



Canadian
Physiotherapy
Association

Association
canadienne de
physiothérapie

**RULES
&
REGULATIONS**

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CANADIAN PHYSIOTHERAPY ASSOCIATION RULES AND REGULATIONS

1) ETHICS AND CONDUCT [Reference CPA Bylaws, Section 2]

A) Rules of Conduct¹

1) Responsibilities to the Client

The provision of effective quality care while respecting the rights of the client shall be the primary consideration of each member of the profession.

- (a) Physiotherapists shall respect the client's rights, dignity, needs, wishes, and values.
- (b) Physiotherapists may not refuse care to any client on grounds of race, religion, ethnic or national origin, age, sex, sexual orientation, social or health status.
- (c) Physiotherapists must respect the client's or surrogate's rights to be informed about the effects of treatment and inherent risks.
- (d) Physiotherapists must give clients or surrogates the opportunity to consent to or decline treatment or alterations in the treatment regime.
- (e) Physiotherapists shall confine themselves to clinical diagnosis and management in those aspects of physiotherapy in which they have been educated and which are recognized by the profession.
- (f) Physiotherapists shall assume full responsibility for all care they provide.
- (g) Physiotherapists shall not treat clients when the medical diagnosis or clinical condition indicates that the commencement or continuation of physiotherapy is not warranted or is contraindicated.
- (h) Physiotherapists shall request consultation with, or refer client to, colleagues or members of other health professions when, in the opinion of the physiotherapist, such action is in the best interest of the client.
- (i) Physiotherapists shall document the client's history and relevant subjective information, the physiotherapist's object findings, clinical diagnosis, treatment plan and procedures, explanation to the client, progress notes and discharge summary.
- (j) Physiotherapists shall respect all client information as confidential, and ensure that they are in compliance with current privacy legislation. Such information shall not be communicated to any person without the consent of the client or surrogate except when required by law.

¹ Rules of Conduct are extracted from the CPA Code of Ethics.

- (k) Physiotherapists, with the client's or surrogate's consent, may delegate specific aspects of the care of that client to a person deemed by the physiotherapist to be competent to carry out the care safely and effectively.
- (l) Physiotherapists are responsible for all duties they delegate to personnel under their supervision.

2) Responsibilities to Society

- (a) Physiotherapists shall recognize their responsibility to improve standards of health care.
- (b) Physiotherapists shall comply with all laws and regulations pertaining to the practice of physiotherapy.
- (c) Physiotherapists shall report, to the appropriate authorities, any member of the profession who appears to be incompetent or whose conduct while practicing as a physiotherapist appears to be unethical or illegal.
- (d) Where a direct fee is charged, physiotherapists shall inform clients, in advance, of the fee that will be commensurate with the service provided.

3) Responsibilities to the Profession

- (a) Members shall abide by the policies of the Association and support its mission.
- (b) Physiotherapists shall conduct themselves in such a manner as to merit the respect of the society for the profession and its members.
- (c) Physiotherapists shall engage in continuing education for growth and development.
- (d) Physiotherapists shall advance the science of physiotherapy by sharing relevant information and by supporting or engaging in research activities.
- (e) Physiotherapists shall be responsible for ensuring that research protocols respect the rights of research subjects and are in compliance with standards accepted by the scientific community.
- (f) Physiotherapists shall be willing and diligent preceptors in the education of physiotherapy students.
- (g) Physiotherapists shall ensure that their professional judgement and integrity are not compromised by motives of profit.
- (h) Physiotherapists shall enter into contracts and agreements only when professional integrity can be maintained.
- (i) Physiotherapists shall ensure that any advertising of their services is accurate, verifiable and acceptable according to the legal, social and professional norms of the times, and does not bring the profession into disrepute.

B) Conduct and Discipline Procedures

Overview

Physiotherapists who are current Members of Canadian Physiotherapy Association (CPA) are expected to uphold the highest standard of ethical behaviour and conduct in accordance with the CPA Code of Ethics. The CPA Code of Ethics provides a set of guidelines and principles for the professional behaviour expected of all Members.

Complaints about Members are limited to allegations that a Member has not met the expectations as set out in the Code of Ethics.

Complaint Process

In the event that CPA receives a complaint about the conduct of a Member the following process will be used to address the matter:

1. The complainant must document the details of the complaint in paper or electronic form. The complaint must include:
 - (i) the name of the Member
 - (ii) a detailed description of the concern
 - (iii) when the alleged conduct occurred
 - (iv) any relevant and supporting documentation such as copies of letters, e-mails, witness information
 - (v) the exact nature of the objectionable conduct
 - (vi) the desired outcome or recommendation for resolution
- 2) The complainant shall forward the complaint to the Chief Executive Officer of the CPA by mail, fax or via e-mail.
- 3) The CEO, in consultation with the President, shall ensure that the matter is within the jurisdiction of the CPA and, if so determine action to be taken. This may include:
 - (i) Dismiss the matter if frivolous or vexatious
 - (ii) Encourage the complainant and Member to communicate to resolve the matter
 - (iii) With consent of the complainant and Member attempt to resolve the matter
 - (iv) Begin an investigation
- 4) The CEO will communicate the action taken to the complainant within 21 days of receipt of the complaint.

- 5) Regardless of the action taken the CEO will advise the Member of the complaint.
- 6) If the matter is not within the jurisdiction of the CPA the CEO will advise the complainant of other options that may include civil action or a referral to a physiotherapy regulatory College.
- 7) If an investigation is commenced, in accordance with 3 iv), the CEO will provide the complaint details to the Member and request a written or electronic response within 21 days of delivery of the notice.
- 8) Upon receipt of the response the CEO will consider if adequate information is available and if not request additional information to be provided within 14 days.
- 9) Once all relevant information has been gathered the CEO may:
 - (i) Dismiss the complaint providing reasons to the complainant with a copy to the Member;
 - (ii) Refer the matter to a review panel for consideration and decision.

Panel Review

- 1) A panel of at least three (3) Board Members, including the Chair of the Governance Committee constitutes a review panel. The review panel will select a Chair.
- 2) The review may be done face to face or electronically at the call of the Chair.
- 3) The CEO will provide the review panel with all of the relevant material no less than 5 business days prior to the review taking place.
- 4) The Member may make representations to the review panel with or without legal counsel.
- 5) If the review panel determines that a breach of the Code of Ethics has occurred the panel may order the following sanctions:
 - (i) A formal letter of caution or reprimand
 - (ii) Request for formal apology in writing to be issued to the complainant
 - (iii) Request for voluntary Membership resignation
 - (iv) Removal from the Membership register
- 6) If the review panel determines that a breach of the Code of Ethics did not occur they shall dismiss the matter.
- 7) The decision of the review panel will be in writing with reasons and is the responsibility of the Chair.
- 8) The Chair will ensure that the decision is delivered in paper or electronically to the CEO,

complainant and Member within 21 days of the review.

Appeal

Right of Appeal

The complainant or Member may appeal the decision of the review panel limited to issues of due process and sanction only.

Appeal Process

- 1) The complainant or Member may exercise the right of appeal by filing a written notice of appeal, including the rationale, with the Director of Member Services within 14 days of the final decision being delivered.
- 2) Appeals are subject to an administration fee of \$200.00 to be paid at the time of application.
- 3) Three (3) other Members of the Board of Directors, (who did not participate in the original Panel Review), will act as the appeal panel. The appeal panel will select a Chair.
- 4) The appeal may be held face to face or electronically.
- 5) The Director of Member Services will schedule the appeal panel within 21 days of receipt of the appeal notice and provide all relevant information.
- 6) The appeal panel will consider the relevant information, the nature of the appeal and render a decision that may include:
 - (i) Returning the matter to the Review panel for re-consideration
 - (ii) Confirming the decision of the review panel
- 7) The decision of the review panel will be in writing with reasons and is the responsibility of the Chair.
- 8) The Chair will ensure that the decision is delivered in paper or electronically to the CEO, complainant and Member within 21 days of the appeal.

Decision

The decision of the appeal panel is final.

Reporting

The CEO will make an annual report of all complaints received and the nature of their disposition annually to the Board of Directors.

C) Penalties

Penalties for violation of the Code of Ethics and Rules of Conduct are in accordance with CPA Bylaws and the Conduct and Discipline Procedures.

D) CPA Appeal Policy Guidelines for CPA and its Components

Guidelines for the development of an Appeal Policy are attached as Appendix A to these Rules and Regulations.

2) MEMBERSHIP AND AFFILIATIONS [CPA Bylaws, Section 3]

A) Application

- 1) Application for membership in CPA shall be granted under the conditions outlined in Section 3 of the Bylaws:
- 2) Applicants must sign a declaration that he/she shall abide by the Bylaws of the Association.
- 3) Applicants who do not meet the criteria for membership as stated in the Bylaws and who wish to have their eligibility reviewed shall be referred to the Governance Committee.
- 4) Members shall pay fees based on the categories and rates prescribed by the Board of Directors.
- 5) Members applying for reinstatement following removal as a result of disciplinary action shall be reviewed by the Governance Committee to ensure requirements have been met.

