



Council Meeting Draft Agenda

Date: September 14, 2020 **Time:** 9:00am **Location:** Go To Meeting

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	Time	Discussion Item	Presenter/ Speaker	Document Included	Action
1	9:00am	Call to order, roll call, Welcome	J. Pereira	Yes	Information
2	9:01am	Introductions	J. Pereira	No	Information
3	9:06am	Conflict of Interest Training	R. Durcan, SML	No	Information
4	9:51am	Conflict of interest declarations	J. Pereira	No	Decision
5	9:56am	Approval of agenda	J. Pereira	Yes	Decision
6	9:57am	Approval of Minutes – June 29, 2020	J. Pereira	Yes	Decision
7	10:02am	<p>Action Items from the June 29 Meeting</p> <ul style="list-style-type: none"> • Staff to provide a timeline in regards to anti-racism with action items and anticipated completion dates. To be reported by Registrar. • Brenda to revise the Executive Committee Terms of Reference. To be reported by Registrar. • The President to investigate the reason for resignations from Council. To be reported by President. • Brenda to share a copy of the Human Resources policies with Council once ready for distribution. September 14 meeting of Council 			



8	10:07am	<p>Committee Reports</p> <ul style="list-style-type: none"> • Discipline • ICRC • Registration • Quality Assurance • Patient Relations • Q4 Finance Report/Dashboard • Specialties Committee 	Committee Chairs	Yes	Information
9	10:17am	Directors and Officers Liability Insurance	Chad McCleave	No	Information
10	10:27am	Registrar's Report	B. Kritzer	Yes	Information
11	10:37am	President's Report	J. Pereira	No	Information
12	10:47am	Draft Terms of Reference- Executive Committee	B. Kritzer	Yes	Information
13	11:02am	Draft Redeployment During Health Emergencies (post 60-day consultation)	L. Thacker	Yes	Information
14	11:17am	Human Resources Policies	N. Danson, SML	Yes	Information
LUNCH					
15	1:00PM	Discipline Training	Emily Lawrence	No	Information
16	2:00PM	Performance Reporting	B. Kritzer	Yes	Information
17	2:10pm	Return to Work Strategy	N. Leris/M. Reder	No	Information
18	2:20PM	Vacancy in District 6	R. Pestana	Yes	Decision
19	2:30PM	Election of Executive Committee	B. Kritzer/V. Fragale	Verbal	Decision
20	3:00PM	Approval of Committee Membership	President	Yes	Decision
21	3:30PM	Review of Action Items	J. Pereira	No	Review
ADJOURNMENT					

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CONFLICT OF INTEREST

1

College of Kinesiologists of Ontario

• September 2020 •

Rebecca Durcan
Steinecke Maciura LeBlanc

Things to remember

2

- Conflict of interest is inevitable
- To declare a conflict is not to declare a wrongdoing
- Goal is to minimize occurrences of conflict of interest and manage them when they occur
- Confidence of the profession and the public is crucial to College functioning
- Increased transparency
- Mandate of College is paramount



NEWS

Mere appearance of conflict of interest can erode public trust: experts

By Rachel Emmanuel. Published on Aug 11, 2020 7:51am



Prime Minister Justin Trudeau and his wife, Sophie Grégoire Trudeau, speak at a WE Day event in Ottawa on Nov. 10, 2015. (Politics/Matthew Usherwood)

Email

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Ethics experts told MPs that public office holders must be as careful to avoid the impression of conflict of interest as they are to avoid actual breaches of ethics law.

Members of the House of Commons ethics committee heard the testimony during a meeting on Monday to discuss measures to prevent conflict of interest affecting federal spending. The committee's study is one of several by a parliamentary committee that's part of the fallout of the WE Charity affair.

Appearing on a panel of ethics experts, Robert Czerny, former president of the Ethics Practitioners' Association of Canada, told MPs that even the appearance of a conflict of interest is capable of eroding public confidence in government.

<https://ipolitics.ca/2020/08/11/mere-appearance-of-conflict-of-interest-can-erode-public-trust-experts/>

When can it arise?

4

- **ANYTIME**

- Be aware of subject matter (because of my position should I be involved in this discussion?)
- Be aware of your relationships (because of my relationship with X should I be involved in this discussion?)
- Be aware of the situation (because of my position should I be saying this?)
- Be aware of the concept (because I am elected by members should I be advocating for members?)

- **BE AWARE**

Recognition

5

- Ideally self-identified
 - If not, incumbent upon other committee/Council members to do so
- Usually on a case by case basis
- Not a reflection of character



Disclosure

6

- Ideally self-disclosed
 - **If not, incumbent upon other council/committee members to do so**
- Ideally in advance of committee or Council meeting
- To identified person (Committee chair, President, Registrar)
- College has a proactive process wherein all Council and Committee members complete Declaration Forms to readily identify real, potential or apparent COI



Codified in By-Laws

7

- 16.01 – Duty to Avoid Conflicts of Interest – All Council and committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public...
- Rules of Order mandate that no member is entitled to vote upon any motion in which he or she has a COI, and the vote of any member so interested will be disallowed.
- Code of Conduct mandates that all members must avoid, and where that is not possible, declare any appearance of or actual COI

Different types of Conflicts of Interest

8

Real = When a reasonable person, knowing of all of the circumstances, would believe that the individual's judgment would be influenced by the competing consideration.

Potential = Where a COI is not real at the time of the decision, but given the right set of circumstances, could manifest in the future.

Apparent = Where real COI is suspected, even though it does not exist.

Farcus

by David Waisglass
Gordon Coulthart



"What conflict of interest?!
I work here in my spare time."

College Performance Management Framework

9

- **Governance Domain**
 - **Standard 2 – Council Decisions are Made in the Public Interest**
 - **Measure – 3.** All decisions related to a Council’s strategic objectives, regulatory processes, and activities are impartial, evidence-informed, and advance the public interest.
 - **Required Evidence - a.** The College Council has a Code of Conduct and ‘Conflict of Interest’ policy that is accessible to the public.
 - **College Response -** Year when Council Code of Conduct and ‘Conflict of Interest’ Policy was implemented OR last evaluated/updated - Insert a link to Council Code of Conduct and ‘Conflict or Interest’ Policy OR Council meeting materials where the policy is found and was discussed and approved

College Performance Management Framework

10

- **Governance Domain**
 - **Standard 2 – Council Decisions are Made in the Public Interest**
 - **Measure – 3.** All decisions related to a Council’s strategic objectives, regulatory processes, and activities are impartial, evidence-informed, and advance the public interest.
 - **Required Evidence - b.** The College enforces cooling off periods.
 - **College Response -** Cooling off period is enforced through:
 - Conflict of interest policy
 - By-law
 - Competency/Suitability criteria
 - Other

College Performance Management Framework

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- Governance Domain ...
 - **Required Evidence** c. The College has a conflict of interest questionnaire that all Council members must complete annually.
 - the completed questionnaires are included as an appendix to each Council meeting package;
 - questionnaires include definitions of conflict of interest;
 - questionnaires include questions based on areas of risk for conflict of interest identified by Council that are specific to the profession and/or College; and
 - at the beginning of each Council meeting, members must declare any updates to their responses and any conflict of interest specific to the meeting agenda.

College Performance Management Framework

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- Governance Domain ...
 - **College Response:**
 - The year when conflict of interest the questionnaire was implemented OR last evaluated/updated
 - Member(s) update his or her questionnaire at each Council meeting based on Council agenda items:
 - Always
 - Often
 - Sometimes
 - Never
 - Insert a link to most recent Council meeting materials that includes the questionnaire:

College Performance Management Framework

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- Governance Domain ...
 - **Required Evidence** - Meeting materials for Council enable the public to clearly identify the public interest rationale and the evidence supporting a decision related the College's strategic direction or regulatory processes and actions (e.g. the minutes include a link to a publicly available briefing note).
 - **College Response** - Year when Council Code of Conduct and 'Conflict of Interest' Policy was implemented OR last evaluated/updated: Insert a link to Council Code of Conduct and 'Conflict of Interest' Policy OR Council meeting materials where the policy is found and was discussed and approved:

What happens if COI is not declared?

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- Can result in disqualification (10.29(ix))
 - Could bring discredit to College
 - Could amount to a breach of the fiduciary obligation of the person to the College; and
 - Could create liability for either the College and/or the person involved. (16.02 (i)-(iii))

Questions?

15



SML

Council Meeting Minutes

Date/Time of Meeting:	June 29, 2020 / 10:30am (9:30am In-Camera Session)
Council Present:	Jennifer Pereira, Chair, Teresa Bendo, Sara Gottlieb (in camera only), Stefanie Moser, Elwin Lau, Leslee Brown, Victoria Nicholson, Derek DeBono, Graydon Raymer, Mary Pat Moore, Ryan Wight, Chad McCleave
Staff Present:	Brenda Kritzer, Nancy Leris, Vivian Fragale, Ryan Pestana, Lara Thacker, Keisha Simpson
Guests Present:	Don Gracey, the Ontario Athletic Therapist Association; Kim Stroesser, the Ontario Athletic Therapist Association; Stuart Moulton, Ontario Kinesiology Association, Samia Shaheen, Ministry of Health and Ministry of Long-Term Care; Michael Robinson, Canadian Athletic Therapists Association; Tyler Quennell, the Ontario Athletic Therapist Association

1. Call to Order

Jennifer Pereira, Chair, welcomed Council and called the meeting to order at 10:38am.

Jennifer noted that a resignation had been received from Professional Member, Katie St. Denis. Katie is leaving the practice of kinesiology to pursue a new job opportunity. The College thanks her for her contributions to Council and Committees and wishes her all the best.

As a notice of the meeting had been duly given in accordance with the by-laws of the College of Kinesiologists of Ontario and a quorum was present, the meeting was duly constituted for the transaction of business.

2. Conflict of Interest Declarations

Jennifer Pereira asked if any Council members present wished to declare a conflict of interest. There were no declarations.

3. Statement by the President concerning Anti-Racism and Systemic Discrimination

Jennifer took a few minutes to discuss a call to action regarding anti-racism and systemic discrimination, a topic which has been made more urgent by recent events in the United States. She read the following statement:

CKO's statement on systemic racism

The College acknowledges that systemic racism is real and present in our society. For true progress to be made on this issue, its existence must be recognized by organizations like ours with a duty to serve and protect the public interest.

We serve and protect all people who use the services of registered kinesiologists, regardless of their race, ethnic origin and provisions covered under Human Rights legislation. We also acknowledge that more can and should be done to educate and empower our registrants, Council, volunteers, and staff on the issue of systemic racism. That is why the College is committed to the following actions:

- Full review of the Code of Ethics for kinesiologists to strengthen provisions around discrimination.
- Development of learning tools for kinesiologists to help them identify systemic racism and prevent it within the healthcare context.
- Full review of the Code of Conduct for Council, the College's decision-making body, to add provisions that address discrimination.
- Full review of the College's human resources policies and practices to strengthen provisions around discrimination.

Our communities are at a critical turning point in a global fight for justice and equality. We support these efforts and will do our part to advance positive social change.

Council requested that action items be included and that a timeline with proposed completion dates be provided to Council within the next two to three weeks.

4. Approval of Agenda

Jennifer noted that the agenda was very long and proposed that agenda items 11, 16, and 18 which were information items, be postponed. This included the human resources presentation by Natasha Danson, the Communications Strategic Plan, and the presentation on Peer Circles.

*UPON A MOTION duly made by Derek DeBono and seconded by Leslee Brown, it was resolved that the agenda be approved as amended. **Carried.***

5. Approval of Minutes

*UPON A MOTION duly made by Ryan Wight and seconded by Leslee Brown, it was resolved that the March 30, 2020 Minutes be approved as presented. **Carried.***

6. Action Items Arising From Previous Meetings

- December 2, 2019 minutes to include details of the in-camera session. COMPLETED
- Ryan Wight to be noted as a Professional Member on the revised Committee Slate. COMPLETED
- The revised 2020 election schedule to be posted on the website. COMPLETED

7. Committee Reports

Reports were provided in the Council package highlighting committee meetings, activities, changes and discussions that took place since the March Council meeting. A third quarter financial report and Dashboard were also included.

Teresa Bendo, Patient Relations Committee Chair, presented revised Terms of Reference for the Patient Relations Committee. She put forth a recommendation to expand the mandate of the Patient Relations Committee to include communications which would provide for more Council input to communications and strengthen the focus on patients and the public.

*UPON A MOTION duly made by Teresa Bendo and seconded by Elwin Lau, it was resolved that Council approve the revised Terms of Reference for the Patient Relations Committee. **Carried.***

8. Registrar's Report

Brenda Kritzer provided an update on elections. Marie Cousineau has been proclaimed in District #2 and Lynne Bonsignore has been elected by proclamation in District 4. In District 3 there is a contested election with two candidates. The election will occur during the week of July 7 to 14.

Orientation of new Council members is scheduled for August 19. Orientation will continue once the new Council is assembled with training for all Council members. All current Council members will continue as Council members until the new Council is constituted in September.

College staff continue to work from home, with a few occasionally working from the office. Staff continue to monitor the situation and all staff will be engaged in the development of a return to work plan.

The College provided an online seminar featuring public health experts, providing guidance for health care professionals returning to work. This online workshop was coordinated by Ryan Pestana who worked closely with the Colleges of Massage Therapists, Occupational Therapists and Physiotherapists. The workshop was recorded and is now available for other colleges and individuals to view.

Brenda discussed the vacancy in the professional conduct portfolio. She has contracted two individuals who also provide investigation services. They will be providing support to Committees, investigations and policy work on an as-needed basis.

In April, Brenda was invited to present at the virtual AGM of members of the Ontario Athletic Therapist Association.

The Specialties Committee has not been asked to meet during this past quarter. A work-plan is under development for the Committee and meetings will be held over the summer to move forward on the review of the submission from the Ontario Athletic Therapist Association. Letters of support have been received from interested stakeholders and these will be provided to the Committee to consider as part of its review.

In response to updates from the Committee Chair, the Registrar noted that she and Graydon Raymer drafted a list of educational experts who could be approached to assist the Committee in reviewing the education of athletic therapists to determine whether it meets the requirements described in the Assessment Framework for Specialties. Graydon clarified that, while he is the member elected for the Education District, his role on Council is similar to every other member's role and not to act as an educational expert to "advise Council".

Brenda made reference to the correspondence that was included in the Council package.

- A letter from the President of the OATA asking that the College consider issuing a professional standard concerning anti-discrimination and racism
- A proposed response to the OATA
- A copy of a letter sent by the Ontario Kinesiology Association to the Minister of Health requesting that the Government "instruct those Regulatory Colleges where a significant proportion of members have been drastically restricted from providing service during the pandemic, to provide relief from College fees during their next annual renewal". This letter was reviewed by the Executive Committee and the Finance and Planning Committee. No comment has been made to the OKA pending further discussion by Council today of recommendations of the Finance and Planning Committee.

Brenda also noted that the College is participating in an initiative with approximately 11 other Colleges, which are small to mid-range in registration numbers. The purpose of the initiative is to investigate and commit to initiatives, which enable colleges to benefit from collaboration and cooperation.

With regard to the letter from the OATA proposing a standard concerning anti-racism, a fulsome discussion ensued.

The Registrar was asked whether the OATA sent similar correspondence to any other health college or association. The OATA confirmed to Brenda Kritzer that they had only sent a letter to the College of Kinesiologists.

Brenda Kritzer noted a number of tasks already being undertaken by College staff in relation to addressing gaps in College by-laws, policies, procedures, and the overall diversity of regulated kinesiologists.

UPON A MOTION duly made by Graydon Raymer and seconded by Stefanie Moser, it was resolved that Council approve the proposed response to the Ontario Athletic Therapist Association in regards to developing a standard addressing discrimination and anti-racism. Carried.

9. President's Report

Jennifer Pereira provided a brief update. She noted the following:

- In spite of the recent pandemic, College operations continue to run as usual and commended staff for their hard work during this time.
- She attended the virtual AGM of members of the Ontario Athletic Therapist Association and noted that it was very productive and educational.
- She assisted with drafting the back-to-work guidelines for Kinesiologists.
- Weekly one-to-one calls with Brenda have been scheduled to keep abreast of College business.

10. Transparency- Executive Committee Minutes and Agenda

Jennifer noted that Council has committed to taking initiatives to improve accountability through reporting on identified performance indicators. One key performance indicator and demonstration of accountability is transparency. A Decision Note was included in the Council package addressing an opportunity to be more consistent in the College's commitment to accountability through transparency. This focuses on establishing transparent decision criteria for calling a meeting of the Executive Committee and ensuring transparency concerning decisions and matters considered.

A fulsome discussion ensued. There was concern that reporting from the Executive Committee to Council was lacking. It was suggested that an attempt be made to constitute Council for urgent matters. If quorum is not possible, urgent matters can then be delegated to the Executive Committee.

Brenda Kritzer will revise the Executive Committee Terms of Reference for Council's review.

11. Establishing criteria and parameters for how we assess scope of practice

Derek DeBono presented to Council on the topic of establishing criteria and parameters for how the College assesses scope of practice. He indicated that he is concerned if kinesiologists who are not

certified present themselves as being competent to provide athletic therapy. He requested that the College develop criteria specifying what credentials a registrant must have in order to practice athletic therapy.

A discussion ensued. It was noted that the practice of athletic therapy lies completely within the scope of practice of kinesiology. It was noted that the Committee on Specialties had requested evidence from the OATA of both regulated and unregulated practitioners causing harm to patients as a result of incompetence in the areas of athletic therapy. The OATA indicated that there is a lack of research in this area. Council members also noted that regulated health care professionals are required to act only within their sphere of competence. The College confirmed that it had received no complaints of kinesiologists being incompetent to provide therapeutic services (athletic therapy) or to use the treatment modalities associated with athletic therapy.

12. Practice Guideline: Working Outside of Scope during Health Emergencies

Lara Thacker, Director, Quality Assurance, presented the Practice Guideline for working outside of scope during health emergencies. The Guideline was reviewed by both the Working Group and the Quality Assurance Committee.

UPON A MOTION duly made by Victoria Nicholson and seconded by Graydon Raymer, it was resolved that Council accept the Practice Guideline: Working Outside of Scope of Practice during Health Emergencies as presented therein. Carried.

13. Draft Budget & Performance Plan 2020/21

Nancy Leris, Director, Operations & Financial Services, presented the draft budget and performance plan for 2020/2021. Both were included in the Council package and posted with other Council materials for discussion on the public website.

On May 25th the Planning and Finance Committee reviewed the proposed Budget presented by the College and considered whether provision has been made to meet the requirements of the College to carry out the performance plan during the new fiscal year September 1, 2020 to August 31, 2021.

UPON A MOTION duly made by Chad McCleave and seconded by Teresa Bendo, it was resolved that Council approves the performance plan and budget for the new fiscal year 2020-2021, beginning September 1, 2020. Carried.

14. Recommendation from the Finance and Planning Committee

Chad McCleave, Chair of the Finance and Planning Committee, provided an update on government relief programs. He noted that, because the College has not had a significant loss of revenue during COVID-19, the College does not qualify for most relief programs. He noted the following:

- The College has been receiving the 10% temporary wage subsidy through the payroll service through the reduction of remittance of income tax withheld on employees' remuneration. This is up to \$25,000.
- The College received the employment health tax relief. They have increased the exemption from \$490,000 to \$1 million (relief of up to \$9,945)
- The landlord will not be providing the College with any relief regarding rent since they are not participating in the Canada Emergency Commercial Rent Assistance.
- The College has applied for the Canada Emergency Business Account loan for small businesses. This is an interest free loan of up to \$40,000. Repaying the balance of the loan on or before December 31, 2022 will result in loan forgiveness of 25 percent (up to \$10,000).

A five-year cash flow projection was developed by the College. This was presented to the Finance and Planning Committee. The College is in a stable financial position if business proceeds as per usual in the short to medium term.

Chad put forth a recommendation by the Finance & Planning Committee for renewal in 2020. It was proposed that members renewing between September 1, and September 30 not be charged a late fee. Additionally members suspended on October 1, 2020 for non-renewal who reinstate between October 1 and October 31 will not pay a re-instatement fee or a late fee.

Chad noted that the Finance & Planning Committee acknowledges that some members are experiencing financial hardship due to public health restrictions due to COVID-19. While the fees for renewal are already among the lowest for any health profession regulator of a comparable size, the Committee agreed that some relief is warranted for those members who may be experiencing hardship. There is opportunity to make individual arrangements such as fee payment by installments. There is also opportunity for the College to demonstrate concern for members as they get back to work by allowing members additional time if necessary to pay their renewal fees without penalty.

