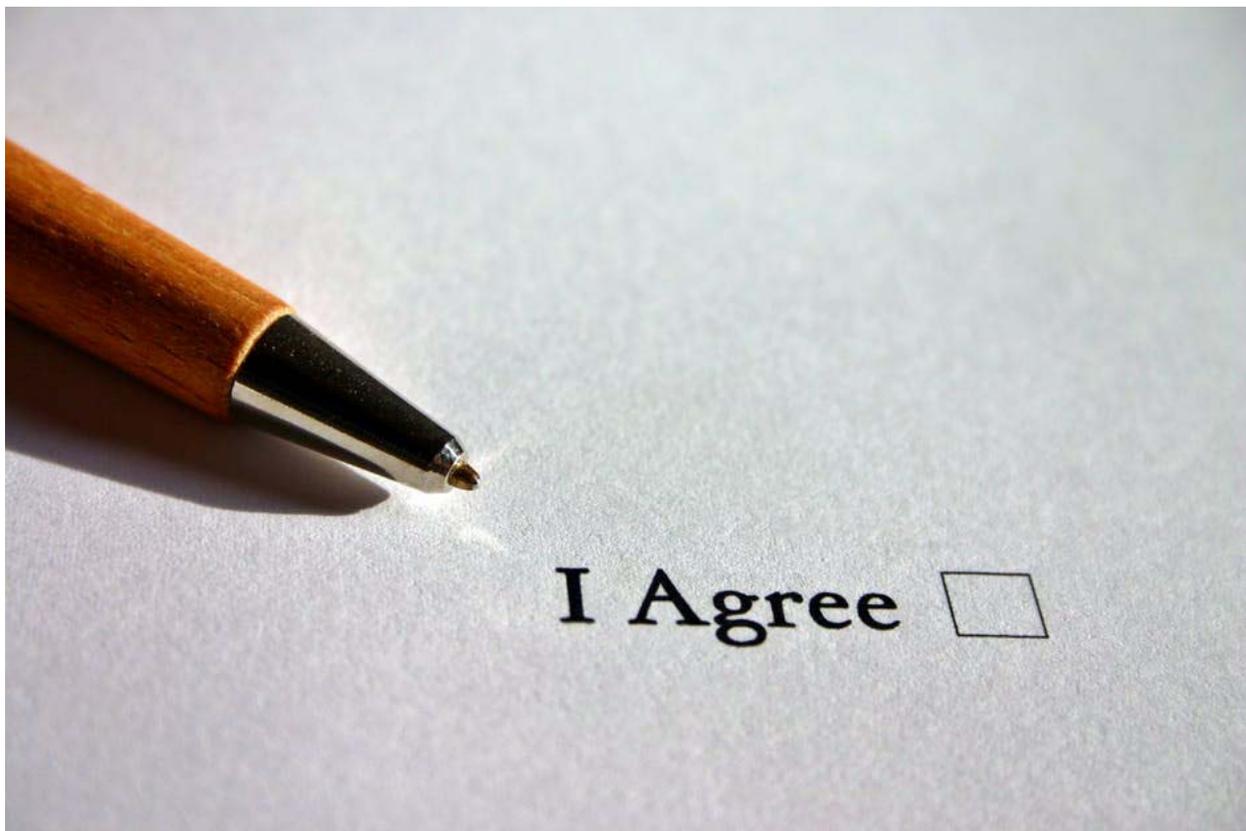


# HRPA Registration Handbook for Members and Students

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## Quick Facts

- HRPAs is a professional regulatory body established under the *Registered Human Resources Professionals Act, 2013* (“the Act”). The Act was passed by the provincial government of Ontario and has the same legal status as any other provincial Act.
  - While joining HRPAs is voluntary, signing up as member, student or firm means agreeing to HRPAs’s regulatory oversight, including abiding by the Act, the By-laws, the Rules of Professional Conduct and any other professional guidance issued by HRPAs from time-to-time.
  - As a professional regulatory body, HRPAs’s purpose is to promote and protect the public interest, not to provide services to members, students or firms. The obligation to promote and protect the public interest is the foundation of the Act and HRPAs cannot act in any manner that would be contrary to the Act.
  - Each member, student or firm registered with HRPAs is listed on HRPAs’s Public Register. HRPAs is legally obligated to maintain the register and to publically display information such as when a registrant joined HRPAs, which designations the registrant holds, the registrant’s business address and if the registrant has ever been suspended, revoked or disciplined by HRPAs. For a list of all information required to be displayed on the public register please review the By-laws.
  - HRPAs sends important communications via both email and mail. As such, each registrant is obligated under the By-laws to provide HRPAs with up-to-date contact information within 30 days of any changes. Registrants are also responsible for ensuring that emails from HRPAs are not being blocked by a firewall. HRPAs is not responsible for any missed communications due to outdated contact information or blocked emails.
  - Each year upon renewal, which is always due by May 31<sup>st</sup>, registrants have to complete a series of self-reporting obligations, specifically:
    - i) whether they have been found guilty of any offence;
    - ii) whether a finding of professional misconduct, incompetence or incapacity has been made against them;
    - iii) whether they are currently involved in a proceeding for professional misconduct, incompetence or incapacity;
    - iv) whether they or their firm have experience a bankruptcy or filed a consumer proposal; and
    - v) anything else, albeit not specifically mentioned, that could be deemed relevant to the determination of good character (i.e. misuse of a designation)
- While included as part of the renewal application as a reminder, registrants are obligated to inform HRPAs as soon as possible if they are experiencing any of the above.
- HRPAs is not a subscription service and non-payment of dues does not automatically sever a member’s, student’s or firm’s registration. To officially resign one’s registration, a completed Resignation Form must be submitted. Otherwise, HRPAs has the authority to revoke a member’s, student’s or firm’s registration for non-renewal.