6) Appeal

- (a) Applicants may appeal a decision of the Governance Committee to refuse membership or affiliation by submitting the appeal in writing to the Board of Directors.
- (b) The Board of Directors shall appoint an Appeal Board consisting of three (3) members of the Board who are not members of the Governance Committee.
- (c) The Appeal Board may conduct a hearing for consideration of the case and shall provide reasonable notice to the parties concerned.
- (d) The Appeal Board may:
 - (i) uphold the decision of the Governance Committee; or
 - (ii) grant the application for membership.
- (e) Decisions of the Appeal Board are final.

7) Provincial/Territorial Membership

- (a) Members are automatically members of the provincial/territorial Component of the

province/territory in which they are employed.

- (b) Members may apply to change provincial/territorial membership (i.e., to the jurisdiction in which they reside), by contacting the CPA national office.

B) Membership Fees

1) National

- (a) The Board of Directors shall establish a baseline rate for the national portion of the fee and the percentage of this rate to be paid by each category. Members shall pay the appropriate fee for the category applicable to them as at October 1. No refunds or additional charges shall be made should the category change during that membership year.
- (b) Where the baseline rate is increased more than 3% from one membership year to the next, membership approval of the fee increase will be sought at the AGM prior to the implementation of the fee increase.
- (c) The Board of Directors has the right, from time to time, to add an additional amount to the baseline rate of the national fee for the purpose of protecting the Associations resources. This amount, called a levy, is considered to be part of the membership fee and therefore must be paid by members to ensure continuation of full membership status. The amount shall be determined by the Board.
- (d) Physiotherapist members are divided into the following categories for payment of fees:
 - (i) Practising A - Employed more than 800 hours in one membership year. Fee shall be 100% of baseline.
 - (ii) Practising B - Employed up to and including 800 hours in one membership year. Fee shall be 80% of baseline.
 - (iii) Inactive - Not currently employed or employment is independent of qualifications as a physiotherapist. Fee shall be 60% of the baseline.
 - (iv) Grad Student - Full-time graduate students who have completed undergraduate physiotherapy education. Fee shall be 60% of the baseline.
 - (v) Outside Canada - Eligible for Physiotherapist membership but resides outside Canada. Fee shall be 60% of the baseline.
 - (vi) Retired - Physiotherapist members, aged 55 and over, permanently retired, and having at least 20 years of membership with the CPA or with a World Confederation of Physical Therapists (WCPT) member organization within the past 30 years. Fee shall be 20% of the baseline.

- (e) Membership with a zero payment of fee shall be granted as follows:
 - (i) Entry-level students in any year of a physiotherapy, physiotherapist assistant and Thérapeute en réadaptation physique education program joining CPA for the first time.
 - (ii) Individuals converting from Student to Full membership from the time of graduation to the end of the current membership year for those graduating between April 1 and September 30 pending confirmation of graduation.
- (f) A discount of 50% off the baseline national portion of the fee shall be granted in the first full year of membership following graduation provided he/she has been a student member for a minimum of two (2) years previously.
- (g) Physiotherapist Assistant Members shall pay 40% of the baseline.
- (h) Thérapeute en réadaptation physique Members shall pay 40% of the baseline.

2) Provincial and Territorial Fees

- (a) Provincial and Territorial fees shall be set in consultation with the Board of Directors and shall be collected at the same time as the national portion.
- (b) All members shall pay both the national and provincial/territorial fees as appropriate.

3) Affiliations

- (a) Affiliates who are individuals shall pay 50% of the baseline.
- (b) Affiliates who are not-for-profit organizations or associations shall pay 75% of the baseline.
- (c) Affiliates who are for-profit organizations shall pay a fee ranging from \$300 - \$1,000, to be determined by the Association.

4) The membership year shall be from October 1 to September 30 annually. Fees shall be paid annually at the beginning of each membership year or at the time of application.

5) Fees may be pro-rated 6 months into the membership year.

6) Refunds will not be given should a member resign or be removed from membership for just cause.

7) Division/Special Interest Group fees shall be set by the Division/Special Interest Group in consultation with the Board of Directors and shall be collected at the same time as the national portion or at any time during the year. Payment of such fees is optional but is a requirement for membership in a Division/Special Interest Group.

8) Members whose fees are outstanding as at October 1 shall be charged a late payment fee and

shall be sent a second notice.

9) Members whose fees remain outstanding as at December 1 shall be stricken from the list of members and all rights and privileges of membership shall be withdrawn.

10) Division Fees

(a) Division fees shall be set in consultation with the CPA Board of Directors and shall be collected at the same time as the national portion.

(b) Where the member rate is increased more than 5% from one membership year to the next, the Division Executive must provide substantiation for the increase along with the request for approval by the CPA Board of Directors.

(c) Division membership approval of the fee increase will be sought at the Division AGM prior to the implementation of the fee increase.

(d) All members shall pay the national, provincial/territorial and division fees as appropriate.

C) Life and Honourary Membership

1) Criteria

(a) The criteria for Honourary Membership shall be:

(i) special recognition merited for significantly enhancing the physiotherapy profession;

(ii) contribution is of a long-term duration (at least 15 years) or of a unique nature; and

(iii) can be either a physiotherapist (current or past member of CPA) or non-physiotherapist.

(b) The criteria for Life Membership shall be:

(i) contribution to the growth of the profession and the Association through outstanding service;

(ii) contribution is of at least 25 years of service to the profession and Association at a local and/or national level;

(iii) the individual is a physiotherapist; and

(iv) the individual is a current or past member of CPA.

2) Process

(a) A Call for Nominations shall be made annually.

(b) All nominations shall be reviewed by the Awards Committee.

(c) The awards shall be presented annually at the time of the CPA Annual General Meeting.

3) Fees

(a) Honourary members shall be granted membership for one year and shall not pay the national or provincial/territorial portion of the fee.

(b) Life members shall be granted membership for life and shall not pay the national or provincial/territorial portion of the fee.

4) Individuals employed by the Association are not eligible for Life or Honourary membership while employees.

D) Physiotherapist Assistant, Thérapeute en réadaptation physique and Affiliate Member Rights and Privileges

1) Physiotherapist Assistants, Thérapeute en réadaptation physique and Affiliate Members shall not have the right to vote or hold office, and shall not be counted in a quorum for any Members Meeting.

2) Physiotherapist Assistants, Thérapeute en réadaptation physique and Affiliations shall have the right to attend Members Meetings and receive CPA publications as appropriate.

E) Student Physiotherapist Assistant and Étudiant Thérapeute en réadaptation Member physique Rights and Privileges

1) Student Physiotherapist Assistant and Étudiant Thérapeute en réadaptation physiques members shall have the right to attend Members Meetings and receive CPA publications as appropriate.

F) Resignation

1) A member may resign at any time during the membership year by submitting a statement in writing to the Chief Executive Officer.

2) Resignation shall not be accepted until all outstanding accounts are paid and any property owned by the Association is returned.

3) Resignation is considered to be resignation from both national and provincial/territorial levels of membership.

4) No refund of fees paid for that membership year will be given.

5) The Association shall notify the insurance carrier(s) of such resignations. Continuance of insurance coverage under the CPA group plan for the duration of the membership year shall be at the discretion of the insurance carrier(s).

G) Reinstatement

- 1) Former members may reinstate their membership on payment of the annual membership fee which may be pro-rated at certain times of the year.
- 2) Members who have had their membership interrupted due to disciplinary action on behalf of the Association shall not have their membership reinstated until the term of discipline has been completed.
- 3) Members who have been expelled due to disciplinary action shall not be reinstated unless they satisfy the Board of Directors that they are then in compliance with the Bylaws, Code of Ethics and Rules of Conduct, and that they are eligible for registration/licensure in the jurisdiction of residence, and will meet any conditions which are imposed by the Board in their decision.
- 4) Members who have had their membership interrupted due to disciplinary action may apply for a subscription to the Association publications for a fixed fee.

3) MEMBERS MEETINGS [CPA Bylaws, Section 4]

A) Agenda - Annual General Meeting

The Agenda for the Annual General Meeting may include the following items, not necessarily in this order. The format of the Agenda is prepared by the President and Chief Executive Officer.

- 1) Welcome and Opening Remarks
- 2) Report of Credentials Committee: Announcement of Quorum
- 3) Appointment of Tellers
- 4) Adoption of Rules of Procedures for this Meeting
- 5) Report from Minutes Approving Committee
- 6) Appointment of Minutes Approving Committee for this Meeting
- 7) Report from the Board of Directors
- 8) Auditor's Report and Approval of Financial Statements
- 9) Approval of Auditor for the Next Year
- 10) Report from Resolutions Committee
- 11) Amendments to the Bylaws
- 12) Report from the Physiotherapy Foundation of Canada
- 13) Chief Executive Officer's Address
- 14) President's Address
- 15) In-coming President's Address (in alternate years)
- 16) Report from the Elections Committee
- 17) Induction of Board of Directors for Coming Year
- 18) Recognition of Retiring Division Chairs
- 19) Other Business

The pre-circulated Agenda may be changed at the meeting by general consent, or by a majority vote of those members present and voting.

B) Rules of Procedure - AGM

The Annual General Meeting Rules of Procedure are attached as Appendix B to these Rules and Regulations.

C) Agenda - Special Meeting

The Agenda for a Special Meeting shall contain only those items for which the Special Meeting was called. Additional items may be added to the Agenda for discussion only on the unanimous vote of those members present and voting. No decision will be permitted on any additional items.