*UPON A MOTION duly made by Stefanie Moser and seconded by Mary Pat Moore, it was resolved that Council approve that in this year of disruption due to the COVID-19 pandemic, late membership fees be waived up to sixty days and that members who are renewing by September 30 not be charged a late fee. Members who have not renewed by September 30 will be suspended on October 1. Such members, if they re-instate by October 31, will not be charged a late fee or a re-instatement fee. **Carried.***

Elwin Lau abstained from voting.

15. Enterprise Risk Management

Brenda Kritzer presented the Risk Management Plan. She identified risks and proposed mitigation strategies as outlined in the plan.

Brenda highlighted financial risks and indicated that all unbudgeted financial commitments in excess of \$20,000 will require prior review by Finance and Planning Committee and approval by Council. She also indicated the importance of Council ensuring that appointments to the Finance and Planning Committee include individuals with financial expertise.

Brenda proceeded to review areas such as information management, the College's database system, capital equipment, examination security, validity of the exam, human resources, governance and compliance.

She reminded Council that, as part of its oversight role, Council reviews the Risk Management Plan to consider and determine the Risk Tolerance of the College and to be assured that the College has considered possible risks and has in place measures and planned responses to address risk.

UPON A MOTION duly made by Chad McCleave and seconded by Victoria Nicholson, it was resolved that Council accepts the Risk Management Plan for 2020-2021 and approves the risk prioritization as presented therein. Carried.

16. Vacancy- District 1

Communications Manager, Ryan Pestana, presented the Decision Note for the vacancy in District 1. Katie St. Denis' resignation created a long-term vacancy in this District since the seat became vacant more than 12 months before the member's term of office expired. One of the options is to appoint the runner-up from the election in that District. That member has indicated an interest in filling the vacancy on Council.

It was noted that there had been a number of resignations from Council. Ideas were discussed including initiating exit interviews with Council members who resign before the completion of their term. Council requested that the President investigate why Council members resign.

UPON A MOTION duly made by Stefanie Moser and seconded by Mary Pat Moore, it was resolved that Council appoint the runner up in the 2019 election to fill the vacancy in District 1. Carried.

17. Review of Action Items

- Staff to provide a timeline in regards to anti-racism with action items and anticipated completion dates.
- Brenda to revise the Executive Committee Terms of Reference.
- The President to investigate the reason for resignations from Council.
- Brenda to share a copy of the Human Resources policies with Council once ready for distribution.

18. Closing Comments/Motion for Adjournment

It was moved by Chad McCleave to adjourn the meeting at 3:40pm.

DRAFT

Discipline Committee Report

Committee: Discipline
Prepared for: Council
Date: September 14 , 2020

Meetings

The Discipline Committee met once on a matter referred by the ICRC. Panel members included Teresa Bendo, Leslee Brown, Stefanie Moser and Pamela Paquette a member at large.

Outcome

The matter was uncontested and the committee concluded the hearing. The Decision and Reasons have been sent

ICRC Report

Committee: ICRC
Prepared for: Council
Date: September 14 , 2020

Meetings

The ICRC met three times since the last report at Council to review requests to appoint an Investigator.

Complaints

Of two complaints in process, one was resolved and one is still in process.

Three Registrar's Reports were received in the Spring and are underway.

Registration Report

Committee: Registration
Prepared for: Council
Date: September 14 , 2020

Meetings

The Registration Committee has met twice since the last report to Council on June 29 to review 6 referrals for educational equivalency assessment, 1 referral for reinstatement to the general class and 1 remediation plan.

Decision of the panels:

- 2 decisions deferred, allowing the applicants to complete what has been identified by the panel as additional courses required to suffice the educational equivalency requirements;
- 3 decisions deferred pending further information from the applicant regarding the content of courses submitted for educational equivalency;
- 1 decision deferred pending further information from the applicant regarding the remediation plan;
- 1 applicant approved to write the entry-to-practice exam;
- 1 member reinstated to the general class.

Registration Examination

Spring Session

The spring sitting of the College's entry-to-practice examination which was scheduled to take place on April 18, 2020 has been rescheduled for Saturday September 19, 2020 across all writing centres.

Fall Session

The September exam is scheduled to take place in Toronto on Saturday, September 26, 2020; and on Saturday September 19, 2020 in the following writing centres: London, Ottawa, Sudbury, Thunder Bay and Windsor.

The College is closely monitoring the COVID 19 pandemic as it relates to the gathering of large groups. We have booked three writing centres in Toronto to accommodate the groups of 50 according to the public health guidelines.

Face masks and hand sanitizers have been shipped to the exam provider and will be provided to examination candidates and exam invigilators if needed.

Annual Renewal

Renewal started on July 1, 2020; the renewal deadline is August 31, 2020. As of July 1, 2020 there were 2903 members due for renewal of which 2493 were registered in the general class and 410 in the inactive class.

On September 1, 2020 the College sent out *Notices of Intention to Suspend* to those members who have not yet renewed. Section 16 (1) of the General Regulation allows the Registrar to suspend a member if they fail to renew within 30 days after the notice was given. Failure of members to renew and pay their fee by October 1, 2020 will result in suspension for non-payment of fees.

This year only, based on the Council's decision regarding financial hardships experienced by kinesiologists as a result of the COVID-19 pandemic, registrants who are suspended on October 1, 2020 for non-renewal and who reinstate between October 1, 2020 and October 31, 2020 will not be charged a reinstatement fee or a late fee.

The member's certificate will be revoked if the member does not comply with the renewal requirement within 3 years of the suspension. When a member is suspended they are prohibited from practising as a kinesiologist and from using the title "kinesiologist". The College will inform the member's last employer on record that the member has been suspended and is no longer in good standing with the College. Finally, the fact that a member is suspended remains indefinitely on the College's Public Register.

A breakdown of the renewal statistics will be provided for the December Council meeting.

Committee Report

Committee: Quality Assurance Committee
Prepared for: Council
Date: September 14, 2020

The Quality Assurance Committee (the Committee) met once since the last report made on June 29, 2020.

Peer and Practice Assessment

A panel rendered eight decisions and reasons regarding peer and practice assessments (PPA) from the Fall 2019 PPA Cycle. Below is a summary of the decisions:

PPA Cycle	PPA Case Files Reviewed	Decisions
Fall 2019	8 files	6 – No further action 2 - Direct participation in competency enhancement (complete a demonstrated change report)

The Committee will meet in the fall to review registrants' submissions for cases where follow up was directed. Registrants directed to submit a demonstrated change report are required to identify the practice resources consulted, indicate what they have learned and the changes made to their practice based on the new knowledge, and explain how the new knowledge impacts client service.

Ethics and Professionalism and Prevention of Sexual Abuse e-Learning Modules

This year, over 300 registrants will complete the College's Ethics and Professionalism module, and over 400 registrants will complete the Prevention of Sexual Abuse Module between August 1st and October 31, 2020. All kinesiologists registered in the General Class must complete the mandatory e-learning modules at least once. The Ethics and Professionalism e-Learning Module helps registrants better understand the application of the Code of Ethics and the process of making ethical decisions. The Prevention of Sexual Abuse e-Learning Module helps registrants understand what constitutes a boundary violation and sexual abuse; how to recognize warning signs and how to act on them to protect the client; and what to do if boundary violations occur.

Both modules contain multiple choice practice scenarios to help test registrants' application of the College's practice standards and identify opportunities for improvement.

Peer Circles

The College has issued calls for expressions of interest to participate in content development, and become facilitators for the new continuing professional development initiative being piloted this fall – Peer Circles. Virtual workshops will provide small groups of registrants opportunities to candidly discuss topical practice issues in areas of risk, and work together to develop enhanced problem solving skills and understanding of the application of the standards. Trained facilitators who are registered kinesiologists will assist the groups in working through case scenarios, learning how to apply an ethical decision making framework and locate and interpret the relevant resources to address practice issues. Facilitation and participation will tie back to competencies and learning objectives and may be counted towards registrants' continuing professional development requirements and competencies for participation in College work. Registrants have been polled on priority topics and preliminary scenarios have been drafted for the content development working group sessions.

Frequently Asked Questions (FAQs) – Redeployment during Health Emergencies

College staff facilitated a consultation webinar on a draft guideline regarding redeployment during health emergencies. The guidance has been developed in response to practice issues emerging from the recent pandemic, where kinesiologists have been redeployed to other practice settings and asked to work outside of their normal duties. Based on stakeholder feedback, the document has been reorganized from a practice guideline into an FAQ format to be more responsive to inquiries and issues, and adaptable to rapidly evolving information and guidance.

Committee Report

Committee: Patient Relations
Prepared for: Council
Date: September 14, 2020

Application for funding for therapy or counselling

Since the June 29 Council meeting, a panel of the Patient Relations Committee met on August 11 to review one application for funding for therapy/counselling. Members of the panel were Teresa Bendo (Chair), Mary Pat Moore and Leanne Smith. The applicant seeking funding was a client of a registered kinesiologist who was investigated for alleged sexual abuse.

By law, the College is required to provide funding for therapy/counselling to victims of sexual abuse committed by registered kinesiologists. The College established the Sexual Abuse Therapy Fund for this purpose. The fund is [governed by a regulation](#).

To be eligible for funding, a person must have been a patient/client of the kinesiologist at the time of the alleged sexual abuse. A person is eligible for funding once an allegation of sexual abuse is made and eligibility is not contingent on the allegation being proven. The maximum amount of funding that may be provided by the College is the amount that the Ontario Health Insurance Plan would pay for 200 half-hour sessions of individual out-patient psychotherapy with a psychiatrist (approx. \$16,060). Funding is paid by the College directly to the person's therapist or counsellor of choice.

The panel approved the application for funding.

Committee work plan for 2020/2021

Staff prepared a work plan for Committee for fiscal year 2020/2021. The plan will be presented to the Committee at its next meeting in the fall. Staff is planning an orientation meeting for the end of September/early October.

REVENUES

COLLEGE OF KINESIOLOGISTS OF ONTARIO - REVENUE PROJECTIONS TO YEAR END
FOR THE FISCAL YEAR 2019/2020
(as of Sept 1 - Aug 31, 2020)

updated 08/09/2020

	1	2	3	5
CATEGORY	APPROVED REVENUE FORECAST 2019/2020	ACTUAL REVENUES RECEIVED (Sept. - Aug 31 2020)	VARIANCE TO YEAR END	
	\$	\$	\$	
Revenue:				
Jurisprudence Fee (\$48.25)	24,125	25,954	1,829	
Application Fee (\$100)	47,500	51,200	3,700	
Examination Fee (\$400)	190,000	176,400	- 13,600	
Registration Fees*	2,589,499	2,604,657	15,158	
Interest Income	25,000	37,403	12,403	
TOTAL	2,876,124	2,895,614	19,490	
*	Approved Forecast	Actual Revenue Q1 - Q4 (Sept 1 to Aug 31)	Variance to year end	
	\$	\$		
New Registrants				
- Sept - Nov (\$650)	84,500	38,025	- 46,475	
- Dec - Feb (\$487.50)	24,863	60,938	36,075	
- Mar - May (\$325)	15,600	11,700	- 3,900	
- Jun - Aug (\$162.50)	7,800	4,550	- 3,250	
<i>Subtotal (new Registrants)</i>	<i>132,763</i>	<i>115,213</i>		
Renewal (\$650 & Installments)	2,364,736	2,334,356	- 30,381	
Change in status (members back to active)		14,138		
Inactive (\$200 & Installments)	82,000	128,775	46,775	
Inactive Late (\$50)	3,000	3,900	900	
Registration Late Fee (\$100)	5,000	19,300	14,300	
Re-instatement Fee (\$300)	600	5,675	5,075	
Professional Corp Reg Fee	1,200	3,200	2,000	
Professional Corp Late Fee	200	400	200	
Refunds		- 20,300		
Total	2,589,499	2,604,657	21,320	

Notes

Revenue categories for Jurisprudence, Application, Registration and Interest Income exceeded

projections by end of Q4. Forecast for Examination revenues came lower than expected. This is as a result of COVID-19 and uncertainty about exam seating capacity and restrictions on group size. The College's April exams was postponed to Sept with two exams on Sept 19th and 26th. A total of 443 candidates will take the exams in Sept scheduled for two days at several writing centers.

EXPENDITURES

Page 2

COLLEGE OF KINESIOLOGISTS OF ONTARIO - EXPENDITURE FORECAST TO YEAR END 2019/2020

(as of Sept 1 - Aug. 31, 2020)

update 08/09/2020

	2	3	5
CATEGORY	APPROVED BUDGET 2019/2020	ACTUAL EXPENDITURE (Sept 1 to Aug 31 2020)	VARIANCE TO YEAR END
	\$	\$	\$
Expenditure:			
Council & Committees	87,800	66,875	20,925
Professional Fees	56,132	224,101	-167,969
Communications & Media	104,000	70,820	33,180
Rent & Facility Costs	223,450	221,753	1,697
Office & General	114,450	88,665	25,785
Salaries & Wages	1,083,728	1,031,346	52,382
Registration	166,500	132,931	33,569
Quality Assurance	56,340	10,455	45,885
Professional Conduct	30,000	59,955	-29,955
	1,922,400	1,906,901	15,499
TOTAL			
Reserve fund contribution	30,000		
Excess/deficiency of revenue over expenses			

Notes:

Council and Committee meetings

Payments in Q1 - Q4 Council and Committee meetings i.e. Council, Executive, ICRC, QA, Registration, University Liaison, Speciality, Patient Relations, Elections and Planning and Finance. The Item Writing and Examination committee meetings were postponed.

Professional Fees

Payment for bookkeeping services, audit and bookkeeping, general legal fees. Increase in cost as a result of the special investigation.

Communications & Media

Expenses for IT support, design and printing of student brochure and other materials. Payment for designer of College annual report and ongoing IT support, payment of Word Press developer for implementation of the website and IT support. Savings to be reallocated to legal costs under "Professional Services" category.

Office and General

Payment for general office expenses such as, insurance, telephone/Fax, equipment rental, professional development, bank charges, membership dues, postage/courier, staff travel, printing cost, recruitment cost, office supplies and professional development costs for council and staff.

Salaries and Benefits

Payment for salaries' and benefits for staff including projections for retroactive salary increases and rate adjustment for (2018) for the Registrar. Savings due to vacancy in Professional Conduct portfolio.

Quality Assurance

Payment for peer and practice assessments and annual hosting cost for online modules for sexual abuse & ethics and professionalism. Cost for move to biennial functionality postponed to next fiscal. Savings under QA reallocated to legal fees under "Professional Services".

Registration

Payment for September 2019 Exam, IMIS consultants (maintenance of database), annual licensing & hosting of de printing of certificates of registration and jurisprudence hosting. The April 2020 exam was postponed due to COVID-19. This exam will happen in September 2020.



2019/2020 Performance Report

Overall highlights:



28 new registrants



23 fall PPA's



10 investigations, 3 matters at Discipline



September 19 Exam: 287 registered (all centres)
(230 rescheduled from April + 57 new)
September 26 Exam: 156 registered (Toronto only)

Operational highlights (Q1 to Q4: Sept, 2019 to August 2020)

Focus	Deliverables	Status	Comments and Impacts
Corporate	Return to Work Plan		Committee met to prepare and present the Return to Work Plan to staff. Staff members will return to work on a voluntary basis. One staff member is currently working full-time at the office and other staff members work at the office once or twice per week.
	Recruitment		<ul style="list-style-type: none"> • Coop Student hired to work on projects e.g. preparation of the College for the implementation of the Ministry's performance measurement framework. • Commenced the recruitment of a policy adviser • Recruitment of external investigator for professional conduct
	Review of College HR Manual		<ul style="list-style-type: none"> • HR Manual completed. Circulated to staff for review and for presentation to Council at the September 2020 meeting.
	Government Relief Programs		<ul style="list-style-type: none"> • Application for small business loan approved
	Review of Risk Management Plan		<ul style="list-style-type: none"> • To be presented to Council for approval at September Meeting
	Annual Audit 2019/2020		<ul style="list-style-type: none"> • Preparation for the Colleges' annual audit in Oct, 2020.
Communications	Administer elections to Council in District 3		<ul style="list-style-type: none"> • Election held from July 7-14 • No problems reported or noted in the voting process
	Provide orientation for newly elected Council member		<ul style="list-style-type: none"> • Orientation held virtually on August 19 • Format streamlined and more time allotted for discussion • Reviewed and revised all presentations to ensure accuracy and timeliness of content • Feedback survey distributed and overall feedback was positive
	Launch new corporate website		<ul style="list-style-type: none"> • New website launched on July 20

Focus	Deliverables	Status	Comments and Impacts
Communications			<ul style="list-style-type: none"> All content reviewed and revised, more information added on the work of Council, the duties of Council members and the election process Navigation streamlined to make information easier to find Robust search plug-in embedded to enable easy and accurate searches across the site Moved site to a stable hoisting platform with better support
	Regular and timely communication to R.Kins		<ul style="list-style-type: none"> Led a working group of the Colleges of Physiotherapists, Occupational Therapists and Massage Therapists to coordinate a webinar delivered Public Health Ontario that focused on infection prevention and control (IPAC) during COVID-19 <ul style="list-style-type: none"> Approx. 1200 practitioners attended Over 600 views recorded on College's YouTube channel Webinar distributed to HPRO group Regular newsletters sent in July and August with key updates, including reminders of re-opening guidance and a call to sit on committees
Registration	Annual Renewal		<ul style="list-style-type: none"> Annual renewal launched on July 1
	Registration for the September exam closed		<ul style="list-style-type: none"> 213 applicants registered
	Registration Committee Orientation and Training for a new council member. Incorporating content on risk reduction.		<ul style="list-style-type: none"> Registration Committee training completed
	Research and documentation of required changes for the Kinesiology Core Competency Profile		<ul style="list-style-type: none"> Reviewing requirements and procurement of subject matter expert tabled to March 2021
	Update to Jurisprudence e-learning module		<ul style="list-style-type: none"> Further review and updates to be conducted in February 2021
	Registration policy creation and updating		<ul style="list-style-type: none"> Preparation of policies to be submitted to Registration Committee in October 2020
Quality Assurance	QA Committee panel met and rendered eight decisions and reasons regarding Fall 2019 Peer and Practice Assessments		<p>Next steps:</p> <ul style="list-style-type: none"> Send decisions and reasons letters to PPA participants QAC to render final decisions on files requiring registrant follow up
	Work on Self-Assessment Portal revisions has begun		<p>Next steps:</p> <ul style="list-style-type: none"> Test biennial programming functionality and review content changes (emphasis on areas of risk) Notices to registrants and newsletter article Launch 2020 Cycle on December 1st
	Frequently Asked Questions (FAQs): Redeployment During Health Emergencies – What Do I Need to Know?		<ul style="list-style-type: none"> Facilitated consultation webinar Reviewed external consultation feedback and restructured initial draft guideline into FAQ guidance document. Sought legal counsel's opinion re appropriateness of using restricted title and adherence to standards when not practising the profession Next steps: post on COVID-19 webpage
	Ethics and Professionalism and Prevention of Sexual Abuse e-Learning Modules underway		<ul style="list-style-type: none"> Over 300 registrants completing Ethics and Professionalism e-learning Module and over 400 registrants completing Prevention of Sexual Abuse e-Learning Module. <p>Next steps: send follow up notices to registrants re October 31st deadline</p>

Focus	Deliverables	Status	Comments and Impacts
	Peer Circles		<ul style="list-style-type: none"> • Issued calls for expressions of interest to become a peer circle facilitator, and assist in content development for practice scenarios. • Drafted preliminary practice scenarios on topical practice issues to prompt working groups. <p>Next steps:</p> <ul style="list-style-type: none"> • Facilitate content development sessions • Facilitator training • Registrant communications – info packages and webinar dates, participant pre-registration • Develop evaluation metrics
Professional Conduct	Investigations		7 matters investigated and 3 under investigation.
	Hearings held by Disciplinary Committee		Three disciplinary hearings completed by Committee. And three other matters pending advice from legal counsel. Two suspensions, 3 fines, 2 oral cautions and members ordered to take educational programs
	Professional Conduct and compliance matters		Member ordered to complete SCERP within 60 days of return to active practice. Suspended for non-payment of fees. College is monitoring for <i>compliance</i> .

Legend: Completed



Ongoing



Incomplete





The College of Naturopaths of Ontario

August 28, 2020

The Honourable Christine Elliott, M.P.P.
Deputy Premier of Ontario
Minister of Health
5th Floor
777 Bay St.
Toronto, ON M7A 2J3

Dear Deputy Premier:

I am corresponding with you to report on the outcomes of the recent Governance Review conducted by the Council of the College of Naturopaths of Ontario.

