



# Registrar’s Report for 2019 Q1

February 28, 2019

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## Trends and issues

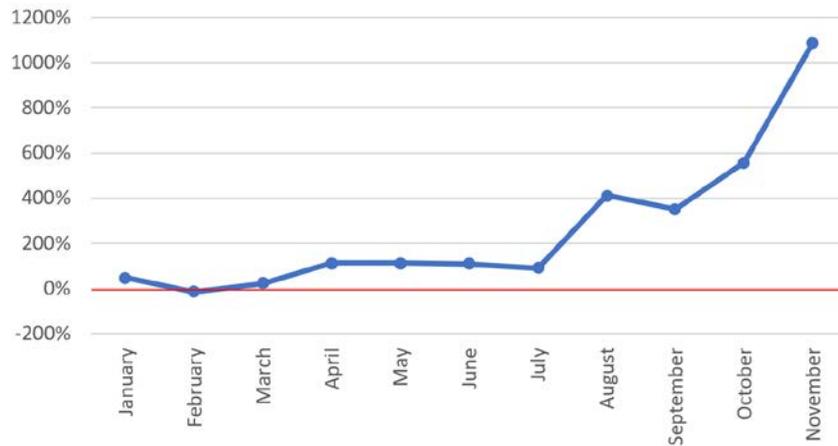
### Low compliance rates with professional standards and guidance

- In the present context, compliance refers to the level of compliance of HRPAs registrants with professional standards and guidelines established by HRPAs. Compliance is key—one could argue that having professional standards and guidelines that registrants disregard is probably worse than not having professional standards and guidelines in the first place.
- It should be noted that compliance rates with professional standards and guidelines are also an indicator of professionalism.
- HRPAs has not issued much regarding professional standards and guidelines. One such standard is the requirement for registrants in independent practice to obtain professional liability insurance and to notify the registrar of such. Another requirement is to notify the Registrar of any bankruptcy or insolvency event. This requirement is established in our enabling legislation.
- As documented in the next section the compliance rates for the requirement to notify Registrar of bankruptcies and insolvency events and the requirement to obtain professional liability insurance and notify the Registrar of such for registrants in independent practice are dramatically low at 2% and 38% respectively. (There is some evidence that the compliance rate for the professional liability insurance requirement may be an overestimate.)
- Such low compliance rates beg explanation. Many possible explanations come to mind. The Office of the Registrar is exploring ways of identifying the reasons for such dramatically low compliance rates.
- In the meantime, the Office of the Registrar will continue by way of its webinar series to educate registrants on their professional obligations and the importance of compliance.
- In summer 2019, the Office of the Registrar will undertake a project to review the accuracy of its professional liability insurance records.

### The Validation of Experience surge

- A grandfathering clause which allowed CHRL candidates to avoid writing the CHRL Employment Law Exam if they met the experience requirement by November 30, 2018, created a huge surge in the number of Validation of Experience (VOE) applications. An increase in the number of VOE applications had been anticipated, but nothing on the scale of what happened.
- The surge began in April 2018, really kicked in in August 2018, and peaked in November 2018 with a volume of applications twelve times the number of applications as the previous year.

Percent increase in VOE applications compared to same month in previous year



- The Validation of Experience is truly a partnership between staff and volunteers. The actual review of applications is done by panels of the Experience Assessment Committee (EAC). In addition to the normal administrative work of assembling and logging the applications, staff are responsible for assisting the committee Chair in recruiting volunteers for the panels.
- Extraordinary measures needed to be taken to deal with the surge both on the staff side and the volunteer side.
- In 2017, there were twenty Experience Assessment Committee (EAC) members. Two of these Committee members resigned from the Committee. In anticipation of the increased volume of applications as a result of the November 30, 2018 deadline, HRP A recruited nine more permanent EAC members in 2018 for a total of twenty-seven volunteers.
- By September 2018, it became clear that even this would not be enough. OOTR staff reached out to other committee members, chapter volunteers and previous committee members who would be ready to commit to three to four months of reviewing a large volume of applications.
- A total of sixteen additional volunteers were trained by HRP A staff. Including these additional volunteers, the Committee was comprised of forty-three volunteers.
- For the applications which arrived in November, each panel was asked to review fifty-two applications, which in some cases, meant that over 1500 pages needed to be reviewed.
- On the staff side, it was all hands-on-deck—all available resources were redirected to the Validation of Experience process.
- OOTR staff have been trained and are currently releasing the results to individual applicants. This process involves individually drafting the result letters, manually updating the individual applicants' status, processing fees and answering all other inquiries over the phone and e-mail and granting CHRL designations.
- It is expected that all Validation of Experience applications received on or before November 30, 2018, will be processed before the end of March 2019.