D) Attendance of Non-Members

- 1) The Association may set up special registration procedures for non-members such as the press corps, other health professionals or guests of members.
- 2) Attendance of non-members at any Members Meeting is at the pleasure of the meeting. The Presiding Officer or the members, by majority vote, may demand the removal of any or all non-members from the meeting room.
- 3) A non-member may address the meeting only at the invitation of the Presiding Officer.

E) Credentialing

- 1) A Credentials Committee shall be appointed to oversee the credentialing process at each Members Meeting.
- 2) The responsibilities of the Credentials Committee are to:
 - (a) verify current membership in CPA for:
 - (i) members attending meeting;
 - (ii) members assigning a proxy vote.
 - (b) provide members attending the Members Meeting with Voting Confirmation forms;
 - (c) issue Voting Cards appropriate for the number of votes carried upon presentation of above form;
 - (d) at the request of the Presiding Officer, the Chair shall present the Credentials Committee Report at the Members Meeting.
- 3) Credentialing Process
 - (a) All members planning to attend the Members Meeting must be credentialed in advance.
 - (b) Verification of current membership shall be by membership card or as per list provided

by National Office.

- (c) Members shall be issued a Voting Confirmation form indicating:
 - (i) Name
 - (ii) Branch/Council
 - (iii) Number of Proxy Votes Carried
 - (iv) Signature of Credentials Committee
- (d) At the entrance to the Members Meeting, members shall turn in the Voting Confirmation form in exchange for a Voting Card with the correct number of ballots in case there is a call for a ballot vote.
- (e) The Credentials Committee simultaneously keeps track of the logins to the teleconference or other electronic participation facility at the previously announced starting time of the meeting.
- (f) The Credentials Committee shall tally the number of forms and logins to determine whether quorum requirements are met.
- (g) The Credentials Committee shall tally the total number of votes possible for the Tellers Committee.
- (h) During the Members Meeting, should an additional count be required to confirm quorum, the number of members represented by Voting Cards (including proxies) will be counted.

F) Quorum

- 1) In order to conduct business, a quorum must be present at all times. The Presiding Officer or any member may bring to the attention of the meeting the lack of a quorum. The Presiding Officer must then perform a quorum count; and if a quorum is not present, recess the meeting in order to obtain a quorum or fix the time to which to adjourn or adjourn the meeting.
- 2) In the absence of evidence to the contrary, a quorum is always deemed to be present.

G) Voting

- 1) Voting at Members Meetings shall be by a show of hands, unless a count or poll is demanded, or the Bylaws or statute law require a vote by ballot.
- 2) An electronic polling facility shall be made available for those Members who are attending the meeting via teleconference or other electronic means.
- 3) The announcement by the Presiding Officer of the result of the vote will stand as correct unless a count is demanded.

H) Minutes

A Minutes Approving Committee shall be appointed at each Members Meeting to approve the minutes of that meeting.

4) VOTING BY MAIL BALLOT OR PROXY [CPA Bylaws, Section 4 (7)]

A) Mail Ballot

- 1) The Board of Directors, by its own motion at a properly called meeting at which a quorum is present, may call for a mail ballot for any substantive question or questions affecting the Association or for the election of the Board of Directors.
- 2) Except in the case of the election of the Board of Directors, a Ballot Committee shall be appointed by the Board of Directors to ensure the mail ballot is properly carried out. Specifically, the responsibilities of the Ballot Committee are to ensure that:
 - (a) all members entitled to vote are sent a ballot, the question to be considered, and appropriate supporting information;
 - (b) the confidentiality of each member's vote is maintained;
 - (c) the count is accurate;
 - (d) the count is reported to the President or the President's designate.
- 3) The Ballot Committee may consist of members or non-members. The Chair of the Ballot Committee shall be designated as the Returning Officer.
- 4) Except in the case of elections, at least one percent (1%) of members holding full membership, representing a majority of the provinces/territories, shall be required to return legal ballots for the result to be valid.
- 5) Faxed or photocopies of mail ballots shall not be accepted.
- 6) The result of the mail ballot shall be sent to the Branches, and Board of Directors within seventy-two (72) hours of the Ballot Committee reporting the result.

B) Proxies

- 1) Enclosed with the notice of any Members Meeting of the Association shall be one (1) proxy certificate.
- 2) Each member entitled to vote may, by means of the proxy certificate, nominate a member as his nominee to attend and act at the meeting in the manner, to the extent and with the power conferred by the proxy.
- 3) The proxy certificate shall contain the date(s) of the Members Meeting, the name of the nominee, the signature of the nominator, and any instructions or restrictions the nominator

may place on the nominee with regard to voting.

- 4) The proxy ceases to be valid at the completion of the Members Meeting.
- 5) The proxy may be revoked by the nominator up to the end of the Members Meeting by delivering in writing, to the Chair of the Meeting, the notice of the revocation, duly signed by the nominator.
- 6) Members shall not send blank proxy certificates to other members.
- 7) A member may carry up to a maximum of 10 proxy certificates to a Members Meeting.

5) BOARD OF DIRECTORS [CPA Bylaws, Section 5]

A) Accountability

The Board of Directors is accountable to the national membership for all decisions made and actions taken. Where appropriate, the CPA will collaborate with and support provincial initiatives that further a common goal.

B) Composition

The Board of Directors shall consist of 10 Directors; between 7 and 8 of the Directors shall be qualified Physiotherapist Members, between 1 and 2 Directors shall be External Directors, and 1 Director shall be a qualified Physiotherapist Assistant or Thérapeutes en réadaptation physique Member

C) Attendance at Meetings

- 1) All Directors shall attend three (3) Board meetings, two (2) teleconferences per year and the Annual General Meeting.
- 2) Non-members of the Board may attend the Board meeting only at the invitation of the President, in consultation with the Chief Executive Officer, or as determined by the Board of Directors.

D) Voting

Voting shall be by a show of hands, unless a count or poll is demanded, or if a ballot vote is ordered by a motion.

E) Responsibilities

- 1) Board members shall at all times exhibit deportment that maintains the Association's reputation. Directors have an obligation not only to abide by the Bylaws and Rules of the Association, but also to act in a manner that evidences their commitment to the principles and intent of the Association.

- 2) The President shall speak on behalf of the Association, and may delegate this authority from time to time but not as an ongoing authority.
- 3) The President shall be ex officio member of all Board Committees.
- 4) Each member of the Board shall be required annually to sign the declaration of Consent to serve as a Director of the Association and consent to the participation by a Director at a meeting of the Board by means of telephone, electronic or other communications facilities to permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously.

Such consent will continue in effect unless revoked by an instrument in writing delivered to the Association.

5) Conflict of Interest and Confidentiality

- (a) Directors shall at all times when acting in the capacity as a member of the Board of Directors:
 - (i) act honestly and in good faith with a view to the best interests of the Association;
 - (ii) hold confidential all discussions that occur within the context of a meeting of the Board of Directors unless and until the Board shall approve the dissemination of information with respect to the deliberations of the Board; and
 - (iii) declare any and all conflicts of interest, and without limiting any other actions that the Board of Directors may deem necessary or advisable, withdraw from participation in the decision-making process with respect to the issues on which there is a conflict or potential conflict of interest.
- (b) Each member of the Board shall be required annually to sign the declaration with respect to the Association's Conflict of Interest and Confidentiality Policy.
- (c) Directors who contravene the Association's Conflict of Interest and Confidentiality Policy shall be subject to a sanction to be imposed by the Board, which may include suspension from the Board of Directors and/or any Committees/Task Forces on which the member may serve. If suspended, the Board may, at a Special Meeting of Members called for that purpose, recommend the Board member be removed from office.

F) Board Liaison Positions

- 1) Specific Directors shall be designated annually to act in an official liaison capacity, and be responsible for maintaining and enhancing ongoing communication between the Board of Directors and key stakeholder groups - the Branch Presidents, the Division Chairs, the National Student Assembly, the National Physiotherapist Assistants' Assembly and the other such key stakeholders groups as determined by the Board.
- 2) One Director shall be appointed to each of the designated Board Liaison positions annually by the President at the Board of Directors first meeting following the Annual General Meeting.

- 3) The responsibilities of the Board Liaison are attached as Appendices C & D to these Rules and Regulations.
- 4) A list of key stakeholder groups is attached at Appendix E.

6) NOMINATION AND ELECTION OF THE BOARD OF DIRECTORS [CPA Bylaws, Sections 6]

A) Nominations

- 1) To be eligible for nomination to the Board of Directors, members shall:
 - (a) meet the eligibility criteria as per article 6. (1) of the Bylaws;
 - (b) be nominated by at least three (3) members in good standing with the Association or by a Component of the Association;
 - (c) be a resident of Canada;
 - (d) include a written statement comprised of:
 - (i.) consent to stand for office;
 - (ii.) biographical information;
 - (iii.) objectives in serving on the Board;
 - (iv.) commitment to support the mission and goals of the Association; and
 - (v.) disclosure of familial relationships (e.g. spouse, common-law spouse, parent, children) or business interests that may have influence on the business of the Canadian Physiotherapy Association
 - (e) not be bankrupt; and,
 - (f) Not be of unsound mind as found to be by the courts in Canada or elsewhere.
- 2) The closing date for receipt of nominations shall be established by the Board. Names of nominees shall be published to members after this date.

