

Regulatory Bylaws

Approved: April 2, 2020

TITLE

1. These bylaws may be referred to as the *Regulatory Bylaws of the Saskatchewan Institute of Agrologists*.

DEFINITIONS

2. In these bylaws:
 - (a) **“Act”** means *The Agrologists Act, 1994*;
 - (b) **“institute”** means the Saskatchewan Institute of Agrologists;
 - (c) **“fees”**, means the fee prescribed in the Administrative Bylaws of the Saskatchewan Institute of Agrologists;
 - (d) **“agrologist”** means a registered and licensed member of the institute that holds the designation of either professional agrologist, technical agrologist, articling agrologist or articling technical agrologist;
 - (e) **“supervision”** means an agrologist in good standing reviews any and all work performed by the supervised person, and is accountable for all of the work of the supervised person as if that work were performed by the supervising agrologist;
 - (f) **“management”** is classified as practicing agrology where an individual provides direct or indirect oversight of an agrologist or organizational groups of agrologists where knowledge of the practice of agrology would be necessary in providing said oversight. This does not include supervision of support staff doing routine work;
 - (g) **“injunction”** means such injunctive relief as the institute may be granted by the court to enjoin any person from doing any act or thing that contravenes the Act or bylaws.

RULES OF INTERPRETATION

3. In these bylaws:
 - (a) unless the context requires otherwise, the terms used in these bylaws but not otherwise defined have the definitions provided in the Act;
 - (b) unless the context requires otherwise, words in one gender include all genders and the neutral and words in the singular include the plural and vice versa;
 - (c) wherever the words "include", "includes" or "including" are used in these bylaws they shall be deemed to be followed by the words "without limitation" and shall not be considered to set forth an exhaustive list;
 - (d) all references to the Act, bylaws, policies, procedures and any other document refer to the most recent amendment to the Act, bylaws, policies, procedures or other document.

REGISTRATION

4. Classes of Registration

4.1. Professional Agrologist (PAg)

Any person shall be considered for registration as a professional agrologist who has completed:

- (a) a four-year bachelor of science degree from a university program in agriculture, food or related environmental program approved by the admissions and registration committee and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA; or
- (b) a related four-year bachelor's degree approved by the admissions and registration committee and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA; or
- (c) a graduate degree in agriculture, food or related environmental area or related discipline from a university program and approved by the admissions and registration committee and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA; or
- (d) the articling agrologist program; or
- (e) the requirements for and who has received a professional agrologist designation from another provincial institute.

4.2. Technical Agrologist (TechAg)

Any person shall be considered for registration as a technical agrologist who has completed:

- (a) a two-year diploma in agriculture, food or related environmental program approved by the admissions and registration committee; or
- (b) a related two-year diploma approved by the admissions and registration committee; or
- (c) an applied science degree approved by the admissions and registration committee; or
- (d) the articling technical agrologist program; or
- (e) the requirements for and who has received a technical agrologist (or equivalent) designation from another provincial institute.

4.3. Articling Agrologist (AAg)

Any person shall be considered for registration as an articling agrologist who has completed:

- (a) a four-year bachelor of science degree from a university program in agriculture, food or related environmental program approved by the admissions and registration committee and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA; or
- (b) a related four-year bachelor's degree as approved by the admissions and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA; or
- (c) a graduate degree in agriculture, food and related environmental programs approved by the admissions and registration committee and in compliance with relevant standard(s) of Agrologists Agronomes Canada as agreed to by the SIA.

4.4. Articling Technical Agrologist (ATechAg)

Any person shall be considered for registration as an articling technical agrologist who has completed:

- (a) a two-year diploma in an agriculture, food or related environmental program or as approved by the admissions and registration committee; or
- (b) a related two-year diploma approved by the admissions and registration committee; or
- (c) an applied science degree approved by the admissions and registration committee.

4.5. Student Affiliate

Any person who is registered in a program leading to a diploma, undergraduate or graduate degree in agriculture, food, or related environmental programs in Saskatchewan may upon application, be accepted as a student affiliate. The designation as a student affiliate shall cease upon qualification for application to become an articling agrologist or articling technical agrologist and/or lapse of membership. Student affiliate memberships are valid between September 1 to August 31 to coincide with the academic year.

4.6. Retired Agrologist

A person who is a member at the time of their retirement from the practice of agrology, upon application to the registrar, may be designated a Retired Professional Agrologist or Retired Technical Agrologist. Upon such registration, that member shall be entitled to:

- attend annual general meetings and special meetings of the Institute and to vote at them;
- receive newsletters published by the Institute,
- receive information as the council may direct from time to time;
- to use the designation PAg (Ret) or TechAg (Ret); and
- serve on committees, branch executives or as a mentor.

