

# THE SASKATCHEWAN ASSOCIATION OF SOCIAL WORKERS

## The Social Workers General By-laws By-laws Requiring the Minister's Approval (Originally approved November 27, 1993)

*amended on April 30, 2011 to replace those amended on April 29, 2010  
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amended April 30, 2003 to replace those amended on April 25, 2002;  
amended April 25, 2001 to replace those amended on April 5, 2000; and  
amended April 21, 1999 to replace those amended April 16, 1997;*

Note: These by-laws are made by the association pursuant to section 15(1) of the Act for the purposes set out in section 16(2) of the Act.

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## **TITLE**

### **Title**

- 1 These by-laws may be cited as *The Social Workers General By-laws*.

## **DEFINITIONS**

### **Definitions**

- 2 “Council” means the council composed of:
  - (a) the officers of the association;
  - (b) any person appointed pursuant to section 9(1) of the Act; and
  - (c) members at large as elected at an annual general meeting.

## **MEMBERSHIP**

### **Categories of Membership**

- 3 The categories of membership in the association are:
  - (a) practicing membership;
  - (b) temporary membership;
  - (c) non-practicing membership;
  - (d) student membership;
  - (e) associate membership.

### **Practicing Membership**

- 4(1) Registration as a practicing member of the association is available to a person who meets the requirements of subsection 21(1) or (2) of the Act.
  - (2) A person who is employed in the practice of social work for more than 21 hours per week is a full time practicing member.
  - (3) A person who is employed in the practice of social work for not more than 20 hours per week is a part time practicing member.
  - (4) A practicing member may:
    - (a) practice registered social work;
    - (b) use the title “social worker”;
    - (c) participate and vote at annual and special meetings of the association;
    - (d) stand for election to council;
    - (e) be appointed to committees;
    - (f) receive a copy of the association documents designated for distribution to practicing members;
    - (g) receive the newsletter of the association; and

- (h) receive all privileges of membership in affiliated national and international associations.
- (5) A practicing member shall:
  - (a) adhere to the Code of Ethics as adopted by the association; and
  - (b) use established social work standards as a guide for the practice of social work.

### **Temporary Membership**

- 5(1) Registration as a temporary practicing member is available to a person who is registered in good standing in another jurisdiction recognized by the council.
- (2) A temporary practicing member may:
  - (a) practice registered social work;
  - (b) use the title “social worker”.
- (3) A temporary practicing member shall:
  - (a) adhere to the Code of Ethics as adopted by the association; and
  - (b) use established social work standards as a guide for the practice of social work

### **Non-practicing Membership**

- 6(1) Registration as a non-practicing member is available to a person who:
  - (a) has been registered as a practicing member; or
  - (b) meets the requirements of subsections 21(1) or (2) of the Act; and
  - (c) is not currently practicing registered social work in Saskatchewan;
- (2) A non-practicing member may:
  - (a) use the title “social worker”
  - (b) participate and vote at annual and special meetings of the association, and hold office;
  - (c) be appointed to committees;
  - (d) receive the newsletter of the association;
  - (e) receive all privileges of membership in affiliated national and international associations.

### **Student Membership**

- 7 (1) Registration as a student member is available to a person who is currently enrolled in an accredited social work education program and is a resident in Saskatchewan.

- (2) A student may:
  - (a) participate and vote at annual and special meetings of the association;
  - (b) be appointed to committees;
  - (c) receive a copy of the association documents designated for distribution to practicing members;
  - (d) receive the newsletter of the association

### **Affiliate Membership**

- 8(1) Registration as an affiliate member is available to a person who has an interest in the social work profession, but who is ineligible for any other category of membership.
- (2) An affiliate member may:
  - (a) attend the annual meeting of the association as an observer;
  - (b) be appointed as an observer and participate in standing committees of the association; and
  - (c) receive the newsletter of the association.

## ***REGISTRATION***

### **Register**

- 9(1) The registrar shall ensure that the register kept as required by section 19 of the Act contains the following information for each social worker registered:
  - (i) registration number;
  - (ii) name and address;
  - (iii) category of practice;
  - (iv) license issued;
  - (v) encumbrances, conditions or restrictions on the license; and
  - (vi) such other information as may be required.

### **Initial Registration as a Practicing Member**

- 10 A person applying for initial registration as a practicing member of the association shall provide:
  - (a) proof to the council that they meet the requirements for registration as defined in subsections 21(1) or (2) of the Act;
  - (b) the prescribed application forms and the fees set by the association in the manner prescribed by council policy;
  - (c) reference(s) and a criminal record check as prescribed by council policy; and
  - (d) any further documentation prescribed by council policy.

**Annual License**

- 11(1) The registrar shall issue an annual license to a person upon their initial registration as a practicing member.
- (2) The registrar shall issue a renewal of an annual license to a practicing member who:
- (a) submits the prescribed application form;
  - (b) pays the prescribed fee in accordance with the by-laws;
  - (c) provides confirmation of continuing education hours as required by council; and
  - (d) provides any other prescribed documentation.

**Temporary License**

- 12 A person applying for a temporary license pursuant to section 21(4) of the Act shall provide:
- (a) proof to the council that they meet the requirements for registration as defined in subsection 21(1) or (2) of the Act;
  - (b) the prescribed application form and the fees set by the association in the manner prescribed by council;
  - (c) proof of current registration in good standing in their home jurisdiction as prescribed by council; and
  - (d) any further documentation prescribed by council.