- The Office of the Registrar would like to recognize the extraordinary effort and dedication of Jenny Eum who is the Regulatory Process Specialist supporting the Experience Assessment Committee.

### **Follow-up to the item on governance reform**

- The previous Registrar’s Report reported on the various recent initiatives undertaken by professional regulatory bodies to restore public confidence in professional regulation. The professions involved in the management of natural resources in BC, including professional engineers, came under special scrutiny with two reports: *Professional Reliance Review: The Final Report of the Review of Professional Reliance in Natural Resource Decision-Making* (May 2018) authored by Mark Haddock for the Honourable George Heyman, Minister of Environment and Climate Change Strategy, and *A legislation and governance review conducted for Engineers and Geoscientists British Columbia* (June 2018) conducted by the Professional Standards Authority (PSA) for the Association of Professional Engineers and Geoscientists of British Columbia (EGBC).
- This time it was the BC Legislature’s turn to act. That report has been implemented through Bill 49 creating the *Professional Governance Act (PGA)*. The *PGA* establishes an overarching framework for the regulation of multiple professions. The most novel aspect of the *PGA* is the creation of the office of a Superintendent of Professional Governance operating under a single Ministry (the Attorney General)
- Erica Richler, of Steinecke Maciura LeBlanc, reviewed The Professional Governance Act in the February 2019 issue of Grey Matters:
 

*“The PGA also eliminates the concept of ‘members’ and much that flows from that relationship. It replaces it with ‘registrants.’ Several of the regulators will face significant changes to their mandates, which had traditionally included member advocacy but which will become limited to and focused only on professional regulation. For some, the work they currently do to support members, through branches and committee work, will need to find a new home, likely in the form of a professional association that is distinct from the regulator.”*
- Why is this of importance? Many professional regulators in Ontario believe that something of the kind will inevitably come to Ontario. Will it apply only to the health professions or to all professions? Nobody knows, but that is why developments such as the Professional Governance Act in BC are of such interest.

### **The MOHLTC College Performance Measurement Working Group**

- HRPAs Registrar was invited to participate in the College Performance Measurement Working Group sponsored by the Ministry of Health and Long-Term Care as an expert in the measurement of performance for professional regulatory bodies. The MOHLTC is developing a performance assessment tool which would be used by all health colleges. In many ways, the tool is not unlike the Regulatory Practices Audit tool that HRPAs developed in 2013.

### **CPD Bootcamp at HRPA's Annual Conference**

- Mara Berger, HRPA's Associate Registrar, and Sacha Williams, Regulatory Process Specialist, conducted three CPD Bootcamp sessions at this year's Annual Conference. A total of twenty-five members participated in the three CPD Bootcamp sessions.

## Quarterly compliance update

At the December 11, 2017 meeting of the HRP Board of Directors, the Board passed a motion that the Registrar be instructed to include an update on levels of compliance in all subsequent Registrar's Reports. At the January 2018 meeting of the Board, the Board approved an amendment to HRP's risk register which saw the lack of compliance with regulatory obligations on the part of registrants as the top risk for HRP. The Regulatory Outcome Scorecard adopted by the Board at the June 2018 meeting of the Board defined two generalized precursors/enablers of regulatory performance:

1. Receptivity to governance and regulation by HRP, and
2. Public confidence in the regulation of the profession

Compliance levels may be understood as indicators of receptivity to governance and regulation by HRP. The three key compliance items tracked by the OOTR are:

1. Compliance with the requirement to notify Registrar of bankruptcies and insolvency events,
2. Compliance with the requirement to obtain professional liability insurance and notify the Registrar of such for registrants in independent practice, and
3. Compliance with the continuing professional development requirement for designated registrants.

The bottom line is that (1) compliance rates at HRP are unacceptably low, and (2) there is no evidence that compliance rates are improving.

### **Compliance with the requirement to notify Registrar of bankruptcies and insolvency events**

There were no new notices of bankruptcies or insolvency events received by the Registrar in Q1 2019. This is the second quarter in a row for which there have been no new referrals to the Review Committee.

There are two reference points that could be used to establish expectations regarding the incidence of bankruptcies and insolvency events amongst HRP members. One is to assume that the rate of bankruptcies and insolvency events amongst HRP members is likely comparable to that of the general population. The data published by the Superintendent of Bankruptcies are the best source here.

One could believe that that the rate of bankruptcies and insolvency events amongst HRP members is less than that of the general population (although there is no evidence to suggest that this is the case). In fact, available evidence seems to point in the opposite direction. The question is asked in the HRP Member and Student Survey. This data has consistently pointed to higher rates of bankruptcies and insolvency events amongst HRP members than for the general population.

Based on self-report in the 2018 HRP Member and Student survey, we would expect forty-one bankruptcies and insolvency events to have occurred amongst HRP members in any given quarter, and 164 bankruptcies and insolvency events to have occurred amongst HRP members in the last year.

