

Reporting a Potential Breach of the Code of Professional Conduct Guide

The National Payroll Institute governs the conduct of members of The National Payroll Institute in the practice of their profession through the articulation and enforcement of a Code of Professional Conduct.

The National Payroll Institute is committed to a complaints process based on impartiality and procedural fairness for all parties.

WHAT IS THE NATIONAL PAYROLL INSTITUTE AUTHORITY?

The National Payroll Institute is the governing body for the payroll profession, membership within the Institute and its certifications. Adherence to the Code of Professional Conduct and the process is covered in the By-laws 2014-1 of the National Payroll Institute. Complaints against certification holders and non-certification holders can be directed to the National Payroll Institute.

Email: certification@payroll.ca

Toll-free: 1 (800) 387-4693

WHO MAY REGISTER A COMPLAINT?

A complaint against a member, a certified member may be made by anyone, including a member of the public, a fellow Certification holder, a member from another profession such as Human Resources or Accounting, or the Certification Department on behalf of the National Payroll Institute.

HOW TO REGISTER A COMPLAINT WITH THE NATIONAL PAYROLL INSTITUTE?

If you wish to register a complaint with the National Payroll Institute about one of its certified or non-certified members, please complete the Complaint Form. All complaints must be received in writing (letter mail, email or fax) and should clearly and precisely state:

- The complainant's full name, position, and organization including contact information (if available)
- The name(s) of the certified (or non-certified) member(s) who is(are) the subject(s) of the complaint
- A chronological history of the events including the date, time and location where specific events occurred
- The name(s) and contact information of any witness or anyone who may be able to provide further information
- A summary of the complaint and copies of any documentation (letters etc.) that support the complaint (this is known as evidence). If it is alleged that more than one section of the Code of Professional Conduct has been breached then the supporting documentation should be clearly labeled as to which allegation(s) it supports
- A description of the situation and which portion(s) of the Code of Professional Conduct are alleged to have been breached
- Whether the complaint is or has been filed with an official legal body (e.g. any provincial Human Rights Commission). If yes, identify the body and the status of the matter

THE WRITTEN COMPLAINT MUST BE SENT TO:

The National Payroll Institute
Vice-President, Education
250 Bloor Street East, Suite 1600
Toronto ON M4W 1E6
Email: certification@payroll.ca
Fax: 416-487-3385

WHAT HAPPENS AFTER THE WRITTEN COMPLAINT HAS BEEN SENT TO THE NATIONAL PAYROLL INSTITUTE?

Once received, the information in the complaint is reviewed by the Vice-President, Education and, if necessary, the complainant will be contacted for clarification within 10 business days. In an effort to maintain full disclosure, once all information relevant to the complaint has been received, a copy of the complaint including supporting documents is sent to the member who is the subject of the complaint. The information sent to the member includes the name of the complainant but not their contact information.

The member is given at least 30 calendar days to respond to the complaint. The response must be in writing (letter mail, email or fax) and submitted to the Vice-President, Education. The complainant is provided with a copy of the member's response to the complaint (if any) and is given an opportunity to respond. This is not an opportunity for the complainant to restate their case, but instead for them to either refute statements made by the member, or address any new issue raised by the member.

The complaint and documentation are provided to the Chair of the Professional Code of Conduct Committee. The Chair appoints members of the Code of Professional Conduct Committee to consider the complaint.

WHAT PROCESS DOES THE PROFESSIONAL CODE OF CONDUCT COMMITTEE FOLLOW?

After reviewing the information provided in the complaint, the Code of Professional Conduct Committee may decide that the matter requires further investigation. The Committee may interview witnesses to assist in the determination of facts or to bring clarity to the circumstances that initiated the complaint. The Committee may also engage an investigator to conduct an investigation on their behalf. The Committee will provide their decision and reasons in writing to both the complainant and the member who is the subject of the complaint.

WHAT DECISIONS CAN THE CODE OF PROFESSIONAL CONDUCT COMMITTEE MAKE?

Once the investigation (if any) is complete, the Committee considers all of the evidence and may do one or more of the following:

- Take any action that it considers appropriate in the circumstances, including requiring the member to attend before one or more members of the Code of Professional Conduct Committee to receive a caution or admonishment
- Negotiate a resolution between the National Payroll Institute and the member
- Remove the member's certification and/or membership for a specific or indefinite period of time

IS THERE ANYTHING THE CODE OF PROFESSIONAL CONDUCT COMMITTEE CANNOT DO?

It is important to note that the National Payroll Institute has no authority to provide a financial remedy to the complainant, therefore the Code of Professional Conduct committee cannot award any damages. Additionally, the Committee cannot dictate whether an individual shall be rehired once they have been terminated by their employer.

If, at any time in the complaints process, the complaint appears to be frivolous or otherwise inappropriate to investigate, the Committee may decide not to investigate the complaint. The Committee will give reasons for this decision and notify the complainant of his or her right to ask for a review by the National Payroll Institute's Appeals Committee.

In extraordinary circumstances (for example where a complainant chooses not to proceed or is no longer available), the National Payroll Institute's Complaints and Professional Code of Conduct Committee may continue to proceed with the complaints process.

IS IT POSSIBLE TO APPEAL A DECISION OF THE CODE OF PROFESSIONAL CONDUCT COMMITTEE?

Either the complainant or the member who was the subject of the complaint may request a review of the Panel decision through an appeals process. The request for an appeal must be made within 30 calendar days of the Committee's decision and reasons being provided to the complainant and the member. The decision through the appeals process is final.

HOW LONG DOES THE PROCESS TAKE?

The timeline for the resolution of a complaint depends on the complexity of the case. Once all information relevant to the complaint has been received, the Code of Professional Conduct Committee makes every effort to reach a decision within 150 calendar days.