

CPHR

British Columbia
& Yukon

Complaints and Discipline Process and Policy

2026

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Introduction

The Chartered Professionals in Human Resources of British Columbia and Yukon (CPHR BC & Yukon) establishes and promotes compliance with human resources management standards, rules, and best practices with a view to protect the interests of the public through the effective certification and empowerment of skilled human resources management professionals.

In order to deliver on this pledge, CPHR BC & Yukon has interest in ensuring that human resources professionals are competent, that they conduct themselves in an honourable and ethical manner, that process is followed in instances of alleged malpractice or wrongdoing, and that remedial measures are pursued when the circumstances command or warrant. In short, CPHR BC & Yukon and its members acknowledge that human resources management professionals must exercise a number of important character traits while possessing also the acumen and skill to make adept authoritative and moral judgements—and that a regime of investigation and discipline may be occasionally called upon where a member’s performance or conduct is called into question.

Serving as a complement to the CPHR BC & Yukon **Code of Ethics & Rules of Professional Conduct**, this **Complaints and Discipline Process and Policy** represents the Association’s investigative and disciplinary protocol in matters and dealings of actual, perceived, and alleged failure of a member to satisfy the high professional standards of the Association. Intent to ensure due process and accountability, this Complaints and Discipline Process and Policy shall be enforced and administered by Association delegates with efficiency, fairness, and transparency.

This **Complaints and Discipline Process and Policy** shall be applied in a manner and means consistent with, and reliant on, the provisions of the Association’s **Code of Ethics & Rules of Professional Conduct**, as may be from time to time revised.

Importantly, members are reminded that both the **Code of Ethics & Rules of Professional Conduct** and the **Complaints and Discipline Process and Policy** apply to all members, as employees and those engaged in independent practice, either providing services within or outside of their own jurisdiction; recognizing also that other jurisdictions may impose alternate standards or employ variant practices that may likewise impart responsibilities, obligations, and treatment onto a member. In all instances, the member is further counselled to abide by any and all jurisdictional laws or statutes, which shall take precedence over the **Code** or this **Standard**.

Definitions

In this *Complaints and Discipline Process and Policy*:

- » **“Alternate Dispute Resolution”** means a due process or mechanism by which a Complaint may be resolved through such alternate methods as dialogue, mediation, negotiation, arbitration, summary decision, or agreement as decreed by the Complaints & Discipline Committee.
- » **“Appeal Committee”** means a committee appointed on an ad hoc basis by the Chair of the Association’s Board of Directors and adjudicates appeals to decisions of the Association’s Discipline Committee (DC).
- » **“Association”** means the Chartered Professionals in Human Resources of British Columbia and Yukon.
- » **“Board”** means the Board of Directors of the Association.
- » **“CPHR BC & Yukon”** means the Chartered Professionals in Human Resources of British Columbia and Yukon.
- » **“Client”** means the person or entity engaging an Association member as an independent practitioner or contractor for the performance of professional human resources management services.
- » **“Code”** means the Code of Ethics and Rules of Professional Conduct of the Association.
- » **“Complaints & Investigations Committee”** is a committee appointed by the Board of Directors, on an ad hoc basis from a pool of volunteers, as required. It receives complaints or allegations stemming from CPHR BC & Yukon’s Code of Ethics & Principles of Professional Conduct (Code), particularly violations made against chartered members of the Association.
- » **“Complainant”** means an individual or entity who files a complaint with the Association about a member.
- » **“Complaint”** means a written or verbal communication received by the Association alleging misconduct by a member of the Association.
- » **“Confidential Information”** means any information that is provided to a member with reasonable expectation that such information not be divulged except for the purpose for which it was provided.
- » **“CPHR”** means the Chartered Professionals in Human Resources designation, as may be issued only by authorized provincial and territorial bodies.
- » **“Discipline Committee”** is a committee appointed on an ad hoc basis by the Chair of the Association’s Board of Directors and renders decisions in regards to discipline matters relating to the Association’s Complaints & Investigations Committee referrals.
- » **“Employer”** means a legal entity that hires and directs a member and/or others under an implied or express contract of employment and pays compensation in the form of salary or wages for services rendered.

