



Newfoundland & Labrador
**College of
Social Workers**

BY-LAWS

of the
Newfoundland and Labrador College of Social Workers



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February 2, 2024, May 8, 2026

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OF
THE NEWFOUNDLAND AND LABRADOR COLLEGE OF SOCIAL WORKERS

Note 1

These by-laws are made pursuant to Section 17 of an *Act Respecting the Practice of Social Work* (2010) (Short title Social Workers Act) CHAPTER S-17.2 2010.

Note 2

All references to the Act in these By-laws refer to the *Act Respecting the Practice of Social Work (2010)*.

Note 3

All references to the *College* mean the Newfoundland and Labrador College of Social Workers.

Note 4

All references to the *Board* mean the Board of Directors of the Newfoundland and Labrador College of Social Workers.

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BY-LAWS
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1.0. SEAL

The College shall have a seal as approved by the Board.

The seal of the College shall be held at the provincial office of the College and shall not be affixed to any instrument without a resolution of the Board and in the presence of such officer or officers of the Board shall from time to time appoint.

The seal shall be affixed upon registration certificates for individuals who have been approved by the registrar for inclusion on the roster of social workers practicing in Newfoundland and Labrador.

2.0. HEAD OFFICE

The head office of the College shall be located in the City of St. John's in the Province of Newfoundland and Labrador.

3.0. GENERAL MEMBERSHIP

The general membership shall be limited to social workers duly registered to practice according to the Act and to non-practicing members both categories of individuals who have met the criteria for the current registration year.

An individual holding an active registration with the College,

- a) may use the designation “registered social worker” (RSW) and may practice within the scope of the social work profession in Newfoundland and Labrador;
- b) is expected to adhere to the Code of Ethics and Standards of Practice as identified in the by-laws;
- c) is eligible for professional liability insurance in accordance with the Canadian Association of Social Workers insurance program;
- d) has full voting rights;

- e) is eligible to be nominated for election on the Board if they are in good standing;
- f) is eligible to receive College publications and communications;
- g) is eligible to receive publications and benefits of the College's membership with the Canadian Association of Social Workers; and
- h) is eligible to elect the members of the Board as required by the Act and By-laws.

An individual holding a non-practicing membership with the College,

- a) is expected to adhere to the Code of Ethics and Standards of Practice as identified in the by-laws;
- b) is eligible to receive College publications and communications;
- c) is eligible to receive publications and benefits of the College's membership with the Canadian Association of Social Workers.

4.0. REGISTRATION AND MEMBERSHIP

4.1 Membership Categories

The College membership is as follows:

- a) Active Registrant pertains to a person who is duly registered to practice the profession of social work under Section 18 of the Act. Individuals granted active registration have full voting rights.
- b) Temporary Registrant pertains to a person who is granted temporary registration under Section 19 of the Act. Individuals granted temporary registration have full voting rights.
- c) Non-practicing member pertains to a person who is eligible to practice social work in the province of Newfoundland and Labrador under the Act but who is not practicing the profession and has paid a membership fee. The purpose of which is to maintain an affiliation with the profession. Non-practicing members are non-voting members but enjoy other rights and privileges of membership.

4.2 Registration Certificates

As per Section 18 (5) of the Act, every certificate of registration issued under Section 18 and 19 of the Act expires on February 28 of the year following the date of issue unless revoked at an earlier date.

Individuals who fail to remit all requirements for registration renewal including the annual renewal fee on or before February 28 following the date of issue of their certificate of registration shall have their name removed from the register and will not be entitled to practice social work until such time as a new application for registration has been processed and accepted.

4.3 Social Work Registry

The registry will be available on the NLCSW website and will identify each active registrant and non-practicing member by name, registration number, registration category, expiry date of current registration or membership, current status of registration and regulatory actions.

5.0. FEES

- a) The fees shall be set by the Board in accordance with Section 15 of the Act.
- b) Fees for registered and non-practicing members are due no later than February 28 of each calendar year.
- c) Individuals who become eligible for initial registration after October 1st pay a prorated fee of 50% of the annual registration fee.