Background

The Council of the College of Naturopaths of Ontario has been monitoring discussions in a large number of sectors and jurisdictions about self-regulation and the future of regulation itself. Overall, the Council has included among its strategic goals an objective that the College will demonstrate excellence and leadership in regulation. It is within this context that the Executive Committee determined that a proactive consideration of these issues, outside of any imposition of change by Government, was the right thing for the Council and the College to undertake at this time.

There has been a myriad of issues over the past five years and long before that, when viewed collectively, that has led to a natural questioning of the governance model for a regulated health profession. These issues have included transparency, accountability, public trust and the perspective held by many in the public that regulatory organisations protect their own. Add to this the ever-growing research on regulation across the globe, we see a healthy and respectful questioning of key governance issues including:

- the role and size of the Council/Board;
- the role of the Chair of the Council/Board;
- a separation between those who govern on the Board and those who regulate through the Committee structures; and
- the evolving nature of regulation (self-regulation vs. profession directed regulation).

Beginning in April 2019, the Council heard from the College of Nurses of Ontario, the College of Physicians and Surgeons of Ontario and the Ontario College of Teachers about their respective review processes and outcomes. Staff of the College conducted research and the Council has received extensive



briefings on the issues being debated in regulatory organisations. The Council took the opportunity to engage stakeholders, both in the professional and public domains, and, in January 2020, met to discuss and debate the issues.

The outcome of these discussions is represented in our *Governance Report: A Mandate for Change* which the Council approved in July 2020 after a brief delay due to the COVID-19 crisis. I am pleased to enclose a copy of the report and I have been asked by the Council to provide you with important recommendations from the Council that, when implemented, would move this process forward for this Council and all health regulatory Councils in Ontario.

Role of Council

The Cayton Report surrounding the College of Dental Surgeons of British Columbia, along with research into the roles of governing bodies such as the Council, set out what the role of the Council or Board should be. We noted that clarity in this regard is absent from the *Regulated Health Professions Act, 1991* (RHPA) and the Health Professions Procedural Code (the Code). This allows some Councils to move into areas of governing the College that may not be well rooted in the public interest.

The Council of the College of Naturopaths of Ontario is recommending that the role of the Council be properly enshrined in the Code. The Council is also recommending that a statutory committee be vested with the responsibility of setting the standards of practice of the profession as this role does not properly fit within the role of the governing body of the College. This might be an independent committee or the Quality Assurance Committee as the Minister deems appropriate.

Size and composition of the Council

Given that the *Naturopathy Act, 2007* (the Act) is a relatively new piece of legislation in comparison to other health profession legislation, this Council benefits from a more modern approach of a smaller Council. The Act allows for a Council of between 11 and 17 public appointees and elected professional members. Typically, the Council has been 15 members maximum, with seven public appointees and eight professional members.

The Council of the College of Naturopaths of Ontario is recommending that the size of the Council remain as it is, but that the number of public appointees be maintained through the appointment process at seven and that there be parity between the number of public appointees and professional members.

For its part, the Council will be undertaking a review of its by-laws to reduce the number of professional members from the current eight to seven members.

Populating the Council

There is considerable research about how individuals should come to sit on the Council or Board of Directors of organisations. There have also been several recommendations from within Ontario, Canada and other international jurisdictions. In this regard, the Council itself has several related recommendations.

The Council of the College recommends that:

- The Act be amended to remove reference to the election of professional members of Council.
- The Code be amended to remove the by-law making authority for Councils surrounding the election of professional members and that it be replaced with by-law making authority for Council surrounding the appointment of professional members based on competency.
- The appointment of public members to the Council be based on the same competency profile that will be developed by the College and implemented for the appointment of professional members to the Council.

Conflicting roles—Committee composition and Discipline

Numerous reports and research identify that a conflict may occur when an individual who sits on the governing board, in our case the Council, also sits on adjudicative committees and panels. Although perhaps not to the same degree as others, the Council of the College of Naturopaths of Ontario recognises that this conflict can and often does exist.

As a result, the Council recommends that:

- Necessary amendments are brought about to entirely remove the discipline function from the health regulatory Colleges, instead vesting that in an independent authority.
- The Code be amended to remove the requirement that public members on the panels of adjudicative committee be public members appointed to the Council, thereby allowing public members appointed by the College Council sit on these panels as representative of the public voice (the College by-laws already allow the appointment of members of the public not appointed by the Lieutenant Governor in Council to be appointed to Committees by the Council).

Elimination of the Executive Committee and Vice Presidency

Much of the research on regulatory models speaks to the reduction of the size of the Council or Board allowing for more frequent meetings. In turn, this removes the need for an Executive Committee. With the potential elimination of the Executive Committee, the Council also considered whether there were a need for all of the officers and other members of that Committee in its absence.

The Council of the College of Naturopaths of Ontario agrees and recommends that:

- the Minister repeals paragraph 1 of section 10(1) and repeals section 12 of the Code, thereby eliminating the requirement for an Executive Committee as a statutory committee of the College.
- The Act be amended to remove the reference to the position of Vice President.

Terminology

The Council focused a great deal on the confusion within the public about the role of the health regulatory body versus the role of educational institutions. After considerable discussion, the Council of the College recommends that:

- The RHPA, Code and health profession legislation be amended to remove reference to the “College” and that it be replaced with “regulatory authority”.
- Section 9(2) of the Code be reviewed to ensure that the references to an individual who performs statutory functions under the Code need not be referred to as a “Registrar”.
- The Act and the Code be amended to remove any references to the position of President of the Council or College and that it be replaced with Chair of the Council.
- The RHPA, the Code and the Act be amended to replace references from “members” to “registrants”.

Conclusion and Next Steps

The Council of the College is aware that the recommendations being provided to you will require careful consideration and in the context of the recommendations received from several other of Ontario’s health regulatory Colleges and the regulatory community generally. We hope that our recommendations, though not always precisely the same as those made by others, are seen within the broader context of providing a streamlining of the regulatory system, better understanding for the public of the role and greater independence of the regulator from the professions themselves.

Although we understand that legislative change will take time, the Council believes that there is much that it can do of its own accord to advance these principles and to safeguard the regulatory system. It has therefore instructed the Registrar and CEO to implement a series of changes to support its Governance Report. In this regard, I also enclose a copy of the *Governance Report Implementation Plan* also approved by the Council at its July 2020 meeting.

On behalf of the Council, thank you for taking the time to review our recommendations. We would, of course, be pleased to meet with you to discuss them.

Yours sincerely,
College of Naturopaths of Ontario



Dr. Kim Bretz, ND
Council Chair

c.c. Helen Angus, Deputy Minister
Sean Court, Assistant Deputy Minister, Strategic Planning Policy and French Language Services
Alison Henry, Director, Health Workforce Regulatory Oversight

Highlight of changes to Executive Committee's Terms of Reference

Item	Rationale/evidence to support revision
Section 4 – Scope	<p>Council Minutes of June 29, 2020:</p> <ul style="list-style-type: none"> • Following discussion of Executive Committee's role, it was agreed that every reasonable attempt should be made to constitute a quorum of Council for urgent matters. If quorum from the full Council cannot be achieved, the matter(s) can then be delegated to Executive Committee. <p>College Performance Management Framework:</p> <ul style="list-style-type: none"> • Final draft released by the Ministry of Health in September 2020. Reporting begins in October 2020. • Domain 1: Governance; Standard 3: <i>The College acts to foster public trust through transparency about decisions made and actions taken</i>; Measure 4: <i>Council decisions are transparent</i>; Evidence B: <ul style="list-style-type: none"> ○ <i>The following information about Executive Committee meetings is clearly posted on the College's website (alternatively the College can post the approved minutes if it includes the following information).</i> <ul style="list-style-type: none"> ▪ <i>the meeting date;</i> ▪ <i>the rationale for the meeting;</i> ▪ <i>a report on discussions and decisions when Executive Committee acts as Council or discusses/deliberates on matters or materials that will be brought forward to or affect Council; and</i> ▪ <i>if decisions will be ratified by Council.</i> • Report on this and other measures must be submitted to the Ministry by March 31, 2021.
Section 8 – Term of Office of Committee Members	<p>College By-Laws:</p> <ul style="list-style-type: none"> • 13.08 – Term of Office of Committee Members: <i>The term of office of a committee member shall commence immediately after the appointment and shall continue for approximately one (1) year.</i> • 10.04 – Maximum Term (Council member): <i>A member who has served on Council for nine consecutive years is ineligible for election to Council until a full three year-term has passed since that member last served on Council.</i> <p>The By-Laws state clearly that Council members can serve for three, three year terms (nine years total). However, the By-Laws are silent on the maximum amount of time a Council member can serve on a committee. For non-Council committee members, the College has followed the spirit of By-Law 10.04 to allow for non-Council committee members to serve for a maximum of three, one year terms (three years total).</p>

	<p>This same principle is applied to terms for a member to serve on Executive Committee. Executive Committee, at its meeting on August 28, described the need for decisions which support succession planning. Such actions need to include measures which enable Council members to serve on statutory committees in leadership roles</p> <p>.</p>
<p>Section 11 – Minutes</p>	<p>Section 12(2) of the Health Professions Procedural Code of the <i>Regulated Health Professions Act, 1991</i> (RHPA):</p> <ul style="list-style-type: none"> • <i>If the Executive Committee exercises a power of the Council under subsection (1) [which describes Executive Committee’s exercise of Council powers], it shall report on its actions to the Council at the Council’s next meeting.</i> <p>College Performance Management Framework:</p> <ul style="list-style-type: none"> • Final draft released by the Ministry of Health in September 2020. Reporting begins in October 2020. • Domain 1: Governance; Standard 3: <i>The College acts to foster public trust through transparency about decisions made and actions taken</i>; Measure 4: <i>Council decisions are transparent</i>; Evidence B: <ul style="list-style-type: none"> ○ <i>The following information about Executive Committee meetings is clearly posted on the College’s website (alternatively the College can post the approved minutes if it includes the following information).</i> <ul style="list-style-type: none"> ▪ <i>the meeting date;</i> ▪ <i>the rationale for the meeting;</i> ▪ <i>a report on discussions and decisions when Executive Committee acts as Council or discusses/deliberates on matters or materials that will be brought forward to or affect Council; and</i> ▪ <i>if decisions will be ratified by Council.</i> • Report on this and other measures must be submitted to the Ministry by March 31, 2021.

Terms of Reference- Executive Committee

1) Purpose

Drawing from the Procedural Code in the *Regulated Health Professions Act, 1991*, the Executive Committee is established under S.10(a).

Consistent with Section 12 of the *Health Professions Procedural Code* (the Code), the Executive Committee (the Committee) is established to act on behalf of Council when immediate action is required:

Executive Committee's exercise of Council's powers

12 (1) Between the meetings of the Council, the Executive Committee has all the powers of the Council with respect to any matter that, in the Committee's opinion, requires immediate attention, other than the power to make, amend or revoke a regulation or by-law.

2) Establishment of Committee

The Committee is established as a statutory Committee of Council with a Chair appointed by Council, who is accountable to report on Committee activities to Council, subject to the confidentiality of information provisions in the *Regulated Health Professions Act, 1991*.

3) Accountability

Section 12 (2) of the Health Professions Procedural Code describes the accountability of Executive Committee as follows:

Report to Council

(2) If the Executive Committee exercises a power of the Council under subsection (1), it shall report on its actions to the Council at the Council's next meeting. 1991, c. 18, Sched. 2, s. 12

The Committee must report to Council at least once annually and must prepare a report for Council's review and approval.

4) Scope of Actions

Council has determined that in interpreting and applying S.12 (1) of the Procedural Code, where a decision is to be made:

- Every reasonable effort must be made by the College to schedule a meeting of Council;

- In calling for a meeting of Council, the agenda must be defined and made clear to all Council members.
- All decisions of Executive Committee must be ratified by Council, either by electronic vote, a vote by mail or a vote in person.
- With the exceptions permitted under the Procedural Code, materials related to all items to be considered by Executive Committee are to be published on the College website in advance of the meeting of the Executive.

5) Composition of Committee

Bylaw 13.01 Executive Committee provides that the Executive Committee shall be composed of the President, the Vice-President and three (3) members of Council. Three (3) members of the Executive Committee must be members and two (2) members of the Executive Committee must be public appointees who are members of Council.

6) Quorum

The quorum of any Committee is three (3) members, at least one of whom must be a member of the Council who was appointed to Council by the Order-in-Council.

The Chair of the Executive Committee will provide to the Executive Assistant a list of all Council members and guests in attendance at an Executive Committee meeting. Such list will be used to file attendance reports for purposes of verifying travel and per diem costs of Council members and invoices for services by any guests.

7) Rules governing the selection of members, the appointment of the Chair and the functioning of the Committee:

The approved By-laws governing Council and Committee members and Committees and the Schedules to the By-Laws apply to the members of this Committee and to the procedures of this Committee.

8) Term of Office of Committee Members

The term of office of an Executive Committee member commences immediately after the appointment and continues for approximately one (1) year. The total number of consecutive years where a Council member may serve on Executive shall not exceed three years.

9) Location and frequency of committee meetings

Committee meetings, wherever possible, will be held at a place and on a date set in advance and will occur at regular intervals and at such frequency as necessary for the Committee to conduct its business.

The Committee will meet as required to accomplish the mandate of the Committee in a timely and effective manner. All Executive Committee members are required to attend an annual orientation session.

Notice of meetings will be given at least fourteen (14) days in advance of the meeting.

10) Manner of Committee meeting

Any meeting of a Committee may be conducted by means of teleconference or any other means that permits all persons participating in the meeting to communicate with other members simultaneously and instantaneously (including audio or video conferencing). Persons participating in the meeting by such means are deemed to be present at the meeting.

Committee meetings will generally take place during regular business hours. Committee are not open to the public unless determined by the President.

The agenda for each meeting will be developed jointly between the Chair and the Registrar.

11) Minutes

A summary of each meeting will be prepared by the College and circulated to members of the Committee within 30 days of the meeting. The approved Record shall be maintained by the Director of Operations and Financial Services according to the College knowledge management policies.

Minutes of Executive Committee shall be recorded by the Executive Assistant or delegate.

Minutes or a descriptive summary, with exception of in-camera Minutes, shall be provided to the Registrar for inclusion on the agenda of the next meeting of Council.

Approved Minutes are to be posted on the College website with the exception of in-camera Minutes.

12) In-camera meetings

The Chair of Executive Committee shall determine, based on the terms of reference for the Committee and the following exceptions, whether a meeting of Executive Committee is to be held in-camera:

- Where matters involving public security may be disclosed;
- Where personal or other matters related to an individual may be disclosed of such a nature that the harm created by the disclosure would outweigh the desirability of transparency;
- Where a person involved in a criminal proceeding or civil suit or proceeding may be prejudiced;
- Where personnel matters or property acquisitions will be discussed;
- Where instructions will be given to or opinions received from the solicitors for the College; or

All matters discussed at in-camera sessions shall be disclosed at the next meeting of Council, in an in-camera session as required.

The Chair shall ensure that Minutes are recorded of an in-camera session and that such Minutes are provided in a sealed package to the Director of Operations and Financial Services to be held securely. Such Minute may be reviewed by the Auditor for the College.

12) Unless specifically provided for otherwise under the Code or the by-laws, every motion which properly comes before a Committee shall be decided by a simple majority of the votes cast at the meeting by the Committee members present.

13) Chair vote

The President who is a member of Council will serve as the Chair of Executive Committee and may vote.

14) Expectations and duties of all Committee members

As per the College By-laws, every Committee member shall, in the performance of his or her duties:

- familiarize himself or herself with the Act, the RHPA, specific regulations, the By-Laws and any policies of the College;
- familiarize himself or herself with any other records, documents and guidelines that may be necessary for the performance of his or her duties;
- comply with the provisions of the Act, the RHPA, specific regulations, the By-Laws, any policies of the College and rules that are adopted by Council, from time to time;
- regularly attend meetings on time and participate constructively in discussions;
- ensure that confidential matters coming to his or her attention as a member of Council or as a member of a Committee or working group are not disclosed by him or her, except as required for the performance of his or her duties or as permitted by the RHPA;
- conduct himself or herself in an appropriate manner with College staff, other members of Council or members of the Committees, members of the College and members of the public;
- comply with the College's Code of Conduct, which is attached as Schedule 3 to the By-Laws and forms part of the By-Laws;
- avoid, or where that is not possible, declare all conflicts of interest in the manner set out in the By-Law; and
- perform the duties associated with his or her position conscientiously and with due care and diligence in a manner that serves and protects the public interest.

15) Duties and responsibilities of the Executive Committee

The duties and responsibilities of the Committee are described in the Procedural Code under s.12 (1) in the RHPA. The Committee has the power to act on behalf of Council when a matter requires immediate action and Council is unable to meet in quorum. Executive Committee is not permitted to make, amend or revoke by-laws or a Regulation.

In addition, Executive Committee may, as directed by Council

- recommend to Council, proposals for changes to applicable statutes, regulations, By-Laws, College policies and standards of practice;

- receive findings and recommendations concerning a member of Council and make recommendations to Council concerning the member of Council.
- at least annually, review compensation for the Registrar; and
- on the advice of the Finance Committee provide broad policy guidance to senior management on matters related to non-salary compensation and benefit programs for College staff.

16) Conflict of interest

Members of the Committee must declare any conflict of interest or perception of bias before deliberating on any matter at a Committee meeting.

Every declaration of a conflict of interest or perception of bias must be recorded in the minutes of the meeting together with a description of the nature of the conflict or perception of bias.

17) Confidentiality

Members of the Committee will have access to highly sensitive and confidential information which they must keep in the strictest confidence. Any breach of confidentiality could result in harm to an individual, risk to the public, serious costs to the College and could jeopardize the integrity of the College and Council.

18) Confidence

The College is mandated to protect the public and is therefore accountable to ensure that the requirements for fairness, transparency, and the interests of the public are applied to all decisions and recommendations.

Members of the Committee are expected to adhere to these principles and to the Code of Conduct approved by Council.

19) Liability/Immunity

No members of the Committee are liable for any act, neglect or default of an act done in good faith in the performance or intended performance of a duty, or in the exercise or the intended exercise of a power under the RHPA or a regulation or a By-Law under the Act.

FAQs: Redeployment during a health emergency

A health emergency can present unique challenges for kinesiologists that extend beyond disruption to daily practice. In a health emergency such as a pandemic, kinesiologists may be redeployed to another setting they are not familiar with or have never worked in and asked to perform tasks outside their normal practice or personal sphere of competence. Kinesiologists may also be asked to manage a team of health care workers through a pandemic.

The Ontario Government has the authority to make orders directing the activities of regulated health professionals during health emergencies, including redeployment. These orders can give employers such as hospitals and long-term care homes the authority to re-order staff priorities to address infection control and care of patients, and develop, modify and implement redeployment plans including:

- i. redeploying staff within different locations in (or between) facilities;
- ii. redeploying staff to work in pandemic assessment centres;
- iii. changing the assignment of work, including assigning non-bargaining unit employees or contractors to perform bargaining unit work;
- iv. bringing in emergency service workers who did not previously work for the employer; and
- v. providing appropriate training or education as needed to staff to achieve the purposes of a redeployment plan.

The following FAQs provide answers to frequently asked questions received by the College during the COVID-19 pandemic. Many of the questions and responses relate to care which did not involve assignment of controlled acts. **For information on delegation and controlled acts, read the College's Practice Standard: Scope of Practice, Controlled Acts and Delegation.** Health emergencies are fluid situations and information changes quickly. These FAQs will be updated as needed.

FAQs

Q: What are the College's expectations regarding my competence to perform newly assigned tasks that are outside of my regular duties or personal sphere of competence?

When a kinesiologist is assigned new tasks or role(s) within the scope of practice of the profession and they are deemed to be practising kinesiology by their employer in the new role, they are required by law to adhere to the practice standards and guidelines of the profession. You are accountable and responsible to the College for your conduct at all times, and the College would be required to investigate complaints made against you when redeployed.

A higher standard of conduct is expected of regulated health professionals. It is important to practise safely and ethically in all settings- even those where you are temporarily working.

Q: I've been redeployed to an entirely new setting and I've been asked to perform tasks/activities I've never performed before. What should I do?

Before beginning a newly assigned task/activity, you should work with your new supervisor to:

- Identify and analyze risks (e.g. risks around task competence, escalation of care, workload, infection prevention and control, etc.), develop and implement a plan to address risks, and monitor and update the plan as required;
- Understand your rights and responsibilities as an employee under the *Occupational Health and Safety Act* to ensure your own safety, the safety of co-workers, and compliance with workplace health and safety legislation;
- Ensure the appropriate authorizing mechanisms (e.g. order or medical directive) are in place where required;
- Understand and clarify in advance the role, expectations, responsibilities and organizational policies that apply to you; and
- Understand how you are expected to interact with your team members, including those making decisions regarding your work.