- » **“Enquiry”** means the systematic investigation of an incident, event, or conduct relying on the collection of information and through questioning and other means with a view to informing a finding.
- » **“Independent practitioner or independent practice”** means a member publicly and regularly practicing and providing human resources management services for professional fees; not serving as, or constituting, an employee of the hiring organization(s).
- » **“Investigator”** means an independent examiner duly appointed by the Complaints & Investigations Committee of the Association to collect information and statements of fact resulting from the lodging or determination of a complaint against a member or firm with the Association.
- » **“Malpractice”** means the delivery of inferior or substandard services by a member failing to provide the quality of service that would be reasonably expected under the circumstances, potentially resulting in harm, loss, or damage to a client or employer.
- » **“Member”** means a professional member, who has been granted the Chartered Professional in Human Resources (CPHR) designation by the Chartered Professionals in Human Resources of Canada, as per the bylaws.
- » **“Misconduct”** means the unacceptable or improper behaviour, conduct, or comportment of a member, including also mismanagement and neglect of duties.
- » **“Principle”** means a general, fundamental, or primary truth, edict, or tenet, which the Association proclaims as the system of behaviour, from which rules are engendered.
- » **“Profession”** means the profession of human resources management.
- » **“Rule”** means a directive governing conduct, action, arrangement, process, behaviour, or performance that members shall abide by.

1. General Provision

1.1 | CPHR BC & Yukon Code of Ethics & Rules of Professional Conduct (Code)

- 1.1.1** Association members have an enduring duty to conduct themselves in an ethical and professional manner as provided for, and prescribed by, the CPHR BC & Yukon Code.
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- 1.1.2** An Association member employed or engaged in a jurisdiction outside of CPHR BC & Yukon's catchment area of British Columbia and the Yukon shall, to the reasonable extent, abide by the CPHR BC & Yukon Code while upholding and satisfying in priority the provisions of any affiliated or counterpart human resources management Association of the assignment jurisdiction.
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- 1.1.3** Where the CPHR BC & Yukon Code departs from, conflicts with, contrasts, or contravenes any Act or legislation, statute, or regulation, the Code and any standards of the Association shall cede to the prominent law and its provisions.
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1.2 | Breach of the Code

- 1.2.1** A breach of the Code includes, but is not necessarily limited to, any of the following:
- i. Perpetration of, or known involvement in, criminal activity;
 - ii. Performance of acts or omissions having likely potential to cast disrepute onto the human resources management profession or the CPHR designation;
 - iii. Violation of ethical principles or rules of professional conduct of the Association;
 - iv. Contravention of professional or practice standards of the Association;
 - v. Commission of gross professional negligence or malpractice;
 - vi. Failure to maintain records as required by law or by virtue of membership in the Association; or,
 - vii. Execution of less serious offences or infractions which, cumulatively, may signify unfitness to use the designation of CPHR or be granted membership to the Association.
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1.3 | Roles of Delegated Officials

- 1.3.1** In discharging the obligations and duties of the investigation and adjudication processes, reliance shall be placed on the three distinct constructs comprising the CIC, DC, and AC. The separation of functions performed by these individual constructs is designed to enhance fairness, impartiality, and due process in investigating and adjudicating Complaints brought against a member.
-

1.4 | Local Laws & Customs

- 1.4.1** Where an Act or legislative provision sets out the investigation and discipline process of an Association member or profession, this Complaints and Discipline Process and Policy shall cede to the provisions of the prominent law; recognizing however that the Association may impose remedial or punitive judgement against a member to the extent that such action is not precluded by the aforementioned laws and provisions.

2. Investigation & Enquiry Process

2.1 | Composition of the Complaints & Investigation Committee

- 2.1.1** The CIC shall comprise not fewer than three (3) members, of whom not fewer than two (2) members of the full Committee shall hold the CPHR designation, and with at least one member having a legal background or investigative experience.
- 2.1.2** The Chair of the CIC will be appointed by the Chair of the Board.
- 2.1.3** The CIC may rely on a senior Association staff member to provide administrative guidance.
- 2.1.4** Members of the CIC will be mindful of potential and perceived conflicts of interest and will, as circumstances dictate, refrain from participation in CIC activities that might reasonably put into question the independence of the CIC.
- 2.1.5** Members of the CIC will hold in strict confidence all confidential information acquired in the performance of their duties and not divulge or otherwise release confidential information unless to an authorized agent of the organization, compelled by the process of law, or in extenuating circumstances to mitigate the risk of serious harm.
- 2.1.6** In compliance with the Code, members of the CIC will hold in strict confidence deliberations, actions, and outcomes relating to any proceedings associated with an investigation.

