

*Saskatchewan
Society of
Occupational Therapists
— Bylaws —*

*under the
The Occupational Therapists Act, 1997*

September 2018

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BYLAWS PURSUANT TO *THE PROFESSIONAL CORPORATIONS ACT*

SASKATCHEWAN SOCIETY OF OCCUPATIONAL THERAPISTS – BYLAWS

BYLAW I – COUNCIL

Section 1 – Composition

The affairs of the society shall be managed by the council which shall be composed of:

- (a) elected members with voting power who shall be the president, registrar, secretary-treasurer, three members-at-large, and a president-elect, all of whom shall be the officers of the society; and
- (b) public appointee(s) with voting power appointed by the Lieutenant Governor in Council.

Section 2 – Eligibility

Any member of the society who meets the SSOT Continuing Competency Program requirements with the exception of restricted licence members and society employees shall be eligible for election to the council.

Section 3 – Term of Office

- 1 The term of office for the elected members of council shall be two years.
- 2 The term of office for all elected members of council shall commence at the first business meeting which must occur within one month of the annual meeting.
- 3 The council shall request the replacement or reappointment of a public appointee prior to the expiry of each public appointee's term.

Section 4 – Removal of Officers

- 1 The membership or council may, by a majority vote, remove an officer from the council if the member:
 - (a) consistently fails or refuses to perform duties as assigned according to the Act, bylaws, and policies and procedures;
 - (b) is absent for more than three business meetings of the council between annual meetings; or
 - (c) is not acting in the best interest of the society.
- 2 The membership or council shall, by a majority vote, remove an officer from the council if the member:
 - (a) allows his/her membership in the society to lapse; or
 - (b) is subject to some form of disciplinary action by the discipline committee.

Section 5 – Council Meetings

- 1 Business meetings of the council shall be held at least six times between annual meetings.
- 2 The first business meeting of the council shall occur within one month of the annual meeting.
- 3 Special meetings of the council may be called:
 - (a) by the president with two days notice prior to the meeting; or
 - (b) by the president within ten days of a request for a special meeting by two or more members of the council.

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4 A notice of a special meeting shall specify the business to be considered thereat. No other matters shall be brought before such a meeting except by the unanimous vote of the voting members present.

5 The general membership may attend council meetings, but they shall have no voting privileges during these meetings.

6 Council shall appoint a recording secretary.

7 Quorum for any council meeting shall be a majority of the voting members of the council.

Section 6 – President

The president shall:

- (a) preside at all meetings of the society, and of the council;
- (b) perform all acts and deeds pertaining to this position;
- (c) exercise general control and supervision over the affairs of the council and the society; and
- (d) be an ex-officio, non-voting member of all committees with the exception of the professional conduct committee and the discipline committee.

Section 7 – President-Elect

The president-elect shall:

- (a) in the absence of the president, perform the duties of the president;
- (b) perform such duties as may be assigned by the council and the president; and
- (c) succeed to the office of president.

Section 8 – Registrar

The registrar shall:

- (a) perform those duties and functions provided for by the Act and these bylaws with respect to membership, licensing and registration of members of the society; and
- (b) perform such other duties as may be assigned by the council.

Section 9 – Secretary-Treasurer

The secretary-treasurer shall:

- (a) perform duties and functions provided for by the Act and these bylaws; and
- (b) perform such other duties as may be assigned by the council.

Section 10 – Members-at-Large

1 The members-at-large shall perform such duties as may be assigned by the council.

2 In the absence of the president and president-elect, a member-at-large shall be appointed by the council to perform the duties of the president.

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Section 11 – Public Appointees

The public appointees shall:

- (a) represent the views of the public on matters before the council;
- (b) report to council on public concerns; and
- (c) perform such duties as may be assigned by council.

Section 12 – Signing Authority

1 Signing officers of the society shall be appointed annually by the council and shall be the president, secretary-treasurer and one other officer.

2 No less than two signing officers of the society shall sign cheques, contracts, security instruments and other legal documents affecting the society.

BYLAW II – ELECTION OF OFFICERS

Section 1 – Nominations

1 All nominations must be received in writing by the chair of the nominations committee. Nominations from the floor at the annual meeting may be accepted.

2 All nominations must be accompanied by a signed consent from the nominee, or where the nomination has arisen from the floor, verbal consent from the nominee.

Section 2 – Election

1 Election of officers shall take place at the annual meeting.

2 An election for president-elect shall take place every year and an election for President will only take place in years where the president-elect position was vacant previously.