## **Background**

HRPA is the statutory professional regulatory body for the Human Resources profession in Ontario. Its mandate is to promote and protect the public interest by governing and regulating the practice of members, students, and firms in accordance with the *Registered Human Resources Professionals Act, 2013*. In exchange for the privileges of professionhood and self-regulation, registration with HRPB brings with it a number of professional obligations—obligations to clients, employers, and users of professional services but also obligations to the professional regulatory body. The professional obligations members and students have are contained in the By-laws, the Rules of Professional Conduct, and any other professional guidance issued by the Association.

## **What is registration?**

Registration is the act of placing someone on the register. Although this may sound trivial, it is not. Section 15 of our *Act* states:

*For the purposes of this Act and the by-laws, an individual is not a member of the Association unless the register indicates that he or she is a member.*

Unless your name appears on the public register, you are not registered with HRPB. The term registrant can be used to refer to all individuals who appear on the register. As per the *Act* and the By-laws, HRPB maintains a register of members, students, and firms. Firms and students registered with HRPB are not members in the meaning of the *Act* and By-laws, but all are registered and are subject to governance and regulation by HRPB. Thus, the term *registrant* is a broader term which encompasses members, firms, and students.

The Registrar is given the duty to maintain the HRPB's register by the *Act*.

## **Benefits and obligations: You can't have one without the other**

Being a regulated profession has many benefits:

- Greater respect for the profession and its members and students
- Greater autonomy for members and students of the profession
- Better remuneration
- More interesting and fulfilling careers as HR professionals

But these benefits are not 'free,' there are obligations that come from being true professionals. In fact, those benefits which are granted to a profession by society follow from the willingness of professionals to accept the obligations that follow from being true professionals.

As noted at the outset, reading this document is not a substitute for being aware and understanding your obligations as set out in the *Act*, the By-laws, and the Rules of Professional Conduct, and any other professional guidance issued by the Association.

Should you have any questions about your obligations as a registrant of HRP, please do not hesitate to contact HRP's Office of the Registrar at [registrar@hrpa.ca](mailto:registrar@hrpa.ca).

### ***I agree to abide...***

Upon initial registration and then upon yearly renewal after that, HRP requires all applicants, members and students to indicate their agreement with specific terms and conditions of registration. Specifically, all applicants, members and students are required to state that they have read, understood, and agreed to abide by the *Registered Human Resources Professionals Act, 2013*, the HRP By-laws, and the HRP Rules of Professional Conduct, as well as any other professional guidance issued by the Association.

This is important. This agreement is a legally binding and legally enforceable covenant between you and the HRP. This agreement should not be taken lightly. The following outlines some of your obligations to your professional regulatory body which follow from this covenant—however, it does not cover all aspects of the obligations that you, as a member or student, accept as a result of registration with HRP. Also, reading this document is not a substitute for being aware and understanding your obligations as set out in the *Act*, the By-laws, and the Rules of Professional Conduct, and any other professional guidance issued by the Association.

### **The first obligation**

The first obligation is to be aware of your obligations. You cannot abide by something you have not read or understood.

Ignorance of *Act*, the By-laws, and the Rules of Professional Conduct, and any other professional guidance issued by the Association is not a valid excuse for failing to abide by these rules.

Such rules will change from time to time. HRP is required by law to give 30-day notice of any change to the By-laws. HRP will post any significant change to its By-laws, policies, and procedures in its Regulatory Affairs newsletter. HRP will also conduct special webinars when new obligations are put in place or when existing obligations are modified. However, it remains your responsibility and obligation to keep up to date in regards to the *Act*, the By-laws, and the Rules of Professional Conduct, and any other professional guidance issued by the Association.

### **Ability to receive communications from HRP**

Unfortunately, with an increase in the numbers of unsolicited commercial emails (spam), Internet Service Providers and corporations have introduced various filters and internal firewalls which can block emails from HRP. This means that some members and students may not receive important notifications such as renewal notices.

Additionally, contact information may change – for example a work email address may become inactive because of a change in employment or due to an absence from the workforce. You have the obligation

to ensure that you receive important notifications from HRP A, including making sure that HRP A has your most up-to-date contact information on file and that communications from HRP A are not blocked by a firewall. You should also visit the web site regularly.

### Registration renewal and paying your dues

It is your responsibility to renew your registration. Only you, as a member or student, can complete your renewal process because no one else can make the required attestations.