2.2 | Composition of the Discipline Committee

- 2.2.1** The DC shall comprise three (3) members from the Board of Directors, of whom not fewer than two (2) of the full Committee shall hold the CPHR designation.
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- 2.2.2** The Chair of the DC shall be appointed by the Chair of the Board.
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- 2.2.3** DC members shall not concurrently be members of the AC or a party to the CIC.
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- 2.2.4** The DC may include, or rely on, a senior Association staff member(s) providing administrative guidance and may delegate to such appointee(s) operational responsibilities which include measures relating to "Alternate Dispute Resolution" as defined in the Compliance Standard.
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- 2.2.5** Members of the DC will be mindful of potential and perceived conflicts of interest and will, as circumstances dictate, refrain from participation in DC activities that might reasonably put in question the independence of the DC.
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- 2.2.6** Members of the DC will hold in strict confidence all confidential information acquired in the performance of their duties and not divulge or otherwise release confidential information unless to an authorized agent of the organization, compelled by process of law, or in extenuating circumstances to mitigate the risk of serious harm.
-

2.3 | Originating Event & Process Initiation

- 2.3.1** An allegation, claim, or criticism against a member will typically emerge from an originating incident, event, or chain of events which, in the view of the Complainant or the Association, are sufficiently material to initiate a formal Complaint or examination of facts.
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- 2.3.2** The investigation process will be initiated upon receipt by the Association of a Complaint against a member (complaint-based) or otherwise by virtue of adverse particulars in regards to a member received by the Association from reliable sources (information-based).
-

2.3.3 A Complaint must set out in writing a detailed statement of the acts, events, or omissions giving rise to the complaint, along with relevant particulars (such as incident time, date, alleged perpetrator(s), witnesses, nature, and supporting documentation/evidence), inclusive of alleged Code provision violation to a level of detail reasonably permitting the Respondent to comprehend and respond to an allegation. The complaint should include any supporting documentation. The allegation must be linked to a violation of the Code in order for it to be considered by the CIC. A sample form is included in Appendix B, which Complainants will be required to complete and submit.

2.3.4 Upon receipt of a formal complaint against a member or finding of information-based justification, any process initiation shall be herein referred to as a "Complaint".

2.3.5 To be considered for adjudication, the complaint must be received within one year of the alleged violation or one year from the date on which the Complainant knew or reasonably ought to have known of the alleged violation.

2.3.6 Where the Complaint is filed more than one year from the date of the alleged violation, or more than one year from the date on which the Complainant knew or reasonably ought to have known of the alleged violation, the Complainant shall file material to explain why the CIC should exercise its discretion to extend the time limit. If the explanation is that the violation is a continuing offence, the Complainant should state this and the basis for that position. The CIC can then decide whether to dismiss the Complaint as untimely, refer the issue of timeliness to the CIC, or rule that the Complaint is timely.

2.3.7 Where the CIC determines that a complaint is frivolous, vexatious, malicious, insufficiently legitimate, or inadequate to warrant sanction, the Committee may decline to examine or investigate such complaint.

2.3.8 The notice of enquiry must:

- › provide reasonable notice to the member of the time and place of the enquiry;
- › indicate which provision(s) of the Code are alleged to have been breached; and,
- › provide the member with sufficient particulars of the Complaint and the evidence to enable the member to respond to the allegations and present a defense.

2.3.9 The enquiry shall be conducted as efficiently and expeditiously as the circumstances and fairness warrant.

2.3.10 All powers necessary to enable authorized individuals to conduct an effective investigation are vested in, and with, the CIC.

2.3.11 Any individual who assists the CIC in an investigation shall be personally independent from: (a) the subject of the investigation; and (b) anyone connected with, or interested in, the matter investigated. If a conflict exists at the outset or arises during the investigation, the Investigator shall immediately withdraw. Similar considerations shall apply equally to anyone connected with the assessment, hearing, or determination of cases.

2.3.12 When a decision is made to investigate a Complaint, the members to whom the Complaint applies shall be notified by the CIC of the existence of the Complaint and provided with enough information regarding the Complaint to understand the nature of the allegations.