Q: Does the College have any expectations around training when R.Kins are redeployed and performing tasks/activities they haven't before? What if I feel I haven't been properly trained?

In some situations, you may feel you are not prepared to perform a task or role competently, even if you have received training. In this case, you should raise your concern with your supervisor and discuss the training you feel you need to perform the task/activity competently. For example, you may require direct supervision initially until you feel competent.

Consider the following:

- Work with your supervisor to ensure you receive the required training;
- Re-assess your competence in performing the assigned tasks, and identify additional training if necessary;
- Establish processes for communications with your supervisor and identify individuals with whom you can consult if questions arise and your supervisor is not available;
- Seek feedback on performance of assigned tasks from others (e.g. ask colleagues to review records to ensure appropriate documentation); and
- Assess your personal limitations and discuss any concerns or gaps with your supervisor.

Similar to your regular practice, you will be required to:

- Consider the patient's best interests (e.g. integrating patient issues, needs and goals); and
- Take appropriate actions if patient health is unstable and requires assessment and/or supervision by another health professional.

Q: What are the expectations for infection prevention and control tasks that do not involve direct patient/client care (e.g. facility cleaning)?

Kinesiologists redeployed to perform facility cleaning should adhere to the employer's protocols, those established by public health and the Ontario Ministry of Health, in conjunction with the College's **Practice Standard - Infection Control**.

Q: Should I identify myself as a kinesiologist in the setting I've been redeployed to?

Regardless of where you've been redeployed or the task/activity you're performing, you are always responsible and accountable to the College for your conduct. When interacting with patients/clients, identify yourself by the title you have been assigned by your employer for redeployment. If you are redeployed to another setting as a kinesiologist (i.e. asked to work as a kinesiologist), you should inform the patient that you are a registered kinesiologist as instructed by your supervisor, describe your role and responsibilities and the services to be provided. If a procedure has been assigned to you by another health professional or supervising practitioner, you should explain to the patient that you've been assigned a task/activity by another health professional.

When you represent yourself as a kinesiologist, you are indicating to the public, employers, other healthcare providers, etc. that you are a regulated professional. There is an expectation that your conduct and work are of a higher standard.

Q: I've been redeployed to a setting that involves direct interaction with patients/clients. What are my obligations around obtaining consent?

You must obtain informed consent from the patient/client before performing any task, whether healthcare or hygiene-related (e.g. bathing, lifting, transfer). Consent can be written, oral or implied (e.g. demonstrated by a patient's actions).

If there are doubts about the patient's capacity, the supervising practitioner must determine whether the patient is capable of providing informed consent, and identify and consult with the patient's substitute decision-maker (SDM). The patient may be capable of consenting to certain activities but not others (e.g. healthcare versus hygiene). The SDM would only provide consent for certain activities. Capacity can vary over time (e.g. the patient has "good days and bad days").

Where the kinesiologist or supervising practitioner concludes that the patient is not capable of consenting to a proposed intervention, they are expected to inform the patient of this finding, where feasible, and include the patient in the process as much as possible. They must then (absent an emergency) obtain consent from a SDM.

Consent should be considered an on-going conversation with the patient/client or the SDM, rather than a one-time event. If a patient's condition changes or the practitioner proposes a different treatment option, consent should be obtained again. Similarly, practitioners should obtain consent to continue treatment where there has been no change in a patient's condition.

Minor adjustments to a treatment plan for an incapable patient can be made without having to seek continual consent from the SDM.

The patient has the right to withdraw consent at any time.

For more information on consent and capacity, see the **Practice Guideline - Consent**.

Q: What are the College's expectations with respect to my record keeping? What do I do if I do not have direct access to the patient record and cannot record information because only the supervising practitioner has access?

If you are redeployed to perform tasks/activities as a kinesiologist, you must follow the College's Practice Standard- Record Keeping. If you are redeployed to another role where you are not practising kinesiology, you should maintain records in accordance with the organization's documentation protocol, consulting with your supervisor when unfamiliar with the preferred documentation processes for a particular activity (e.g. documenting COVID-19 screening).

Regardless of the nature of your redeployment, there should be a record of the assignment or tasks that have been assigned to you, any specific instructions related to the assignment, acceptance of the assignment, and the name, date and professional designation of the individual assigning the activities/tasks/duties in the health record. This may be provided through a letter or memorandum which provides a general description of your newly assigned duties, position and accountability (who you report to), and training that will be provided to you.

You may be redeployed to facilities where the supervising health care professional is in charge of all documentation and you do not have access to the patient record. In this situation, if there is doubt about whether informed consent has been obtained or a patient is resistant, you should report this information to the supervising practitioner in charge.

Q: Do I need special professional liability insurance when I am redeployed?

Regulated health professionals must be insured individually. This may be obtained by you, the practitioner, or you may be insured under clauses of the employer's insurance. Where you are assigned to work under the direct supervision of another regulated health care professional, and you are not working as a kinesiologist, you are covered by the insurance of the supervising health professional.

Professional liability insurance policies typically only cover activities within the scope of practice of kinesiology. Kinesiologists should check with their supervisor/ employer in charge of the assignment to ensure that appropriate professional liability insurance is in place to cover their newly assigned tasks, roles and responsibilities. When in doubt, you should contact your professional liability insurance provider to ensure you have adequate coverage.

Q: I am concerned about my ability to perform the newly assigned tasks/role competently, for the patients' safety and my own. Do I have the right to refuse work?

The College cannot intervene/interfere with the decisions of employers. Kinesiologists are encouraged to work with their employer to try to find solutions to minimize risk to them and their patients/clients.

Q: I have a medical condition that puts me at a higher risk of contracting a virus. I have been asked to work on the front lines. Can I refuse?

Kinesiologists with compromised health conditions may wish to discuss with their employer ways they may be protected through the use of personal protective equipment, re-assignment or work that could be performed from home. Workplace health and safety committees or representatives also may suggest that employers protect employees and prevent the spread of infection such as COVID-19, especially with vulnerable employees and patients/clients.

Appendix: Terminology

Assignment is the term used to describe the process of handing over the care of a patient/client (or specific tasks) to another health care worker who can be either regulated or non-regulated (e.g. personal support worker).

Personal sphere of competence is the term used to describe the tasks, roles, behaviours and services that an individual kinesiologist can perform safely, competently and ethically. You may be asked to do something outside of your normal/regular practice, or you do not have sufficient training or experience to perform the task competently. These tasks would be considered outside of your personal sphere of competence. As a regulated health care professional, you are responsible for practising within your own personal sphere of competence. When assigned a new task outside of your personal sphere of competence, you must take measures to ensure you receive adequate training that ensures you are competent to perform the task before beginning.

Scope of practice describes what a profession does and covers a range of activities, roles and responsibilities that a kinesiologist could be expected to safely and effectively perform.

**COLLEGE OF
KINESIOLOGISTS
OF ONTARIO**



**COLLEGE OF KINESIOLOGISTS OF ONTARIO
HUMAN RESOURCES POLICY MANUAL**

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Welcome

Welcome to the College of Kinesiologists of Ontario. Please note that “CKO” and the “College” are used interchangeably throughout this Human Resources Policy Manual. We are pleased that you are part of the team.

Our commitment to serving the public interest is reflected in all that we do; however, we could not do it without you.

We value our employees, and we realize that we need to create an environment where you can succeed in your own goals to help us succeed in ours. At CKO we believe that all employees have an important contribution to make, both individually and to the team.

We have written this Policy Manual to answer some of the questions you may have concerning the College and our human resources policies and benefits. Please read the Policy Manual thoroughly and retain it for future reference.

We wish you great success in your position, and we hope that your employment relationship with the College will be rewarding.

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Introductory Statement

This Human Resources Policy Manual is designed to acquaint you with CKO and to provide you with information concerning employee benefits, responsibilities, and some of the policies that will affect your employment. You should read, understand, acknowledge and comply with all provisions of the Manual.

The Policy Manual also contains procedures that represent best practices as determined by the College, and are largely designed to provide guidance to designated CKO representatives. It is understood that College representatives may, where appropriate, adopt modified procedures in response to any given circumstance.

The College reserves the right to alter the policies set out in this Policy Manual upon providing employees with appropriate notice as determined in the College's sole discretion.

Please note that this Human Resources Policy Manual supersedes all previous human resources policies, the subject matter for which is contained herein. To the extent an employee's written employment contract conflicts with anything set out in the Manual, the terms of the employment contract prevail. Similarly, where the provisions of any applicable legislation are more generous than these policies, then the legislation shall prevail to the extent of any such difference.

Who We Are

The College of Kinesiologists of Ontario is the body that regulates kinesiologists in the province. It exists to protect the public. The College receives its authority from the *Kinesiology Act, 2007* and the *Regulated Health Professions Act, 1991*.

The College protects the public by:

- Setting requirements to enter the profession so that only qualified individuals can practise kinesiology.
- Maintaining on its website a list of individuals qualified to practise kinesiology, known as the public register, or Find a Kinesiologist.
- Developing professional standards and guidelines for kinesiologists' practice and conduct, including a code of ethics.
- Investigating complaints about kinesiologists' practice and taking action including disciplining members when necessary.
- Requiring kinesiologists to participate in a quality assurance program to ensure that their knowledge and skills are up-to-date.

The College is run by a Council, similar to a board of directors. Council is made up of kinesiologists elected by their peers, and members of the public appointed by the Ontario government. Council sets the College's overall direction, monitors operations, and develops policies and standards to ensure the College is protecting the public.

The College's vision, mission and values are set out below.

Vision: A healthier Ontario through excellent kinesiology practice.

Mission: To protect the public through governing and ensuring excellent professional practice of kinesiologists in Ontario.

Values: The College of Kinesiologists of Ontario holds honesty and integrity as its guiding principles. The College is committed to operating in a fair and open manner and treating its staff, members, the public and stakeholders with respect and dignity.

Diversity Statement

The College believes that ensuring diversity is fundamental to its growth and progress and an integral part of all its activities.

We believe that success happens in an environment that is rich in diversity and a place where people from various backgrounds can work together.

Our diversity mission is to continue to be an organization with the following characteristics:

- A workforce that reflects the requisite skills available in the employment market;
- A preferred employer by virtue of our reputation in this field;

- An environment where every employee understands and values diversity and anti-racism in all areas of work; and
- An environment that supports employees' efforts to achieve their potential.

Recognizing and encouraging the uniqueness of individual contribution within a team environment is fundamental to the College and its employment policies. This philosophy is reflected in all aspects of employment, including recruitment, compensation, training, promotion, and benefits. All employees at the College will be treated as individuals according only to their abilities to meet job requirements, and without regard to factors such as race, colour, ancestry, place of origin, religious beliefs, gender, age, physical disability, mental disability, marital status, family status, sexual orientation or any other factor that is legislatively protected, other than in accordance with affirmative action principles set out in the *Human Rights Code*. Any impermissible form of discrimination or any form of harassment is neither permitted nor condoned, and, above all, will not be tolerated under any circumstances. We encourage employees to review the College's AODA policy as well, which can be read in conjunction with this Diversity Statement.

Human Resources Policies

The following are the College's human resources policies, which are set out in alphabetical order for your ease of reference.

Advancement

The College believes in an environment where all employees are given the opportunity to contribute, learn and grow. We encourage personal and professional growth within the College, which ultimately depends on your desire to succeed.

We aim to promote from within. It is important that you discuss your career goals and aspirations with your supervisor so that the College can assist in career planning and support you in meeting your professional goals.

We encourage employees to apply for suitable jobs within the College should they become available.

Alcohol and Substance Abuse

We aim to provide all employees with a drug-free and safe workplace. To this end, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

Violations of the Alcohol and Substance Abuse policy will lead to disciplinary action, up to and including immediate termination of employment for cause. Such violations may also have legal consequences.

While on the premises of the College and while conducting College business off the premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol, legal cannabis, or illegal drugs.

Please note that the only exception to this is if an employee is participating in a College social function or if an employee is conducting business in a social environment where alcohol or legal cannabis is served. In those circumstances, only light alcohol consumption is permitted.

The legal use of prescription drugs is permitted only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger the employee or other individuals in the workplace.

Any employee reporting for work and found to be under the influence of alcohol, illegal drugs, controlled substances or prescription drugs (subject to the qualification above) will be asked to leave the premises but will be provided transportation to ensure that they arrive home safely.

The College has an employee assistance program available through its benefits package, which may provide employees with support with respect to drug and alcohol use.

Employees with drug or alcohol problems that have not resulted in and are not the immediate subject of disciplinary action may request approval to take unpaid time off to participate in a

rehabilitation or treatment program. This leave may be granted if the employee agrees to participate fully in the rehabilitation program, if the employee agrees to abide by all College policies, rules, and prohibitions relating to conduct in the workplace, and if granting the leave does not cause the College undue hardship.

Business Conduct

By working with us, you have a responsibility to the College, your colleagues, members of the profession and the public to adhere to certain rules of behaviour and conduct. Given that our organization governs the conduct of others, it is especially important that we ourselves act in an ethical, professional and business-like manner.

Generally speaking, the College expects you to use common sense and good judgment and to act in a mature and responsible way at all times. Any conduct that is dishonest, illegal or unauthorized will not be tolerated and may be grounds for disciplinary action up to and including immediate termination of employment for cause.

Some examples of obvious unacceptable conduct include the following:

- Any conduct which could injure or adversely affect the College's operations;
- Failure or refusal to follow management's instructions;
- Failure or refusal to properly and competently perform assigned work despite the College's efforts to assist;
- Repeated unexcused absences or tardiness;
- Unauthorized absence from work on one or more days, i.e., no call/no show;
- Negligence or any careless action which endangers the life or safety of the employee or another person;
- Unauthorized use or disclosure of confidential information contrary to section 36 of the *RHPA*;
- Putting yourself in a situation that constitutes a conflict of interest or a potential conflict of interest;
- Malicious gossip and/or spreading rumours; engaging in behaviour designed to create discord and lack of harmony; interfering with another employee on the job; willfully restricting work output or encouraging others to do the same;
- Violation of any of the College's policies or procedures;
- Misuse, destruction, damage or theft of College property;
- Unauthorized personal use of College property;
- Soliciting or accepting gifts from members, vendors, suppliers or others;
- Bribing or accepting any bribes;
- Falsification or misuse of any records including time records, expense records and employment applications; and
- Gambling on College premises.

Any violation of these activities may result in various forms of disciplinary action, including but not limited to an oral or written warning, suspension without pay, or immediate termination of employment for cause, depending on the seriousness of the offending behaviour. The College also asks that its employees report any instances of intimate relationships in the workplace so that CKO can monitor whether the relationship adversely affects College operations.

Each employee will promptly report to the Registrar and CEO or to the Director of Operations and Financial Services any violation by any person of this policy that becomes known or is reasonably suspected by that employee. Inappropriate delay in reporting a known or reasonably suspected violation is itself a violation of this policy.

The College assures every employee that it will not carry out or, to the fullest extent reasonably within its power, permit any retribution or retaliation of any kind for reports made in good faith regarding known or reasonably suspected violations of this policy. The ability of an employee to make reports without fear of retribution or retaliation is vital to the successful implementation of this policy. Please note that it is not an excuse for non-adherence to this policy that the non-adherence was directed or requested by another person.

College Events

We ask that all employees exercise common sense and good judgment during College events, and we remind employees that while we encourage a collegial atmosphere, these are professional events, and all College policies regarding employee behaviour are still applicable.

Note that the College supports the policy of “Don’t Drink and Drive” and will make all reasonable efforts to ensure that employees engaged in College business or who attend College events as representatives of the College not drive while in an impaired condition. The College strongly recommends that employees who consume alcohol at College events pre-arrange for their transportation home. This may be done through family or friends, through public transportation or other forms of pre-arranged transportation (e.g. car service), or it may be done by ensuring that there is a designated driver at the event.

College Property

Preserving and safeguarding College property is the responsibility of each employee. Equipment, materials and supplies are the property of CKO and must be used for College business on College premises or when conducting College-related activities offsite. All such equipment, materials and supplies must be protected from theft, misuse or damage and any lost, damaged or stolen property must be reported immediately to the Director of Operations and Financial Services immediately. This obligation to report includes the loss of any personal device with College information on it, such as a cell phone with College email set up on it. If it is determined that the loss or damage of College property is due to negligence of the employee, this negligence may result in disciplinary action up to and including termination of employment for cause. No College property may be borrowed for personal use or taken offsite without the authorization of the Director of Operations and Financial Services by completing the appended form.

Theft of College property or of a coworker’s property will result in termination of employment for cause and possible criminal charges.

All College-owned property kept offsite must be returned upon notification of termination or resignation.

Confidentiality and Conflict of Interest

Confidentiality

Confidential information about the College, the College's members, stakeholders, suppliers, or employees cannot be divulged to anyone other than persons who are authorized to receive such information. No disclosure under any circumstances other than in the normal course of business can be made without first asking appropriate management personnel. This basic policy of caution and discretion in handling of confidential information extends to both external and internal disclosure.

Employees of the College are bound by section 36(1) of the *Regulated Health Professions Act, 1991* (the "*RHPA*"), which requires that all CKO employees maintain confidentiality with respect to information they gain during their employment, with very few and limited exceptions.

Section 40 of the *RHPA* states that every person who contravenes section 36(1) is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 for a first offence and up to \$40,000 for any subsequent offences. Breach of confidentiality may also result in termination of employment for cause.

Conflict of Interest

A conflict of interest is defined as a situation where an employee's personal or business interests or involvements actually conflict or may potentially or reasonably be seen to conflict with the interests of CKO. Potential conflicts of interest include any other work for which they are paid or not, including agency work, contracts, work for which they are self-employed, volunteer work, and memberships in service organizations or associations. Employees must also declare whether they have any personal or financial interest in matters affecting CKO, including any interest in any company which provides services to CKO.

Of course, it is impossible to list rules to cover every situation, and the College expects its employees to use common sense and good judgment. However, to avoid confusion, some examples of unacceptable conduct are noted below:

- Accept gifts, payments, services, favours or other inducements that are offered in gratitude for services rendered or anticipated from persons having dealings with the College;
- Engage in any business or transaction or have a financial or other personal interest which is incompatible with the discharge of the employee's duties;
- Place himself/herself in a position to derive any direct or indirect benefit or interest from any College contracts where the employee can influence decisions;
- Engage in any outside employment, work or business undertaking that conflicts with the performance of duties as a College employee, including at any member associations and educational institutions;

- Demand, accept, offer, or agree to accept from a person who has dealings with the College, a direct or indirect commission, reward, advantage or benefit of any kind, whether to be received by the employee, by a member of the employee's family, or by a third party whom the employee wishes to benefit;
- Benefit or cause friends or relatives to benefit from the use of information acquired during the course of the employee's official duties and which is not public information; or
- Use or permit the use of the College's property for any kind for personal convenience or profit or for any activities not associated with the discharge of official duties.

If you have any questions concerning any of the unacceptable activities listed above or are in doubt about any particular situation, we expect that you will speak to your supervisor and provide sufficient details to enable a full understanding of the circumstances.

Please note that violating this policy will lead to discipline up to and including termination of employment for cause.

Employees will be required to sign a Confidentiality and Conflict of Interest Agreement at the outset of their employment with the College and on an annual basis thereafter. The Confidentiality and Conflict of Interest Agreement is attached as an appendix to the Policy Manual.

Dress Code

It is important for all employees to project a professional image. Although the College is supportive of a business casual dress code, all employees are expected to wear attire that is in the spirit of a professional environment. When meetings are scheduled, usual business attire is required. Employees may dress casually on Fridays provided that no meetings are scheduled and provided that the attire is appropriate. Some specific examples of clothing that is prohibited in the workplace include flip flops and other beach wear, and distressed jeans. Midriffs and undergarments should also not be visible. If in doubt as to what is considered appropriate, please discuss with your supervisor.

Employees who are inappropriately dressed in the opinion of management may be sent home and required to return to work in acceptable attire. Time spent away from work for this purpose may be unpaid, to be determined in the College's sole discretion.

Employees are also expected to maintain acceptable standards of personal grooming and hygiene while performing their duties.

Educational Assistance and Professional Development

The College encourages staff to improve their knowledge and abilities to contribute to the fulfillment of the College's mandate and vision. Employees who wish to take courses should discuss their requests with the Registrar and CEO. All courses must be approved by the Registrar and CEO prior to enrollment in order to be considered for possible reimbursement in whole or in part.