The compliance rate for the requirement to notify the Registrar of bankruptcies or insolvency events for 2018 was 3.0%. The annualized compliance rate for the requirement to notify the Registrar of bankruptcies or insolvency events based on 2019 Q1 activity is 0.0%.

This data suggests that the requirement to notify the Registrar of bankruptcies or insolvency events is not improving.

**Compliance with the requirement to obtain professional liability insurance and notify the Registrar of such for registrants in independent practice**

The compliance rate for the requirement to obtain professional liability insurance and notify the Registrar of such for registrants in independent practice. The compliance rate for this requirement is calculated based on data sourced from the Annual Member and Student Survey, which is done in May of each year.

The total number of registrants authorized for independent practice on November 30, 2018, was 578. At that time the compliance rate for the requirement to obtain professional liability insurance and notify the Registrar of such for registrants in independent practice stood at 38%. There is little to suggest that the compliance rate had changed since May 2018.

**Compliance with the requirement for designated registrants to participate in Continuing Professional Development and to submit a completed CPD log every three years**

This compliance rate is calculated annually and has not changed from the compliance rate reported in the 2018 Q4 Registrar's Report. At that time, the compliance with the requirement for designated registrants to participate in Continuing Professional Development and to submit a completed CPD log every three years stood at 88%.

In 2018, 178 designations were revoked due to CPD non-compliance. These individuals were reclassified as *practitioner* members.

## OOTR activity summary

**Table 1: 2019 Q1 OOTR activity by the numbers**

December 1, 2018 – February 28, 2019

<b>Activity</b>	<b>Count</b>
Exams administered (CKE 1, CKE 2, CHRP Employment Law Exam, CHRL Employment Law Exam)	531
Certificates issued	279
Candidates completing the Job Ready program	137
Applications referred to Experience Assessment Committee	75
Referrals to CHRE Review Committee	34
Number of courses reviewed by the Academic Standards Committee	27
Referrals to Appeal Committee	15
Resignations processed	7
Referrals to Registration Committee	5
Referrals to Complaints Committee	4
Referrals to Review Committee	2
Regulatory Newsletters issued	1
Referrals to Discipline Committee	1
Revocations for non-payment of dues	0
Designation revocations due to CPD non-compliance	0
Referrals to Capacity Committee	0

## Public register

### Table 2: Registration by class as of February 28, 2019

Table 2 gives registration by class as of March 4, 2019 (the closest Monday to February 28, 2019), and year-over-year in comparison with March 5, 2018. Total registration now stands at 23,448, with 20,673 members and 2,775 students. Between March 5, 2018, and March 4, 2019, total registration grew by 1.4%.

An obvious aspect of this table is the big drop in the number of students coupled with an increase in the number of practitioners. Each year, before registration renewal invoices are generated, students who are no longer students are moved to the *Practitioner* class. Some students had qualified for promotions whereby dues remained at the student level for two years after graduation. Previously, what had been tracked is the change in dues level; going forward, what will be tracked is the change in registration class. This created a one-time adjustment that is reflected in the table.

### Table 3: Registration by province as of February 28, 2018

Table 3 gives the registration by class across provinces. As of February 28, 2019, HRPAs had 379 registrants residing in provinces other than Ontario. This represents a drop of seventeen registrants (-4%) compared to a year ago.