5. Applications

- 5.1. Applications for registration shall be made on forms prescribed by council and forwarded to the registrar at the provincial office. Each applicant shall certify on the application form that they have read and agree to be bound by the Code of Ethics and Practice Standards.
- 5.2. Applications for registration as a dual member, a transfer request and for a temporary licence to practice are to be made prior to commencing the practice of agrology.
- 5.3. Applications for registration as an articling member are to be made prior to commencing the practice of agrology.

6. Certificate and Validation of Registration

- 6.1. The registrar shall issue to each agrologist, upon payment of the prescribed annual registration fee, evidence in the form approved by council of that agrologist's licence to practice, which shall expire on December 31 of the year which such annual registration fee has been paid.
- 6.2. All agrologists shall be issued a certificate of registration as an agrologist and rights to use a professional designation.
 - (a) The certificate of registration shall be displayed to the public in a prominent location in the workplace.
 - (b) The professional designation shall be used in written and electronic communications as a notice to the public that the individual is qualified, registered and committed to the Code of Ethics, Practice Standards and protection of the public interest.
 - (c) Agrologists are permitted to only use the title and designation in which they are licensed to use.
 - (d) Articling members may refer to themselves as an agrologist provided they use the qualifier "articling".
- 6.3. Where the agrologist has a temporary licence, the certificate of registration, which is issued, shall be a temporary certificate of registration, which will be issued following approval by the admissions and registration committee and payment of the registration fee. This certificate is to be displayed in a visible location while performing the temporary work and the expiry date is to be disclosed to the agrologist's employer or client.

7. Annual Licence to Practice Verification

- 7.1. The registrar shall issue an annual licence to practice verification to all agrologists in good standing upon payment of the annual registration fee. The licence to practice verification shall be in such form as authorized by council and defined in the policies and procedures.
- 7.2. Being in "good standing" includes but is not restricted to:
 - (a) Not being under orders from the discipline committee to remove the agrologist from the register;
 - (b) Being current in payment of all relevant fees in accordance with the Bylaws, policies and procedures; and
 - (c) Being current in continuing professional development (CPD) reporting as required by these Bylaws and institute policies and procedures.

8. Leave of Absence

- 8.1. An agrologist may upon application, request the Registrar to grant a leave of absence according to the leave types outlined in Table 1.1. It is the responsibility of the agrologist to make timely application for any extension to the leave period. Failure to do so may result in the agrologist's name being removed from the annual register.

Table 1.1 – Leave Types and Conditions

Leave Type	Duration & Frequency	Practice & Membership Rights
Family/Parental/Compassionate	Up to one year, extendable to a maximum of two years for each leave.	Full membership rights, no practice rights.
General Leave	Up to one year, extendable to a maximum of two years in a 10 year period.	No membership or practice rights.

- 8.2. It is the responsibility of the agrologist to make timely applications for any extension to their leave of absence. Failure to do so may result in the removal of the individual's name from the annual register and requiring them to pay additional fees upon reinstatement.
- 8.3. Articling agrologists that are on a leave of absence are eligible to complete the required milestones with the exception of work experience.
- 8.4. Agrologists on leave are encouraged to report Continuing Professional Development hours, if any.

9. Resignations

The council may accept the written resignation of an agrologist supported by a signed declaration of non-practice that is submitted to the registrar.

10. Lapse of Registration

- 10.1. All registration renewal fees are due as of December 31 of the year preceding the year of registration. An individual who has not paid the registration fees as of January 15 of the year of registration will receive a notice indicating fees are not paid. Anyone who has not paid by February 1 of the year of registration will be automatically removed from the register without further notification.

10.2. The aforementioned notice will be by:

- (a) electronic transmission where the individual has provided their electronic address to the institute and has consented to receive electronic communication from the institute; or
- (b) regular mail, if no electronic address has been provided, unless council determines registered mail is appropriate in the circumstances.

11. Reinstatement

- 11.1. Applications for reinstatement are to be submitted prior to commencing the practice of agrology.
- 11.2. An agrologist who has been retired or resigned and has not been a registered agrologist for one year or less, may reinstate their registration upon recommendation of the admissions and registration committee, with no reinstatement fee, as prescribed in Section 14 of the Administration Bylaws.
- 11.3. An agrologist who has been granted a leave of absence must apply for reinstatement to the admissions and registration committee 30 days prior to returning to practice, with no reinstatement fee, as prescribed in Section 14 of the Administration Bylaws.
- 11.4. A person who has not been a registered agrologist for more than one year, or who has not officially requested a leave of absence, retired or resigned for any period of time may reinstate their registration upon the recommendation of the admissions and registration committee, and will be subject to reinstatement fees as defined in the section 14 of the Administrative Bylaws.
- 11.5. An individual who has been removed from the register under section 10 of these bylaws may apply for reinstatement to the admissions and registration committee. Upon approval, they will be subject to the application fee, annual registration fee, and a penalty as prescribed in section 18 of the administrative bylaws.