If the employee has enrolled in an education program that involves more than one course, approval must be sought for each course or for each term. Commitment of any support for a course or for a term does not commit the College to any support for the entire program.

Consideration will be given to those programs that relate directly to the individual's present or future work at the College. The Registrar and CEO will also consider the needs of the College to increase knowledge and skills among staff, budget capacity, whether less costly options are available to enable staff to gain the knowledge and skills, and the learning and development plans of individual staff members.

If a course is approved by the Registrar and CEO, payment of any portion of the course fees will be provided upon successful completion of the course (where the employee receives at least a passing grade). Cost of required textbooks may also be claimed by employees, but such textbooks will become the property of the College and will be made available for all staff to use upon request by the College.

Please note that the College may pay only a portion of the costs of some courses which are deemed to be of lower value to the College.

The College may opt, in its sole discretion, to provide some support for travel costs for an employee to attend professional development or educational courses. This does not commit the College to paying for the course.

Employee Benefits

The College is pleased to be able to offer its permanent full-time employees a comprehensive benefits program following the prescribed waiting period and subject to the terms of the plans.

Where such plans are underwritten by an outside third party insurance carrier, any dispute regarding entitlement to benefits constitutes a dispute exclusively between the insurance carrier and the employee.

Employees absent from work for a period of more than 12 consecutive months will no longer be eligible for benefits, unless alternative arrangements are made by the employee to pay for the applicable premiums to maintain such coverage, and provided such an arrangement is permitted by the benefit plan terms and the minimum employment standards legislation.

Please refer to our benefit booklet for detailed information on our benefits program.

RRSP

Following the completion of the probationary period, permanent full-time employees are eligible to participate in the College's RRSP program. The College provides a contribution of a specified percentage of the employee's base salary to the employee's College RRSP and on the condition that all funds contributed by the College remain in the designated plan during the term of the employee's employment at the College.

Employee Files

The College maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of CKO, and access to the information they contain is restricted. Generally, only management personnel of the College who have a legitimate reason to review information in a file are allowed to do so.

It is the responsibility of each employee to promptly notify the College of any changes to personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, and other such information should be accurate and current at all times. If any personnel data has changed, the employee must notify the Director of Operations and Financial Services as soon as possible.

Expenses

It is the College's policy to pay for all reasonable expenses incurred by employees while completing work for CKO. The College does not pay for an employee's personal expenses.

Employees are expected to exercise good judgment with respect to all expenses and to check the accuracy of bills before paying or accepting them. All expenses must be pre-authorized by the Registrar and CEO and receipts are required before any expense is reimbursed. Expenses should be submitted within the quarter that the expense is incurred.

Abuse of this expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may result in disciplinary action, up to and including termination of employment for cause. The College's full expense reimbursement policy is contained in an appendix to this Manual.

Health and Safety

The health and safety of all employees is of the utmost concern to the College, and the College is committed to protecting employees from injury and illness by establishing safe work practices in compliance with occupational health and safety legislation.

It is our policy to provide safe and healthy working conditions, as well as proper first aid. It is not only the College's responsibility to ensure workplace health and safety but also the responsibility of all employees.

The College's health and safety policy is built on the following guidelines:

- Accident prevention must be an integral part of all job procedures;
- Employees must report all injuries, regardless of their extent, to their supervisor and the College's health and safety representative immediately after the injury occurs;
- All accidents shall be investigated by the immediate supervisor and reported to the Registrar and CEO;

- The College will comply with the applicable provincial health and safety legislation; and
- Employees who fail to observe safety rules, to use safety equipment provided and to practice safety at all times will be subject to discipline, up to and including termination of employment for just cause.

Employees are encouraged to take the initiative to improve existing programs and/or develop and recommend additional methods or programs. Equally important are management and employee commitment and involvement in the total health and safety efforts. Any accident or hazard that results in, or may result in injury to an employee or damage to equipment should be reported and thoroughly investigated. Regardless of how minor the injury or damage, the events that contributed to the injury should be recorded. Determination can then be made as to the cause and will serve to prevent recurrence.

General Safety Rules

Most accidents result from slips, trips and falls, lifting objects, punctures or cuts and being caught between objects.

Slips are often caused by slippery floors, uncleaned spillage or gripless shoes. Trips often occur over objects lying on the ground or jutting out into the aisles, or because of poorly maintained floor surfaces. Falls can be from ladders or from standing on chairs to reach an object.

Many of these accidents can be avoided by simple planning and housekeeping. For example:

- Traffic ways and aisles should be kept clear of materials, equipment and electric leads;
- Spilled liquids and anything else dropped on the floor should be immediately picked up or cleaned away;
- Freestanding fittings should be completely stable or secured to the wall or floor. Filing cabinets should be placed so that they do not open into aisles and should never be left with cabinet drawers open. For stability, load cabinets starting from bottom to top and do not open more than one drawer at a time;
- Office machines and equipment should be kept in good working order. Equipment using hand-fed processes, such as electric staplers and paper guillotines, should be guarded and staff trained in their proper use; and
- Many pieces of equipment using electricity can mean trailing cables, overloaded circuits, broken plugs and sockets. Employees should report such instances to their supervisor.

In case of fire, employees must comply with the direction of the office fire warden and safely attend the marshalling site across the street from the College.

Hours of Work

The College's regular standard hours of operation are Monday to Friday from 8:30 a.m. to 5:00 p.m. from Monday to Friday. The work day is generally eight hours including seven paid hours of work and one unpaid hour for lunch and breaks in total. Please note that employees' hours may be adjusted to ensure that there is adequate coverage at all times, and employees may be asked to work additional hours depending on the College's operational requirements.

Lunch breaks will be staggered between 12 p.m. and 2 p.m. and the timing of lunch breaks may need to change from time to time to ensure adequate coverage.

Overtime

The College will provide one hour of paid time off in lieu of overtime for any hour worked between 35 and 44 hours on a weekly basis. Any overtime must be accrued in increments that are at least one hour long. Please note however, that our intent is to work toward a level of productivity in which employees can meet operational requirements on a regular schedule, and employees are generally expected to complete their work within working hours.

Examples of activities that may be suitable for overtime include an unusually heavy workload due to project activities over a defined period.

Any time off in lieu earned under this policy must be taken within one month of the overtime worked unless the Registrar and CEO provides written approval. In all cases, the scheduling of time off in lieu of overtime must be approved by the Registrar and CEO.

Given the College's ongoing efforts to carefully monitor costs of operation, employees must obtain prior written authorization from the Registrar and CEO before working any overtime hours, ideally at least five days in advance of working such hours. In the unlikely event unanticipated and urgent overtime is worked without the employee having obtained prior approval, such approval may subsequently be provided upon a consideration of the circumstances by the employee's supervisor. Employees should notify supervisors immediately after working such overtime hours.

Housekeeping

The College relies on each employee's contribution to help maintain a well-organized and professional work environment. Each employee's personal work area should be kept tidy and orderly.

To ensure that the information College staff are working on remains confidential, staff are asked to keep a clean desk. All documents containing confidential information should be securely stored at the end of the work day or when the staff member anticipates being away from their desk for a significant period of time during the day.

Employees are collectively responsible for maintaining the cleanliness of common office areas (kitchen, supplies room, etc.). All garbage pertaining to food and/or drinks must be disposed of in the kitchen, and employees are asked to wipe up any and all spills throughout the office.

All staff must participate in organized housekeeping.

Information Technology

The College's information technology ("IT") resources are central to the operation of the College. The College's IT includes the College's computers, laptops, email, software internet, extranet, and phones.

IT should only be used for the official business of the College and its purpose is to enable employees to accomplish job responsibilities more effectively. We recognize that employees will occasionally use the IT for personal matters. We expect that employees' personal use will be minimal, will not interfere with their jobs at the College, and that the content of the communications employees send and receive will comply with this policy. Employees performing job-related duties will have priority over those desiring access to resources for authorized personal use.

All hardware, software and data within the College's IT infrastructure are considered property of the College and no assumption of privacy may be made in connection with its use. Information on Internet activity may be collected and periodically reviewed with the focus on possible misuse, unauthorized access and growth trends for capacity planning. Employees are also expected to share their passwords with authorized College personnel upon request.

Prohibited Use

No one may use the IT in any manner that could be construed by others as harassing or discriminatory based on a person's race, sex, colour, ancestry, place of origin, sexual orientation, age, disability, family status or marital status, creed, or any other factor that is legislatively protected in Ontario.

It is of fundamental importance that these tools not be used for the following purposes:

- Visiting any pornographic website;
- Expressing sexual jokes or other written references to sexual conduct; and
- Displaying sexually suggestive or other offensive objects, pictures or cartoons.

Any communications containing such content should be immediately deleted. If the problem is ongoing, please bring the issue to the attention of the Registrar and CEO so that it can be addressed. Abuse of the IT to access or transmit offensive images or materials may in certain circumstances (i.e., child pornography) require the College to report such illegal activity to the appropriate authorities.

The IT may not be used to solicit for commercial, social, religious, political, or other causes, outside organizations, or other personal matters unrelated to the College's operations.

In addition, examples of inappropriate use include, but are not limited to:

- Activities that could cause congestion or disruption of the local network or the Internet, including viewing of web content, and downloading and installing unauthorized executable programs and add-ons to local computers or network servers; in particular, the use of websites, programs, email and browser add-ons for chat, live messaging, and peer-to-peer file sharing;
- Misrepresentation of oneself or the College, in particular through exposing the College to the false attribution of a personal opinion as that of the College;
- Unauthorized lobbying of government or elected officials to advocate for personal or other issues;

- Sending or responding to chain letters or spam;
- Any activity that infringes upon the intellectual property of others;
- Transmitting information that has not been appropriately redacted or encrypted;
- Transmitting any confidential information; or
- Any communication that might constitute a criminal offence or give rise to civil liability.

Professional Communications

Because electronic communications represent the College in some way, all such communications should observe normal standards of professional conduct. All use of the IT should take business interests into account: communications should be courteous and display proper grammar and spelling and be in accordance with the College's style guide; recipients of communications should be limited to those for whom the communications are intended and necessary; and responses to communications should be appropriate and swift, whether entailing reply, storage to other locations, or deletion to eliminate clutter.

Smartphones

All employees using smartphones with College email or software set up on the device must set a protection password on their devices to lock them. In the event the smartphone is lost or stolen, the Director of Operations and Financial Services must be notified immediately so that authorized College personnel or contractors can take immediate steps to prevent the loss of confidential data.

Email

The College asks that employees adopt the following measures in relation to their email accounts to ensure electronic mailboxes are limited to a reasonable size:

- The Deleted Items folder in each mailbox should be emptied at the end of each day. This task can be done as an automatic task. To set it up automatically go to "Tools" in the MS Outlook, then "Options" and choose the "Other" tab and under "General" check the "Empty the Deleted Items folder upon exiting". Please perform the above task immediately.
- Emails older than six months can be archived, using the archive task procedure through MS Outlook, either locally on your computer or on a mobile storage media.
- Large files should be transferred using the H and U drives rather than sending to everyone by email.

Passwords

In order to maintain security and confidentiality, passwords must meet the following complexity requirements when they are created or changed:

- Not contain the user's account name or parts of the user's full name that exceed two consecutive characters;
- Be at least six characters in length;

- Contain characters from three of the following four categories:
 - English uppercase characters (A through Z),
 - English lowercase characters (a through z),
 - Base 10 digits (0 through 9), and
 - Non-alphabetic characters (for example: !, \$, #, %).

Passwords expire every 90 days and must be shared with authorized College personnel once created.

Laptop Security

Users must set up a password on their laptops and data should be saved on the College's shared network, not on the local hard drive.

If the laptop has been stolen, the user must report this immediately to the Director of Operations and Finance, so the appropriate steps can be taken to prevent the loss of confidential data and email.

Social Media

Social media encompasses a broad sweep of online activity, all of which is traceable. These networks include not only the blogs employees write and those on which they comment, but social networks such as Facebook and Instagram, professional networks such as LinkedIn, and blogging tools like Twitter.

The College's communication policy is that only two people can speak in the media for the College: the President and the Registrar. Employees must not represent the College on their personal social media sites or on other social media and must make every reasonable effort to make it clear that they are contributing to social media sites as private individuals not as representatives of the College.

In all cases, it is expected that employees will not make any inflammatory comments or unprofessional or disparaging remarks about the College and will adhere to their strict duties of confidentiality at all times.

Staff who establish social media profiles even in their personal capacity, are expected to maintain a professional and socially respectful demeanour in photos and posts, as such activity may reflect on the work of the College.

Violation of any aspect of the IT policy may lead to discipline, up to and including termination for cause.

Open Door

The College is committed to creating the best work environment it can. We strive to ensure that every employee feels respected and heard, and we aim to foster an environment where each employee feels that they can raise genuine issues that will be promptly addressed.

This style of openness is not only intended to deal with matters of conflict. Having an open door environment allows us to hear from you with respect to your suggestions for improvement, to recognize any issues as they arise, and to address the changing needs of our workforce.

Our open door policy aims to accomplish open, honest communication between supervisors and employees as a day-to-day practice, and ensures that employees may seek counsel, provide or solicit feedback, or raise concerns within the College.

While we believe that any concerns you have should first be raised with your direct supervisor, we understand that this is not always possible. If for any reason you are not comfortable approaching your supervisor, or if you approached your supervisor and no action was taken, please contact the Registrar and CEO or the Director of Operations and Financial Services.

Outside Employment

The College hopes that you will not find it necessary to seek additional outside employment. However, if you are planning to accept an outside position in addition to your full-time position with the College, you must first obtain written approval from the Registrar and CEO. Approval will be granted at the College's sole discretion and shall be on an exception basis only.

Outside employment must not conflict in any way with your responsibilities within the College or approval will be withdrawn. The conflict of interest policy applies at all times.

Where permission is granted, employees may not conduct outside work during College time or use College property, equipment or facilities in connection with outside work.

Please note that for the purposes of this policy, outside employment includes self-employment and consulting work.

Payroll

Employees are paid on a bi-weekly basis.

All employees are paid via direct deposit. Paystubs will note the pay period for which the wages are being paid, hours worked, gross amount of wages, deductions, including applicable deductions on account of employee enrollment in the group benefit plan, and deposit amount.

Statutory deductions for federal and provincial taxes, Canada Pension Plan and Employment Insurance are all required by law. Please note that these deductions may change from time to time as they are impacted by changes in the amount earned and by legislation.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, or if you suspect an error in your pay, please contact the Director of Operations and Financial Services immediately.

Performance Evaluations and Salary Reviews

Performance Evaluations

The College is committed to sound performance management practices, which ensure that staff understand what is expected of them, have an opportunity for input when it comes to defining performance expectations, and receive formal constructive feedback and encouragement in addition to feedback provided informally in meetings with your supervisor.

Each staff member will have an annual written performance plan and evaluation. The plan will be prepared by the staff member and will be based on the job requirements as defined in the job description, deliverables identified in the operational plan for the College and strategic documents, and direction from the Registrar and CEO or supervisor. New employees will work with their supervisors as their probationary periods come to an end and will be asked to prepare a performance plan. The performance plan will be discussed with the Registrar and CEO or the employee's supervisor.

In preparation for the formal performance evaluation, the employee will document achievements in relation to commitments in the performance plan, describe circumstances impacting the achievements, and will describe how learning from professional development opportunities has been integrated into performance. The career goals, ambitions, and objectives of the employee should be documented in the performance plan.

The Registrar and CEO or supervisor will conduct a formal performance evaluation at a scheduled meeting with the employee. The evaluation will be documented and the formal evaluation report will be returned to the employee for final comment and signature. The Registrar and CEO or supervisor will sign and date the evaluation report with the employee's comments and place a copy on the employee's file, and return a copy to the employee.

An employee's signature on the evaluation report indicates that the employee has read and understood the report. In the event the employee does not sign the report, the Registrar and CEO will file the report after signing and will indicate that the employee has received a copy and been provided with an opportunity to comment. An employee wishing to rebut the performance appraisal may do so in writing and the comments will become part of the employee's personnel file.

Salary Reviews

The College has developed a compensation system with the following objectives:

- To attract individuals with the knowledge, ability and talents required by the College to deliver high levels of service to the public, College members, Council and volunteers;
- To retain valued and productive employees;
- To promote specific job behaviours conducive to higher levels of job performance;
- To promote attitudes conducive to loyalty and commitment to the College, high job involvement and job satisfaction; and
- To comply with the requirements of pay equity and related laws.

Salary ranges have been developed and are maintained on the basis of external job market conditions, compensation survey information, and the ability of the College to reward its staff members for performance. An employee's salary range placement is determined by an evaluation that values the position requirements in terms of skills, effort, responsibilities and working conditions.

Employees' salaries will be reviewed on a yearly basis, and may be increased at the sole discretion of the Registrar and CEO. Employees who have been notified of unsatisfactory performance may not be granted a salary increase until they have been notified that their performance has attained an acceptable level.

The ranges of employees' salaries will be reviewed by the College regularly, consistent with the College's Compensation Plan Philosophy and Framework, which is appended hereto. Please note, however, that an employee's base salary may not be increased beyond the maximum of their job's salary range for the classification. Similarly, an employee may not be hired in a job classification at a salary outside the salary range for the classification.

Probationary Period

The first three months of employment are considered a probationary period for all new employees. During this period, both the employee and the College will have an opportunity to get to know one another. It will give new employees the opportunity to evaluate their new position, and will give the College the opportunity to evaluate whether a new employee is best suited to their work assignments and to inform the employee of the College's mission and values.

The Registrar and CEO and/or the employee's supervisor will conduct a performance evaluation at the conclusion of the probationary period to discuss the employee's suitability for continued employment at the College and to discuss a performance plan. Probationary periods may be extended at the sole discretion of the College. The employee will be informed of any extension to the probationary period in writing.

Progressive Discipline

The College strives to treat all employees fairly, justly, and equally. Sometimes mistakes and problems occur, and when they do, we will act immediately to resolve them. Generally speaking:

- Any performance discussions will be in private where possible;
- The employee will be informed of the problem, and will then be able to respond to it; and
- The employee will then be informed of the appropriate discipline, if any, that will be instituted.

Progressive Discipline Process:

Step 1	Verbal Warning
Step 2	Written Warning
Step 3	Final Warning/Suspension (generally one to three days and without pay)
Step 4	Termination

Please note that where appropriate, any step in the foregoing progressive disciplinary process may be repeated prior to moving to a more severe penalty. Alternatively, any step may be skipped in favour of a more severe penalty.

The procedure is as follows:

Step 1 - Verbal Warning: This warning will be issued on the first unsatisfactory performance and/or misconduct. A disciplinary memorandum will be completed and added to the employee's personnel file.

Step 2 - Written Warning: This warning serves to firmly call the employee's attention to continued unsatisfactory performance and/or misconduct. A disciplinary form will be completed and added to the employee's personnel file. The form will include the cause for warning, the employee's explanation, and the recommended corrective action and follow-up.

Step 3 - Final Warning/Suspension (without pay): The final warning serves to put the employee on notice that his or her unsatisfactory performance and/or misconduct is not acceptable and that failure to immediately correct the problem may be cause for more serious disciplinary action, including termination of employment for just cause. A disciplinary letter explaining the serious nature of the incident, the duration of the unpaid suspension and the corrective action necessary for improvement accompanies the final warning. A copy of the final warning letter will be added to the employee's personnel file.

Step 4 - Termination/Dismissal: Reflects the employee's continued failure to correct unsatisfactory performance and/or misconduct despite prior corrective actions, or reflects a serious infraction of the standards of employee conduct that warrants termination for just cause.

Remote Work

The College recognizes that from time to time, an employee may ask permission to work from home. The College expects that such requests will be in relation to achieving specific goals. For example, the employee may need to work in an environment without interruptions in order to complete a project, particularly where there is a tight timeline for completion. The intent of allowing employees to work from home is to improve productivity. Approval of a work from home arrangement shall be made on a case-by-case basis giving consideration to whether such an arrangement is operationally feasible as determined by the Registrar and CEO in their sole discretion.

The College understands that modern technology makes possible consideration of telecommuting arrangements for some positions. Telecommuting is a privilege, not a right. If telecommuting is allowed for a position, it will last only as long as it is appropriate for the College. The decision to allow telecommuting is at the sole discretion of the College and can be discontinued at any time, for any reason, without notice.

Where employees work from home, they are expected to schedule any work from home days so that they are available for College business such as in-person meetings or other situations where personal attendance is required. Where employees work from home they are expected to demonstrate the same or an increased level of productivity and professionalism as compared to if they were in the office. Employees must ensure that they are reachable via telephone during regular business hours.

