



Council Meeting Minutes

Date: September 27, 2021

Location: Videoconference – Microsoft (MS) TEAMS

Present: K. Westfall-Connor, RMT, President
 L. White, Public Member, Vice President
 S. Adderley, RMT
 S. Biber, RMT
 A. Cantalini, RMT
 L. Hargreaves, RMT
 M. Kesler, Public Member
 S. Mall, Public Member*
 J. Mathers, Public Member
 D. Oehring, RMT
 J. Patel, Public Member
 L. Tucker, RMT
 R. Van Vliet, RMT
 I. Vining, RMT
 C. Watt, Public Member

Administration: C. Flitton, Registrar & CEO*
 M. Boon, Deputy Registrar*
 A. Brennand, Director, Policy and Communications*
 V. Browne, Director, Registration Services*
 N. Garnette, Director, Professional Conduct*
 V. McCoy, Director, Professional Practice*
 C. Ralph-Edwards, Controller*
 L. Webber, Senior Executive Assistant*

Recorder: L. Webber, Senior Executive Assistant*

*attended a portion of the meeting only

1.	<p><u>Call to Order</u></p> <p>The meeting was called to order at 9:00 AM.</p> <p>K. Westfall-Connor, President, provided the land acknowledgement as a demonstration of recognition and respect for Indigenous peoples.</p> <p>K. Westfall-Connor welcomed and introduced Jalpa Patel, appointed as a Public Member to the Council of the College of Massage Therapists of Ontario effective September 16, 2021.</p>	
2.	<p><u>Declaration of Conflicts of Interest</u></p> <p>No conflicts of interest were declared.</p>	
3.	<p><u>Approval of the Agenda of September 27, 2021</u></p> <p>Agenda Item 8.2 “In-Camera Session” will be addressed immediately after lunch, followed by Agenda Items 8.3 “Vaccination and RMTs” and 8.1 “Return to Office Plan”. An additional in-camera session, in accordance with the RHPA, Schedule 2, Section 7(2)(d) to discuss personnel matters, will be added to the agenda under Agenda Item 10.</p> <p>2021 September 27 – MOTION 1: J. Mathers/L. White</p> <p>THAT the Agenda of September 27, 2021, be adopted as amended.</p> <p style="text-align: right;">CARRIED</p>	
4.	<p><u>Council Meeting Evaluation of May 10-11, 2021</u></p> <p>There were no issues raised respecting the May 10-11, 2021 Council meeting.</p> <p>S. Mall, Public Member, joined the meeting at 9:18 AM.</p>	

5.	<p><u>Consent Agenda</u></p> <p>2021 September 27 - MOTION 2: C. Watt/S. Biber</p> <p>THAT the consent agenda be approved as presented.</p> <p style="text-align: right;">CARRIED</p>	
6.	<p><u>Quarterly Reporting</u></p> <p><u>6.1 2021 – Q2 Financial Report</u></p> <p>C. Ralph-Edwards, Controller, introduced the 2021 – Q2 Financial Report to Council. He informed Council that the variances greater than \$50,000 and 10% are explained in the appendixes. No questions were raised regarding the 2021 – Q2 Financial Report.</p> <p>2021 September 27 - MOTION 3: L. White/R. Van Vliet</p> <p>THAT Council approve the unaudited 2021 – Q2 Statement of Operations and Statement of Financial Position.</p> <p style="text-align: right;">CARRIED</p> <p><u>6.2 2021 – Q2 Workplan Report</u></p> <p>M. Boon, Interim Deputy Registrar, presented proposed amendments to the 2021 Workplan and the status of projects on the 2021 – Q2 Workplan Report, to Council.</p> <p>M. Boon reported that although a significant amount of work was completed or is in progress, the deliverables for Phase 3 and 4 of the Data Management Strategy will not be completed by Q4 due to staffing changes, ongoing management of CMTO’s response to COVID and implementation of the new data base. The Data Management Strategy is currently being finalized and a summary will be presented at the November Council meeting. The revised project details will be provided in the 2022 Workplan.</p> <p>Additionally, the Code of Ethics project will be removed from the 2021 Workplan next quarter, as the companion education program will be incorporated into the online Jurisprudence Program project and therefore does not</p>	