**Table 2: Registration by class**

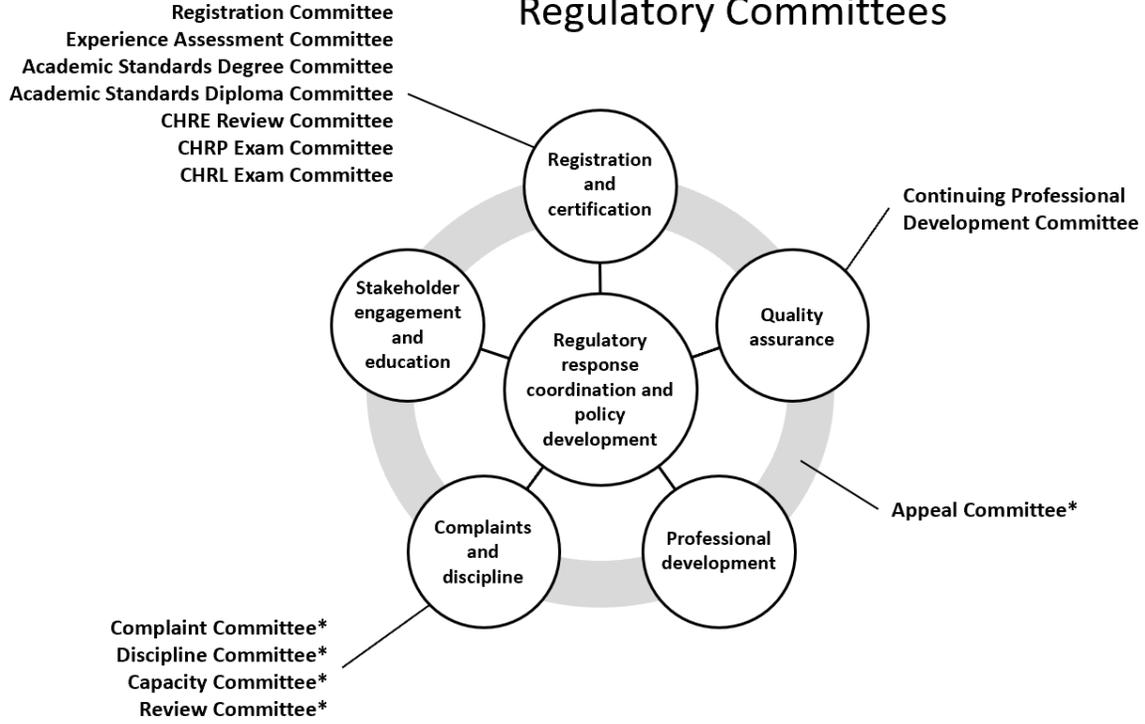
	5-Mar-18	30-Nov-18	25-Feb-19	4-Mar-19	Progress since 30-Nov-18		Year-over-year	
<b>Students (registered but not members)</b>	<b>2823</b>	<b>2775</b>	<b>1232</b>	<b>1237</b>	<b>-1538</b>	<b>-55.4%</b>	<b>-1586</b>	<b>-56.2%</b>
<b>Undesignated Members</b>	<b>6156</b>	<b>6144</b>	<b>8135</b>	<b>8141</b>	<b>1997</b>	<b>32.5%</b>	<b>1985</b>	<b>32.2%</b>
Practitioner	5904	5892	7854	7862	1970	33.4%	1958	33.2%
Allied Professional	252	252	281	279	27	10.7%	27	10.7%
<b>Designated members</b>	<b>14775</b>	<b>14529</b>	<b>14690</b>	<b>14707</b>	<b>178</b>	<b>1.2%</b>	<b>-68</b>	<b>-0.5%</b>
Highest designation CHRP (incl CHRP retired)	5,368	5184	5107	5022	-162	-3.1%	-346	-6.4%
Highest designation CHRL (incl CHRL retired)	9137	9076	9311	9413	337	3.7%	276	3.0%
Highest designation CHRE (incl CHRE retired)	270	269	272	272	3	1.1%	2	0.7%
<b>Total members</b>	<b>20931</b>	<b>20673</b>	<b>22825</b>	<b>22848</b>	<b>2175</b>	<b>10.5%</b>	<b>1917</b>	<b>9.2%</b>
<b>Total registered</b>	<b>23754</b>	<b>23448</b>	<b>24057</b>	<b>24085</b>	<b>637</b>	<b>2.7%</b>	<b>331</b>	<b>1.4%</b>

**Table 3: Registration by province as of March 4, 2019**

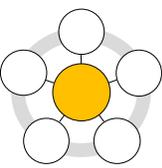
	Ontario	Alberta	Quebec	British Columbia	Nova Scotia	New Brunswick	Saskatchewan	Manitoba	Northwest Territories	Newfoundland and Labrador	Prince Edward Island	Nunavut	Yukon	Total out of province
<b>Students (registered but not members)</b>	<b>1225</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>
<b>Undesignated Members</b>	<b>7871</b>	<b>37</b>	<b>50</b>	<b>21</b>	<b>11</b>	<b>1</b>	<b>8</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>144</b>
Practitioner	7600	35	48	21	11	1	8	3	1	3	2	3	1	137
Allied Professional	271	2	2	0	0	0	0	0	1	1	1	0	0	7
<b>Designated members</b>	<b>14345</b>	<b>66</b>	<b>59</b>	<b>44</b>	<b>19</b>	<b>7</b>	<b>11</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>235</b>
Highest designation CHRP (incl. CHRP retired)	4921	20	17	15	8	2	3	3	0	1	3	0	2	74
Highest designation CHRL (incl. CHRL retired)	9168	42	39	27	10	5	8	2	1	2	0	3	2	141
Highest designation CHRE (incl. CHRE retired)	256	4	3	2	1	0	0	0	0	0	0	0	0	10
<b>Total members</b>	<b>22216</b>	<b>103</b>	<b>109</b>	<b>65</b>	<b>30</b>	<b>8</b>	<b>19</b>	<b>8</b>	<b>3</b>	<b>7</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>369</b>
<b>Total registrants</b>	<b>23441</b>	<b>106</b>	<b>109</b>	<b>66</b>	<b>31</b>	<b>12</b>	<b>20</b>	<b>8</b>	<b>3</b>	<b>7</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>379</b>
Students as a proportion of registrants	5%	3%	0%	1%	3%	33%	5%	0%	0%	0%	0%	0%	0%	3%
Designated members as a proportion of membership	65%	64%	54%	67%	63%	88%	58%	63%	33%	43%	50%	50%	80%	61%
Designated members as a proportion of registration	61%	62%	54%	67%	61%	58%	55%	63%	33%	43%	50%	50%	80%	59%