6.0. TERMINATION / RESIGNATION OF MEMBERSHIP

- a) A member may resign his/her membership and terminate his/her registration upon giving notice in writing thirty (30) days in advance to the Registrar.
- b) A member who resigns her/his registration is listed as inactive and is not eligible to practice social work in the province of Newfoundland and Labrador.
- c) A member who resigns shall not receive a refund in whole or part of any fees that have been paid to the College.
- d) A member who resigns registration is subject to the provisions of the legislation as a former member.

7.0. BOARD OF DIRECTORS

7.1. Composition

The composition of the Board is in accordance with Section 10 of the Act. The Board shall consist of:

- a) A chair
- b) A vice-chair
- c) The immediate past chair
- d) Five directors who hold regional representative positions
- e) A Board member at large
- f) An executive member at large
- g) Four persons who are appointed by the Minister to represent the public interest.

All members of the Board shall have full voting rights.

7.2 Term of Office

The term of office of elected Board members is two (2) years except for the position of chair who shall serve two (2) years as vice-chair, two (2) years as chair and two (2) years as past chair for a total of six (6) years.

The term of office for individuals who are not members of the College and are appointed as public representatives by the Minister of Health & Community Services under section 12 of the *Social Workers Act* is, in accordance with the *Act*, three (3) years. Public representatives are eligible for reappointment and continue to be members until reappointed or replaced.

7.3. Duties

Pursuant to Section 9 of the Act, the College shall be governed by a Board that shall manage and conduct the business and affairs and exercise the powers of the College for and on behalf of the College. The duties are as follows:

- a) to represent the College in the acquisition and holding of real and personal property by way of purchase, lease, grant, hire, exchange or otherwise and dispose of that property;
- b) to represent the College in the borrowing of money and giving security by way of mortgage, pledge, charge or otherwise for borrowed money, in order to carry out the objects of the College;
- c) to invest money of the College as determined by the College to be for its benefit;
- d) to appoint delegates and experts to act on behalf of the College when necessary;

- e) to establish committees or commissions as may be deemed necessary to conduct the business of the College;
- f) to oversee that the Registrar carries out the duties set out in the by-laws;
- g) to approve the budget;
- h) to make such other decisions as may be necessary to further the activities of the College;
and
- i) members of the Board may chair committees of the Board.

7.4 Role of Regional Directors

In addition to the duties in Section 7.3 of the by-laws, the duties of regional directors shall be as follows:

- a) to promote awareness of the objectives of the College;
- b) to encourage active participation in professional activities; and
- c) to provide liaison with members and the Board on issues of local and provincial concern.

7.5. Board Liaison Positions

7.5.1 Association of Social Work Students Liaison

ASWS Representative Appointment and Term

One student representative shall be appointed from the School of Social Work, Memorial University. The Executive shall contact the School of Social Work in September of each year to request the appointment of the student representative. The student serves a one-year term as a liaison between the ASWS and the College.

Duties of the ASWS Representative

- a) to represent the students and act as a liaison between the students and the College; and
- b) to provide regular reports of ASWS activities.

7.5.2 Canadian Association of Social Workers (CASW) Liaison

CASW Representative Appointment and Term

The CASW representative is appointed by the Board following a call for expressions of interest. The CASW representative for NL is a member of the Board of Directors of The Canadian Association of Social Workers. The length of the mandate shall be in conformity with the governance policies of CASW.

Duties of the CASW Representative

- a) to serve as national director on the CASW Board;
- b) to act as liaison between the CASW Board and the provincial College; and
- c) to provide regular reports of CASW activities at College Board meetings.