12. Probation

A practicing agrologist may be placed on probation for a specific timeframe or be required to complete a specific milestone when the individual does not meet the requirements of a member in "good-standing" as defined in section 7.2 of these bylaws, including upon:

- (a) directive of the admissions and registration committee or council when an agrologist has been on extended leave and is not current in continuing professional development (CPD) reporting as defined in section 15 of these bylaws; or
- (b) directive of the admissions and registration committee or council when a registered member applies for a change in their declared scope of practice where the individual requires additional training or courses to be completed; or
- (c) directive of the discipline committee following a guilty verdict for professional misconduct or incompetence.

13. Articling

- 13.1. Individuals who have been accepted for registration as an articling agrologist or articling technical agrologist must complete a minimum of three years relevant professional experience in their declared scope of practice and the area(s) in which they are trained and qualified to practice, and as approved by the admissions and registration committee and defined in the policies and procedures.
- 13.2. Individuals in the articling program are required to complete defined milestones approved by council and the admissions and registration committee and achieve a minimum 70% grade on a professionalism and ethics course and exam as the final milestone.
- 13.3. The admissions and registration committee may add additional milestones, such as additional formal training during the articling program for an individual to be eligible for full registration.

14. Scopes of Practice

- 14.1. Professional agrologists (PAg) and articling agrologists shall review and update their self-declared scope of practice annually to accurately reflect their agrology practice. All changes in the declared scope of practice shall be supported by their annual continuing professional development (CPD) reports as defined in the policies and procedures.
- 14.2. Technical agrologists (TechAg) and articling technical agrologists are restricted to practice only in the scopes and areas of practice where they are educated, qualified and have experience. Any change in the restricted scope of practice must be on the request to and approval of the admissions and registration committee, as defined in the policies and procedures.

15. Continuing Professional Development (CPD)

- 15.1. All practicing agrologists shall be required to demonstrate that they are continuing their professional education and development by reporting 35 hours of continuing professional development (CPD) per year or having a running average of 105 hours over a three-year period to maintain their registration.
- 15.2. Notwithstanding section 15.1 above, an agrologist who has on file files with the registrar, a current declaration of non-practice stating that the agrologist is not actively engaged in the practice of agrology is exempt from the requirements of this bylaw.
 - (a) An agrologist who has on file, a current declaration of non-practice and has an exemption under this section, and intends to resume the practice of agrology, must apply for reinstatement as per section 11 of these bylaws.
 - (b) An agrologist who has filed a declaration of non-practice and has an exemption under this section, and intends to resume the practice of agrology, must apply for reinstatement as per section 11 of these bylaws.
 - (c) An agrologist shall not engage in the practice of agrology while an exemption under this section is in effect.
 - (d) The admissions and registration committee may require an agrologist who has applied for reinstatement under subsection 15.2(b) to comply with any conditions that the admissions and registration committee may set prior to allowing that agrologist to resume the practice of agrology as outlined in the policies and procedures.
- 15.3. The professional development and practice standards committee will randomly conduct practice reviews that include agrologists' CPD reports to assess how well it supports the declared scopes of practice. Practice reviews shall proceed in accordance with the policies and procedures.
- 15.4. On the request of the professional development and practice standards committee, an agrologist shall satisfy the committee that they are complying with the requirements of this section. If the agrologist fails to satisfy the committee the committee may undertake a further review of the practice of an agrologist, and/or may lodge a complaint with the professional conduct committee.

PROFESSIONAL CONDUCT

16. Code of Ethics

Agrologists will assent to and conform to the Code of Ethics (professional conduct) set out in Schedule A to these bylaws.

17. Practice Standards

Agrologists will assent to and conform to the Practice Standards (professional competence), set out in Schedule B to these bylaws.