**Function-by-function Review**

**HRPA’s Statutory and Standing Regulatory Committees**



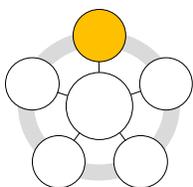
\* Statutory committees are denoted by an asterisk



**Regulatory response coordination and policy development**

**Fair Registration Practices Report**

- As required pursuant to the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006*, HRPA submitted its Fair Registration Practices Report to the Office of the Fairness Commissioner for 2018 before the deadline of March 1, 2019. The report is a public document published on both the HRPA and Office of the Fairness Commissioner web sites.



## Registration and certification

### Registration Committee

*Chair: Frank Tancredi*

- There were five open cases prior to the start of Q1 (December 1, 2018, to February 28, 2019) and three new cases were received during Q1.
- The Associate Registrar approved three cases resulting in no referral to the Registration Committee.
- There were five referrals to the Registration Committee between December 1, 2018, and February 28, 2019.
- The Registration Committee disposed of two cases in Q1.
- There were three cases outstanding at the end of Q1 – two awaiting panel review and one was granted an extension.

### Experience Assessment Committee

*Chair: Mark Seymour*

- A more fulsome account of the activities of the Experience Assessment Committee was given in the Trend and Issues section of this report. Only summary measures are reported below.

	December	January	February	March	April	May	June	July	August	September	October	November	Total
2017	26	20	46	44	26	31	34	35	32	38	37	70	439
2018	68		38	54	56	66	71	66	164	171	244	832	1830
2019	55												

- Between December 1, 2018, and February 28, 2019, 55 Validation of Experience applications were received and fifty-five have been processed and are currently under review.

Validation of experience applications successful	TBD	TBD
Validation of experience applications unsuccessful	TBD	TBD
Total	55	100.0%

Between December 1, 2018, and February 28, 2019, twenty Alternate Route applications were received. Twenty applications have been processed and currently under review.

Alternate Route applications successful	TBD	TBD
Alternate Route applications unsuccessful	TBD	TBD
Total	20	100%

**Summary of Alternate Route (AR) and Validation of Experience (VOE) activity**

- Between December 1, 2018, and February 28, 2019:
  - The results for 243 applications that were submitted for the October 2018 deadline have been released.
  - 833 applications that were submitted for the November 30, 2018 deadline are still being reviewed and the results are expected to be released in March 2019.

**Academic Standards Diploma Committee**

*Chair: John Hardisty*

- Between December 1, 2019, and February 28, 2019, there were no course approval applications submitted by schools. During the same timeframe, two student course approval applications were processed and one was approved.

**Academic Standards Degree Committee**

*Chair: Carolyn Capretta*

- Between December 1, 2019, and February 28, 2019, eighteen institutional course approval applications were received and eight were approved. During the same timeframe, seven student course approval applications were processed and four were approved.
- In Q1 there were five institutional course approval applications that were received and will be reviewed at the March course review meeting. During the same timeframe, nineteen student course approval applications were received and which will be reviewed at the same meeting.

**CHRE Review Committee**

*Chair: Bob Canuel*

- The number of CHREs currently stands at 272.
- Between December 1, 2018, and February 28, 2019, 34 Phase II CHRE applications were reviewed by the CHRE Review Committee. Out of the thirty-four applicants, three were granted the CHRE designation.

## Exams

### 2019 Exam schedule

	Window	
<b>CHRP Employment Law Exam (ELE 1)</b>	January 7 – January 21	Q1
<b>CHRL Employment Law Exam (ELE 2)</b>	January 14 – January 28	
<b>CKE 1</b>	February 11 – February 25	
<b>CKE 2</b>	March 4 – March 18	Q2
<b>CHRP Employment Law Exam (ELE 1)</b>	May 6 – May 21	
<b>CHRL Employment Law Exam (ELE 2)</b>	May 13 – May 27	
<b>CKE 1</b>	June 3 – June 17	Q3
<b>CKE 2</b>	June 24 – July 9	
<b>CHRP Employment Law Exam (ELE 1)</b>	September 9 – September 23	Q4
<b>CHRL Employment Law Exam (ELE 2)</b>	September 16 – September 30	
<b>CKE 1</b>	October 14 – October 28	
<b>CKE 2</b>	November 4 – November 18	

### Certification Exams

<b>Comprehensive Knowledge Exam 1 (CKE 1)</b>	<b>Candidates</b>	<b>Pass</b>	<b>Pass Rate</b>	<b>Reliability</b>
Feb 2019	196	*	*	*
June 2019				
October 2019				

\*CKE 1 testing window closed on February 25, 2019. Pass mark has not yet been established.