2.3.13 Members are required to cooperate in the investigation of Complaints and to respond promptly, in the manner specified, to all communications from the CIC. Such cooperation shall include being available for interviews as well as producing any documents requested by the CIC, and/or their duly appointed delegates.

2.3.14 The Association shall ensure the availability of appropriate and timely investigative and disciplinary action. The Association shall ensure that all investigative and disciplinary processes are consistent with the rules of natural justice and applicable laws.

3. Direction by the Complaints & Investigations Committee & the Discipline Committee

3.1 | Procedure

3.1.1 Upon the completion of any investigation and enquiry processes, the CIC shall review the evidence and rule on the allegation giving rise to the contended breach of the Code.

3.1.2 Based solely on its findings, the CIC may:

- › dismiss the Complaint;
 - › refer it to the DC;
 - › refer the Complaint to Alternative Dispute Resolution; or,
 - › render a finding and, as deemed reasonably fitting, impose a remedial sanction.
-

3.1.3 The DC will examine the report put forth by the CIC and decide on the type of discipline to be rendered, if any:

- i. The DC may decide not to proceed with any discipline or;
- ii. The DC may decide to request more information, or;
- iii. The DC may determine that discipline is warranted.

3.1.4 The Association shall, relying on the authority and processes administered by the CIC, dismiss Complaints having been determined groundless, or having been found void of a Code violation.

3.1.5 The CIC shall have the right to dispose of any matter deemed suitable for Alternative Dispute Resolution or to the DC.

3.1.6 In cases where the CIC determines that the Complaint has been proven, the DC may impose a sanction, including:

- › reprimand;
- › loss or restriction of membership or practice rights;
- › mandatory attendance (including successful completion) of professional development courses, programs of study, or examinations or inspections;
- › fine and/or payment of costs;
- › suspension of membership or practice rights and/or surrender of the CPHR designation;
- › expulsion from membership;
- › bar from reinstatement; or,
- › any combination thereof.

3.1.7 When determining the appropriate sanction(s), the CIC or the DC may take into consideration any previous findings against the member.

3.1.8 The finding that there has been a breach of the Code and any sanction imposed by the CIC or the DC must be communicated in writing to the member within a reasonable period of time following the investigation or enquiry.

3.1.9 In cases where there has been a finding of a breach of the Code, the decision and reasons shall be published (including consideration of publicly identifying the matter on the Association website, together with the identity of the member and an account of the allegations, or the allegations, findings and sanctions) unless the CIC and DC determines that publication of the finding and sanction, as well as the member's name, is not required in the public interest.

4. Appeal Process

4.1 | Composition of the Appeal Committee

- 4.1.1** The AC shall comprise of three (3) members from the Board of Directors, of whom not fewer than two (2) of the full Committee shall hold the CPHR designation.
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- 4.1.2** The Chair of the AC shall be appointed by the Chair of the Board.
-
- 4.1.3** AC members shall not concurrently be members of the DC or party to the CIC.
-
- 4.1.4** The AC may include, or rely on, a senior Association staff member(s) providing administrative guidance and may delegate to such appointee(s) operational responsibilities, which include measures relating to "Alternate Dispute Resolution" as defined in the Compliance Standard.
-
- 4.1.5** Members of the AC will be mindful of potential and perceived conflicts of interest and will, as circumstances dictate, refrain from participation in AC activities that might reasonably put into question the independence of the AC.
-
- 4.1.6** Members of the AC will hold in strict confidence all confidential information acquired in the performance of their duties and not divulge or otherwise release confidential information unless to an authorized agent of the organization, compelled by process of law, or in extenuating circumstances to mitigate the risk of serious harm.
-