3 An election for secretary-treasurer shall take place in odd calendar years.

4 An election for registrar shall take place in even calendar years.

5 An election for two members-at-large shall occur in odd calendar years and for one member-at-large in even calendar years.

Section 3 – Voting

1 Only practising members of the society shall have a vote.

2 Every voting member shall be entitled to one vote with respect to business of the society.

3 Voting shall be done by secret ballot during the elections at an annual meeting.

4 Proxy votes shall not be accepted for elections.

Section 4 – Vacancies

1 If a vacancy occurs in the president position, the president-elect shall assume the role and duties of the president.

2 If a vacancy occurs in the president position in a term where there is no president-elect, a member-at-large currently on council shall be appointed by the council to assume the role and duties of the president.

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3 If a vacancy occurs in the position of registrar or secretary-treasurer, council shall appoint a member of the society to assume the role and duties for the remainder of the term.

4 If a vacancy occurs in a member-at-large position, council shall appoint a member of the society to assume the role and duties for the remainder of the term.

BYLAW III – MEETINGS OF THE SOCIETY

Section 1 – Annual Meeting

1 An annual meeting of the society shall be held in each calendar year at a time and place that may be determined by the society at a previous annual meeting or, failing such determination, at a time and place as determined by council.

2 Notice of the annual meeting shall be mailed to the members of the society at the address appearing in the register at least 60 days prior to the date of the annual meeting.

3 The annual report shall be mailed to members of the society at the address appearing in the register at least 14 days prior to the date of the meeting.

4 Council shall appoint a recording secretary for the meeting.

Section 2 – Special Meetings

1 Council may call a special meeting of the society as required at a time and place decided upon by the council.

2 The council shall call a special meeting of the society on the written request of at least 15 percent of voting members.

3 Notice of a special meeting shall be mailed to the members of the society at the address appearing in the register of the society at least 14 days prior to the date of the special meeting and shall state the business to be considered at such a meeting.

4 Council shall appoint a recording secretary for the meeting.

Section 3 – Mailballots

1 Council may authorize a mailballot for any purpose deemed necessary with the exceptions of election of council, approval of or changes to bylaws, and approval of or changes to the annual budget.

2 Council shall establish the rules and procedures for the conduct of the mailballot.

Section 4 – Quorum

The quorum for any annual or special meeting of the society shall be the number of voting members present.

Section 5 – Voting

1 A voting member shall be defined as a practising member of the society.

2 Each voting member shall be entitled to one vote.

3 All questions voted on at a meeting or through a mailballot of the society, except as otherwise specified for bylaws in the Act, section 13, shall be decided by a majority of the votes of the voting members present.

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4 A voting member not in attendance at an annual or special meeting may appoint another voting member as proxy for all issues with the exception of election of the council. A voting member shall not act as proxy for more than one absent member. The proxy vote shall be conducted in accordance with established rules and procedures.

Section 6 – Meeting Rules and Procedures

1 In all matters not regulated by these bylaws, the most current edition of *Call to Order: Meeting Rules and Procedures for Non-Profit Organizations* by Herb Perry shall govern.

2 The rules and procedures may be amended or suspended at any annual and special meeting by a majority vote of the voting members at the annual or special meeting.

BYLAW IV – FISCAL POLICY

Section 1 – Fiscal Policy

1 The fiscal year of the society shall be March 1 to the last day of February.

2 An independent accredited accountant shall be appointed at the annual meeting; the accountant's review engagement report shall be available at the next annual meeting and be part of the annual report.

Section 2 – Remuneration and Reimbursement

1 Officers of the council are entitled to such remuneration for services rendered to the society as council members and to reimbursement for expenses as determined yearly at the annual meeting.

2 The council may establish remuneration payable to committee members, society members and non-members representing the society in an official capacity.

3 Committee members and society representatives shall be reimbursed for reasonable expenses incurred in the course of their duties.

BYLAW V – CONTRIBUTIONS, DONATIONS, SCHOLARSHIPS AND BURSARIES

1 Council may receive and accept contributions, donations or bequests to the society and shall utilize those funds as it sees fit for the purposes of the society subject to any conditions which might accompany such contributions, donations or bequests.

2 Council may create such scholarships or bursary programs as it sees fit. Council may define terms as to eligibility and qualifications. No scholarship or bursary program shall be created from the general operating revenues of the society without the prior approval of the membership at an annual meeting.