<b>Comprehensive Knowledge Exam 2 (CKE 2)</b>	<b>Candidates</b>	<b>Pass</b>	<b>Pass Rate</b>	<b>Reliability</b>
March 2019				
June/July 2019				
October/November 2019				

<b>CHRP Employment Law Exam</b>	<b>Candidates</b>	<b>Pass</b>	<b>Pass Rate</b>	<b>Reliability</b>
January 2019	132	128	96.97%	.74
May 2019				
September 2019				

<b>CHRL Employment Law Exam</b>	<b>Candidates</b>	<b>Pass</b>	<b>Pass Rate</b>	<b>Reliability</b>
January 2019	203	174	85.71%	.82
May 2019				
September 2019				

### **Challenge Exams**

- Challenge exams were held from January 21<sup>st</sup> to January 23<sup>rd</sup>, 2019.
- There were a total of eighty-six challenge exam writers in January 2019.

### **Breakdown by month**

<b>Month</b>	<b>Registrants</b>	<b>Pass</b>	<b>Pass Rate</b>
January 2019	86	53	61.63%
May 2019			
September 2019			

### **Breakdown by subject**

<b>Subject</b>	<b>Registrants</b>	<b>Pass</b>	<b>Pass Rate</b>
Training and Development	10	3	30%
Compensation	6	3	50%
Organizational Behaviour	11	9	81.82%
Finance and Accounting	9	2	22.22%%
Recruitment and Selection	14	8	57.14%
Human Resources Management	12	9	75%
Human Resources Planning	7	6	85.71%
Occupational Health and Safety	9	9	100%
Labour Relations	8	4	50%
<b>Total</b>	<b>86</b>	<b>53</b>	

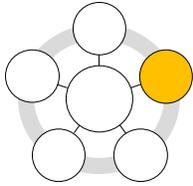
### **Job Ready Program**

Between December 1, 2018, and February 28, 2019, 137 registrants completed the Job Ready Program and were granted the CHRP designation.

### **Issuance of certificates**

Certificates are issued for all three levels of designation: CHRP, CHRL, and CHRE. A certificate issuance commenced in February, and members were scheduled to receive their certificates by mid-March. An email went out to 279 members in February notifying them that they could expect to receive their certificates during this issuance.

	<b>CHRP</b>	<b>CHRL</b>	<b>CHRE</b>	<b>Total</b>
<b>February 2019</b>	40	236	3	279
<b>May 2019</b>				
<b>August 2019</b>				
<b>November 2019</b>				
<b>Total</b>	40	236	3	279

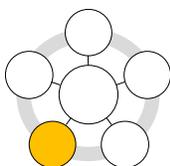


## Quality assurance and compliance verification

### Continuing Professional Development

*Chair: Vito Montesano*

- There are 4037 designated members due to submit their CPD Log by May 31, 2019. Of those, 1094 designated members submitted their CPD log as of February 28, 2019. To date, 2943 members are still due to submit their CPD logs by May 31, 2019. So far, CPD submission rates are reflective of previous years' compliance rates.
- Calculation of the compliance rate for the CPD requirement involves making some assumptions. Some members will not comply with the CPD requirement because they no longer intend to renew their membership in HRP (and will resign or be revoked), others, knowing that they have not kept up with their CPD requirement, will not renew their membership in HRP. It is not possible to tell which is which.
- At the beginning of this quarter twenty-nine members who are due to submit their CPD log on May 31, 2019, have applied for and were granted an extension.



## Complaints and discipline (including capacity and review)

### Complaints Committee

Chair: *Rahim Shamji*

- There were four open complaints prior to the start of Q1 (December 1, 2018, to February 28, 2019) and all four were disposed of in Q1 (see details in the *complaints disposed* of the in the chart below).
- In Q1, a referral to the Discipline Committee was made. The member was notified of the referral through a decision letter as well as a formal Notice of Hearing. For more details, please refer to the Discipline Committee section of this report.
- The last time a complaint was referred to the Discipline Committee was 2016.
- In Q1, four new complaints were registered and are currently in the information gathering stage. Details for each case can be found below.