B) Elections

- 1) The Elections Committee shall consist of three (3) members from the general membership, excluding those who are on the Board Governance Committee.
- 2) Responsibilities of the Elections Committee shall be to:

- (a) oversee the elections process, and ensure the process for conducting an electronic or mail ballot is properly carried out; and,
 - (b) report the outcome of the elections process to the President or President's designate.
- 3) The vote shall be by electronic or mail ballot at the discretion of the Board of Directors. When election is by mail ballot, ballots shall be distributed to all eligible members no less than four (4) weeks prior to the election date. When election is by electronic ballot, the election process shall be carried out by an independent third-party provider specialized in such services, who is able to demonstrate the veracity of their results to the Board.
- 4) The election date shall be determined by the Board. When election is by mail ballot, this date may be changed should there be an interruption in the postal service.
- 5) Those eligible to vote shall be members in good standing as at two (2) weeks prior to notice of the electronic ballot or the mailing of the ballots.
- 6) When election is by mail ballot, ballots postmarked on or before the Election Date shall be counted. Ballots postmarked after the election date shall be ineligible. All ballots shall be confidential. Faxed or photocopies of mail ballots shall not be accepted.
- 7) If the election is for more than one position, the method of voting shall be by majority vote, with the candidates receiving the most votes being declared elected.
- 8) If the election is for one position and there are two candidates for that position, the method of voting shall be by majority vote, with the candidate receiving the most votes being declared elected.
- 9) If the election is for only one position and there are more than two candidates for that position, the method of voting shall be by Preferential Ballot.
- 10) A Preferential Ballot shall be conducted as follows:
- (a) members may mark their ballots in their order of preference;
 - (b) members returning an unmarked ballot shall be considered as not voting, and the ballot shall not be counted in determining the number of members voting;
 - (c) in the event no candidate receives a majority on the first count, the candidate with the least votes shall be dropped, and that candidate's votes shall be redistributed between the remaining candidates in accordance with the voters' second preference;
 - (d) this procedure shall continue until one candidate receives a majority of the votes; and,
 - (e) in the event a tie occurs for last place in any count, the Returning Officer shall decide by lot which candidate shall remain on the ballot.

- 11) Candidates may appoint up to two (2) scrutinizers, who may attend the count. CPA shall notify the candidates of the date, time, and location of the count.
- 12) The Chair of the Elections Committee shall report to the President or the President's designate the tally totals for each candidate for each count.
- 13) The President or President's designate shall report the results to the candidates within forty-eight (48) hours of receiving the result.
- 14) Upon written request to the President, received within thirty (30) days of the count, a candidate may require a recount. The President shall preside over the recount at a time no later than the next Board of Directors' Meeting.

C) Election of External Directors

- 1) The criteria and skill sets for External Directors shall be determined by the Board of Directors at its Fall meeting. Nominations shall be solicited by the Board Governance Committee and candidate(s) presented to the Members for approval at the Annual General Meeting. .

7) NOMINATION AND ELECTION OF PRESIDENT ELECT [CPA Bylaws, Section 7]

The board elects from its membership a president elect every second year, or when a vacancy has been created within the position of president elect.

A) Term of Office

- 1) The term of office is as defined in the bylaws.
- 2) Election of the president elect shall be conducted as a special order of business of the board meeting immediately preceding the Annual General Meeting.

B) Election Process

- 1) The President shall preside over the election process.
- 2) All current board members who are present at the meeting may vote in the election. Board members who participate remotely via electronic means such that they can simultaneously hear all other members at the meeting and be heard by all other members at the meeting shall be deemed to be present at the meeting. Voting by proxy is not permitted for election of President Elect. Those who have been elected to take office immediately following the Annual General Meeting are not eligible to vote.

C) Eligibility

- 1) All current board members who are present at the meeting may be nominated for President Elect. Those who have been elected to take office immediately following the Annual General Meeting are not eligible to be nominated.
- 2) External Board Directors and the Physiotherapist Assistant or Thérapeutes en réadaptation physique Director are not eligible for the position of President Elect.

D) Nominations

- 1) Nominations must be submitted to the President by a board member currently in office. Nominations may be in writing, or by electronic mail, or orally at the meeting. Board members interested in having their names stand for election, should notify the President of their intent prior to the meeting at which this election process is to be used.
- 2) Nominations will close immediately before the agenda item for the election of that position. A nomination will only be valid if the candidate declares orally at the meeting, or in writing, or by electronic mail prior to the meeting, that the candidate is willing to take the office of President Elect if elected.
- 3) If at any time during the nomination process, a candidate determines he or she is unable to serve if elected, the member should stand and request that his or her name be removed from nomination

E) Voting

- 1) Any candidate may make a statement to the Board of Directors regarding their candidature. The presentation of such a statement shall take no longer than five minutes. The order of candidates' statements shall be determined by the President using a random selection process.
- 2) To be elected, a candidate must receive a majority of affirmative votes from the members voting in the election. Ballots should be cast marked with the name of an announced candidate or with the word "abstain."
- 3) In the case where there are more than two candidates running and none receive a majority of affirmative votes in a vote, the vote is rerun with the candidate receiving the least number of votes being eliminated from the next vote. A candidate can withdraw at any time from subsequent votes. When there are only two remaining candidates eligible, the vote is retaken in the case of a tie. The presiding officer uses a coin toss to choose which candidate is to remain eligible if the tie persists after the second vote.
- 4) Voting will be by secret ballot. A CPA senior staff member and a second person appointed by the President will act as tellers.
- 5) Board members, who participate remotely in a manner such that they can hear the proceedings of the meeting and be clearly heard by all other attendees, shall vote by privately providing their vote to the election teller.

F) Record of Meeting

- 1) The minutes shall record the candidates nominated and the elected candidate.
- 2) A candidate may request that the statement made to the board in respect of their candidature be recorded in the minutes of the meeting.

8) RESOLUTIONS [CPA Bylaws, Section 10]

A) Philosophy

Any member, group of members or a Component of the Association may submit a resolution and appropriate supporting material to the Board Governance Committee for consideration at any time during the year.

B) Resolutions Process

- 1) Each resolution shall be assessed for national impact by the Governance Committee in consultation with the proponent and appropriate senior staff.
- 2) Resolutions determined to lack national impact or to be unclear to the Committee in national implications shall be returned to the proponent with an explanation and recommendation(s) for further development if appropriate.
- 3) Resolutions determined to have national impact shall be assigned to a member of the Governance Committee. In consultation with the President and Chief Executive Officer or their designate a background paper shall be developed to include implications for Association resources and relationship to established goals and objectives. Resolutions of an urgent nature may be "fast-tracked" to the Board of Directors at this stage.
- 4) The background paper shall be reviewed by the Committee again and based on the information provided:
 - (a) the Resolution shall be referred to the Board of Directors for further consideration, which may include referral to the membership for discussion or polling. The outcome of membership discussion/polling shall be for the information of the Board only and shall not be binding; and
 - (b) the proponent shall be informed of the action taken and the rationale.
- 5) The Board of Directors shall refer the resolution to staff if operational in nature, or make a decision on the recommendation in the resolution.
- 6) The proponent shall be informed of the final outcome and a report shall be made by the Governance Committee to the members at the Annual General Meeting, and in CPA publications, on all resolutions submitted.

C) Appeal

Any proponent of a resolution who has submitted a recommendation through the resolution process and is not satisfied with the result of the process may submit that recommendation through any member of the Board directly to the Board of Directors for consideration.

9) ASSOCIATION COMPONENTS [CPA Bylaws, Section 5. (2) d)]

A) Branches

- 1) Branches shall be under the authority of the Board of Directors and shall be subject to the Bylaws of the Association.
- 2) Branches shall meet the professional and ethical standards of CPA, and their mission, goals and principles shall be consistent with those of CPA. This includes adherence to the standards and policies contained in the CPA Board of Directors Policy and Procedures Manual.
- 3) Branches shall be subject to their respective Bylaws/Constitutions. The Bylaws/Constitutions shall require approval by the members of the Branch/ before coming in effect.
- 4) Branches must sign a Memorandum of Agreement with CPA, which outlines the mutual obligations and relationship between the Branch and the CPA.
- 5) Members of the Association shall automatically be members of the Branch of the province/territory in which they are employed. This designation may be changed upon written notification to CPA National Office of the agreement of the Components concerned.
- 6) Branches shall submit externally reviewed financial statements annually to the Board, which should be comprehensive and cover the financial accounts of any smaller sub-groups of the Branches/. Branches financial accounting practices shall follow the financial policies of CPA.

B) Districts

- 1) "District" signifies a local Component of the Branch, which is formed with the approval of the Branch and includes all members within the geographic boundaries of the District.
- 2) Districts shall be under the authority of the Branch and shall be subject to the Bylaws or Constitution of that Branch.
- 3) Members of the Association shall automatically be members of the District where they reside. This designation may be changed with the agreement of the Districts concerned and the approval of the Branch by notifying National Office in writing.