3 Council may contribute to established scholarships or bursary programs as it sees fit.

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BYLAW VI – COMMITTEE STRUCTURE

Subject to and unless otherwise provided in the Act and the bylaws,

Section 1 – Structure

- 1** The council shall establish for all committees:
 - (a) terms of reference;
 - (b) membership and term of appointment;
 - (c) chair;
 - (d) quorum requirement; and
 - (e) budget allocation.
- 2** Each committee shall:
 - (a) perform its duties subject to the direction of council;
 - (b) meet as frequently as required to fulfil its terms of reference;
 - (c) maintain minutes of all committee meetings; and
 - (d) report to the council on the business of each meeting of the committee.
- 3** Members of a committee may be members of the society, public appointees and/or public representatives.
- 4** The council shall make all committee appointments.
- 5** Unless the chairperson is elected or named in the bylaws, the council shall appoint the chairperson.
- 6** Unless otherwise specified in the Act or bylaws, all committee appointments shall be for a term of two years and may be renewed or extended at the discretion of council.
- 7** All members of committees shall have voting power, unless otherwise specified.
- 8** Quorum for a committee shall be the majority of its members.
- 9** All committees shall appoint a recording secretary.
- 10** The president or designate shall be an ex-officio member of all committees.

Section 2 – Removal

- 1** The committee or council may, by a majority vote, remove a committee member if the committee member:
 - (a) consistently fails or refuses to perform duties as assigned according to the Act, bylaws, and policies and procedures;
 - (b) is not acting in the best interest of the society; or
 - (c) is a member of the society, and:
 - i) allows his/her membership in the society to lapse; or
 - ii) is subject to some form of disciplinary action by the discipline committee.
- 2** In the case of a public appointee, as per section 8 of the Act, the committee or council shall obtain the approval of the minister prior to removal of the public appointee from a committee.

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BYLAW VII – STANDING AND AD HOC COMMITTEES

Section 1 – Structure and Function

- 1 Standing and ad hoc committees will be appointed by Council to carry out the objectives of the society, and will be dissolved by Council as appropriate.
- 2 Council will approve the purpose, terms of reference and, where appropriate the duration for each committee.
- 3 Council may delegate to a committee any of the powers or duties of the Council except those, which a committee has no authority to exercise as per section 12 of the Act.
- 4 Committee Chairs and members will be appointed by Council for a designated term of office.

BYLAW VIII – STATUTORY COMMITTEES

Section 1 – Statutory Committees

The statutory committees of the society shall be:

- (a) the professional conduct committee; and
- (b) the discipline committee.

Section 2 – Professional Conduct Committee

- 1 The professional conduct committee shall be established per section 24 of the Act and shall conduct its affairs as set out in sections 25 and 26, subsection 28(2) and section 32 of the Act.
- 2 In the event of a conflict of interest, the involved member of the professional conduct committee will step down, and the council may appoint a replacement to deal with the specific complaint.
- 3 The committee shall notify, in writing, the member who is the subject of a report or allegation that a report or allegation has been received and ask for a written response.
- 4 The committee shall notify, in writing, the person who made the report or allegation that the report or allegation will be reviewed.
- 5 The committee shall take appropriate action including:
 - (a) an informal resolution of the matter;
 - (b) request any person to answer any questions and to produce any records, notes, photographs, x-rays, films, books, papers, or any other documents or things in the person's possession or under their control that are or may be relevant to the report or conduct being investigated; and
 - (c) with the consent of the person producing them, copy and keep copies of any of the documents or things that are produced under clause (b).
- 6 In the case where the allegation is dismissed, the committee shall notify any individual as to the outcome of the investigation as the committee deems appropriate.

Section 3 – Discipline Committee

- 1 The discipline committee shall be as established in section 27 of the Act and shall conduct its affairs per sections 28, 29, 31 and 32 of the Act.
- 2 In the event of a conflict of interest, the involved member of the discipline committee shall step down, and the council may appoint a replacement to deal with the specific hearing.
- 3 Without limiting the generality of sections 22 and 23 of the Act, the committee may find an occupational therapist guilty of professional incompetence and/or

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 professional misconduct who:

- (a) abused a client physically, sexually, verbally, or psychologically;
 - (b) knowingly endangered the safety of a client;
 - (c) influenced a client to change the client's last will and testament;
 - (d) wrongfully abandoned a client;
 - (e) misappropriated property belonging to a client, employer or fellow employee;
 - (f) failed to exercise discretion with respect to the disclosure of confidential information about a client;
 - (g) failed to maintain or falsified any client record;
 - (h) failed to inform an employer of the occupational therapist's inability to accept specific responsibility in areas where special training is required or where the occupational therapist does not feel competent to function without supervision;
 - (i) failed to report the incompetence or misconduct of a member or colleague;
 - (j) failed to comply with the *Code of Ethics* of the society and failed to comply with established standards of practice;
 - (k) failed without reasonable cause to respond to inquiries from the society regarding alleged professional misconduct or professional incompetence;
 - (l) conspired to participate in any act of misconduct or counselled a participant in any act of misconduct;
 - (m) obtained registration by misrepresentation or fraud; and
 - (n) contravened any provision of the Act or these bylaws.
- 4 Where the committee determines that the person is not guilty of professional incompetence and/or professional misconduct, written notice that the complaint has been dismissed shall be provided to:
- (a) the person who was the subject of the report;
 - (b) the person who made the report; and
 - (c) any other persons deemed necessary by the committee.
- 5 Findings of guilt shall be matters of public interest and reported in society publications.

BYLAW IX – CONFLICT OF INTEREST

- 1 Conflict of interest in matters involving society representatives, shall include:
- (a) elected members of council;
 - (b) members appointed to serve as delegates, committee members or committee chairs; and
 - (c) employees of the society acting in an official capacity.
- 2 Members serving in an official capacity as council members, committee members or representatives of the society shall declare a conflict of interest in matters under discussion, business of the society or in decisions taken in which they have a vested interest.
- 3 It shall be the responsibility of the presiding officer to ensure that members identifying a conflict of interest shall leave the meeting during considerations of the pertinent issue and the departure of the member shall be recorded by the secretary of the meeting.

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- 4 Members who represent the society shall not assume a position if a conflict of interest is identified.
- 5 A conflict of interest may be defined as, but is not limited to the following:
- (a) where the member is involved in negotiating wages and/or employment contracts, or completing performance appraisals for society staff who may be related to that member;
 - (b) where the member is involved in determining/reviewing credentials and registration/licensing eligibility for an applicant or another member who may be related to that member;
 - (c) where the member is involved in the investigation and/or discipline process affecting another member who may be related to that member; and
 - (d) where the member or family member might personally or financially benefit from decisions or information gained from involvement on council or committees.

BYLAW X – MEMBERSHIP

Section 1 – Categories of Membership

- 1 Membership in the society shall consist of the following categories:
- (a) practising membership;
 - (b) restricted licence membership;
 - (c) non-practising membership;
 - (d) student membership;
 - (e) life membership; and
- 2 The membership year shall be March 1 to the end of February.

Section 2 – Practising Membership

- 1 Practising membership in the society shall be:
- (a) limited to an occupational therapist to whom a licence to practice occupational therapy is issued by the society in accordance with the Act;
 - (b) granted upon approval of the relevant application form (s), payment of the fees set by the Society, submission of the signed declaration that the Essential Competencies of Practice for Occupational Therapists in Canada, 3rd edition, has been incorporated into the member's practice of Occupational Therapy, and proof of English language proficiency and liability/malpractice insurance coverage for a minimum of \$5 million.
- 2 Practising membership entitles a person to the following privileges:
- (a) a licence to practise occupational therapy in Saskatchewan;
 - (b) to vote and hold office in the society;
 - (c) to have voice and vote at the annual and special meetings of the society;
 - (d) to be appointed to committees of the society;
 - (e) to receive financial assistance for purposes specified in the policies of the society;
 - (f) to receive a copy of society documents appropriate for distribution; and
 - (g) to receive the publications of the society.

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3 Practicing membership carries obligations including, but not limited to, the following:

- (a) to adhere to the society's *Code of Ethics*;
- (b) to incorporate the Essential Competencies of Practice for Occupational Therapists in Canada, 3rd edition, into their practice of occupational therapy;
- (c) to notify the registrar of any change of name, address and/or employment status;
- (d) to carry a minimum of \$5 million liability/malpractice insurance coverage; and
- (e) to participate in the SSOT Continuing Competency Program.

Section 3 – Restricted Licence Member

1 Restricted licence membership in the society shall be:

- (a) limited to an occupational therapist to whom a restricted licence to practise occupational therapy is issued by the society in accordance with the Act; and
- (b) granted upon approval of the relevant application form(s), payment of the fees set by the Society, submission of the signed declaration that the Essential Competencies of Practice for Occupational Therapists in Canada, 3rd edition, has been incorporated into the member's practice of Occupational Therapy, and proof of English language proficiency and liability/malpractice insurance coverage for a minimum of \$5 million.

2 Restricted licence membership entitles a person to the following privileges:

- (a) a licence to practise OT in Saskatchewan subject to the restrictions imposed and for the period specified in the license;
- (b) to have voice, but no vote, at the annual and special meetings of the society;
- (c) to be appointed to committees of the society;
- (d) to receive a copy of society documents appropriate for distribution; and
- (e) to receive the publications of the society.