DISCIPLINE

18. Professional Conduct Committee

- 18.1. The registrar, upon receiving a complaint, will ensure the complaint meets validity standards as outlined in the policies and procedures.
- 18.2. The professional conduct committee shall notify, in writing, the agrologist who is the subject of a complaint, that a complaint has been received and ask for a written response. The committee will inform the complainant and the agrologist who is the subject of the complaint that the investigation process is to be held in confidence by all parties.
- 18.3. The professional conduct committee shall notify, in writing, the person who made the complaint that the complaint will be reviewed.
- 18.4. The professional conduct committee shall take appropriate action including:
 - (a) request any person to answer any questions and to produce any physical or electronic records, notes, photographs, videos, films, books, papers or 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
 - (b) with the consent of the person producing them, copy and keep copies of any of the documents or things that are produced under clause (a).
- 18.5. The professional conduct committee shall hold in confidence, all documentation and information received.
- 18.6. At any time, the Professional Conduct Committee or the member may request formal mediation by a jointly agreed upon qualified mediator.
- 18.7. If, at the conclusion of its investigation, the professional conduct committee finds there is insufficient evidence to refer a matter to discipline and the investigation tends to show undesirable practice, the professional conduct committee may issue a letter or letters of guidance for the purpose of giving confidential feedback including suggestions in order to improve and strengthen the agrologist's practice and protect the public interest.
- 18.8. If, at the conclusion of its investigation, the professional conduct committee determines there is sufficient evidence of professional misconduct and/or professional incompetence to refer the matter to the discipline committee, the professional conduct committee may pursue alternate, low-level resolution of the matter, including the negotiation of a Consensual Resolution Agreement (CRA) or the member may request formal mediation by a jointly agreed upon qualified mediator if it improves and strengthens the agrologist's practice and protects the public interest.
- 18.9. Entering a CRA or mediation agreement with the professional conduct committee shall not be considered discipline against the agrologist. Failure by the agrologist to comply with the terms and conditions of the agreement may result in the matter being referred to the discipline committee.

19. Discipline Committee

- 19.1. Where the professional conduct committee refers a complaint to the discipline committee to hear and determine the complaint, council shall establish a committee as described in section 25 of the Act.
- 19.2. The committee shall hold hearings in Saskatoon unless otherwise directed by the Registrar.
- 19.3. Discipline hearings shall be open to the public.
- 19.4. The discipline committee may exclude any members of the public and the complainant from any part of the hearing, when the committee is of the opinion that the evidence brought in the presence of the persons to be excluded will unduly violate the privacy of a person other than the agrologist who is the subject of the hearing.

- 19.5. Where the committee determines that the person is not guilty of professional misconduct or professional incompetence, written notice that the complaint has been dismissed shall be provided to:
- (a) The agrologist who is the subject of the complaint;
 - (b) The complainant; and
 - (c) The public.
- 19.6. The discipline committee or the council may direct that reports or summaries of disciplinary decisions, including the agrologist's personal information, be published in any manner it deems appropriate.
- 19.7. Where an agrologist is found by the discipline committee to have been guilty of professional misconduct or professional incompetence, the discipline committee may exercise any of its powers under section 27 of the Act.

MISCELLANEOUS

20. Requests for Special Meetings

Special meetings of the institute may be called by the president when requested by 20 agrologists.

21. Professional Liability Insurance

21.1. Prior to providing independent agrology services, an agrologist shall notify the client, in writing, that they have professional liability insurance that applies to those services to protect the public interest.

21.2. The council may take steps to ensure all agrologists declare that they are covered by insurance with respect to professional liability claims to protect the public interest.

CERTIFIED AND TRUE COPY

Valerie Pearson PAg

Valerie Pearson PAg
Executive Director & Registrar



(Date)

April 27/2020

SCHEDULE A: CODE OF ETHICS

Agrologists have an obligation to conduct all business in an ethical manner, and share a moral and legal responsibility to protect the public interest, employers, other agrologists and the profession of agrology.

The profession demands and holds agrologists accountable for integrity, competence and objectivity in their conduct as they fulfill their professional responsibilities to protect the public interest, the employer/client, the profession and other agrologists.

Professional Obligations to the Public

- Practice only in those fields where the agrologists' training, ability and experience make them professionally qualified.
- Express a professional opinion only when it is founded on adequate knowledge and experience, and where agrologists have an understanding of the situation and context against which this opinion is being offered.
- Advocate and practice good stewardship of agriculture, food and the environment based on sound scientific principles.
- Extend public knowledge of agriculture and promote truthful and accurate statements on sustainable agricultural systems and environmental matters.

Responsibility to the Employer/Client

- Act conscientiously and diligently in providing professional services on behalf of the employer.
- Maintain the confidentiality of employer information unless given explicit consent, except, as the law requires.
- Obtain a clear understanding of the employer's or client's objectives.
- Inform the employer or client of any action planned or undertaken by the employer or client that agrologists believe is detrimental to good stewardship or in breach of known laws or regulations.
- Refuse any assignment that creates a conflict of interest, defined as:
 - Where there is reason to believe that a decision may be unduly influenced by a factor other than what is in the best interest of the employer or client; or
 - A situation where one may be tempted to place one's private interest above one's duty to the employer or client.