C) Divisions (*detailed provisions regarding CPA Divisions are set out in Appendix F*)

- 1) "Divisions" are defined as special interest groups.
- 2) Divisions shall be under the authority of the Board and shall be subject to the Bylaws of the Association.
- 3) Divisions shall meet the professional and ethical standards of CPA, and their mission, goals and principles shall be consistent with those of CPA. This includes adherence to the standards, policies and procedures established by CPA.
- 4) Divisions will be recognized as such by CPA upon approval by the Board of Directors when all conditions for achieving the Division status have been met. Divisions shall meet the requirements to maintain the Division status on an ongoing basis. Such conditions and requirements are set out in Appendix F to these Rules and Regulations.
- 5) CPA provides assistance to the formation and operations of Divisions as set out in Appendix F to these Rules and Regulations.
- 6) Membership in Divisions is open to Association members who pay the prescribed fees.
- 7) Suspension and Dissolution
 - (a) The decision to suspend or dissolve a Division shall be made by the Board, in consultation with the Division Chairs' Committee.
 - (b) All members shall be notified of the decision.

D) Sub-groups, Sections and Units

- 1) Division Sub-groups are national, practice-based communities of members that offer an opportunity for networking, information-sharing, education and collaboration related to a specific practice area falling within the scope of the national Division;
- 2) "Section" signifies a provincial/territorial Component of a Division and includes all members in that Division within a province/territory.
- 3) "Unit" signifies a local Component of a Section and includes all Division members in a local area.
- 4) Sections shall be under the authority of the Division and Units under the authority of the Section. Where no Section exists, Units shall be under the authority of the Division.

E) National Student Assembly

- 1) The National Student Assembly shall be under the authority of the Board of Directors and shall be subject to the Bylaws of the Association.

- 2) The National Student Assembly shall meet the professional and ethical standards of CPA, and their mission, goals and principles shall be consistent with those of CPA. This includes adherence to the standards, policies and procedures established by CPA.
- 3) Student members of the Association shall automatically be members of the National Student Assembly.
- 4) The National Student Assembly financial accounting practices shall follow the financial policies of CPA.
- 5) The National Student Assembly shall abide by CPA publication policies, where the National Student Assembly initiates publications of its own.

F) National Physiotherapist Assistant Assembly

- 1) The National Physiotherapist Assistant Assembly shall be under the authority of the Board of Directors and shall be subject to the Bylaws of the Association.
- 2) The National Physiotherapist Assistant Assembly shall meet the professional and ethical standards [as defined by the Competency Profile: Essential Competencies of Physiotherapist Assistants in Canada], and their mission, goals and principles shall be consistent with those of CPA. This includes adherence to the standards policies and procedures established by CPA.
- 3) Physiotherapist Assistant members of the Association shall automatically be members of the Physiotherapist Assistant Assembly.
- 4) Student Physiotherapist Assistant members of the Association shall automatically be members of the National Physiotherapist Assistant Assembly
- 5) The National Physiotherapist Assistant Assembly financial accounting practices shall follow the financial policies of CPA.
- 6) The National Physiotherapist Assistant Assembly shall abide by CPA publication policies, where the Physiotherapist Assistant Assembly initiates publications of its own.

G) Attendance at Meetings

The President and Chief Executive Officer or their designate(s) may attend any meeting of a Component.

H) Memorandum of Agreement and Regulation

The Board of Directors shall establish a Memorandum of Agreement outlining the relationship and mutual responsibilities between the Association and its incorporated Branches. This shall include such matters as deemed appropriate by the Board and the Component and may include formation, financial obligations, authority, communication, and governance. The Board shall establish Regulations outlining the formation, mandate, organization and support of Divisions in Appendix F to these Rules and Regulations.

10) ADMINISTRATION AND FINANCE [CPA Bylaws, Section 9]

A) Accountability

- 1) The Board of Directors are responsible for approving all financial policies and ensuring systems of financial control are developed, monitored by management for compliance, and designed to achieve the Board's objectives while safeguarding assets in the most efficient, effective and economical manner.
- 2) The Chief Executive Officer is responsible for keeping sufficient books and records for the purpose of recording the Association's financial information and safeguarding assets, and for insuring the books, records and financial statements produced are accurate and in keeping with the financial policies of CPA.

B) Banking

The Board of Directors may authorize the Chief Executive Officer or appointed members or employees to:

- 1) open and maintain a bank account(s) at such bank(s) as they may select;
- 2) transact the Association's banking business with any such bank(s);
- 3) make, sign or execute on behalf of the Association such papers, documents, or instruments, whether negotiable or not, as may be deemed necessary or expedient for the Association's banking business.

C) Investments

- 1) The funds of the Association are held in trust for the members of the Association and must be invested in a conservative and prudent manner.
- 2) The Board of Directors, based on an evaluation and on the recommendation of the Finance Committee, will determine the investment advisor/broker for the Association.
- 3) A report indicating funds invested shall be prepared for the Board of Directors at each meeting.

D) Association Expenditures

- 1) No officer, employee or committee shall expend any money which is in excess of the total budget allotted to it for the fiscal year, except on approval of the Board of Directors.
- 2) The Board of Directors shall not commit the Association to any financial obligation that is in excess of its resources.

E) Finance Committee

1) Role

To advise the Board of Directors on financial policy and assist the Chair of the Finance Committee in his/her role as steward of the financial affairs of the Association.

2) Composition

The Finance Committee, appointed by the Board of Directors, shall consist of three and not more than five (5) members including the Chair. Membership may include two (2) members of the Board of Directors, two (2) Association members-at-large, and one (1) external person with specific expertise.

3) Responsibilities

The Committee shall be responsible for:

- (a) regularly reviewing the Association's financial policies and making recommendations to the Board of Directors;
- (b) reviewing and making recommendations on the Annual Budget to the Board of Directors;
- (c) comparing financial reports to the Budget and providing a variance report to the Board of Directors at its Annual, Fall and Winter meetings;
- (d) monitoring the Association's investments and report to the Board of Directors;
- (e) meeting with the Auditor annually to review the Audited Financial Statements;
- (f) recommending the national portion of the membership fee to the Board of Directors;
- (g) identifying financial trends in the internal and external environments that the Board should consider in decision-making;
- (h) other financial duties that may from time to time be referred by the Board of Directors.

11) AMENDMENTS TO THE RULES AND REGULATIONS [CPA Bylaws, Section 11]

- 1) The proposed amendments to the Rules and Regulations shall be included in the notice of the Board meeting at which they are to be considered.
- 2) An affirmative vote of at least two-thirds of the votes cast at a Board meeting is required to approve the proposed amendments.

Board Approved 1992

Revised:

September 1992

October 1997

April 2000
November 2003
February 2005
November 2005
February 2006
June 2007
April 2008
February 2009
September 2011
November 2011
December 2013
September 2015
February 2016
February 2017
April 2017
May 2018
August 2018
November 2019
May 2020

Appendix A to CPA Rules & Regulations (Article 1. D) - CPA Appeal Policy Requirements): CPA Appeal Policy Requirements for CPA and its Components

An appeal policy spells out the principles and procedures to be followed by CPA when one of its members challenges a decision taken by the organization. The policy is not designed to prevent disputes, but it does provide a proven mechanism to settle them fairly and impartially.

As the Board of Directors' Appeal Committee is the final stage in the appeal process for CPA and its Divisions and Assemblies, it is imperative that Divisions and Assemblies appeal policies are consistent with CPA and across their programs.

Although appeal policies may differ according to the type of program, every appeal policy should contain clauses on the following:

- Members for whom the policy has been established;
- Types of decision and practice subject to appeal under the policy;
- Grounds on which a decision or practice may be subject to appeal;
- Appeal timelines;
- Individual or groups of individuals to be tasked with managing the appeal and ensuring that documents are forwarded to the parties and that all communications are made available to all parties;
- Rules governing the establishment of the appeal panel and the number of members on the panel;
- Rules governing every appeal (rules of natural justice, administrative rules, etc.);
- Time limit for handing down a decision; and
- Arbitration clause providing for an appeal to the CPA Board of Directors in the event that the grieved member challenges the panel's decision to be wrong.

Also note that an appeal policy must ensure that all members receive the same treatment, i.e. are governed by the same rules, are entitled to the same information and time limits, and have the right to be heard by impartial persons who are free of any actual or perceived conflict of interest. It is therefore essential for the persons involved in managing and hearing the case to be objective and to be perceived as such in dealing with the case and with the parties involved.

To reduce the number of cases where an appeal is required, early dialogue should occur between the party and the frontline decision-maker to ensure that misunderstandings do not occur and that the reasons for a decision are clearly and carefully explained.

Appendix B to CPA Rules and Regulations (Article 3. B): AGM Rules of Procedure

CANADIAN PHYSIOTHERAPY ASSOCIATION ANNUAL GENERAL MEETING RULES OF PROCEDURE

RECOGNITION

1. CPA members, members of the Board of Directors, and non-members wishing to speak shall address the Chair and identify themselves by name and position on the Board, or the District, Council or Branch they are from. Non-members shall identify themselves as such.
2. The proposer of a motion shall have the privilege of speaking to the motion first if he wishes to do so.
3. Members of the Board of Directors may be given priority over members wishing to speak at the discretion of the Chair. Members of CPA shall be given priority over non-members.

MOTIONS

1. Motions may be made and seconded only by members of the Association.
2. The Chair may request that any motion shall be presented in writing and signed by the mover.
3. Only CPA members may vote on questions put to the meeting.

DEBATE

1. Debate shall be limited to two minutes for each speaker. No one may speak more than twice to the same question, except by consent of the voting body, granted by a 2/3 vote without debate.
2. Any member or non-member may speak to a motion, or seek information. All remarks and questions shall be addressed to the Chair.
3. Speakers shall confine their remarks to the motion under discussion.
4. Members wishing to speak to motions should do so only when they have new information to add to the discussion.
5. The Chair, having regard for the business to come before the meeting, shall have the right to limit discussion on any question.