3 Restricted licence membership carries obligations including, but not limited to, the following:

- (a) to adhere to the society's *Code of Ethics*;
- (b) to incorporate the Essential Competencies of Practice for Occupational Therapists in Canada, 3rd edition, into their practice of occupational therapy;
- (c) to use the title "Occupational Therapist Restricted" or "OT(Res)";
- (d) to notify the registrar of any change of name, address and/or employment status;
- (e) to carry a minimum of \$5 million liability/malpractice insurance coverage; and
- (f) to participate in the SSOT Continuing Competency Program.

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4 Members who have fulfilled the conditions of their restricted licence may register as practising members upon payment of the prescribed fee.

Section 4 – Non-practising Membership

1 Non-practising membership in the society shall be:

- (a) limited to an occupational therapist who:
 - (i) is eligible for registration as a practising member in accordance with subsection 19 (1) of the Act, or was in good standing when last registered with a Canadian Occupational Therapy Regulatory Body;
 - (ii) is not currently practicing occupational therapy in Saskatchewan;
- (b) granted upon approval of the relevant application form(s) and payment of the fees set by the Society.

2 Non-practising membership entitles a person to the following privileges:

- (a) to have voice, but no vote, at annual and special meetings of the society;
- (b) to be appointed to committees of the society;
- (c) to receive a copy of society documents appropriate for distribution; and
- (d) to receive the publications of the society.

Section 5 – Student Membership

1 Student membership in the society shall be:

- (a) limited to the person who provides evidence of enrolment in a Canadian undergraduate program in Occupational Therapy or Canadian entry-level Professional Master's program in Occupational Therapy; and
- (b) granted upon approval of the relevant application form(s).

2 Student membership entitles a person to the following privileges:

- (a) to have voice, but no vote, at annual and special meetings of the society;
- (b) to be appointed to committees of the society as approved by council;
- (c) to receive a copy of society documents appropriate for distribution; and
- (d) to receive the publications of the society.

Section 6 – Life Membership

1 Life membership in the society shall be:

- (a) limited to non-practising members or former practising members of the Society; and
- (b) granted by the council in recognition of outstanding service to occupational therapy in Saskatchewan.

2 Life membership entitles a person to the following privileges:

- (a) to have voice, but no vote, at annual and special meetings of the society;
- (b) to be appointed to committees of the society;
- (c) to receive a copy of society documents appropriate for distribution; and

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- (d) to receive the publications of the society.

Section 7 – Change of Status

Non-practising or restricted licence members may become practising members of the society upon payment of the required fee and compliance with current bylaws and policies governing registration.

BYLAW XI – REGISTRATION

Section 1 – Registrar

The registrar shall:

- (a) receive and evaluate applications for licences, restricted licences, registration, and memberships;
- (b) collect the prescribed fees;
- (c) issue licences, restricted licences and memberships;
- (d) maintain the register of members as required by subsection 18(1) of the Act; and
- (e) perform other such duties as determined by council.

Section 2 – Registration as a Practising Member

1 Any person applying for registration as a practising member of the society, or applying to renew her/his registration as a practising member must:

- (a)(i) have successfully completed an entry-level university degree (baccalaureate or Professional Master's) in occupational therapy recognized by Council; or
 - ii) have equivalent education recognized by Council;
- (b) have passed an examination or assessment as approved by Council;
- (c) file with the application or renewal, a signed declaration that she/he will incorporate the *Essential Competencies of Practice for Occupational Therapists in Canada*, 3rd Edition, into her/his practice of occupational therapy;
- (d) submit a copy of a completed SSOT professional Development Plan and Outcomes with membership renewals by Feb. 15 annually;
- (e) provide evidence of English language proficiency; and
- (f) must provide written evidence satisfactory to the Registrar of having good character and reputation by submitting one or more of the following on the request of the Registrar:
 - (i) references from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;
 - (ii) a statement by the applicant as to whether the applicant is currently undergoing an investigation or is subject to an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of occupational therapists or of another profession;