### Summary of complaints activity in 2019

	2018	2019				2019
	Total	Q1	Q2	Q3	Q4	Total
Number of complaints filed	14	4				
Number of complaints closed	12	4				
Average time to dispose of complaint(s) (days)	146	154				

### Complaints disposed of in Q1 2019

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2018-11	July 31, 2018	It is alleged that the member failed to submit the requested supporting documentation required of a member who answers yes to having been found guilty of an offence on his annual membership renewal form.	January 3, 2019 - Complaint Referred to the Discipline Committee.
C-2018-12*	August 24, 2018	It is alleged that the member did not take the appropriate steps to ensure their actions or “in-actions” were legally and ethically compliant, acted outside of their scope of knowledge, did not initiate an investigation to accommodate the complainant and did	January 25, 2019 – Complaint Committees accepted the withdrawal request. No further action to be taken.

		not apply legislative requirements of the Ontario Human Rights Code.	
C-2018-13*	August 24, 2018	It is alleged that the member did not take the appropriate steps to ensure their actions or “in-actions” were legally and ethically compliant, did not initiate an investigation to accommodate the complainant, did not apply legislative requirements of the Ontario Human Rights Code, did not report another HRPAs member’s breach of HRPAs rules of professional conduct, and breached confidentiality by sending the complainant confidential information of another employee.	January 25, 2019 – Complaint Committees accepted the withdrawal request. No further action to be taken.
C-2018-14	September 11, 2018	It is alleged that the member was incompetent in her role as an HR practitioner regarding the analysis of data, constructing facts, investigating concerns, upholding policies and recommending solutions.	February 11, 2019 – Complaint dismissed, no referral to Discipline

*\*C-2018-12 and C-2018-13 were submitted by the same complainant.*

### **New Complaints registered in Q1 2019**

<b>Case</b>	<b>Date complaint filed</b>	<b>Nature of allegations</b>	<b>Date of disposition of complaint and decision of Complaints Committee</b>
C-2019-1	December 11, 2018	There are several allegations outlined in this complaint: 1) It is alleged that the member took an unreasonably long time to investigate the complainant's harassment grievance, and did not follow legislation in the OHS, the organization's bargaining agreement or HR Rights Code. 2) The member failed to accommodate the complainant's requests while on medical leave.3) Not following proper hiring protocol and engaging in unethical hiring practices.	This case was stayed pending the resolution of the current arbitration between the complainant and her employer.
C-2019-2	December 11, 2018	It is alleged that the member acted unprofessionally by sharing sexually explicit photos with an employee, having an affair with an employee and sending inappropriate and threatening messages to the complainant.	
C-2019-3	December 23, 2018	It is alleged that the member conducted a fraudulent and biased investigation into a workplace complaint that was registered by the complainant. In addition, it is alleged that the member failed to understand, uphold and respect the principles of human rights and submitted false and misleading	

		information regarding an HRTO complaint.	
C-2019-4	January 18, 2019	It is alleged that the member breached the complainant's confidentiality by making a third party aware of a situation that the complainant deemed to be confidential.	

### **Discipline Committee**

*Chair: Stephanie Izzard*

There was one new referral to the Discipline Committee in Q1. A hearing date is currently being scheduled.

### **Capacity Committee**

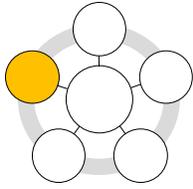
*Chair: Stephanie Izzard*

There were no new referrals to the Capacity Committee in Q1.

### **Review Committee**

*Chair: Susan Bryson*

There were no new notices of bankruptcy or insolvency events received by the Registrar in Q1 2019. The Review Committee reconvened to hear two cases in Q1 2019. There are eight cases that are ready to be referred to the Committee.



## Stakeholder engagement and education

### ***Regulatory Affairs* newsletter**

The *Regulatory Affairs* newsletter is published pursuant to By-laws 13.08, 13.13, 13.18, and 13.19.

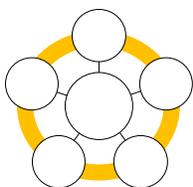
As set out in the By-laws, the Regulatory newsletter shall include but not be limited to:

- (a) Notices of annual meetings;
- (b) Election results; and
- (c) All information as set out in Section 13.08 and Section 13.13 with respect to 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.

The fourth issue for volume three of the Regulatory Affairs newsletter was published on January 28<sup>th</sup>, 2019 which completes the newsletters published for volume three. Typically, the fourth issue would have been published in 2018, however, due to a major designation grandfathering deadline on November 30<sup>th</sup>, 2018 the fourth issue was delayed.

We have moved away from quarterly newsletters and will instead issue the newsletter bi-monthly as we have discontinued our weekly update emails and will include all important information in the newsletter.

The next issue of the Regulatory Affairs newsletter is scheduled to be published on March 18, 2019.