VOTING

1. Voting shall be by a show of hands, unless a ballot is demanded. Anyone entitled to vote may demand that a vote be by ballot provided the request is made before the vote is taken. No seconder is required.
2. A ballot will be issued for each proxy certificate carried.
3. An electronic polling facility shall be made available for those Members who are attending the meeting via teleconference or other electronic means. Voting Members participating by such means may only cast a single vote per ballot.
4. The announcement by the Chair of the result of the vote will stand as correct unless a count is demanded.

MINUTES

A Minutes Approving Committee shall be appointed by the President to approve the minutes of the Annual General Meeting.

ADOPTION, AMENDMENT, SUSPENSION OF RULES

These rules shall be adopted by a majority of the members voting. They may be amended or suspended by a 2/3s vote of the members voting.

PARLIAMENTARY AUTHORITY

"Robert's Rules of Order Newly Revised" shall apply on all questions of procedure and parliamentary law not otherwise specified.

REV: 02/17
12/13
05/02
05/96
05/93

Appendix C to CPA Rules & Regulations (Article 5. F. - Board Liaison Positions): CPA Board of Directors' Liaison Responsibilities – Divisions and Assemblies

Background:

In order for the CPA Board of Directors to carry out its responsibilities effectively, it must maintain strong and active interaction and communication with component forums within the Association. Board liaisons are assigned to facilitate this commitment.

Note: all references to component forums are meant to include the specific forum and its individual members including: Divisions, National Students Assembly and National Physiotherapist Assistants Assembly.

Objectives:

To provide a channel for, and improve communications between, the board and the component forums.

To provide information on CPA vision and strategic priorities and promote alignment of these priorities within the components.

To enable early identification of problems or concerns within the component forum and support effective discussion/action to resolve issues.

To enable early identification of developments or opportunities where the board, CPA staff and /or component involvement or action would advance success.

Board Liaison Assignments:

The President makes all the board liaison assignments for his or her term as president. It is customary for the president to ask board members for their liaison preferences.

Board Liaison Responsibilities:

On appointment, liaisons will introduce themselves to the respective component forum chair or president and to confirm the date and location of the component forum's next meeting. The liaison will ask to be on the meeting agenda for an introduction and explanation of their liaison function. The CPA office will facilitate this introduction.

Participate in component forum meetings in an ex-officio capacity. A briefing note on board activities and status should be prepared and provided in sufficient time to be included in the meeting package. If unable to attend the meeting, liaisons will contact the component forum chair or president to convey regrets and request follow-up after with the meeting chair. This will contribute to timely communication with the CPA Board and allow the components to understand board activities and prepare related any questions prior to the meeting.

Prior to meetings and when circumstances demand timely action, board liaisons should contact both the CPA President and respective component forum chair or president to determine whether there is anything they would like communicated, or receive feedback on, prior to or at the meetings. If the communication or request for input is not time-sensitive, then the board liaison will raise the issue at the next regularly-

scheduled meeting of the board and/or component forum.

After each board meeting, liaisons will advise the divisions' chairs and assemblies' presidents of plans or activities that may impact their components; this information can be sent by email to ensure timely consideration by the components.

Be alert to potential problems; e.g., component forum inactivity in execution of its goals, deficit budgets, and foreseeable problems through planned component activities.

Be approachable to individual members of the applicable component forum for consult regarding their respective division or assembly.

Provide a written report on the activities and status of the divisions and assemblies annually at the Congress Board of Directors meeting.

At the end of his/her term, the outgoing liaison will pass along any files or information that the incoming board liaison may need to become familiar with the component forum and its activities.

The Board Liaison is to submit a report as requested by the CPA President as a standing item at the appropriate Board meetings.

Approved by CPA Board of Directors November 19, 2011

Appendix D to CPA Rules & Regulations (Article 5. F. - Board Liaison Positions): CPA Board of Directors' Liaison Responsibilities – Branch Presidents Forum

Background:

In order for the CPA Board of Directors to carry out its responsibilities effectively, it must maintain strong and active interaction and communication with component forums within the Association. Board liaisons are assigned to facilitate this commitment.

Objectives:

To provide a channel for, and improve communications between, the board and the Branch Presidents Forum (BPF).

To provide information on CPA vision and strategic priorities as an opportunity for alignment and synergy of effect.

To enable early identification of problems or concerns within the BPF and support effective discussion/action to resolve issues.

To enable early identification of developments or opportunities where the board, CPA staff and /or component involvement or action would advance success.

Board Liaison Assignments:

The President makes all the board liaison assignments for his or her term as president. It is customary for the president to ask board members for their liaison preferences.

Board Liaison Responsibilities:

On appointment, liaisons will introduce themselves to the respective BPF contact and to confirm the date and location of the forum's next meeting. The liaison will ask to be on the meeting agenda for an introduction and explanation of their liaison function. The CPA office will facilitate this introduction.

Participate in BPF meetings in an ex-officio capacity. A briefing note on board activities and status/progress should be prepared and provided in sufficient time to be included in the BPF meeting package. If unable to attend the meeting, liaisons will contact the BPF to convey regrets and request follow-up after with the meeting Chair. This will contribute to timely communication with the CPA Board and allow the branch presidents to understand board activities and prepare related any questions prior to the meeting.

Prior to meetings and when necessary, board liaisons should contact both the CPA President and respective BPF contact to determine whether there is anything they would like communicated, or receive feedback on, prior to or at the meeting. If the communication or request for input is not time-sensitive, then the board liaison will present the issue at the next regularly-scheduled meeting of the board and/or BPF.

Provide a written report on the activities and status of the branches annually at the Congress Board of Directors meeting.

Be alert to potential problems; e.g. deficit budgets, foreseeable problems through planned branch activities, or impact of board plans/activities on the branches.

Be approachable to the BPF contact for consult regarding branch issues.

At the end of his/her term, the outgoing liaison will pass along any files or information that the incoming board liaison may need to become familiar with the BPF and its activities.

Board Liaison to submit a report as requested by the CPA President as a standing item at the appropriate Board meetings.

Approved by the CPA Board of Directors November 19, 2011

Appendix E to CPA Rules & Regulations (Article 5 F. (1) Key Stakeholder Groups)

Key Stakeholder Groups

The following is a list of Key Stakeholder Groups to which the Board has appointed Board Liaisons:

- Canadian Council of Physiotherapy University Programs
- Canadian Association of Manual Physiotherapy

Appendix F to the CPA Rules & Regulations (Article 9. H. Memorandum of Agreement and Regulation) – Divisions’ Regulation

Divisions Regulation of the Canadian Physiotherapy Association

INTERPRETATION

The Regulation shall be read with all grammatical changes as are necessary to apply to all members.

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WHEREAS:

The Canadian Physiotherapy Association (CPA) is a federal corporation under the Canada Not-for-Profit Corporations Act

CPA’s mission supports the desire of members of the Association with special interests or specific areas of practice in the profession to form identifiable groups within the Association, and CPA wishes to assist and promote these groups, regarding them as important resources and advisors to the Association;

The CPA Bylaw 5(2)a) authorizes the Board of Directors to adopt Rules and Regulations and 5(2)d) to establish provisions for the existence of Association Components;

CPA Rules and Regulations 9.C) and H) define Divisions as special interest groups and set out key provisions regarding Board oversight, recognition, support and regulation of Divisions;

CPA recognizes its responsibility to its members and the public to demand a high degree of validity, accountability and supporting evidence for a special interest/area of practice, and for the group established to be endorsed as a Division within the Association;

Divisions are required to meet the specific criteria, professional and ethical standards of CPA and the groups’ mandate, goals, principles and values will be consistent with those of CPA;

CPA National Office and the Divisions share responsibility for the Divisions’ operations and achievement of goals, within the operational priorities and available resources of the Association and in compliance with its respective policies and procedures;

The Divisions and CPA National Office each value and benefit from two-way, inclusive, and mutually respectful communications,

The CPA Board of Directors, in consultation with the Divisions, has adopted this Regulation:

ARTICLE I FORMATION, RECOGNITION, MAINTENANCE AND DISSOLUTION OF DIVISIONS

1. Divisions are established and dissolved by the Board in accordance with CPA Bylaw 5(2)d), Rules and Regulations 9.C) and the requirements set out herein.
2. Recognition as a Division within CPA is possible only after the following conditions have been met, and are maintained on an on-going basis.
 - a. The Division represents a specific body of knowledge recognized by CPA. This body of knowledge should be reflective of a domain of practice.
 - b. A group of CPA members seeking Division status within CPA will:
 - i. be in existence as a networking/educational group for at least two years prior to application, demonstrating financial viability and sufficient member interest;
 - ii. be recognized by CPA as a networking/educational group by completing the application (Annex 1 to this Regulation) and forwarding it to CPA;
 - iii. have consulted with and received input from the Division Chairs' Committee regarding agreement that the group does represent a domain of practice and should not be considered for sub-group status;
 - iv. at the close of two years as a networking/educational group, be able to document the intent of at least 1% of CPA member physiotherapists committed to joining, should the Group meet the requirements to form a Division;
 - v. Development of an application for Division status should be done in consultation with CPA's National Office to ensure timing and coordination with CPA National Board time lines and requirements.
 - c. Members of the Division must be members of CPA;
 - d. The majority of members of the Division must be physiotherapists;
 - e. Divisions must be committed to the CPA Bylaws, Rules and Regulations, Code of Ethics and the Association's mission, vision and values;
 - f. Divisions shall follow the policies of CPA;
3. CPA will provide support for the formation of a new Division from the time of the initial request from a group of members to the point of approval by the Board, including the following:
 - a. provision of information on the process for the formation of a new group;
 - b. guiding the group through the process and, where space and timing allows, surveying CPA membership to ascertain the level of interest in the potential Division;
 - c. assisting with the application for Division status to the Board;
 - d. assisting with the development of an operational framework for the Division.
4. In the event that a Division is no longer able to meet the above requirements and/or membership within the Division falls below the required minimum numbers, the CPA National Office will, following the consultations set out in 9)C) of the CPA Rules and Regulations and in conjunction with the Division, initiate the dissolution of the Division with the CPA Board of Directors.