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- (iii) the results of a current criminal records check;
 - (iv) a statement by the applicant as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada;
 - (v) any other relevant evidence as requested by the Registrar.
- 2** Where the applicant has completed the requirements in section 1 (a) and (b) more than eighteen months before the date of the application for a practicing membership is made, the applicant shall provide evidence of one of the following:
- (a) completion of at least six hundred (600) hours using the expertise of an Occupational Therapist, recognized by Council, in the three years immediately preceding the date of application for registration; or,
 - (b) completion of at least one thousand (1,000) hours using the expertise of an Occupational Therapist, recognized by Council, in the five years immediately preceding the date of the application for registration; or,
 - (c) successful completion of the *SSOT Re-Entry Program* or a Re-Entry program administered by another province that is recognized by council within the eighteen months immediately preceding the date of the application for registration.
- 3** A licence to practice as an Occupational Therapist may be issued to persons who meet the requirements of Bylaw XII 2.1, Bylaw XIII 2.1 and Bylaw XIII 2.2.
- 4** Where a person applies for registration and that person is licenced and in good standing in another Canadian jurisdiction but does not meet the requirements of section 2.1. of this bylaw, the council may waive the requirements of section 2.1. of this bylaw as per policy in order to register that person as a practising member.
- 5** A licence to practise as an Occupational Therapist may be issued to persons who were practising members in good standing at the time of proclamation of *The Occupational Therapists Act, 1997*, but who do not meet the requirements of section 2.1 of this bylaw.

Section 3 – Registration as a Restricted Licence Member

- 1** A restricted licence may be issued to an occupational therapist who:
- (a) is undergoing the *SSOT Re-entry Program* or a Re-entry program administered by another province and recognized by Council as required by Bylaw XIII, section 2.2;
 - (b) does not meet the requirements for a practising membership as in clauses 19(c) and (d) of the Act and bylaw XIII, clauses 2.1(a) and (b) but is working toward these requirements;
 - (c) is intending to participate in or teach or instruct a course, workshop, seminar or any other program involving client contact of two weeks or less duration.
 - (d) carries a minimum of \$5 million personal liability/malpractice insurance coverage;
 - (e) has answered affirmatively to questions of suspension, disqualification, censure, reprimand or any disciplinary action on initial application for registration; and

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- (f) provides proof of English language proficiency.
- 2** To be eligible for registration in this category, the person must:
- (a) complete the prescribed application forms, carry a minimum of \$5 million personal liability/malpractice insurance coverage, pay the fees, provide proof of English language proficiency; and
 - (b) do any of the following as approved by council:
 - i) participate in a re-entry or refresher program approved by council;
 - ii) provide evidence of working toward achieving the minimum undergraduate degree or equivalency as approved by council;
 - iii) provide evidence of eligibility to write the Canadian Association of Occupational Therapists National Certification Examination;
 - iv) provide an outline of the education program participating in or being taught including the title, location and dates and any other information requested.
 - v) practise only under conditions specified in an order by the discipline committee as per subsection 29(1) of the Act; or
 - vi) practise under any other restrictions or conditions deemed appropriate by council.
- 3** Except when issued pursuant to clause 3.1(c), a restricted licence may be renewed annually up to a maximum of five years:
- (a) upon review by the credentials committee;
 - (b) upon payment of the prescribed fee; and
 - (c) given that the conditions of section 3.2(b) apply.

BYLAW XII – FEES

Section 1 – Registration Fee

A non-refundable registration fee, as determined by council and reviewed annually, shall accompany each new application for practicing, non-practicing, and restricted license memberships, except as outlined in bylaw XIV, section 2.3 and/or per policy.

Section 2 – Annual Licensing Fee

1 The annual licensing fee, as determined by council and reviewed annually, for the subsequent membership year shall be payable by the end of February.

2 Fees shall be collected for the following membership categories:

- (a) Practicing License Fee
- (b) Restricted License Fee
- (c) Non-Practicing Membership Fee

3 Where a member changes status to a practicing membership as per Bylaw XII, Section 8, the member shall pay the difference in fees between the two categories where applicable and provide required documentation as per Bylaw XII, Section 2.1.

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- 4 Life members pay no membership fee.
- 5 Students pay no membership fee.
- 6 Members who have not submitted their completed renewal form and paid all applicable fees by February 15 will be charged a late fee.
- 7 Members who have not submitted their completed renewal forms and paid all applicable fees by the end of February shall cease to be members of the Society. To be reinstated an individual must:
 - (a) make full payment of registration and membership fees;
 - (b) make formal application for registration to prove the ability to meet eligibility requirements.