## Appeals

### Appeals Committee

*Chair: Melanie Kerr*

In Q1, sixteen appeals were filed with HRP. Fourteen of the appeals were against decisions of the Experience Assessment Committee. The other two appeals were against decisions of the CHRE Review Committee. Eleven of the fourteen appeals have been approved to move forward. Two are currently with the Committee Chair for review. Two Experience Assessment Committee appeals are currently incomplete and require more information from the appellants. One appeal that was filed against a decision by the CHRE Review Committee was never reviewed by the Committee Chair as the application was never completed and the appellant was non-responsive.

A higher than usual number of appeals were filed in Q1 regarding decisions of the Experience Assessment Committee as a result of the Validation of Experience application grandfathering deadline on November 30, 2018.

Four appeals were closed in Q1. Two decisions were issued upholding the decisions of the Experience Assessment Committee. Two appeals were withdrawn after the appellant made a deal with HRP.

In Q1, an appeal that was originally filed in 2014 remains on-going. The Panel Chair is currently trying to schedule a pre-hearing conference with a hearing to follow.

### Q1 Appeal Activity

	Date Appeal Filed	The nature of the appeal	The outcome of the appeal
A-2014-4	April 3, 2014	The complaints process was not fair and biased.	A pre-hearing conference was scheduled in February 2018 but was cancelled last minute by the appellant. It is currently being rescheduled.
A-2018-12	November 12, 2018	Complaints Committee made an error in their decision-making process. The complaint needs to be reconsidered, this time with a clear understanding of the applicable legislation.	The decision is currently being written by the Appeal Panel Chair.
A-2018-13	November 26, 2018	Experience Assessment Committee made an error in the assessment of the application.	February 12, 2019 - Decision of the Experience Assessment Committee was upheld.

A-2018-14	November 28, 2018	Experience Assessment Committee made an error in the assessment of the application.	February 12, 2019 - Decision of the Experience Assessment Committee was upheld.
A-2018-15	November 28, 2018	Experience Assessment Committee made an error in the assessment of the application.	Panel review date has been set for March 2019.
A-2018-16	November 28, 2018	Experience Assessment Committee made an error in the assessment of the application.	The decision is currently being written by the Appeal Panel Chair.
A-2019-01	December 3, 2019	Experience Assessment Committee made an error in assessment of application.	HRPA made an agreement with the appellant and the appellant withdrew their appeal.
A-2019-02	December 3, 2019	Experience Assessment Committee made an error in assessment of application.	The decision is currently being written by the Appeal Panel Chair.
A-2019-03	December 12, 2018	CHRE Committee made an error in the assessment of the application.	Appeal application was never completed and the appellant was non-responsive.
A-2019-04	December 20, 2018	CHRE Committee made an error in the assessment of the application.	The appeal is currently with appellant for a response.
A-2019-05	January 10, 2019	Experience Assessment Committee made an error in assessment of application.	Panel review date has been set for March 2019.
A-2019-06	January 16, 2019	Experience Assessment Committee's assessment was unfair and inequitable.	HRPA made an agreement with the appellant and the appellant withdrew their appeal. The agreement between the two parties was approved by a panel of the Appeal Committee.
A-2019-07	February 1, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with HRPA for a response.
A-2019-08	February 12, 2019	Experience Assessment Committee made an error in the assessment of Alternate Route application.	The appeal was with HRPA for a response but then the appellant wanted to update the appeal application with new information. New appeal application will be given to Committee Chair for review before moving forward.
A-2019-09	February 12, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with HRPA for a response.
A-2019-10	February 13, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with HRPA for a response.

A-2019-11	February 13, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with HRP A for a response.
A-2019-12	February 15, 2019	Nature of the appeal is currently unclear as more information is needed from the appellant.	Application is currently incomplete as more information is needed from the appellant.
A-2019-13	February 15, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with HRP A for a response.
A-2019-14	February 15, 2019	Experience Assessment Committee made an error in the assessment of the application.	Appeal currently with Committee Chair for review.
A-2019-15	February 24, 2019	Experience Assessment Committee made an error in the assessment of the application.	Application is currently incomplete as more information is needed from the appellant.
A-2019-16	February 28, 2019	Experience Assessment Committee made an error in the assessment of the application by not applying the correct interpretation of instructions.	Appeal currently with Committee Chair for review.

### Analysis of appeal decisions

<b>Outcomes</b>	
Total number of requests for appeal received between December 1, 2018, and Feb 28, 2019	16
Total number of final appeal decisions released between December 1, 2018, and Feb 28, 2019	2
Decisions for HRP A	2
Decisions against HRP A	0
Requests for appeal withdrawn by the appellant after making an agreement with HRP A (no decision issued)	2
Requests for appeal withdrawn by the appellant (no decision issued)	0