8.0. BOARD MEETINGS

- a) The Board shall meet to conduct the business of the College not less than four (4) times per year or quarterly.
- b) Board members may participate in meetings in person or by other electronic means that permit all persons participating in the meeting to communicate with each other.
- c) Notice of Board meetings to Board members shall be given at least six (6) days in advance of the meeting stating place and time.
- d) In the case of emergency Board meetings, these notices shall be distributed to each Director at least 48 hours before the meeting takes place.

8.1. Quorum

The quorum of the Board shall be eight (8) members which constitutes a majority of the members of the Board and must include either the Chair, Past Chair or Vice-Chair and at least one (1) appointed member in accordance with Section 10 (11) of the Act.

8.2. Voting

Voting shall normally be in person or videoconference by show of hands or oral vote.

- a) All questions brought to the Board must be decided by a majority vote. Amendments to the by-laws require a two thirds majority vote. Other decisions require a simple majority.
- b) A Board member shall be permitted a proxy vote by notifying the College office in writing on the prescribed form in advance of the date of the meeting. Proxy forms shall be available at the College office and will be sent to the member upon request. Completed forms shall be received at the College office preceding the meeting.
- c) The appointed proxy must be a voting member of the Board.
- d) No person shall hold more than one (1) proxy.

8.3. Rules of Order

The rules of order shall be the parliamentary procedure.

8.4. Minutes

The minutes of all meetings of the Board shall be kept at the provincial office of the College.

Minutes shall be distributed to all members of the Board prior to the next meeting.

8.5. Vacancy on the board of directors

A vacancy will be created on the board of directors when:

- (a) A board member dies.
- (b) A board member submits a letter of resignation,
- (c) A board member misses three (3) consecutive board meetings without a valid reason as determined by the board of directors,
- (d) A board member is convicted of a criminal offence,
- (e) A board member who is a registered social worker is no longer in good standing with NLCSW,
- (f) An elected board member ceases to be a registered social worker.
- (g) A public board member is removed from their position by the Minister of Health & Community Services

8.6. Removal from the Board

Other than for reasons outlined in section 8.5, any elected member shall only be removed for just cause upon recommendation by the Executive Committee at a special meeting of the Board. The affected Board member must be notified of cause and recommendation for removal at least one (1) week prior to the Board meeting where the removal of the Board member will be addressed.

9.0. EXECUTIVE COMMITTEE

9.1. Composition

The Executive Committee consists of the Past Chair, Chair, Vice-Chair and the Executive Member at Large.

9.2. Duties of an Executive Committee Member

The duties are as follows:

- a) to put into effect the decisions and directions of the Board;
- b) to exercise any other function instructed to it by the Board;
- c) to make urgent decisions on behalf of the Board when it is not feasible to convene the entire Board in person or by electronic means;
- d) to engage and dismiss the Executive Director & Registrar and to determine salaries, duties and working conditions; and
- e) to establish and maintain sound personnel practices for employees of the College.

9.3. Meetings

- a) Minutes shall be kept of all Executive Committee meetings.
- b) Between the Board meetings, the Executive Committee meets for the purpose of:
 - i. preparing the agenda for the Board meeting;
 - ii. determining ways to implement directions from the Board; and
 - iii. planning annual and special meetings of the College.

9.4. Roles of Members of the Executive Committee

Chair

- a) to preside at all meetings of the Executive Committee, Board or general membership;
- b) to ensure observance of by-laws;
- c) to be responsible for the carrying out of decisions of the Board and the annual meetings;
- d) to generally oversee the business and affairs of the College and perform all other duties incidental to his/her office; and
- e) to be a registered social worker in good standing with the College.

Vice-Chair

- a) to assist the Chair in his/her duties, and to represent the Chair when necessary;
- b) to be a registered social worker in good standing with the College; and
- c) to serve as a member of the Board and Executive Committee.

If the office of Chair becomes vacant prior to the expiration of the term of office, the Vice-Chair will assume the position of Chair for the duration of the term; the Board may appoint an interim Vice-Chair from the general membership of registered social workers in good standing with the College.

If the office of Vice-Chair becomes vacant prior to the expiration of the term of office, the Board may appoint an interim Vice-Chair.