BYLAW XIII – ADVERTISING BY MEMBERS

- 1 A member or clinic may make information about the member and services provided, or about the clinic and the services it provides, available to any client, potential client or the public generally, subject to the limitations contained herein:
 - (a) the word “**advertising**” in relation to the occupational therapy profession must be taken in its broadest sense. It includes all those methods by which a member is made known to the public either by himself/herself or by others without his/her objection, in a manner that can be fairly regarded as having for its purpose the obtainment of clients or the promotion in other ways of the member’s professional advantage;
 - (b) an advertisement with respect to a member’s practice shall contain only relevant factual and verifiable information; and
 - (c) a member or clinic may participate in or donate services to charitable endeavors.
- 2 Advertising, promotion and other marketing activities must be accurate and not capable of misleading the public either directly or indirectly through any medium or agent that:
 - (a) misrepresents facts;
 - (b) compares either directly, indirectly or by innuendo, the member’s services or ability with that of any other practitioner or clinic, or promises or offers more effective services or better results than those available elsewhere;
 - (c) deprecates another member or clinic as to service, ability or fees;
 - (d) creates an unjustified expectation about the results the member can achieve;
 - (e) is made under any false or misleading guise, or takes advantage, either physically, emotionally or financially of any patient, or uses coercion, duress or harassment;

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- (f) is incompatible with the best interests of the public or members, or tends to harm the standing of the occupational therapy profession generally;
 - (g) contains any testimonial or discloses the names of clients; or
 - (h) contains any reference to a specific brand of drug, device, or equipment.
- 3** Members may list on office letterhead and business cards:
- (a) only those qualifications they hold;
 - (b) their name and that of the office, its address, phone, fax, office hours and similar details; and
 - (c) services provided or area of specialty.
- 4** A breach by any member of any of the provisions contained in the above subsections of this bylaw shall be deemed professional misconduct.

BYLAW XIV – CODE OF ETHICS

Every member shall comply with the *Code of Ethics* contained in Appendix I of these bylaws.

BYLAW XV – REPEAL OF PREVIOUS BYLAWS

Any previous bylaws are repealed on the date these bylaws come into force in accordance with the provisions of the Act.

This is a Certified True Copy of the Administrative and Regulatory Bylaws pursuant to *The Occupational Therapists Act, 1997*:

Suzanne Lendvoy,
Secretary, Saskatchewan
Society of Occupational Therapists.

Maureen Coulthard,
President, Saskatchewan
Society of Occupational Therapists.

Dated August 16, 1997.

APPROVED:

Clay Serby,
Minister of Health.

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Dated September 2, 1997.

Appendix 1

The following *Code of Ethics* has been adopted by the Saskatchewan Society of Occupational Therapists to guide and assist the members in meeting and maintaining proper standards of professional conduct. The *Code of Ethics* shall be construed as a general guide and not a denial of the existence of other duties equally imperative and other rights not specifically mentioned.

Certain terms used in the *Code of Ethics* require definition as follows:

“**Client**” means a person to whom a member renders professional services.

“**Member**” means a member of the society who is in good standing.

Article One

The member shall possess the qualities of integrity, loyalty, reliability and shall maintain a standard of professional competency as required by the profession, and shall at all times demonstrate behaviour which reflects the member’s professional interest and attitude.

Article Two

The welfare of the client shall be the primary concern of the member. Without limiting the generality of the foregoing, in furtherance of this goal the member shall:

- a. provide service at the highest possible level of professional skill;
- b. demonstrate respect for the client and appreciation of the particular need of the client;
- c. respect confidentiality of all client information by disclosing your client’s personal health information to third parties only with their consent, or as provided for by law, such as when the maintenance of confidentiality would result in a significant risk of substantial harm to others or to the client themselves. In such cases take all reasonable steps to inform the client that the usual requirements for confidentiality will be breached; and
- d. report to the appropriate authority any alleged unethical conduct or inappropriate practise of occupational therapy of another member.

Article Three

A member shall recognize and accept responsibility to the relevant employing agency, to other health care colleagues, and to the community at large, and furthermore thereof shall:

- a. maintain comprehensive, accurate, and up-to-date records of professional activities which include the nature, extent, duration, and outcome of occupational therapy intervention;
- b. co-operate and maintain appropriate communication with other health care colleagues or services dealing with the client in order that the combined desired results are achieved in the treatment of the client;

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- c. be professionally responsible for all treatment and services rendered by the member, or by other personnel including students, who are under the direct supervision of the member;
- d. respect and uphold the dignity of each individual with whom the member is associated within the profession of occupational therapy;
- e. provide no misrepresentation regarding information relating to the practice of the profession of occupational therapy or regarding the provision of occupational therapy services to individual clients;
- f. maintain an appropriate relation with members of the public in order to facilitate the promotion of the goals and functions of the profession of occupational therapy; and
- g. refrain from endorsing any goods or services related to the practice of occupational therapy without having made an objective assessment of those goods and services.