Employees are solely responsible for the costs of maintaining a home office, which must be a suitable working environment that enables the employee to be productive and safe while conducting work remotely. For example, arrangements must be made to ensure that dependent care does not interfere with work, and there is a minimum of personal disruptions such as non-business telephone calls and visitors.

In addition, employees working from home must ensure that appropriate security arrangements are made so that confidential College information is safeguarded. For example, information should not be created or stored on personal computers and confidential information should not be left in plain sight. Any calls should be made from a private environment. When using home computers employees are responsible for ensuring antivirus software is up to date and should ensure that any wireless connections are password protected.

Each approval for work from home will be unique to the work that is to be completed by the employee. The employee must provide a specific plan and demonstration of work accomplished.

Respect in the Workplace

The College recognizes the dignity and worth of every employee, and to that end believes in providing and maintaining a work environment in which all employees are free from workplace violence, harassment, and discrimination. This policy applies to all employees and covers all forms of violence, harassment and discrimination prohibited under human rights legislation.

Definitions

“Workplace” means any place where work-related activities are conducted. It includes, but is not limited to, the physical work premises, work-related social functions (social events, golf games, etc.), work assignments outside the College’s office, work-related travel, and work-related conferences or training sessions.

“Violence” means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury whether at the College or a work-related location.

“Discrimination” means the differential treatment of an individual on the basis of race, colour, ancestry, place of origin, religious beliefs, gender, age, physical disability, mental disability, marital status, family status, and sexual orientation or any other factor that is legislatively protected (“Prohibited Grounds”).

“Harassment” means engaging in a course of vexatious comments or conduct that is known, or ought reasonably be known, to be unwelcome. It may include unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment; interfering with an individual’s work performance; adversely affecting an individual’s employment relationship; and/or denying an individual’s dignity and respect. Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups. Harassment does not include a reasonable action taken by the College relating to the management or direction of employees or the workplace.

Examples of harassment and discriminatory conduct include but are not limited to the following:

- Humiliating an employee in front of co-workers;
- Subjecting an individual to unwelcome remarks or jokes;
- Consistent subjection of an individual to practical jokes or ridicule;
- Making any work-related decision (including matters of hiring, promotion, compensation, work assignments, evaluations, training or job security) not on the basis of merit, but on the basis of any of the Prohibited Grounds, other than in a way that is consistent with affirmative action principles as set out in the *Human Rights Code*;
- Comments which are intended, or that ought reasonably be known, to promote stereotyping on the basis of any of the Prohibited Grounds;
- Jokes or comments which draw attention to, for example, a person's disability, age, ethnic, racial, or religious background or affiliation, or which draw attention to a person's gender or sexual orientation with the effect of undermining such person's role in a professional environment or that by their nature are known or ought reasonably be known to be embarrassing or offensive; and
- Derogatory remarks, verbal abuse or threats directed toward members of one gender or regarding one's sexual orientation or with respect to a person's or group's ethnic, racial or religious background or affiliation.

Harassment encompasses sexual harassment, which is defined as engaging in a course of vexatious comment or conduct in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. Examples include but are not limited to:

- Any unwelcome sexual advance (oral, written or physical);
- Bragging about sexual prowess;
- Inquiries or comments about a person's sex life or sexual behaviour;
- Leering or inappropriate staring;
- Requests for sexual favours;
- Unwelcome sexual or gender related comments, innuendoes, remarks, jokes or taunts;
- Unnecessary physical contact such as patting, touching, pinching or hitting;
- Displays of sexually degrading, offensive or derogatory material such as graffiti or pictures; and
- Physical or sexual assault.

It is also considered workplace sexual harassment to make a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an individual at work and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Policy Statement

All employees in the workplace have a right to work in an environment free from violence, harassment and discrimination. To accomplish the College's goal of promoting a violence,

harassment and discrimination free environment, the College will not tolerate violent, harassing or discriminatory behaviour from employees, non-employees (i.e., contractors, consultants, interns and volunteers), members, Council members, visitors, guests, or any others that attend at the workplace. In addition, the College will make every attempt to communicate its commitment to a violence, harassment and discrimination free workplace.

Retaliation or reprisals are prohibited against any individual who has complained under this policy in good faith, or has provided information regarding a complaint. Any retaliation or reprisal will be subject to immediate action, up to and including termination for cause. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of violence, discrimination and harassment.

The College recognizes that individuals may find it difficult to come forward with a complaint under this policy because of concerns of confidentiality. As such, all complaints concerning workplace violence, harassment, or discrimination, as well as the names of parties involved, shall be treated as confidential to the furthest extent possible. The College's obligation to conduct an investigation into the alleged complaint may require limited disclosure. As it pertains to violence, where the College believes there to be imminent danger to an employee, it may divulge such confidential information as is reasonably necessary. No record of the complaint will be maintained in the personnel file of the complainant. At the conclusion of each complaint process, all related documentation will be maintained for safe-keeping in a confidential manner in a related "Respect in The Workplace" file.

Responsibilities

Each and every employee is responsible for creating and maintaining a violence, harassment and discrimination free workplace. When employees become aware of alleged actions or complaints of violence, discrimination or harassment, it is imperative that they report such matters promptly. Supervisors in particular have a responsibility to actively promote a positive work environment and to intervene when problems occur.

Complaint Procedure

Step 1 - Self Help: Where appropriate, employees may attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. Where employees feel comfortable doing so, communicate disapproval in clear terms to the person(s) whose conduct or comments are offensive. Keep a written record of the date, time, details of the conduct, and witnesses, if any.

Step 2 - Management Support and Intervention: Employees who are not comfortable with direct communication and who believe they are victims of discrimination or harassment, or who become aware of situations where such conduct may be occurring, should seek advice from and report these matters to their supervisor. In the event the complaint relates to the supervisor, the employee should report the complaint to the Registrar and CEO or to the Director of Operations and Financial Services.

Step 3 - Formal Complaint: If informal attempts at resolving the issue are not appropriate or are proving to be ineffective, a formal complaint may be filed. To file a formal complaint:

- i. Provide a letter of complaint that contains a brief account of the offensive incident (i.e., when it occurred, the persons involved, names of witnesses, if any). The letter should also include the remedy sought and be signed and dated by the person complaining;
- ii. File the complaint with your supervisor, the Registrar and CEO, or to the Director of Operations and Financial Services; and
- iii. Cooperate with those responsible for investigating the complaint.

Formal complaints will be investigated. The investigation process will involve interviews of the relevant witnesses, as determined by the investigator. Generally, within 15 business days of the incident or notice thereof, the individual charged with the investigation shall investigate the incident and may subsequently prepare a written report of the investigation findings. The report, if prepared, shall be provided along with recommendations, if any, to the designated supervisor for action.

Disciplinary action for violations of this policy will take into consideration the nature and impact of the violations and may include a verbal or written reprimand, a suspension (paid or unpaid), or termination of employment for cause.

Similarly, deliberate false accusations are of an equally serious nature and will result in disciplinary action up to and including termination of employment for cause. Note, however, that an unproven allegation does not mean that the conduct did not occur or that there was a deliberate false allegation. It may simply mean that there was an insufficient evidentiary basis to proceed.

Any respondent(s), regardless of their position within the College, will be excluded from administering and managing the investigation and resolution process (save and except for their involvement as a respondent).

Complaints against Third Parties

The College recognizes that an employee may be subject to violence, harassment or discrimination by non-employees who interact with the College. An employee who believes that he or she has been subjected to such conduct by a person who does not work for the College may seek the advice of their supervisor, the Registrar and CEO, or the Director of Operations and Financial Services who will take whatever action is appropriate in the circumstances.

Smoking

In keeping with the College's intent to provide a safe and healthy work environment, smoking is prohibited throughout the workplace. Smoking is permitted only outside the building in designated smoking areas. Please note that smoking includes vaping and the use of electronic cigarettes.

Supervision

All staff are accountable to the Registrar and CEO and report directly to the Registrar and CEO unless a supervisor has been appointed by the Registrar and CEO on a permanent or temporary basis.

The Registrar may designate another staff member to be the immediate supervisor of an employee for the following purposes including training, project management, and assignment of tasks.

The Registrar and CEO may appoint a staff member to act as Chief Executive Officer in the Registrar and CEO's planned absence and to assume responsibility for the supervision of all staff during the absence.

In the event of an unplanned absence of the Registrar and CEO, or in the event that there is not a Registrar and CEO in place, the Executive Committee shall appoint an acting Registrar to assume all responsibilities of supervising staff.

Telephone Usage

Cellular and Smartphone Use

All employees who use personal smartphones or cellular phones are asked to refrain from using these devices in the office during regular business hours and internal meetings and to set these devices to silent mode when in the office but not in a meeting. Responses to emails or calls on these devices should never be done during meetings, and employees are asked to be cognizant of any distractions or disturbances these devices may create for co-workers and meeting attendees.

All employees who use smartphones or cellular phones are advised that the College strictly prohibits the use of handheld smartphones or cellular phones while driving and does not require employees to make or receive calls when driving for safety reasons.

Please be aware that you could face prosecution for failing to have proper control of your vehicle or for careless or reckless driving if use of a smartphone or cellular phone affects your driving. You may also be subject to discipline, including termination of employment for just cause, for violation of this policy. It is also a provincial offence to drive while using or holding a handheld cellular phone or smartphone in Ontario.

Personal Telephone Calls

You are encouraged to conduct personal business over the phone during your breaks or before and after work. Personal use of College-provided smartphones must not be excessive, as determined in the College's sole discretion. In addition, personal long distance calls made on College phones should be avoided; where such calls are made on an emergency basis, employees are responsible for any associated costs.

Employees are asked to update their voicemail messages concerning any absences providing an alternate contact for callers as well as information concerning their expected return date.

Termination and Resignation

Termination

Subject to any provision in an employee's contract, employees are entitled to the following notice of termination or pay in lieu of notice of termination in the event of termination without cause:

Period of Employment	Entitlement to Notice
0 – 3 months	No entitlement
3 – 12 months	1 week
1 – 3 year	2 weeks
More than 3 years	1 week for each year of employment up to a maximum of 8 weeks

The College will also provide employees with statutory severance (if applicable) and minimum benefits continuance during the statutory notice period (as required), together with any other applicable entitlement owed to the employee pursuant to the terms of the minimum employment standards legislation. In no case will the employee receive less than his/her entitlement under Ontario's *Employment Standards Act, 2000*, as amended.

Employees will not be provided with any notice of termination in the event of cause.

Resignation

Should you decide to leave your employment with us, we ask that, subject to any provision in your employment agreement, you provide your supervisor with at least two weeks of advance written notice. Your thoughtfulness will be appreciated and noted favorably should you ever wish to reapply for employment with the College.

General

Upon cessation of employment, the College requires the return of all College property. This would include all property, materials or written information issued to an employee or in possession or control of an employee (i.e., computer products, keys, etc.). In all cases departing employees are reminded of their continuing obligation to keep information acquired while employed at the College confidential.

Time Away from Work

Absenteeism and Tardiness

Good attendance and punctuality are expected from all employees and are important factors for your continued success at the College. Absenteeism and tardiness place a burden on other

employees and on the College generally.

From time to time, however, we realize it may be necessary for you to be late or absent from work. We are aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. If you know in advance that you will need to be absent, you are required to request this time off directly from your supervisor or from the Registrar and CEO.

In the instances when you cannot avoid being late for work or are unable to work as scheduled, you should notify your supervisor as soon as possible in advance of the anticipated late arrival or absence. Do not inform another employee and have them relay the message to your supervisor. If your supervisor is not available when you attempt to contact him or her, you may leave the information with the Registrar and CEO. If you are unable to contact your supervisor yourself because of an illness, emergency or for some other reason, be sure to have someone contact your supervisor on your behalf. Where appropriate, you should contact your supervisor each day that you are absent. Please note that in certain circumstances, and subject to the minimum provincial employment standards legislation, the College may request a doctor's note satisfactory to it. In addition, the College may require that you attend a third-party medical examination to be arranged by the College.

Please note that attendance and absenteeism records will be considered as part of an employee's performance review. An excessive number of days absent without reasonable justification may lead to disciplinary action.

The College asks that all absences be documented in timesheets, noting the reason for the absence. A timesheet can be found on the College's shared drive in the folder: <H:\OPERATIONS\Forms & Templates\Administration>. The timesheet is updated yearly. Where a staff member is going to be away, they are responsible for placing an out-of-office message on their email and telephone voicemail.

Whether an employee will be compensated for the period of his or her absence depends upon the nature of and reason for the absence. Such determinations will generally be at the sole discretion of the Registrar and CEO.

Please note that employees displaying an inability to adhere to this policy will be subject to disciplinary action, up to and including termination of employment for just cause.

Bereavement Leave

We extend our sincere condolences to those experiencing a death in their family. As a gesture of sympathy we grant all employees up to five paid days for the purpose of attending the funeral of one of the following immediate family members:

- Children and stepchildren
- Grandchildren
- Parent or step parent
- Mother/Father-in-law
- Siblings
- Sister/Brother-in law
- Son/Daughter-in-law
- Spouse/life partner

Proof of death is required.

Employees will be granted one paid day for the purpose of attending the funeral of grandparents, aunts, uncles, nieces, nephews and cousins.

The College recognizes that there may be occasions when employees may wish to attend the funeral of other relatives or friends, and we suggest that you discuss this directly with your supervisor.

In addition, if the employee must travel a significant distance to attend a funeral (as determined in the College's sole discretion), the College will allow an employee travel time without a loss of pay, up to a maximum of two days in addition to the paid bereavement leave outlined above.

Please note that bereavement pay will not be paid in addition to another type of allowable pay for the same day(s), such as holiday pay, vacation pay or other days that you would not normally have performed work for the College. This leave is to be set off against any applicable leave entitlement provided under minimum provincial employment standards legislation.

Health Care Appointments

Where possible, employees should arrange health care appointments for times outside office hours. When this is not possible, employees are asked to arrange their appointments as near as possible to the beginning or end of the workday. When an employee has an appointment during office hours he or she must notify the supervisor as far in advance of the appointment as possible. If the planned absence will last fewer than three hours, employees will be expected to make up the lost time by working the hours taken within 30 days before or after the absence. In the case where more than three hours is required to attend an appointment, employees will be required to use sick days, if available.

Jury and Witness Duty

The College encourages employees to fulfill their civic responsibilities by serving jury and witness duty when required. In support of this, the College provides up to ten paid days for the purpose of attending at court for these purposes. Where the employee is offered or receives payment from the Court to participate in jury duty, such payments must be remitted to the College.

Employees must show the jury or witness duty summons to their supervisor so that the College can make arrangements to accommodate the absence.

Employees are expected to report to work whenever the Court schedule permits. Either the College or the employee may request an excuse from jury duty if, in the College's judgment, the employee's absence would create serious operational difficulties.

Please note that if an employee has been subpoenaed or is otherwise requested to testify as a witness on behalf of the College, the employee will be paid for the entire period of witness duty.

Sick Days

Regular full-time permanent employees who have successfully completed their probationary period are eligible to receive up to 12 paid sick days each calendar year. These days must be

taken in either full- or half-day increments.

The days are intended to be used for illness suffered by you or to enable you to meet responsibilities related to the care, health or education of a child in your care or another member of your immediate family. Sick days are not intended to be used as “additional” vacation days.

It is the employee’s responsibility to provide reasonable notification to their supervisor and the Registrar and CEO where possible in advance of taking a sick day. In the event that reasonable notification has not been provided, which is to be determined in the sole discretion of the College, the College may require the employee to take the day unpaid.

Sick days are not be carried over to the following calendar year and the College will not pay employees for unused time. Moreover, employees will not be paid for earned but unused sick days upon cessation of employment.

This entitlement shall be set off against any leave entitlements under the minimum employment standards legislation.

Medical Leave of Absence

The College recognizes that employees may experience illness or injury that prevents them from attending at work for a significant period of time.

When an employee becomes aware that he/she will be absent from work due to illness or injury for a period of time, the employee is required to contact their supervisor regarding the absence as soon as possible. Please note that employees are not required to divulge a diagnosis.

Depending on the circumstances, the College may require that the employee supply written medical evidence of an inability to attend at work. It is important to note that any absences that are not approved may be subject to disciplinary action up to and including termination of employment for cause.

In addition, and during the currency of an extended medical leave, an employee may be required to provide medical documentation or other evidence to the College on an ongoing basis as requested. Requests for medical documentation or other evidence will be sent to the employee by the College, and will usually include the requirement to have a treating physician or other medical specialist fill out certain forms. In all instances, it is the responsibility of the employee to ensure that these forms are filled out in a fulsome manner, and within the timeframes that are laid out by the College. The purpose of the medical documentation is to (i) ensure the employee’s medical leave is authorized; (ii) obtain an anticipated return to work date; and (iii) ensure that the College is able to evaluate the appropriate accommodation, if any, to facilitate the employee’s safe return to work.

As part of this process and in certain circumstances the College may also require that the employee attend independent assessments and/or independent medical examinations. Employees are expected to comply with such requests.

Regular communication during medical leaves is essential to ensure that we work collaboratively in the return to work process. If required, the College will seek to modify the workplace and/or work schedule to accommodate employees who are disabled. If an employee is unable to perform the essential duties of their pre-injury/illness job, the College will work with

the employee to find ways to modify the job to permit the employee to perform the essential duties of the pre-injury/illness job up to the point of undue hardship to the College.

While the College is confident that its employees will comply with all of the requirements outlined above, employees should be aware that failure to comply with these requirements can result in disciplinary action up to and including termination of employment for cause.

Financial Assistance Available to Employees on Leave: Since medical leaves usually begin with one or two sick days, the employee may be eligible to avail him/herself of the College's sick day policy. In addition, employees may elect to use any vacation time that they have accrued but not yet used.

Employees should also apply to the College's disability plan for any extended leave of absence, assuming they are enrolled. Please note that this plan is administered by a third-party insurer and all the policies of the insurer apply.

Paid Holidays

The following days are paid holidays observed by the College:

HOLIDAY
New Year's Day
Family Day
Good Friday
Easter Monday
Victoria Day
Canada Day
1 st Monday in August
Labour Day
Thanksgiving Day
Remembrance Day
Christmas Day
Boxing Day

To qualify for pay on the above days, an employee must meet the eligibility requirements of the minimum employment standards legislation as highlighted below.

Qualifying Period for Eligibility: There are two situations whereby an eligible employee can lose their right to the benefits of the statutory holiday provisions:

- When an employee does not work on a statutory holiday when required or scheduled to do so; or

- When an employee is absent from employment without the approval of the College on the employee's last regular working day preceding or first regular working day following the statutory holiday

When a statutory holiday falls on a Saturday or Sunday, the College will designate an alternate day on which the holiday will be observed. If a holiday falls within an employee's vacation period, the employee shall be entitled to an extra day's vacation with pay.

Religious Holidays: Employees who wish to observe religious holidays other than those identified herein may use their personal days or take this time off as an unpaid leave or vacation if the employee has accrued and unused time. The employee should submit his/her request as far in advance as possible to the Registrar and CEO.

Pregnancy Leave/Parental Leave

Employees are encouraged to review the provisions of the minimum employment standards legislation with respect to pregnancy and parental leaves of absence. Employees will be required to advise the Registrar and CEO of the expected start and return dates for all leaves of absence. The Registrar and CEO may also request official confirmation of pregnancy or adoption. Please note that the College tops up the Employment Insurance payments of employees who take pregnancy/parental leave up to a maximum of \$10,000. Employees should contact the Director Operations and Financial Services to discuss this top up and the timing of any payments.

Please refer to the chart below that outlines the amount of time to which eligible employees are entitled in Ontario. This chart also outlines the amount of notice employees are required to give the College prior to commencing the leave.

Leave	Length	Qualifying Period for Eligibility	Notice Prior to Leave
Pregnancy	Up to 17 weeks	Employee must have worked at the College for 13 weeks prior to the due date of the child	Two weeks; written notice is required along with a medical certificate
Parental	Up to 61 weeks for birth mothers who have taken pregnancy leave Up to 63 weeks for all other parents	Employee must have worked at the College for 13 weeks before commencing the parental leave Employee must begin their leave no later than 52 weeks after the child is born or comes into the employee's custody	Two weeks; written notice is required

Employees are not required to take the full pregnancy or parental leave available to them. If an employee chooses to return from a leave early, they must notify the Registrar and CEO in accordance with the notice requirements under the minimum employment standards legislation.

Federal Government Benefits: Both pregnancy and parental leave are taken without pay other than the top up described above. However, federal Employment Insurance benefits may be available to employees. Please refer to www.esdc.gc.ca for more information regarding the federal Employment Insurance program.