Past Chair

- a) to serve on the Board and Executive Committee;
- b) to be a registered social worker in good standing with the College; and
- c) to assist the Chair in his/her duties, and to represent the Chair when necessary.

Executive Member at Large

- a) to serve on the Board and Executive Committee; and
- b) to be a registered social worker in good standing with the College.

10.0. THE EXECUTIVE DIRECTOR & REGISTRAR

- a) shall be appointed and held accountable as an employee of the College according to the terms and conditions set out by the Board for a specific period of time;
- b) shall supervise staff of the College;
- c) shall conduct the correspondence of the College and keep a record of such correspondence;
- d) shall perform the duties of the Executive officer of the College and other such duties as may be required by the Board;
- e) shall keep or cause to be kept all books and records which by law or otherwise are required, and prepare or cause to be prepared all necessary statements and related reports;
- f) attends all Board meetings, special meetings and annual meetings and shall act as a non-voting member of the Board or Committees;
- g) Pursuant to Section 13 of the Act, the Registrar shall:
 - i. keep and maintain the records that the Board may direct;
 - ii. maintain a website for the College;
 - iii. act as a member of the Board;
 - iv. perform the duties of the registrar in respect of discipline under Part III; and
 - v. perform other functions and duties that the Board assigns to him or her.

11.0. ANNUAL GENERAL MEETING

- a) The Annual General Meeting of the College shall be held within six (6) months of the end of the fiscal year which is no earlier than February 28 and no later than August 31 of each calendar year.
- b) All members shall receive notice of any meeting and the agenda at least twenty-one (21) days in advance. The accidental omission to give notice to any member shall not invalidate the proceedings at any meeting.
- c) The minutes of the annual general meeting shall be filed with the Board within one (1) month after the date of the annual general meeting and shall be available to all members upon request.
- d) A quorum shall consist of two thirds of those who vote.
- e) The rules of order shall be the parliamentary procedure.

12.0. VOTING

Voting shall occur as follows:

- a) At annual and special meetings of the College, by registered members who are in good standing.
- b) Decisions shall be reached by a simple majority.
- c) Voting shall be by a show of hands or oral vote.

12.1. Proxy Vote

- a) A voting member shall be permitted a proxy vote.
- b) The member appointing a proxy shall notify the College office in writing on the prescribed form in advance of the date of the annual general meeting. Proxy forms shall be available at the College office and will be distributed to the member upon request. Completed forms shall be received at the College office by the Friday preceding the annual meeting.
- c) The appointed proxy must be a voting member.
- d) No person shall hold more than one (1) proxy.

13.0. ELECTIONS

All registered members in good standing are eligible to hold office.

- a) Elections for designated positions of the Board shall be held every year in advance of the Annual General Meeting. Designated positions are those positions of the Board that are scheduled for election in a given year.

Designated positions are rotated in the following manner:

Group 1:

Vice-Chair
Board Member at Large
Labrador / Grenfell Representative
Avalon East Representative

Group 2:

Executive Member at Large
Western Representative

Central Representative
Eastern Representative

- b) Board members shall be elected individually, and no one may hold more than one (1) office at any given time.
- c) Terms of office shall be two (2) years and no person may serve more than four (4) consecutive terms. This person shall be eligible for re-election to the Board after a one-year absence.
- d) The Board shall fill any vacancy by appointment between elections in accordance with Section 10 of the Act.

14.0. SPECIAL MEETINGS OF THE COLLEGE

- a) Special meetings of the College shall be called at the request of the Chair or Executive Committee.
- b) Special meetings of the Board shall be held at a locality and time chosen by the Board.
- c) All members shall receive a notice of any special meeting and the agenda at least one (1) week in advance.
- d) Minutes of special meetings are distributed to all members who have attended the special meeting.

15.0. COMMITTEES

- a) In addition to legislative committees established under the Act, the Board shall establish committees to fulfil the objects and mandate of the College.
- b) Each committee shall establish a terms of reference to be filed with the Board.