ARTICLE II MANDATE

The mandate of Divisions shall be:

1. To unite the members of CPA who are interested in all aspects of their respective body of knowledge;
2. To acquire and make available information and educational materials as related to physiotherapy in their field;
3. To encourage the development and publication of research² and knowledge management translation in their field of physiotherapy in Canada and elsewhere;
4. Subject to Association policy and authorization from the Board of Directors, a Division may
 - a. Provide advice
 - b. Represent the Association
 - c. Prepare submissionsto external organizations on matters within their respective area of expertise consistent with the CPA mission, vision, values and strategic priorities.
5. To support the CPA in the achievement of its mission.

ARTICLE III REGULATION AND STAFF

1. The Divisions shall be under the authority of the CPA Board of Directors, shall be subject to the By-laws and Rules and Regulations of CPA, and will abide by the relevant policies of the Association.
2. The CEO may, on behalf of the Association, engage staff to:
 - a. support the respective Division Executive Committee in the conduct of the ordinary business of the Division National Committee; and
 - b. manage and administer performance of the role of any Division in accordance with the relevant policies and procedures;
 - c. support Provincial Sections in meeting their responsibilities under these Division Regulations.
 - d. Unless the CEO approves otherwise, a Division must not seek legal advice on any matter.
 - i. The Association as a Canadian federal corporation is a single legal entity: the CEO must be informed of any and all legal representation of the corporation.
 - ii. Legal disputes shall follow the provisions of the Canada Not-for-Profit Corporations Act.
3. The CEO must ensure any staff engaged under Division Regulation 4., are:

² In this document, research includes three distinct areas or dimensions: basic research, clinical research, and targeted/directed research.

- a. accountable to the CEO for managing and administering performance of the role of any Division;
- b. responsible to the respective Division National Committee for the conduct of the ordinary business of the Division Executive/National Committee; and
- c. responsible to the respective Provincial Sections for supporting their responsibilities under these Division Regulations.

ARTICLE IV MEMBERSHIP, FEES AND ADMINISTRATION

1. The membership shall consist of CPA members who have paid the prescribed fees.
2. This fee is collected by CPA National Office.
3. If membership of a Division falls below 1% of the CPA membership, the Division may be dissolved at the direction of the CPA Board of Directors.
4. Voting privileges shall comply with CPA Bylaws.
5. The Chief Executive Officer of the CPA must ensure the provision by the National Office of the overall administration for the membership process on behalf of the national body and all its components, including:
 - a. Maintaining the national database in accordance with established standards, membership procedures and data entry requirements,
 - b. Collection and deposit of all membership fees and making the necessary banking arrangements
 - c. Provision of timely and accurate information to the Divisions regarding membership fees collected to facilitate budgeting and financial reporting
 - d. Providing access to up-to-date membership data electronically,
 - e. Providing comparative membership reports for Division Chairs' meetings
 - f. Design and production of all membership/affiliation materials in consultation with Divisions;
 - g. Distribution of renewal notices;
 - h. Collaboration on recruitment strategies and activities with Divisions, including supply of recruitment materials as requested;
 - i. The Division representatives must ensure compliance with applicable federal and provincial legislation regarding privacy, protection of personal information and use of member information in commercial activity, using guidelines provided by the National Office.

ARTICLE V OFFICERS, EXECUTIVE COMMITTEE, RESOURCE PERSONS AND THE DIVISION CHAIRS' COMMITTEE

1. OFFICERS

- a. The Officers of the Division shall be Chair or Co-Chairs (as determined by the Division), and Chair Elect / Vice Chair and Past Chair in alternate years;

2. TERMS OF OFFICE

- a. Chair / Co-Chairs
 - i. The term of office for Chairs shall be two or three years depending on the decision of the Division Executive, renewable once. No Chair/Co-chair shall be eligible to serve more than two consecutive terms.
 - ii. A Past Chair who had served two consecutive terms shall not be eligible for re-election until that person has ceased to be a Division Officer for at least one year.
- b. Chair Elect / Vice Chair
 - i. The term of office for the Chair Elect / Vice Chair shall be one year; and,
 - ii. The Chair Elect / Vice Chair shall be elected by the members one year prior to assuming the office of Chair.
- c. The term of office for the Past Chair shall be one year; and
- d. The term of office for each officer shall commence at the close of the Annual General Meeting of the Association.
- e. For clarity, a volunteer leader of the Association shall not hold more than one elected office in the different Component groups of CPA (National Board, Divisions, Branches and Assemblies) without the express written consent of the Board. In addition, the same approval is required for elected positions in the following organizations:
 - i. Physiotherapy regulators
 - ii. Partner organizations who are in a contractual relationship or any type of written agreement with the Association or any of its Components.

3. DUTIES

a. Chair / Co-Chairs

- i. The Chair / Co-Chairs shall be charged with the general supervision of the business and affairs of the Division and shall fulfil the responsibilities of the position in accordance with this Regulation, CPA Bylaws, the Rules and Regulations, the applicable policies and procedures of the Association and all relevant legislation; and,
- ii. The Chair / Co-Chairs shall chair all meetings of the Members and the Executive Committee.

b. Chair Elect / Vice Chair or Past Chair

The Chair Elect / Vice Chair or Past Chair shall:

- i. Assist the Chair in carrying out his or her responsibilities;
- ii. Serve in the absence of the Chair;
- iii. Be responsible for annually reviewing the procedures of the Division, in alignment with CPA policies;
- iv. Perform such other duties as may be assigned by the Executive Committee.

4. EXECUTIVE COMMITTEE

a. Composition

- i. The Executive Committee shall consist of the Chair / Co-Chairs, Chair Elect / Vice Chair or Past Chair and other such members appointed by the Chair to fill the needed positions such as Secretary, Treasurer, Newsletter Editor, Division Knowledge Management Committee representative, etc.
- ii. In case of multiple nominees volunteering for positions on the Executive Committee, the Division may hold elections to such positions at its discretion.
- iii. The Officers of the Division shall determine the additional positions necessary to assist in management of the Division and outline the duties and responsibilities; and,
- iv. One Student Member of CPA may be appointed as an advisor to the Executive Committee.
- v. [The National President is ex officio member or all Division Executive Committees.]

b. Authority and Mandate

The Executive Committee is responsible for

- i. Managing the activities of the Division;
- ii. exercising any powers the Board may delegate to it,
- iii. establish provincial Sections of the Division,
- iv. dissolve any provincial Section after consultation with the respective Section
- v. subject to approval by the Board, establish any sub-groups to support the Division's defined roles and responsibilities
- vi. subject to authorization by the Board, a Division Executive Committee may appoint a member of the Division to be the CPA Division Delegate to any relevant WCPT Subgroup.

5. RESOURCE PERSONS

- a. Resource persons³ may be appointed by the Executive Committee to the Executive Committee and to other committees of the Division.
- b. If the appointment is to other than the Executive Committee, the appointment is made in consultation with the Committee Chair.
- c. Resource persons, if they are physiotherapists, shall be members of CPA.

6. NOMINATIONS AND ELECTIONS

a. Eligibility

- i. Candidates for the position of Chair Elect / Vice Chair must be individuals at least 18 years of age with power under law to contract;

³Resource persons may be other than physiotherapists e.g. public relations experts, course organizers, etc.