Benefits Continuation during Pregnancy/Parental Leave: The College will continue to make its contributions to the benefit program on behalf of an employee who is eligible pursuant to the minimum employment standards legislation for the duration of the pregnancy or parental leave unless it receives written notice from an employee that he/she does not intend to pay his/her portion of the premium cost, where applicable.

In order to continue participation in the College benefit program, employees on pregnancy or parental leave must make appropriate arrangements to ensure payment of their portion of the benefit program premium cost for the duration of the leave, where applicable. Employees may provide post-dated cheques or make another type of payment arrangement that is satisfactory to the College. Employees should contact the Registrar and CEO to make the necessary arrangements.

In the event that the employee does not intend to pay his/her portion of the premium cost, the applicable benefits will be suspended and the insurance carrier may require further evidence of insurability prior to reinstating the employee's benefits coverage upon the expiry of the leave.

Vacation

The College's vacation policy is designed to provide employees with a reasonable break from the demands and challenges of the work environment. The College therefore encourages that vacation be taken at regular intervals. Vacation entitlements increase according to an employee's years of service and are set out as follows:

Length of Continuous Employment	Paid Vacation Time	Monthly Accrual Rate	Vacation Pay
Less than 5 years of active service	3 weeks	1.25 days	6% of annual wages
After 5 years of active service	4 weeks	1.67 days	8% of annual wages
After 10 years of active service	5 weeks	2.08 days	10% of annual wages

Vacation entitlements will accrue on a monthly basis, but may not be taken until employees have completed the probationary period.

General Vacation Provisions: Vacation requests must be approved by the employee's supervisor and the Registrar and CEO. Employees from the same department will usually not be permitted to take vacations at the same time; employees' vacations must generally be scheduled such that a representative from each department is in the office. Requests will

generally be approved on a first-come-first-served basis. Please also note that your vacation request may not be approved if more than two weeks are requested at one time.

The College recommends that employees submit vacation requests as early as possible and no later than five days prior to the requested time off.

Vacation entitlements may not be carried over from year to year, subject to statutory requirements. That said, the Registrar and CEO may allow carryover in exceptional circumstances.

Unpaid vacation entitlement will continue to accrue where legislatively required and subject to minimum statutory requirements.

Personal Days

Following the completion of the probationary period, and subject to the minimum employment standards legislation, each full-time permanent employee is entitled to three personal days each year. Personal days are intended to be used in circumstances when an employee is required to be away from work for reasons not covered through the sick day policy or any other policies, such as in the case of emergencies or for religious holidays. Personal days may not be used as vacation or as an extension of vacation or any other leave of absence. Personal days must be taken in no less than half-day increments.

Where possible, a request for a personal day must be submitted to the employee's supervisor and the Registrar and CEO at least five days in advance. Otherwise, the employee should advise their supervisor or the Registrar and CEO of the need to take a personal day as soon as possible. Employees requesting personal days must provide the reason for the absence when requesting such time off.

Unused personal days may not be carried forward to the next calendar year and will not be paid out at the end of the year. The number of personal days will be prorated during the first year of employment. Please note that this entitlement shall be set off against any leave entitlements under the minimum employment standards legislation.

Other Leaves of Absence

Requests for other leaves of absence, except in emergencies, should be submitted to the Registrar and CEO in writing as far ahead of the intended start date of the leave as possible. Requests must state the period for the leave and the reasons for the request.

APPENDICES

Human Resources Policy Manual Acknowledgment Form

I, _____, certify that I have read the Human Resources Policy Manual and understand all the policies and procedures set out therein. I have had a full and complete opportunity to ask questions and seek clarification.

I agree to abide by the policies and procedures contained in the Human Resources Policy Manual. I am aware that a failure to abide by these policies and procedures may result in disciplinary action and/or dismissal for just cause.

Employee's Name Printed _____

Employee's Signature _____

Date Signed _____

Please remove the following page, sign where indicated, and return to your supervisor. The original documents will be stored in your employee file. You are welcome to retain a photocopy for your own records.

Please note that the failure or refusal to sign the Acknowledgment Form will not release an employee from being bound by the policies contained in the Human Resources Policy Manual. All employees, by virtue of their acceptance of employment with the College, are bound by the policies contained herein.

College Property Sign Out Form

I, _____, hereby request to sign out the following equipment from the College:

I understand that I may not remove the equipment above without obtaining express written permission from the Director of Operations and Financial Services.

In the event that I am authorized to sign out any College equipment, I agree to abide by the College Property policy contained in the College's Human Resources Policy Manual. I will preserve and safeguard all College property from theft, misuse or damage and will report any lost, damage or stolen property immediately to the Director of Operations and Financial Services.

Name: _____

Signature: _____

Date: _____

Confidentiality and Conflict of Interest Agreement

Confidentiality

I acknowledge that as part of my working relationship with the College of Kinesiologists of Ontario (the "College"), I will be given access to information that is of a personal, confidential and/or proprietary nature, including information related to the College's members, stakeholders, suppliers and employees, and finances ("Confidential Information").

The Confidential Information should not be divulged to anyone other than persons who are authorized to receive such information. No disclosure under any circumstances other than in the normal course of business should be made without first asking appropriate management personnel. This basic policy of caution and discretion in the handling of Confidential Information extends to both external and internal disclosure.

I therefore agree:

- To hold all Confidential Information in trust and strict confidence and agree that it shall not be divulged to anyone other than persons who are authorized to receive such information;
- No disclosure under any circumstances other than in the normal course of the College's operations should be made without first asking appropriate management personnel. This basic policy of caution and discretion in handling of confidential information extends to both external and internal disclosure;
- To keep any Confidential Information in my control or possession in a physically secure location to which only I and other persons who have signed a confidentiality agreement with the College of Kinesiologists of Ontario have access;
- To not remove any Confidential Information from the College absent written pre-authorization from the Registrar and CEO. Whenever I am so pre-authorized, I agree to take all necessary steps to keep such Confidential Information secure and to protect such Confidential Information from unauthorized use, reproduction and disclosure;
- At the conclusion of any discussions, or upon demand by management, to return all Confidential Information, including written notes, memoranda or notes taken, to the Registrar and CEO;
- To not disclose the Confidential Information to any employee, consultant or third party unless they agree to execute and be bound by the terms of this agreement and have been approved by the College to receive such information;
- That I am bound by section 36(1) of the *Regulated Health Professions Act, 1991* ("RHPA"), which requires that all College employees maintain confidentiality with respect to the Confidential information they gain during their tenure at the College, with very few and limited exceptions; and
- That section 40 of the *RHPA* states that every person who contravenes section 36(1) is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 for a first offence and up to \$40,000 for any subsequent offences.

I understand that my obligations regarding confidentiality survive the termination of my relationship with the College for any reason.

Conflict of Interest

I acknowledge that the College requires any persons performing any work for the College to conduct their affairs in such a way as to avoid any conflict of interest, either real or perceived.

I therefore:

- Represent and declare that, after due inquiry, I am not aware of any circumstances which do or might cause me to have a conflict of interest in performing work for the College;
- Agree not to undertake any work that may create a perception of bias or the potential for a conflict of interest with respect to the work being performed by the College;
- Agree to immediately notify the College and provide sufficient details to enable a full understanding of the circumstances, should the occasion arise; and
- Agree not to undertake any outside work or self-employment while I work at the College unless I receive written authorization from the Registrar and CEO of the College.

General

I understand that a breach of this Agreement could result in disciplinary action up to and including termination of my relationship with the College.

Name: _____

Signature: _____

Date: _____

Expense Reimbursement

The purpose of this policy is to:

- Set out the rules and principles for the reimbursement of expenses for travel, meals and hospitality to ensure fair and reasonable practices; and
- Provide a framework of accountability to guide the effective oversight of College resources in the reimbursement of expenses.

This policy applies to employees, elected members of Council and appointees. The policy also applies to consultants and contractors.

For the purposes of this policy, a claimant refers to any person making a claim under this policy. An approver refers to the person with the authority to make approvals under this policy.

As a general principle, the College believes that registrants' and applicants' fees must be used prudently and responsibly with a focus on accountability and transparency. Expenses for travel, meals and hospitality must support College objectives and legitimate authorized expenses incurred during the course of College business are reimbursed.

The College observes the following best practices in furtherance of this policy:

- Prior written approval from the applicable approver to incur expenses must always be obtained in order to receive reimbursement.
- Cost effective and economical options must be selected where possible.
- Good recordkeeping practices must be maintained for verification and audit purposes.
- Other options for meetings must always be considered before travel is approved, including audio or video conferencing.
- Individuals who obtain approval for travel must submit expense claims on a timely basis. The College credit card may be used to secure accommodation, book travel by plane or train, secure a rental vehicle, and cover hospitality expenses.
- The College's vendors of record for travel-related services should be used whenever possible.
- Expenses for a group should generally be claimed by the most senior person present.
- Alcohol cannot be claimed and will not be reimbursed as part of a travel or meal expense except where prior pre-approval is sought from the Registrar and CEO.

When submitting claims for reimbursement, claimants must:

- Submit original, itemized receipts with all claims, except for meal expenses where meal allowances are used; credit card slips are not sufficient. In the absence of an itemized receipt, a written explanation of why the receipt is unavailable must be submitted and a description itemizing and confirming the expenses must be provided. In such instances reimbursement is not guaranteed.
- Submit claims by the end of the quarter following the quarter in which the expense was incurred; a written explanation is required if not submitted within this timeframe.

Approvers must:

- Provide approval only for expenses that were necessarily incurred in the performance of College operations.
- Provide approval only for claims that include all appropriate documentation (e.g., original itemized receipts);
- Not approve their own expenses.

Note that an overpayment to a claimant is considered to be a debt owing to the College and must be repaid.

Accountability Framework

This policy sets out the approval authority for travel, meals and hospitality expenses. All expenses of the Registrar and CEO must be approved by Chair of the Planning and Finance Committee who is a member of Council appointed by the Lieutenant Governor in Council (through Order in Council or OIC). In the absence of the Chair of the Planning and Finance Committee, a member of the Executive Committee who is a public appointee (through OIC) may approve the expenses of the Registrar and CEO. Expenses of staff and of elected and appointed members of the profession serving on Council and/or Committees are approved by the Registrar and CEO.

Discretion

Approvers have the ability to make exceptions to this policy. When exercising discretion, the rationale must be documented and filed with the claim. Approvers are accountable for their decisions, which must be:

- Based on good judgment and knowledge of the situation;
- Exercised in appropriate circumstances; and
- Compliant with the principles set out in this policy.

When a situation arises and discretion needs to be exercised, approvers should consider whether the request is able to stand up to scrutiny by the auditors, registrants and members of the public, properly explained and documented, fair and equitable, and reasonable and appropriate.

Travelling

When travelling, any changes to an employee's itinerary should be reported as soon as possible.

Until the time that loyalty points can be accumulated through the College corporate credit card, participation in frequent flyer or other loyalty programs is permitted. Loyalty points can be redeemed at the user's discretion; however, they cannot be redeemed for cash by using the points for business purposes and then submitting a claim for reimbursement.

Please consult with the Director of Operations and Financial Services to determine which expenses, if any, should be charged to the corporate credit card.

Transportation

Airplane: Air travel is permitted if it is the most practical and economical way to travel. Economy (coach) class is the standard option for ticket purchase. Travel in business class must have specific prior approval by the Registrar and CEO.

Train: Travel by train is permitted when it is the most practical and economical way to travel. Economy fare tickets should generally be purchased in the coach class. However, business class may be acceptable with prior approval in limited circumstances, including where it is economical.

Rental Vehicle: When renting a vehicle, a compact model or its equivalent should be selected. Any exceptions must be documented and approved prior to the rental, if possible, and guided by the principle that the rental vehicle selected should be the most economical and practical size, taking into account the business purpose and considerations such as the number of occupants and safety (including weather). The cost associated with renting luxury and sports vehicles will not be reimbursed under this policy. To avoid higher gasoline charges, refuel your rental car before returning it.

Personal Vehicle: The College assumes no financial responsibility for personal vehicles. The College will, however, pay the applicable Ontario Government kilometric rate if you are, with prior approval, using your own vehicle for College business. If you will be driving more than 200 kilometers in a day, you should consider using a rental vehicle. If you are going to drive your personal vehicle for more than five days within a single calendar month – even if you are not exceeding 200 kilometers in a single day – you should consider lower cost options, such as vehicle rental or audio or video conferencing. The approver must make a decision on the type of vehicle used for travel (personal or rental) based on the frequency of travel as well as the distance per trip. If a decision is made with your approver for you to continue using a personal vehicle, both your research and the rationale must be documented. If using a personal vehicle, keep daily logs to track the business use.

Accident Reporting: All accidents must be reported immediately to local law enforcement authorities and your immediate supervisor.

Parking and Tolls: Reimbursement is provided for necessary and reasonable expenditures on parking, as well as tolls for bridges, ferries and highways, when driving on College business. Special services such as valet parking are permitted in exceptional circumstances upon pre-approval by the Registrar and CEO. Such circumstances would include premium or valet parking to accommodate a disability. Parking costs incurred in the office area as part of a regular commute to work will not be reimbursed. There is also no reimbursement for traffic or parking violations.

Taxis and Ride Share: Prior approval to use a taxi or ride share should be obtained whenever possible. Use of this type of transportation may be justified in cases where travelling this way is more economical than the total cost of having individuals travel separately by public transit or shuttle or allows you to meet an unusually tight schedule for meetings. Reimbursement for taxis/ride shares may not be used to commute to work or home except under exceptional circumstances, including where weather, health or safety conditions indicate it is the best, appropriate option or where transport of work-related baggage or parcels is required.

Public Transit: Local public transportation including hotel/airport shuttles should be used wherever possible.

Travel Insurance

Employees, appointees of the College and elected members of Council are responsible for arranging appropriate out-of-country medical insurance. For employees, coverage for international travel is in place through the College's third-party benefit plan. Additional insurance for employees will not be covered.

Car Insurance

The College credit card does not include benefits insurance for coverage of the cost of repairing the damage to vehicle rented. If you have approval to rent a car, the College credit card may be used; however, you should not decline the insurance coverage offered by the rental agency.

If you use your personal vehicle while on College business, the following rules apply:

- The car must be insured at your expense for personal motor vehicle liability and it is your responsibility to ensure that the motor vehicle insurance includes coverage for business use of the vehicle.
- The College will not reimburse the costs of insurance coverage for business use, physical damage or liability.
- The College is not responsible for reimbursing deductible amounts related to insurance coverage.
- In the event of an accident, you will not be permitted to make a claim to the College for any resulting damages.

Accommodation

While travelling, reimbursement will be made for single accommodation in a standard room. There will be no reimbursement for hotel suites, executive floors or concierge levels. For extended stays at a single location, the College encourages that advantage be taken of lower weekly or monthly rates.

Penalties incurred for non-cancellation of guaranteed hotel reservations are the claimant's responsibility and may be reimbursed only in an exceptional circumstance. Private stays with friends or family are acceptable, and a cash payment or gift may be provided to the friends or family as follows:

- A maximum of \$30 per night is allowed for accommodation including any meals with friends or family, in lieu of commercial accommodation. Instead of a receipt, you must submit a written explanation describing the purpose of the trip, identifying the host and the number of days you stayed.
- The \$30 value may be given in the form of a small gift (which must be accompanied by a receipt) or by cash or cheque.

Tips/Gratuities

You may be reimbursed for reasonable gratuities for porter, hotel room services, and taxis or ride share services. Keep a record of gratuities paid. Examples of reasonable amounts for gratuities include: 15% to 18%

on a taxi or ride share fare, \$5 to \$10 for housekeeping per night for up to two nights in a hotel, and \$2 to \$5 per bag for a porter.

Telecommunication

If you are away on College business, reimbursement will made for reasonable, necessary personal calls home for each night away and additional business expenses, such as business calls or emergency calls from air or rail phones, internet connections and computer access charges, facsimile transmissions, word processing and photocopying services.

Meals

Reasonable and appropriate meal expenses may be reimbursed where meals are purchased. You may incur a meal expense when you are on College business and you are away from the office area (i.e., at least 24 km) beyond two hours of your normal meal period, or you have prior approval for the expense (e.g., a business meeting within the office area that must occur over lunch. Meal expenses will be reimbursed at the established meal reimbursement rates, regardless of the actual meal costs, unless exceptional circumstances are present. Taxes and gratuities are included in the meal allowance rates. Itemized charges must be submitted with meal claims.

There may be situations where an individual pays the meal expenses for a group of individuals. In such cases, the individual may be reimbursed for the total of all meals purchased at the reimbursement rate for that meal. Group meal expenses can be claimed only by the most senior person present and where all individuals are covered by this policy.

Reimbursement for groceries requires prior approval. A receipt and a written rationale must be submitted with the claim. Reimbursement will not be provided for meals consumed at home or included in the cost of transportation, accommodation, seminars or conferences.

The current meal allowance rates are set out below for meals in Ontario and include taxes and gratuities:

Meal Type	Meal Reimbursement Rate
Breakfast	\$10.00
Lunch	\$14.00
Dinner	\$25.00

Hospitality

Hospitality is defined as the provision of food, beverage, accommodation, transportation and other amenities at the College’s expense to people who are not employees or Council or Committee members of the College engaged in College work.

Hospitality may be extended on behalf of the College including in the following circumstances:

- Engaging in discussion of official College matters with key external stakeholders, or sponsoring formal conferences;
- Providing people from other organizations with an understanding or appreciation of the mandate of the College and its work;
- Honouring distinguished people for exceptional service to the College and/or to the advancement of the regulation of kinesiology; and
- In an act of reciprocity where returning hospitality to a long-time service provider or stakeholder is appropriate.

Responsibilities regarding Alcoholic Beverages

Reimbursement of alcohol expenses is allowed only when the appropriate approvals are in place prior to incurring such expenses. Hospitality may include the consumption of alcohol at a meal or a reception with invitees, but only when there is a business case to do so. Alcohol should be provided in a responsible manner (e.g., food must always be served when alcohol is available).

Combining Personal and Business Travel

The College recognizes that from time to time, staff and Council or Committee members may wish to combine personal plans with business travel. This is permitted; however, in doing so the staff, elected or appointed member must adhere strictly to the provisions in this policy. Reimbursement will be at the rate for the least expensive or most efficient mode of travel regardless of another choice which may be made in order to accommodate personal plans (e.g., hotel shuttle versus car rental, standard room versus a larger room, etc.). Reimbursement for accommodation and for meals will be for the business portion of the trip only and consistent with the provisions above.

Expenses for Consultants and Other Contractors

Consultants and other contractors will not be reimbursed for any hospitality, incidental or food expenses. Reimbursement for allowable expenses under this policy can be claimed only when the contract with the College or agency specifically allows for it.

Compensation Plan Philosophy and Framework

Overview

Sound governance and management of an organization require prudent and effective use of resources. The College recognizes that its most important resource is its staff and has developed a compensation philosophy that will allow the organization to attract, motivate and retain talented people who share our values and contribute to our success. The College's Compensation Plan is fair, consistent with compensation paid in the regulatory field in Ontario for positions of similar scope and complexity, and reflective of Council's fiduciary duty:

Every director and officer of a corporation in exercising their powers and discharging their duties shall:

- (a) act honestly and in good faith with a view to the best interests of the corporation
- (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Compensation for the staff of the College includes salary and benefits such as contributions to a pension plan or retirement savings plan and health benefits, and other more intangible rewards such as developmental opportunities.

Compensation Principles

The College has five key principles that make up our Compensation Philosophy:

1) Accountability to our members and the Public

The College will have in place compensation programs to support an appropriate balance among the interests and requirements of our key stakeholders: our members, our employees, the government, and the public and others.

2) Transparency

We will be transparent to our stakeholders with respect to the methodologies used to determine compensation and will create compensation programs that are defensible to our members and other stakeholders.

3) Alignment with Strategies and Values

Our compensation programs will be designed and administered to support the alignment of individual, department and organization performance objectives and to support the alignment of individual skill development and organizational capability requirements.

4) External Competitiveness

We will pursue a competitive strategy that will enable us to develop, motivate, retain, and attract high performing people committed to ensuring the College is a model of regulatory excellence, forward-thinking and collaborative.

5) Reward for Individual Performance and Contribution to Organizational Success

Compensation programs will recognize and differentiate rewards based upon the individual position requirements, performance of individuals, their needs and their contributions to the overall success of the organization.

Consideration of all components of the total rewards model.

The College considers the relevant labour market for compensation comparison purposes.

The College will participate in salaries and benefits surveys conducted by peer organizations and will initiate such surveys every three years to ensure that its reward model remains fair, competitive and defensible. Any specific considerations resulting in differentiation in compensation practices (e.g., paying certain positions at a different level relative to the market because they are in higher demand) will be articulated.