15.1. Accountability

- a) Each of the committees shall be accountable to the Board for its actions. Major deliberations, activities and recommendations shall be included in the College's Annual Report.
- b) Each committee shall confine its activities to those matters for which it was constituted.

- c) No committee may act on any matter inconsistent with the policy of the College and/ or that of the Board.

15.2. Duties of Chairpersons of Committees

- a) to chair committee meetings;
- b) to ensure minutes are taken at meetings; and
- c) to provide committee reports at annual general meetings or to the Board by request.

15.3. Legislative Committees

Legislative committees are established by the Act and may only be abolished by an amendment to the Act. These include:

- i. Complaints Authorization Committee
- ii. Disciplinary Panel
- iii. Quality Assurance Committee

16.0. FINANCIAL YEAR

The financial year of the College shall be from March 1 - February 28

17.0. SIGNING OFFICERS

The signing officers for the College shall be at least two (2) Executive members and the Executive Director/Registrar. The signature of any two (2) signing officers are required on all cheques and other similar instruments.

18.0. EXPENSES

Members of the Board, committees and employees shall be paid necessary travelling and other expenses incurred in connection with the business of the College, as approved by the Board and outlined in the College's Travel Policy.

19.0. CODE OF ETHICS

The Code of Ethics to be adhered to by members of the College is the Canadian Association of Social Workers Code of Ethics (2024).

20.0 STANDARDS OF PRACTICE

The standards of practice to be adhered to by members of the College is the NLCSW Standards of Practice for Social Workers in Newfoundland and Labrador (2024).

21.0 DEFINITIONS - CONDUCT DESERVING OF SANCTION

21.1. Professional Misconduct

Conduct by a social worker while directly engaged in the practice of social work. It is that which contravenes the Code of Ethics and Standards of Practice of the profession of social work established under the regulations, or that which contravenes the *Act*, regulations, or by-laws of the College. Examples include but are not limited to breach of client confidentiality, failure to document service provision, falsifying client records, boundary violations, practicing while impaired by drugs or alcohol, practicing without the necessary education, knowledge and skills to ensure safe and competent care.

21.2. Unprofessional Conduct

Conduct by a social worker while directly or indirectly engaged in the practice of social work, such that it displays a lack of knowledge, skill or judgment in the practice of social work. This includes conduct/behavior that may be detrimental to the best interests of the public or may harm the standing of social workers generally.

21.3. Professional Incompetence

Conduct by a social worker which displays a lack of knowledge, skill, judgment, or professional proficiency in the practice of social work, displays a disregard or members of the public or is detrimental to the best interests of the public. Examples include but are not limited to failure to maintain professional competency requirements, failure to seek consultation and supervision when appropriate, acts of negligence, engaging in

the delivery of social work services or interventions outside of one's knowledge or skill level such that it impacts one's ability to continue to practice or requires practice restrictions.

21.4. Conduct Unbecoming a Social Worker

Conduct by a social worker that harms or tends to harm the standing of social workers or brings the profession into disrepute. Examples include but are not limited to engaging in conduct/behavior that is regarded by the profession as disgraceful, dishonorable or unprofessional, conviction of a criminal act, egregious unprofessional conduct towards colleagues.

21.5. Incapacity or Unfitness to Practice as a Social Worker

A social worker who is impaired due a physical or mental health issue, condition or disorder, drug or alcohol use, or personal and employment stressors such that the social worker cannot carry out their professional responsibilities in a safe and competent manner.

21.6. Acting in Breach of the Act, the Regulations, or the By-Laws

Conduct by a social worker that is in breach of the *Act*, the regulations or the by-laws of the NLCSW. Examples include but are not limited to acting in breach of the CASW (2024) Code of Ethics and NLCSW (2024) Standards of practice which is adopted in the by-laws of the NLCSW, failure to comply with registration and continuing education requirements, engaging in the practice of social work without a valid registration.