4.2 | Procedure

- 4.2.1** It is not the purpose of an appeal hearing to hear new evidence or to rehear the matter. However, without limiting their ability to determine the admissibility of information or evidence, the AC may consider whether to admit new evidence, should new material facts or developments be uncovered by any Party, which could not have been reasonably discovered prior to the hearing of the CIC. Should the AC accept in the circumstances to admit new evidence, it may do so on such terms as it considers just, including admitting the evidence as part of the appeal and determining the matter.
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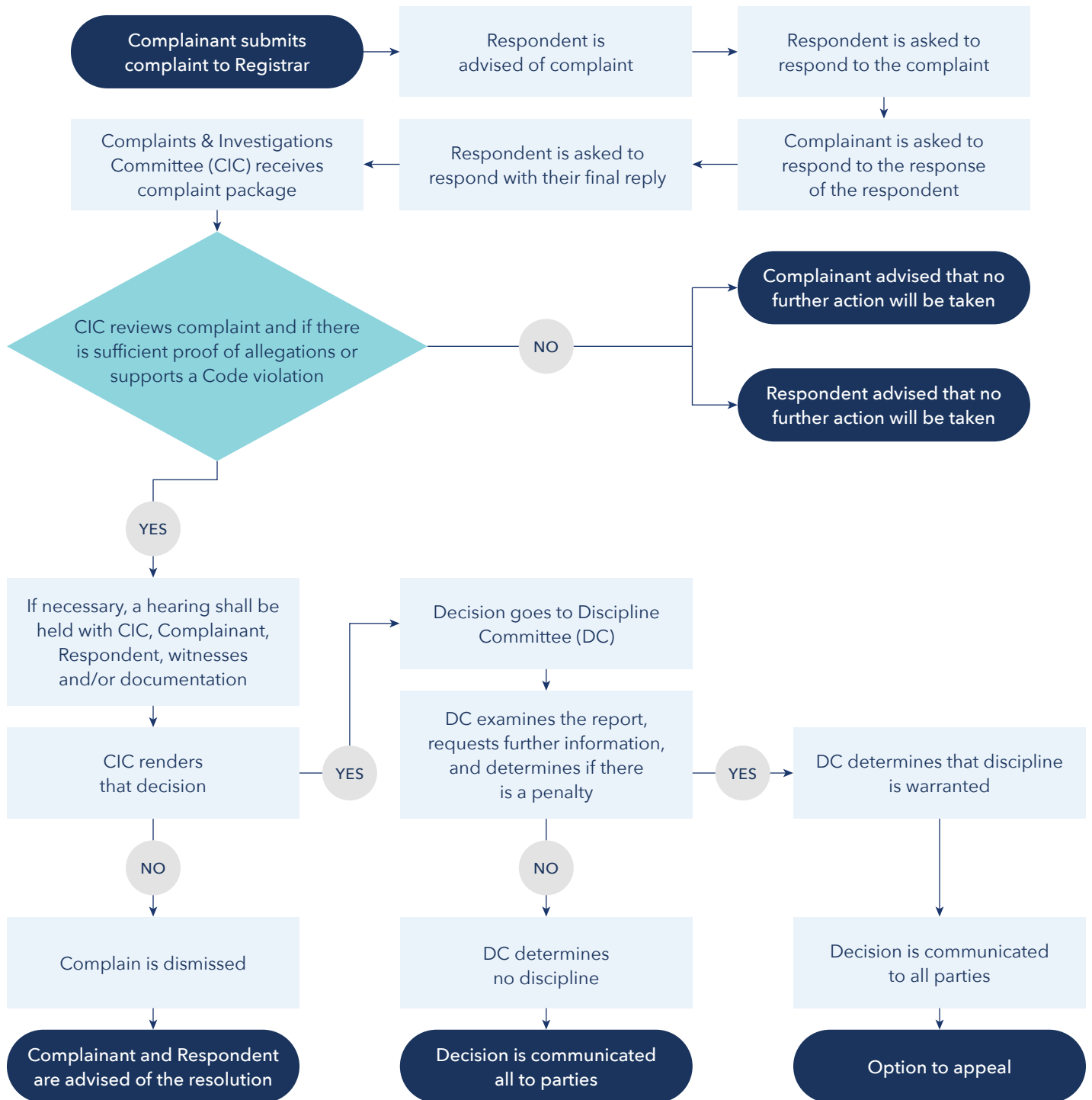
-
- 4.2.2** An appeal must be set out in writing with a detailed account of the grounds of the appeal. Importantly, Parties need to be aware that an appeal does not attract re-hearing of the matter (trial de novo), but rather, is accountable to examine claims made on the basis of a manifest error in fact, error in law, including error in interpretation of the Code, the Compliance Standard, other standards of the Association, any relevant bylaws, statutes or common law, or error in the administration of natural justice.
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- 4.2.3** The AC may meet in person or virtually at the call of the Chair of the AC or upon invitation of the Registrar or alternate senior Association staff member.
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- 4.2.4** A Party to a DC decision, either as Complainant or Respondent, shall have the right as an “Appellant” to appeal the decision of the DC.
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- 4.2.5** Notwithstanding the right of the AC to extend timelines in extenuating or extraordinary circumstances, an appeal must typically be filed with the Association in writing within thirty (30) days of the issuance of the decision of the DC.
-
- 4.2.6** Within thirty (30) days of an appeal, which is deemed justified being received by the Association, the other Party (Complainant or Respondent) to the decision of the DC, shall receive from the Association:
- i. a copy of the Appeal; and,
 - ii. a notice advising the Party that they can, within thirty (30) days, file a submission to the Association, setting out concurrence or rebuttal to the Appeal.
- The appeal referred to in 4.2.6 (i) above shall be delivered by email to the current address of the Party on file with the Association, soliciting acknowledged receipt. Failure to secure proof of the acknowledged receipt, in and of itself, shall not serve to suspend a determination.
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- 4.2.7** Within fourteen (14) days of receipt by the Association of the submission of the other Party, a copy of the submission shall be directed to both the Appellant and the AC.
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- 4.2.8** Within fourteen (14) days of having received a submission, as described in 4.2.7 above, or having exhausted the thirty (30) day period failing receipt of such submission, as the case may be, the AC shall, through the Association Registrar, arrange for a hearing before the AC.
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- 4.2.9** An appeal hearing by the AC shall be scheduled, providing for not less than a thirty (30) day notice to the Parties, with such hearing to occur within sixty (60) days of the notification to the Parties of the decision to hold a hearing.