Every year, efforts are made to contact members and students whose renewal dues have fallen in arrears to encourage them to renew their registration before the revocation deadline. If you are one of those individuals please keep in mind that:

- The renewal process cannot be completed by telephone because you must provide certain information and attest to the accuracy and completeness of the information before the renewal can be processed (payment is not sufficient).
- Only you, as a member or student, can complete the attestations. As such, no one except you can complete your renewal process on your behalf.
- To avoid revocation and its consequences, you must renew by 5pm EDT on September 30 of each year (if September 30 falls on a weekend, the deadline will be 5pm EDT on the next business day after September 30). This means that the renewal form must be completed before that time. Payment alone does not complete the renewal process.
- If you are contacted by telephone always confirm by email whatever arrangements you understand to have been made. This is especially true if you provided credit card information to the caller. Ask for the name of the person and whether they are a telemarketer, a chapter volunteer, or HRP A staff.
- Whatever you may understand the caller to have said they will do on your behalf, you remain responsible for seeing that your renewal process is completed before the revocation deadline.
- If you are requesting special arrangements such as reduced dues, you need to take into account the time it takes to process such arrangements such that the renewal process is completed by the revocation deadline.

If you fail to pay your dues you will first see your registration suspended and eventually revoked. HRP A has put in place a notification process which informs members and students of their non-payment of dues on a number of occasions by email and letter. Suspensions and revocations are included on the public register and cannot be removed unless there has been a clerical error or, for former members and students, after a period of ten years. Also, once revoked, you must meet the certification requirements in place at the time to re-achieve your designation upon rejoining HRP A.

If you wish to no longer maintain registration with HRP A you should resign from the Association. Not paying one's dues is not a proper way of resigning your registration.

### **Complying with all applicable continuing professional development requirements**

In fulfilling its obligation to protect and promote the public interest, HRPAs are required to put in place policies and procedures which ensure that the professionals it regulates are competent and act in an ethical manner. Collectively, these are referred to as quality assurance initiatives. The most common quality assurance mechanism is to require participation in continuing professional development. Once you have been granted an HRPAs designation you must maintain your HRPAs membership and comply with the continuing professional development requirements to maintain your designation. As a designated member you are required to submit a completed Continuing Professional Development Log every three years at time of registration renewal. You are also required to maintain records of your CPD activities for your current CPD period and for a period of two years after a CPD log is due or submitted, whichever is later. Furthermore, as a designated member you must comply with the CPD audit requirement if selected for such an audit.

### **Professional liability insurance requirements**

Any member, student or firm, providing Human Resources services to the public either on a full-time, part-time, or occasional basis and whether for remuneration or pro bono have an obligation to:

- (a) maintain professional liability insurance; and
- (b) provide the Registrar with satisfactory proof of such insurance in the form of a copy of the insurance certificate. Acceptance of the copy of the insurance certificate by the Association as proof that the Member, Student or Firm maintains professional liability insurance shall not constitute approval of the insurance policy itself.

In addition, any member, student or firm, providing Human Resources services to the public has the obligation to ensure that every professional liability insurance contract is endorsed with the requirement that the insurer notify the Registrar immediately of the cancellation of the insurance coverage.

### **Notifying the Registrar of any bankruptcy or insolvency event**

HRPAs members and firms registered with HRPAs have an obligation to notify the Registrar of a personal bankruptcy or insolvency event. In such circumstances, you have an obligation to disclose to the Registrar:

- (a) all documentation and information, including declarations, as outlined in the *Act* and/or the *By-laws*;
- (b) all documentation pertaining to the subject of the disclosure or, if all documentation is not yet available, an undertaking to provide the documentation as soon as it becomes available;
- (c) the pleadings related to the subject of the disclosure or, if the pleadings are not yet filed, an undertaking to provide the pleadings as soon as they become available;
- (d) all documentation pertaining to the financial circumstances of the Firm making the disclosure, including, but not limited to, income tax returns, financial statements and financial records.

### **Notifying the Registrar of events which fall under the self-reporting obligations**

You have an obligation to notify the Registrar immediately of any of the following events:

- (1) Any finding of guilt for a criminal offence or an offence;
- (2) Any finding of professional misconduct, incompetence or incapacity, whether in Ontario or in another jurisdiction, and whether it is in relation to the Human Resources profession or another regulated profession;
- (3) A Member's or Firm's Bankruptcy and Insolvency Event;
- (4) Any proceeding for professional misconduct, incompetence or incapacity, whether in Ontario or in another jurisdiction, and whether it is in relation to the Human Resources profession or commenced by another regulatory organization; or
- (5) any other event, although not mentioned specifically in the list above, that could be deemed relevant to the determination of good character if such were to come to light (i.e. misuse of a designation).

### **Cooperating fully with any investigation or inspection conducted by the Association**

As a member or a student you have an obligation to cooperate fully with any investigation or inspection conducted by the HRP. You also have an obligation not to withhold or conceal, alter or destroy any document or thing relevant to the investigation or inspection.

### **Responding to any professional complaint filed with the Association**

You have an obligation to answer to any complaint filed against you with the Association. You also have an obligation to be candid and forthright in responding to any complaint made against you.