**APPROVED UNIVERSITIES**

**Approved Universities**

- 13 Approved universities for the purposes of subclause 21(1)(e)(i) of the Act are those that offer a social work program that is:
- (a) accredited by the Canadian Association of Social Work Education in Canada;
  - (b) recognized by another statutory regulatory body for social work in Canada
  - (c) accredited by the Council on Social Work Education in the United States; or in the case of foreign social work degrees, a credential assessment agency approved by the council of the Saskatchewan Association of Social Workers to be the equivalent of a program accredited in Canada.

## **CODE OF ETHICS**

### **Code of Ethics**

- 14 *The Canadian Association of Social Workers Code of Ethics (2005)* is adopted as Code of Ethics of the association.

## **SPECIAL MEETINGS**

### **Special Meetings**

- 15 100 members may demand the holding of a special meeting of the association.

## **PROFESSIONAL CONDUCT COMMITTEE**

### **Professional Conduct Committee**

- 16(1) The committee may notify, in writing, the member who is the subject of a complaint and ask for a written response prior to the committee's report being submitted to the discipline committee.
- (2) The committee shall notify, in writing, the party who made the complaint that the complaint will be reviewed and investigated.
- (3) The committee shall take appropriate action including:
- (a) Request any person to answer any questions and to request any party to produce any records, notes, books, papers or other documents or things in the party's possession or under their control that are or may be relevant to the report or conduct being investigated; and
  - (b) With the consent of the party producing them, copy and keep copies of any of the documents or things that are produced under clause (a).
- (4) Subject to any requirements in law, the committee shall hold in confidence, all documentation and information received.
- (5) Where a notice of hearing has been served upon a member and she/he or legal counsel for the member signifies the intention to plead guilty, the Professional Conduct Committee may approve an agreed statement of facts and documents establishing the factual basis of the allegations.
- (6) The Professional Conduct Committee may make a recommendation on the appropriate disposition, however, the discipline committee is not bound by such recommendations.

- (7) If, at the conclusion of its investigation, the committee finds there is insufficient evidence to refer a matter to discipline, but the investigation tends to show undesirable practice, the Professional Conduct Committee may issue written communication of guidance for the purpose of giving feedback or suggestions in order to improve social work practice.
- (8) Unless the Act, bylaws or policies of council state to the contrary, the Professional Conduct Committee may set its own practices and procedures.

## **DISCIPLINE COMMITTEE**

### **Discipline Committee**

- 17(1) Where the professional conduct committee recommends that **a** discipline committee hear and determine a complaint, council shall appoint a panel of five discipline committee members, one of whom shall be a representative appointed pursuant to section 9 of the *Act*.
- (2) Council shall designate a chair for the discipline committee.
- (3) A decision of the majority of the discipline committee is a decision of the committee.
- (4) The discipline committee shall conduct all hearings in the City of Regina unless the committee determines otherwise.
- (5) Discipline hearings shall be open to the public.
- (6) Notwithstanding subsection (5), the discipline committee may exclude any members of the public and the complainant from any part of the hearing, when the committee determines that the evidence brought in the presence of the persons to be excluded will unduly violate the privacy of a person other than the member(s) whose conduct is the subject of the hearing.
- (7) When evidence presented at a hearing of the discipline committee involves the confidential records of clients, numbers or letters may be assigned to replace names.
- (8) All evidence presented at a hearing of the discipline committee shall be recorded by any method that the discipline committee determines.
- (9) The discipline committee may, as it determines, provide written notice regarding the findings of a hearing to:
  - (i) the general public; and/or
  - (ii) other professional associations.
- (10) The association shall, at the request of the discipline committee, publish the

findings of a hearing in the association's newsletter and on the association's website as a means of educating the association's membership.

- (11) Notwithstanding subsection (10), where the discipline committee determines the need to protect the identity of the parties to a hearing, the findings of a hearing may be published without identifying information.

## **MANDATORY CONTINUING EDUCATION**

### **Mandatory Continuing Education**

- 18(1) Every member with a license to practice shall satisfy the requirements for continuing professional education as may be prescribed by policy statement of council.
- (2) The registrar may deny an application for membership or membership renewal if the applicant has failed to comply with council's current policy on continuing professional education.
- (3) An applicant who cannot meet the requirements for continuing professional education as prescribed by council due to extenuating circumstances may apply to the registrar to have the requirement waived or amended. For such an application, the following shall be provided:
- (a) evidence that all other requirements have been met;
  - (b) a letter outlining the extenuating circumstance(s).

## **CONFLICT OF INTEREST**

- 19(1) If a member of Council, Professional Conduct Committee or a Discipline Committee is in a real or perceived conflict of interest regarding a matter, that person shall declare the conflict and not participate in any discussion or decision regarding the matter.
- (2) If doubt exists:  
The decision whether a person as outlined above is in a conflict of interest situation regarding a specific matter under consideration shall be made by:
- a) the president and the executive director if a Council member or the chair of a regulatory committee is the person in the possible conflict of interest situation.
  - b) the vice president or the president-elect, and the executive director if the president is the person in the possible conflict of interest situation.
  - c) the chair of the regulatory committee and the executive director or registrar if a member of a regulatory committee is the person in the possible conflict of interest situation.

- (3) Any member of Council or a regulatory committee who is under investigation on a disciplinary matter may be required to take a leave from responsibilities until the matter is resolved. Decision-making in this area shall be by:
- a) the president and the executive director if a council member or the chair of a regulatory committee is the person under investigation.
  - b) the vice president or president-elect, and the executive director if the president is the person under investigation.
  - c) the chair of the regulatory committee and the executive director or registrar if a member of a regulatory committee is the person under investigation.