that the HRP makes their members aware of current discipline matters. Our quarterly newsletter, [Regulatory Affairs](#), includes information on any upcoming hearings, as well as the findings of completed hearings. After a hearing is completed, the decision and reasons of the Discipline Committee is made available.

10. All lawyers are part of the Law Society so it makes sense to discipline them. In HR, not all HR professionals are regulated by the HRP. What’s the point of disciplining only some, “professionals?”

By becoming a member of the HRP, an HR practitioner enters a covenant with our regulatory body, confirming that they are responsible for following our rules of professional conduct, the Act and By-laws. Additionally, it is a sign that the HR professional has been educated under a standardized curriculum and proven their competence through defensible assessments. Disciplining members who fail to uphold the standards set by the regulatory body is an integral part of the regulatory process; it shows the public at large that we are working in their best interest by taking action against our HR Professionals who act inappropriately. If an HR practitioner chooses not to join the HRP, we have no jurisdiction over them; however, they in turn are not able to truly call themselves, “professionals,” as they are not responsible to the public or a regulatory body.