- ii. Candidates for Chair-Elect must have a minimum of 2-years' experience with the Division; and,
- iii. Candidates must be either:
 - a) Qualified Physiotherapists, or
 - b) Life Members or Honorary Members who are physiotherapists.

b. Nominating Committee

- i. The Nominating Committee Chair shall be appointed by the Division Chair; and,
- ii. The Committee shall include at least two other members who shall be appointed by the Division Chair in consultation with the Nominating Committee Chair.

c. Nominations

- i. The Nominating Committee Chair shall submit a list of nominees and their biographies to all Division members for the position of Chair Elect / Vice Chair at least 10 business days prior to the elections; and,
- ii. If the elections are taking place at a member's meeting, further nominations may be made at that meeting provided that any such nominee who is not present has given written acceptance of the nomination.

d. Election

- i. Election of Chair Elect / Vice Chair shall be by ballot or electronic ballot at the discretion of the Division Executive Committee;
- ii. All ballots shall be confidential, and,
- iii. [Where the number of nominations equals the number of positions available, election shall be by acclamation.]

e. Vacancies

- i. If the position of Chair becomes vacant, this position shall be filled by the Chair Elect / Vice Chair or Past Chair depending on the year of the President's term;
- ii. If the position of Chair Elect / Vice Chair becomes vacant, the Chair may appoint a Member of the Division to complete the term of office, but without the automatic rights of succession to the Chair. A Chair shall then be elected by the Members;
- iii. If the office of the Past President becomes vacant, the position shall remain vacant for the remainder of the term.

f. Removal

- i. Any officer, resource person, or member of a committee may be removed in the same manner as is provided herein for his election/appointment; or
- ii. The position shall be vacated upon the occurrence of any of the following events:
 - a) if the person becomes bankrupt or suspends payment of personal debts generally or compounds with creditors or makes an authorized assignment or is declared insolvent;
 - b) if the person is found to be mentally incompetent or becomes of unsound mind;
 - c) if, by notice in writing to the Executive Committee the person resigns, which resignation shall be effective at the time it is received by the Committee or at the time specified in the notice, whichever is later;

- d) if the person acts in contravention of the mission, the Bylaws or the regulations and policies of the CPA; or,
- e) if the person dies.

7. DIVISION CHAIRS' COMMITTEE

- a. The Chairs of the National Divisions, together with the Board liaison to the Divisions and representatives of the CPA National Office form the Division Chairs' Committee (DCC). The DCC may form subcommittees and include their Chair(s) in its membership.
- b. The role of the Division Chairs' Committee is to assist Divisions in achieving their mandate, and to collaborate with the Board of Directors and other CPA Components to support the Association in the achievement of its Mission.
- c. The DCC shall be under the authority, and report to the CPA Board of Directors, in compliance with the operational rules set out in its Terms of Reference.

ARTICLE VI DIVISION WORKING GROUPS

1. OTHER COMMITTEES

a. Composition

- i. The Chair shall be appointed by the Executive Committee;
- ii. Committee members and resource persons shall be appointed by the Executive Committee in consultation with the Committee Chair; and
- iii. All committee members and resource persons who are physiotherapists shall be members of CPA.

b. Authority and Mandate

The authority and mandate of all committees shall be as established by the Executive Committee.

ARTICLE VII MEETINGS

1. EXECUTIVE COMMITTEE MEETINGS

- a. The Executive Committee shall hold a minimum of four meetings per year⁴, which may be conducted in person or by teleconference or videoconference.
- b. The meetings shall be called by the Chair / Co-Chairs, or by the Executive Committee at the written request of three members.
- c. A majority of the officers and members shall constitute a quorum.

2. MEMBERS' MEETINGS

⁴ This is the minimum number of meetings considered to be feasible for all the business to be dealt with by the Executive Committee.

- a) A Members' Meeting may be called by the Chair / Co-Chairs in consultation with the Executive Committee, [or at the written request of ten members];
- b) The members' meeting shall normally be held
 - i. during the Congress of CPA, or
 - ii. During the Division's annual conference/symposium, or
 - iii. via electronic means in May or June of any calendar year
- c) Notice of the members' meeting shall be given to members at least 7 calendar days prior to the date of the Meeting.
- d) Notice of Meetings shall be given via e-blasts or e-mails, and the date of the e-mail or e-blast shall constitute the date of the notice.

ARTICLE VIII FINANCE

1. FISCAL YEAR

The fiscal year shall be from January 1 to December 31⁵.

2. BANKING AND INVESTMENT

- a. All monies received by the Division are to be deposited in the name of the Division in a deposit taking institution where deposits are insured by the Canada Deposit Insurance Corporation, in accordance with the Division Financial Management Policies and Procedures Guidelines; and,
- b. Investments must be made in instruments of deposit taking institutions providing the total of the investments in each institution does not exceed the amount protected by the insurance of that institution. Investment income earned will be reinvested in the Division.

3. BUDGETARY CONTROL

- a. The Executive Committee shall monitor the finances of the Division through its examination of bank reconciliations and financial statements provided by the National Office.
- b. The financial statements shall be discussed at Executive Committee meetings;
- c. The Treasurer, and two other officers appointed by the Executive Committee, shall be the signing officers of the Division;
- d. The signatures of any two signing officers shall be required for all payments;
- e. The Treasurer shall be responsible for examining all supporting documentation rendered to the Division and submitting them to the Executive Committee;
- f. In accordance with the CPA Policies and Procedures, the Treasurer shall be responsible to submit electronic copies of accounts to CPA National.

⁵ The period for the fiscal year (the calendar year) is the same period for CPA and for its components. This facilitates comparisons of audits, budgets, and other financial matters.

4. AUDIT

Financial information of the Divisions shall be included in the scope of the annual external audit of CPA.

5. BORROWING AND LENDING

Borrowing or lending in the name of the Division shall only be permitted between the Division and CPA/CPA components.

ARTICLE IX SUB-GROUPS, SECTIONS AND UNITS

1. DEFINITIONS AND REGULATION

- a. Sub-Groups, Sections and Units are defined at 9)D) of the CPA Rules and Regulations. Components under the authority of the national Divisions or the provincial Sections shall support the mandate of the Division and Section, respectively, and report annually to their Executives.
- b. Components under the authority of the national Divisions or provincial Sections shall comply with the CPA Bylaws, Rules and Regulations, Code of Ethics and the Association's mission, vision and values, and follow the policies and procedures established by the Association.

2. FORMATION, MAINTENANCE AND DISSOLUTION

(1) Sub-groups

- a) When at least ten (10) members of a Division identify the need/desire for formation of a Sub-group, they will approach the national Division Executive Committee with a proposal outlining the Sub-group's:
 - i. proposed name
 - ii. statement of purpose
 - iii. proposed activities (education, networking, etc.) and structure
 - iv. a budget specifying anticipated expenses and sources of revenue
 - v. number of Division members currently expressing interest in Sub-group formation
 - vi. proposed method of identifying and communicating with Division members interested in participation
 - vii. primary and secondary contact persons for the Sub-group
 - viii. expectations for administrative support
 - ix. proposed method(s) for fostering evidence based practice and promoting research within their area of practice
- b) The Division Executive Committee, in collaboration with CPA National, will review the request for Sub-group status, and provide any recommendations to the Sub-group based on the proposal.
- c) The Division Executive Committee will advise other Division Chairs of the application to keep Division leaders apprised of emerging sub-groups and to avoid any potential duplication.
- d) When CPA National and the national Division are satisfied that the proposal is effective and achievable from a resource perspective, the Division Executive Committee will inform the Sub-group of the recognition of its status.

(2) Sections and Units

- a) When at least five (5) members of a Division in a province/territory, or five (5) members of a Section in a local area identify the need/desire for officially establishing a Section or Unit, they will approach the Division Executive Committee or the Section Executive Committee, respectively, with a request for recognition.
- b) The Division Executive Committee or the Section Executive Committee, in collaboration with CPA National, will review the request and provide any recommendations
- c) When CPA National and the national Division/provincial Section are satisfied that the proposal is effective and achievable from a resource perspective, the Division/Section will inform the member group of the recognition of its status.

(3) Dissolution

In the event that a Sub-group, a Section or a Unit of a Division is no longer able to meet the requirements and/or membership within the Sub-group falls below minimum numbers as specified in sub-sections (1) and (2) above, the Sub-group, Section or Unit will notify the National Division in writing of its intent to dissolve. Members of the Sub-group/Section/Unit, the Division, and the CPA National Office will be notified of the dissolution.

A decision to dissolve a Sub-group or Section shall be made by the Division in consultation with CPA National and the members of that Sub-group or Section. A decision to dissolve a Unit shall be made by the Section, or in the absence of a Section, by the Division, in consultation with the members.

3. ORGANIZATION, ADMINISTRATION AND FINANCE

- a) The election and mandate of officers, committee organization and meetings of Sub-Groups, Sections and Units shall follow the provisions set out in Articles V, VI and VII of this Regulation.
- b) Principles for provisions on administration and oversight: with regards to professional content and activities, these Components report to the national Division. They receive administrative services with regards to membership and finance from the National Office, with information provided to the national Division.
- c) Levies and budgeting:
 - i. Members of Sub-groups, Sections and Units shall not be required to pay fees over and above the Division membership fee.
 - ii. Any annual levy may be paid by all members and collected, budgeted and expended by the Sub-group/Section/Unit.
- d) At least one Division Executive member will be appointed as a liaison to the Sub-group or Section and/or vice versa. This individual will be responsible for maintaining a communication link between the Sub-group/Section and the National Division, and will be the official Division representative when required (e.g., certification of courses for income tax receipt purposes).

REV: 08/18

Annex 1 to Appendix F to the CPA Rules & Regulations – Divisions Regulation of the Canadian Physiotherapy Association

Questions to be considered by a Potential Division

1. What is the purpose of the group?
2. Who will be the group’s members? Are there individuals/professions other than physiotherapists that may be included? If yes, how will the membership of these individuals be administered?
3. How will the group function?
4. How will leadership be determined and in what structure?
5. How will the group communicate with its members?
6. What resources will be required and how will the group ensure financial accountability and sustainability?
7. Do you currently have members who are interested in this group?

Title of Proposed Division

Date

Name

Address

City

Province

Postal Code

Telephone Number

Email Address

Please answer these questions and add any other information you deem necessary and submit to:

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