Responsibility to the Profession

- Inspire confidence in agrology by maintaining high standards in conduct and work at all times.
- Support activities for the advancement of the profession.
- Report to the institute (registrar) any alleged illegal practices, professional incompetence, professional misconduct or any breach of the Act or bylaws.
- State clearly on whose behalf professional statements or opinions are made.
- Sign and seal only those plans, reports and other documents for which agrologists are professionally responsible and which were prepared by them or under their direction.

Responsibility to other Agrologists of the Institute

- Abstain from undignified or misleading public communication with or about agrologists.
- Give credit for professional work to whom credit is due.
- Share knowledge and experience with other agrologists, mentor new agrologists and contribute to building a strong network of professionals.

SCHEDULE B: PRACTICE STANDARDS

Purpose

The institute provides minimum general practice standards with which all agrologists must comply. More specific practice standards are available for certain scopes and areas of agrology defined in the policies and procedures.

Practice standards represent a minimum level of performance that is used to evaluate the activities of agrologists. Practice standards are developed to:

- Ensure safe and ethical practices
- Act as a guide for agrologists to the competencies and behaviours required to practice agrology in general and in specific areas
- Provide a way to evaluate and measure the conduct of practice and competencies of agrologists against a transparent standard
- Enable agrologists to improve their practice
- Promote the role and accountability of agrologists to the public interest, other professionals, and peers
- Act as a legal reference to describe reasonable and prudent practice in employment situations and complaints about an agrologist when presented to the professional conduct committee or a Court of Law

Essential Competencies

These competencies are derived from the Code of Ethics and broadly define the minimum expectations for agrologists. All agrologists shall:

Integrity

- Act towards other agrologists, the public, employers, clients and other professions and in general, with courtesy and good faith.
- Respect social diversity.
- Facilitate an understanding of the practice of agrology.
- Read and be familiar with the institute's governance and operational structure and functions.
- Use professional principles, performance management systems and methods relative to the agrologist's area of practice.
- Ensure the agrologist's skills are consistent with the requirements of the specific area of agrology and that the skills are constantly improved and enhanced through continuing professional development.
- Respect contributions by other professionals to the work product.

Competency in Area of Practice

- Only undertake work for which the agrologist is competent and qualified.
- Perform due diligence for all work undertaken, including becoming knowledgeable about the work to be performed, the client or employer for whom the work is to be performed, and any resources required to complete the work.
- Maintain and demonstrate knowledge of developments in any area of practice relevant to any services that are undertaken.
- Be aware of changes and issues within the agrologist's area of practice, notify the Registrar and adapt their practice standards as appropriate.
- Demonstrate client, employer, community and environmental sensitivity.
- Clearly communicate to any affected parties the scope of any work undertaken, related priorities and

decisions.

- Maintain knowledge and awareness of developments in their area of practice, including any changes to the Practice Standards.
- Employ quality assurance measures where appropriate.
- Evaluate overall project performance on a regular basis to provide confidence that the project will satisfy the relevant quality standards.
- Ensure any individuals over whom the agrologist has control, have the appropriate qualifications and competencies.
- Ensure all formal documentation is authenticated by signing, dating and sealing in accordance with The Agrologists Act, bylaws and policies.

Objectivity

- Act fairly to colleagues, clients, employers, subordinates and employees.
- Recognize and promptly address any issues arising during practice that may affect the satisfactory outcome of any work that has been undertaken.
- Determine if a potential or perceived conflict of interest exists before performing services. If performance of the work can reasonably be foreseen to result in a conflict of interest, the agrologist should not conduct the work. If there is a potential or perceived conflict of interest at any time before or during performance of the work, the agrologist must document and inform all involved parties of the conflict.

Review

The professional development and practice standards committee shall monitor and review policies, guidelines and procedures and propose to council amendments that will promote the practice standards set out in these bylaws.

The professional development and practice standards committee shall monitor and review the institute's scopes of practice and areas of practice, published in the policy and procedures, and define the minimum academic training for each scope and area.

Practice guidelines and procedures shall be at two levels of application as follows:

- General practice standards, at a broad level that are applicable to all practice areas. Such standards should be clearly defined with measurable assessment parameters.
- Specific practice standards for those areas deemed to be of significant risk to the profession and/or public. Such standards to encompass at least:
 - Development of a descriptive list of knowledge, skill sets and capabilities required to be proficient in a given scope or area of practice; and
 - Development of specific practice standards that describes what is commonly accepted against which competence in that practice area is to be assessed.