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- 4.2.10** The AC and Parties to the hearing shall receive, not less than fourteen (14) days before the hearing, a comprehensive docket containing the originating complaint, along with responses and replies, the decision of the DC, the appeal document, and any submissions filed by the Parties.
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- 4.2.11** In the event of a Hearing, the Parties may at their own respective costs, be accompanied by legal counsel, or other appointed delegate or representative having an understanding of the nature, purpose, and process of such hearing. The parties will be made aware by the association if external representation is sought by either party.
-
- 4.2.12** The AC, in hearing an appeal, may confirm the decision of the DC, vary the decision of the DC, or overturn the decision of the DC. Decisions of the AC shall require a majority vote.
-
- 4.2.13** Within thirty (30) days of the appeal hearing, upon consideration of the appeal and any submissions, the AC shall advise the Board through the Board Chair of the Association, as necessary and shall render its decision in writing to the Parties.
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- 4.2.14** The Registrar, acting as Secretary to the AC, shall retain all records forming part of a complaint, investigation, hearing, discipline, or appeal processes of the Association along with all exhibits and submissions of the Parties for a period of not less than twenty-four (24) months following the date that a decision is issued by the AC.
-
- 4.2.15** The AC shall have the right, discretion, and authority to vary the processes and timelines associated with these rules and procedures to the extent that variations are deemed by the AC to enhance the reasonableness of the exercise for all the Parties, public interest, and without prejudice to any of the Parties.
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- 4.2.16** Meetings can be held by virtual means.
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- 4.2.17** There shall be a record kept for all Committee meetings.
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5. Effective Date

This Complaints and Discipline Process and Policy shall have an effective date of September 1, 2025, or in the event that the Association secure self-regulatory authority, upon the date which such condition comes into force recognizing that accommodating provisions may correspondingly be instituted.

Appendix A: Flowchart of the Complaint Process



All communication to complainant and respondent and committees is sent by the Office of the Registrar.

Appendix B: Complaint Form

As outlined in 2.3.3, a Complaint must set out in writing a detailed statement of the acts, events, or omissions giving rise to the complaint, along with relevant particulars (such as incident time, date, alleged perpetrator(s), witnesses, nature, and supporting documentation/evidence), inclusive of alleged Code provision violation to a level of detail reasonably permitting the Respondent to comprehend and respond to an allegation. The complaint should include any supporting documentation. The allegation must be linked to a violation of the Code in order for it to be considered by the CIC.

A sample form is included in the next page, which Complainants will be required to complete and submit.

People Leading Business.

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CPHRBC.CA