The College considers an approach for paying external hires relative to incumbents.

Whether hiring or promoting from within, the College uses fair criteria in determining the rewards to be offered.

Where appropriate, the College supports promotion from within and offers an adjusted salary range during the period required for a staff member to reach the necessary level of competence to fully qualify for advancement.

Pay ranges are linked to neutral, relevant factors.

The College shall, through participation in or sponsorship of salaries surveys, benchmark its positions against similar positions in like organizations. Such benchmarking will occur generally every three years.

Considerations will include required skills and knowledge, job content, required qualifications.

Periodically salary range increases will be considered to reflect economic conditions and evidence from benchmarking exercises.

The Compensation Plan ensures appropriate relationships among positions in the compensation hierarchy.

Pay ranges are clearly differentiated avoiding range compression between reporting and responsibility levels within the College. Pay ranges for different positions at the reporting level, with comparable levels of responsibilities and with comparable competency requirements will have an appropriate measure of equity.

The Compensation Plan links to performance measures and organizational achievement.

Individual performance is assessed each year against the goals of the individual which are linked in the performance planning process, to the goals of the organization.

The Compensation Plan promotes an integrated view of compensation and rewards —

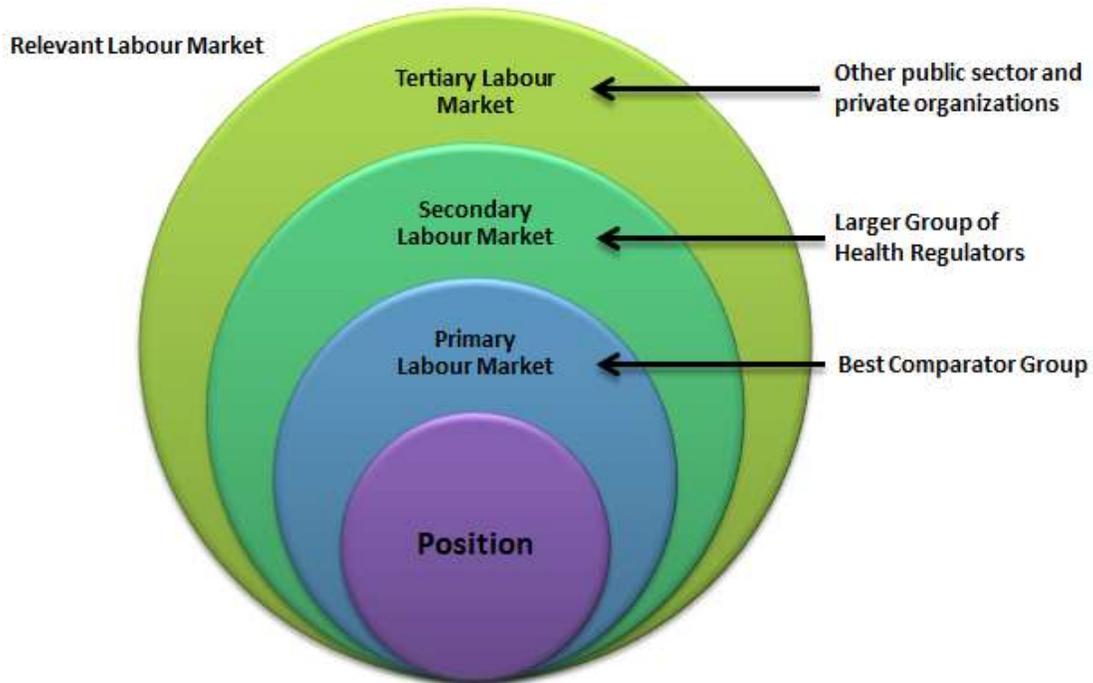
The Compensation Plan of the College includes elements such as benefits, career opportunities, learning and career development, work challenge, and supportive culture — a total rewards model.

Setting Salary Ranges for New Positions

In setting the salary range for new positions, the College shall adhere to the following process:

- Conduct job analysis to determine the purpose of the position, reporting relationship, key responsibilities, and required qualifications
- Develop a job description
- Assess position against similar positions in similar organizations (benchmarking)
- Consider the salary range of other positions within the organization, noting those at the same level of responsibility.
- Consider any specific labour market influences relating to the particular position such as availability of qualified candidates to apply, turnover in similar positions in similar organizations, etc.

Benchmarking



Compensation Plan Framework

Role of the Registrar

The Registrar is accountable for establishing a Compensation Plan which is fair, and consistent with compensation in the regulatory field in Ontario for positions of similar scope and complexity, reflective of Council's fiduciary duty, and consistent with the approved Principles of the Compensation Philosophy and Framework.

In order for the College to remain competitive and to retain the value of its investment in qualified staff, the Registrar must adhere to processes outlined above by periodically and as agreed through policy or directed by Council, undertaking a benchmarking exercise for all positions within the organization to determine whether the Compensation Plan is competitive and fair.

Annually, the Registrar must set performance and development plans with all staff and evaluate individual performance against approved plans. The College has approved policies relating to performance planning and review.

The Registrar shall maintain records of decisions made regarding changes to the Compensation Plan or an individual's total compensation, with written reasons for such changes and supporting evidence for such changes.

Role of Council

Council holds the Registrar accountable for establishing and managing a fair Compensation Plan for employees of the College which enables the College to attract and retain qualified staff.

Annually, Council must ensure sufficient resources to achieve the Operational Plan they have set for the year, including resources allocated to reserve Funds. In considering the annual proposed budget, Council must assure that it has allocated sufficient funds to meet budgetary requirements for the Compensation Plan.

Council or Executive Committee must determine through consideration of the Compensation Principles and the process outlined above, the compensation to be offered to the Registrar. Annually, Council or Executive Committee is accountable for working with the Registrar to establish performance goals. The performance goals will generally coincide with the Operational Plan approved by Council. Council or Executive Committee must evaluate the performance of the Registrar against approved plans annually and determine total rewards linked to performance achievements.

The Registrar reports periodically on the progress of the College in achieving goals set in the annual Operational Plan.



December 16, 2014

AODA

The College is committed to excellence in serving all individuals, including people with disabilities, consistent with the *Accessibility for Ontarians with Disabilities Act, 2005*, which is provincial legislation aimed at improving access for persons with disabilities in the province.

The College strives to provide its goods and services in a manner that respects the dignity and independence of all people. Persons with disabilities will be given an opportunity equal to that given to others to obtain, use or benefit from the goods and services provided by and on behalf of the College.

Definitions

Accessible means customer service is provided in a manner that is capable of being easily understood or appreciated; easy to get at; capable of being reached or entered; obtainable.

Assistive device means any device or mechanism that assists a person with a disability in accessing and benefiting from the services provided. Assistive devices may include but are not limited to wheelchairs, walkers, canes, assistive listening devices, visual alarms, or assistive software programs.

College personnel means all individuals engaged to perform work for the College or who otherwise act on the College's behalf, including but not limited to full-time, part-time, temporary and contract employees, consultants, Council and Committee members, and volunteer workers.

Disability refers to:

- a) Any degree of physical infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impairment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
- b) A condition of mental impairment or a developmental disability;
- c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) A mental disorder; or
- e) An injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

Guide dog means a dog trained as a guide for a person who is blind or visually impaired.

Service animal is an animal that provides assistance for a person with a disability. It may be readily apparent that the animal is used by the person for reasons relating to his/her disability, or a person may be asked to provide a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

Support person means, in relation to a person with disabilities, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods and services.

Communication

The College will communicate with people with disabilities in ways that take into account their disability and take reasonable efforts to ensure that the person with a disability understands the content of its communications.

Assistive Devices

The College will endeavor to accommodate people with assistive devices to the best of our abilities by making our premises as accessible as possible. The College will ensure that College personnel are familiar with various assistive devices that may be used by individuals with disabilities while accessing our goods and services.

Support Persons

The College will welcome people with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter the College's premises with his or her support person.

Service Animals

A person with disabilities may be accompanied by a guide dog or other service animal when on the College premises.

Notice of Temporary Disruption

The College will notify the public in the event of a planned or unexpected disruption in the facilities or services usually used by persons with disabilities. This notice will include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if available. The notices will be posted at all public entrances or communicated by such method as is reasonable in the circumstances.

Training

The College will ensure appropriate levels of training to all College personnel who interact with the public on behalf of the College as well as those involved in the development and approval of policies, practices and procedures dealing with the provision of goods and services to the public.

Employment

When requested, the College will accommodate disabilities during recruitment and assessment processes and when people are hired. If needed, the College will provide customized workplace emergency information to employees who have a disability. When using performance management, career development and redeployment processes, the College will take into account the accessibility needs of employees with disabilities.

Complaint and Feedback

Anyone wishing to provide feedback regarding the way College provides goods and services to individuals with disabilities may contact the College in person, or via mail, email, telephone, or fax. A complete list of contact information is available to the public on the College website www.coko.ca.

Modifications to this or other Policies

Any policy of the College that does not respect and promote the dignity and independence of people with disabilities will be modified or removed.

Human Resources at CKO



College of Kinesiologists of Ontario

• Presentation to Council •

Natasha Danson

Agenda

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- Council's vs. Registrar's role
- Obligations
 - *Employment Standards Act, 2000*
 - *Human Rights Code*
 - *Accessibility for Ontarians with Disabilities Act, 2005*
 - *Occupational Health and Safety*
 - Payroll and tax deductions
 - Soft obligations
 - Council policies – confidentiality and respect in the workplace

Governance Model

3

Council



Registrar



College Employees

- Sets out the minimum obligations
 - Minimum wage
 - Hours of work and overtime
 - Vacation
 - Specified leaves of absence
 - Entitlements upon termination

Human Rights Code

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- Protected social grounds in protected social areas, including employment
- Social grounds include:
 - Age
 - Disability
 - Sex
 - Creed/religion
- Duty to accommodate up to the point of undue hardship

- Employment and customer service accessibility standards
- Training and policy requirements

- Program and policy development
- Workplace violence and harassment

Payroll and Tax Deductions

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- Deductions:
 - CPP
 - EI
 - Provincial tax
 - Federal tax
- Independent contractors vs. employees

Soft “Obligations”

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- Personnel policies
- Performance evaluations
- Compensation reviews
- Benefits
- Job descriptions
- Team building

Council Policies

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- Confidentiality
- Respect Among Council Members

Questions

11



Ministry of Health
Ministry of Long-Term Care

Assistant Deputy Minister
Strategic Policy, Planning & French Language
Services Division

438 University Avenue, 10th floor
Toronto ON M7A 2A5

Ministère de la Santé
Ministère des Soins de longue durée

Sous-ministre adjoint
Division des politiques et de la planification
stratégiques, et des services en français

438 avenue University, 10e étage
Toronto ON M7A 2A5



MEMORANDUM TO: Registrars and CEOs of Ontario's Health Regulatory Colleges

FROM: Sean Court
A/Assistant Deputy Minister

DATE: September 1st, 2020

RE: **College Performance Measurement Framework Implementation**

I am pleased to inform you that the Ministry of Health (ministry) will be implementing the College Performance Measurement Framework (CPMF) this Fall.

As you are aware, the ministry is committed to building a connected and sustainable health care system centered around the needs of patients. One key component of this journey is to continue strengthening transparency and accountability of regulated health professions to engender trust between Ontario's regulated health colleges and the public. The CPMF will assist the ministry in achieving these goals.

The CPMF that you helped to develop, will for the first time in Ontario, measure and report in a standardized manner how each of you is acting in the public interest. It will report on how well Colleges have met a set of best practices (Standards) related to their key statutory functions and key organizational aspects that enable a College's ability to carry out its functions well.

The ministry recognizes that Colleges might not have implemented all CPMF Standards at this point in time. The purpose of the first CPMF reporting cycle is to provide baseline information on the structures and processes each College currently has in place along with the activities that are currently being undertaken respecting the CPMF Standards and to demonstrate a College's commitment to continuously improve its performance.

The implementation of the CPMF will begin with a soft launch of the Framework in September 2020 which will provide the Colleges with the opportunity to ask any questions about the reporting expectations outlined in the attached CPMF Reporting

Tool and accompanying Technical Specifications document for calculating the quantitative measures. The official launch will occur in October 2020 and following this official launch, the ministry will ask each College to:

- Start completing the CPMF Reporting Tool.
- Meet with the ministry to discuss the “System Partner” Standards.
- Post the completed CPMF report on its website by March 31, 2021 and send a copy to the ministry.

The ministry will not review and assess the degree to which a College has implemented the CPMF Standards for the purpose of publicly reporting on how well each College is performing. However, the ministry will:

- Meet with each College to discuss its report, provide performance feedback and potentially set expectations to improve.
- Draft and post a report on the ministry website that will summarize the CPMF results at system level (as opposed to the performance of each individual college).

Prior to starting the second CPMF reporting cycle in October 2021, the ministry together with the Colleges, the public and experts will evaluate and refine the CPMF based on the results of and feedback received during the first reporting iteration. It is envisioned that for the second reporting cycle Colleges will be only asked to report back on improvements identified during baseline reporting, any changes in comparison to baseline reporting and any changes resulting from the refined Standards, Measures and Evidence.

I would like to thank all of you for your advice and support to date in developing the CPMF and the ministry looks forward to continuing to work with you on this very important work.

Sincerely,



Sean Court
A/Assistant Deputy Minister

- c. Helen Angus, Deputy Minister, Ministry of Health (MOH)
Allison Henry, Director, Health Workforce Regulatory Oversight Branch, MOH

Issue Note

Issue: Vacancy in District 6
Prepared for: Council
Date: September 14, 2020

Background

In July 2020, the professional member from District 6 resigned from Council. This district was last up for election in July 2018.

According to College By-Law 10.33, this created a long-term vacancy in district since the seat became vacant more than 12 months before the members' term of office expired. The member resigned in July 2020 and his term was supposed to end in September 2021.

In the event of a long-term vacancy and in accordance with the By-Laws, Council may do any of the following:

- appoint as a councillor the eligible candidate, if any, who had the most votes of the unsuccessful candidates in the last election for that electoral district or if that candidate is not willing to accept the appointment, the eligible candidate with the next highest number of votes; or
- in the case of a vacancy declared pursuant to By-law 10.31 (ii), appoint a successor from among the members of the College who would be eligible for election if an election were held; or
- if there is no eligible candidate under 10.33(i) direct the holding of a by-election for that electoral district which shall be held in a manner consistent with the elections held under this By-law.
-

Options for consideration

Appoint the second or third place candidate

Staff confirmed that a competitive election occurred in District 6 in 2018 with three candidates running. The candidate who came in second place is currently Vice-President of the Ontario Kinesiology Association, making him ineligible for a position on Council. Staff contacted the candidate who came in third place, and she cannot commit to the position at this time.

Appoint a successor from among the membership

This option presents several logistical challenges as to how and whom to select as a successor, and may raise questions about Council's objectivity when it comes to the composition of Council. However, the College's By-Laws state that the potential candidate must be eligible for election if an election were held. The eligibility criteria are as follows:

A member is eligible for election to Council in Electoral Districts 1 through 6, if on the closing date of nominations and anytime up to and including the date of the election:

- a) the member is eligible to vote in the electoral district in which the member is nominated;*
- b) the member is not the subject of any disciplinary or incapacity proceedings;*
- c) no finding of professional misconduct, incompetence or incapacity has been made against the member in the preceding three years;*
- d) the member is not subject to any order, direction, or term, condition and limitation of the*
- e) Discipline Committee, the Fitness to Practise Committee or the Quality Assurance Committee;*
- f) the member has not been an employee, officer or director of any professional association or certifying body in the healthcare and health-related fields for one year prior to the date of nomination for the Council of the College of Kinesiologists of Ontario, such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer or director of the Ontario Kinesiology Association. In the first year of elections following the date of proclamation, the time lapse required before accepting nomination shall be six months prior to the closing date of nominations;*
- g) the member has not been disqualified from the Council or a committee of the Council in the previous three (3) years;*
- h) the member is not a member of the council or of a committee of the college of any other health profession; and*
- i) the member has not been a member of the staff of the College at any time within the preceding three (3) years.*

Given the close scrutiny that all colleges are under and the perception that exists among the public that colleges "protect their own", proceeding with this option may diminish trust and confidence in the College's governance processes. If Council decided to proceed with this option, Council would need to demonstrate that this process of appointment was fair and transparent.

Hold a by-election

This option will take the most amount of time and will result in some costs. The College will need to follow all timelines in the By-Laws associated with nomination and election periods, and engage its vendor to create a new nomination and election process. For example, the Registrar must give at least 60 days' notice to registrants in the district of an election and ample time must be given to submit nominations. If Council decided to proceed with this option, staff would need to inform registrants in District 6 of an upcoming election fairly quickly and begin the nomination process. Although on a very tight timeline, a new Council member would be elected in time for the December meeting (assuming the member is not elected by acclamation). Since District 6 is up for election in 2021, the member would need to submit their name for election again in May 2021.



Resolution: Appointment of Officers and the Executive Committee members

Whereas the term of office for the president, vice-president and remaining members of the Executive Committee is one year; and

Whereas Council members were invited to submit their intent to stand for the Executive Committee on August 24, 2020 and for president and vice-president on August 24, 2020; and

Whereas there were no more than one candidate for each position and/or Council conducted elections and all Council members were provided the opportunity to vote by secret ballot; and

Whereas the members below were elected and/or acclaimed.

Therefore, be it resolved that:

be appointed President;

be appointed Vice-President;

be appointed as a member of the Executive Committee;

be appointed as a member of the Executive Committee; and

be appointed as a member of the Executive Committee.

Moved by

Seconded by

September 14, 2020



Resolution: Registrar to supervise election of officers

Whereas the Registrar is required by the By-Laws to supervise the election of officers; and

Whereas the Registrar is not the chair of meetings;

Therefore, be it resolved that the Registrar assume the chair for the portion of the meeting relating to election of officers.

Moved by

Seconded by

September 14, 2020

Proposed Committee Composition

Red= Committee chair or vice-chair

Committee	Professional members	Public members	Member(s)-at-large
Executive			n/a
Finance	Jennifer Pereira Ben Matthie	Chad McCleave, Chair	n/a
Registration	Ryan Wight, Chair Graydon Raymer Elwin Lau Jennifer Pereira Susan Garfat Alis Bonsignore	Sara Gottlieb, Vice Chair Victoria Nicholson Leslee Brown (alternate – if needed) Teresa Brown (alternate – if needed)	Jaclyn Benn Holly Wykes Kristin Baker
Quality Assurance	Graydon Raymer, Chair Marie Cousineau Candace Glowa Susan Garfat Alis Bonsignore	Leslee Brown, Vice Chair Victoria Nicholson Teresa Bendo	Mardy Fraser Alicia Oliveira Jane Gage Adeola Giwa Xana Ouellette
ICRC	Elwin Lau, Chair Ben Matthie Susan Garfat	Chad McCleave, Vice Chair Leslee Brown Teresa Bendo	Michelle Young Doug Freer Francesca McKenzie Leanne Smith Ivan Irani Kimberly Finnie
Patient Relations	Ryan Wight Jennifer Pereira Alis Bonsignore Marie Cousineau	Teresa Bendo, Chair Mary Pat Moore Sara Gottlieb	Ariel Zohar Aaron McCullagh Edward Madou Mashood Khan
Examination Appeals	Ben Matthie	Victoria Nicholson, Chair Chad McCleave Mary Pat Moore	
Discipline	All	Sara Gottlieb, Chair Mary Pat Moore, Vice Chair All	Alyssa King Pamela Paquette
Fitness to Practise	All	Jennifer Pereira, Chair All	Amber Provencal Levesque



Resolution- Committee slate for 2020/2021

Whereas the bylaws specify that Council shall appoint members to Committees; and

Whereas the Council is also required to appoint members at-large to Committees in compliance with the bylaws; and

Whereas the terms of appointment are generally for one year and such Committee appointment terms of Council members have expired; and

Whereas Council members, including four newly elected, were canvassed for their interest regarding which committees they wished to serve on for the coming year; and

Whereas the College invited kinesiologists to submit their applications to serve as non-Council committee members; and

Whereas per By-law 13, the Executive Committee reviewed applications for appointment as members-at-large, the preferences of Council members where indicated, and also considered the needs of the Committees and is now recommending a proposed slate for committee membership based on the needs of each committee and the interests and skills of Council members and kinesiologists;

Therefore, be it resolved that the Council of the College of Kinesiologists of Ontario appoints the committee members and chairs as per the attached slate developed and recommended by the out-going Executive Committee.

Moved by:

Seconded by:

Date: September 14, 2020