Article Four

The members shall endeavour to maintain and improve their professional knowledge and skill, and in this regard shall maintain a progressive attitude.

Article Five

The members shall recognize and accept their responsibilities to the profession and to professional organizations, and shall do everything within their means to provide for the growth and development of occupational therapy.

Article Six

A member shall be responsible for the prompt identification and proposed resolution of conflicts of interest. If a real or potential conflict of interest arises, the member will take all reasonable steps to resolve conflict of interest by informing all parties of the need to resolve the situation in a manner that is consistent with the *Code of Ethics*.

A member shall not exploit any relationship established as a therapist to further their own physical, emotional, financial, political, or business interests at the expense of the best interest of clients. This includes, but is not limited to: soliciting clients of the member's employer for private practice; using coercion or taking advantage of trust or dependency to engage in sexual activities or to initiate/continue treatment of a client where it is ineffective, unnecessary or no longer indicated; breaching an agreement with a client or employer regarding the use of resources for provision of service; securing or accepting significant financial or material benefit for activities which are already awarded by salary or other compensation; and, prejudicing others against a colleague for reason of personal gain.

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Appendix 2**BYLAWS PURSUANT TO *THE PROFESSIONAL CORPORATIONS ACT*****Title**

- 1 These bylaws may be cited as *The SSOT Professional Corporation Bylaws*.

Definitions

- 2 In these bylaws:
- (a) “member” means a member of the society;
 - (b) “professional corporation” means a professional corporation within the meaning of *The Professional Corporations Act*;
 - (c) “registrar” means the registrar of the society;
 - (d) “society” means the Saskatchewan Society of Occupational Therapists.

Approval for incorporation and registration

3(1) A member who intends to incorporate a professional corporation for the provision in Saskatchewan of professional services to which *The Occupational Therapists Act, 1997* relates shall first forward to the registrar the proposed articles of incorporation.

(2) The registrar may provide his or her consent to an incorporation of a professional corporation if he or she is satisfied that:

- (a) the proposed name of the corporation is not so similar to names of other professional corporations as to be misleading or confusing;
- (b) the proposed name of the corporation appropriately depicts that the corporation is engaged in the business of providing occupational therapy services and does not contravene the bylaws of the society relating to advertising; and
- (c) the professional corporation will meet the requirements of *The Professional Corporations Act*.

(3) One or more members who have incorporated a business corporation prior to the coming into force of these bylaws may apply to the registrar for registration of the corporation by the society as a professional corporation if the corporation meets the requirements of subsection (2).

(4) The registrar may register a business corporation described in subsection (2) or (3) as a professional corporation.

Proposed changes in corporate structure

4(1) A professional corporation shall notify the registrar in writing of any proposed change of name or of any proposed changes to its corporate structure, ownership or directors.

(2) The registrar may provide his or her consent to a change in the name, corporate structure, ownership or directors of a professional corporation if he or she is satisfied that:

- (a) the proposed change of name of the corporation is not so similar to names of other professional corporations as to be misleading or confusing;

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(b) the proposed change of name of the corporation appropriately depicts that the corporation is engaged in the business of providing occupational therapy services and does not contravene the bylaws of the society relating to advertising; and

(c) the professional corporation will continue to meet the requirements of *The Professional Corporations Act*.

Application for permit

5(1) A member may apply to the society on behalf of a professional corporation for a permit pursuant to section 8 of *The Professional Corporations Act* by providing to the registrar the information required by that section in the form required by the society, together with an application fee of \$250.

Renewal of permit

6(1) A member may apply to the society on behalf of a professional corporation for a renewal of a permit pursuant to subsection 8(5) of *The Professional Corporations Act* by providing to the registrar the information required by that subsection in the form required by the society, together with a renewal fee of \$150.

(2) All annual renewal fees are payable on or before December 1.

(3) A person who pays the required renewal fee after December 1 but prior to December 31 shall, in addition, pay a late fee of \$75.

(4) A permit may not be renewed once it has expired on December 31 pursuant to subsection 8(4) of *The Professional Corporations Act*.

Coming into force

6 In accordance with subsection 19(2) of *The Professional Corporations Act*, these bylaws come into force when they are approved by the Minister of Health and published in the Gazette.

Certified to be a true copy of the regulatory bylaws approved by the Council of the Saskatchewan Society of Occupational Therapists on and ratified by the members of the Society at the Annual General Meeting held on May 11, 2013.

 Coralie Lennea B.Sc.O.T., O.T. Reg.(SK)
 Saskatchewan Society of Occupational Therapists
 Executive Director

 Date

 Minister of Health

 Date