	<p>need to be reported on separately.</p> <p>As well, work has not commenced on the Regulatory Risk Assessment project due to interconnection with the Risk Based Assessment (RBA) project. M. Boon informed Council the project will be terminated and removed from the 2021 Workplan. She advised Council that after completing the RBA project, should Council determine that a broader consultation on risks in the practice of massage therapy is needed, the Risk Based Assessment project can be considered again.</p> <p>2021 September 27 – MOTION 4: S. Biber/M. Kesler</p> <p>THAT the proposed amendments to the 2021 Workplan be approved by Council.</p> <p style="text-align: right;">CARRIED</p> <p>2021 September 27 – MOTION 5: S. Mall/S. Biber</p> <p>THAT Council accept the 2021 – Q2 Workplan Report as presented.</p> <p style="text-align: right;">CARRIED</p> <p><u>6.3 2021 – Q2 Key Performance Indicators Report (KPIs)</u></p> <p>A. Brennan, Director, Policy & Communications, presented the 2021 – Q2 Key Performance Indicators (KPIs) Report to Council.</p> <p>2021 September 27 – MOTION 6: A. Cantalini/S. Adderley</p> <p>THAT Council accept the 2021 – Q2 Key Performance Indicators (KPIs) Report as presented.</p> <p style="text-align: right;">CARRIED</p> <p><u>6.4 2021 – Q2 Inquiries, Complaints and Reports Committee Report (ICRC)</u></p> <p>L. Tucker, Chair of the Inquiries, Complaints and Reports Committee, presented the 2021 – Q2 Committee Report to Council.</p>	
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	<p>2021 September 27 – MOTION 7: C. Watt/M. Kesler</p> <p>THAT Council approve the 2021 – Q2 ICRC Report as presented.</p> <p style="text-align: right;">CARRIED</p>	
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<p>7.</p>	<p><u>7.1 2022 Draft Workplan</u></p> <p>M. Boon presented the 2022 Draft Workplan to Council. The workplan sets out the key regulatory, governance or foundational operational projects necessary to support the strategic plan. There were no questions raised respecting the Workplan.</p> <p>2021 September 27 – MOTION 8: L. White/R. Van Vliet</p> <p>THAT the proposed 2022 Workplan be approved by Council.</p> <p style="text-align: right;">CARRIED</p> <p><u>7.2 Ratification of Establishment of the Ad-Hoc Committee on Governance, Approval of Chair and Draft Terms of Reference</u></p> <p>At the June 14, 2021, Education Day, Council agreed to establish an Ad Hoc Committee on Governance, to address proposed legislative amendments related to the structure of committees and panels and governance improvement initiatives linked to the College Performance Measurement Framework.</p> <p>Because the agreement to strike an ad hoc committee and its composition occurred during informal discussions, K. Westfall-Connor, Chair of the Ad Hoc Committee on Governance, asked Council to formally approve the establishment, appointment of the Chair and the draft Terms of Reference of the Committee.</p> <p>2021 September 27 – MOTION 9: M. Kesler/S. Biber</p> <p>THAT Council establish an Ad Hoc Committee on Governance consisting of Committee Chairs, K. Westfall-Connor, A. Cantalini, L. Hargreaves, M. Kesler, S. Mall, L. Tucker and D. Oehring.</p> <p style="text-align: right;">CARRIED</p>	
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	<p>2021 September 27 – MOTION 10: J. Mathers/M. Kesler</p> <p>THAT Council approve appointment of K. Westfall-Connor as Chair of the Ad Hoc Committee on Governance.</p> <p style="text-align: right;">CARRIED</p> <p>2021 September 27 – MOTION 11: A. Cantalini/R. Van Vliet</p> <p>THAT Council approve the draft Terms of Reference of the Ad Hoc Committee on Governance as presented.</p> <p style="text-align: right;">CARRIED</p> <p><u>7.3 Proposed By-law Revisions</u></p> <p>M. Boon presented proposed amendments to by-laws to enable the appointment of public non-Council committee members, as well as other housekeeping and minor governance amendments for consideration to Council. These amendments are to come into effect immediately.</p> <p>An amendment was proposed to By-laws No. 1 through 12, Interpretation, to broaden gender categories.</p> <p>2021 September 27 – MOTION 12: S. Biber/M. Kesler</p> <p>1. THAT, the proposed revisions to By-laws 1-12, Interpretation, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>To ensure candidates demonstrate competencies during CMTO elections, an amendment was proposed to By-Law No. 2 “Election of Members to Council”, Section 19(E), Nomination Procedure.</p> <p>2021 September 27 – MOTION 13: S. Biber/A. Cantalini</p> <p>2. THAT the proposed revision to By-Law No. 2 “Election of Members to Council”, Section 19(E), Nomination Procedure, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>13 In Favour 1 Opposed 1 Abstained</p>	
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To eliminate the perception that elected Council members act on behalf of those who elected them, an amendment was proposed to By-Law No. 3 “Elections of the Officers of the College”, Section 6(A)ii, Duties of a Council Member.

2021 September 27 – MOTION 14: S. Biber/L. Tucker

3. THAT the proposed revision to By-Law No. 3 “Election of the Officers of the College”, Section 6(A)ii, Duties of a Council Member, be approved.

CARRIED

To enable the Executive Committee to convene a special Council meeting, amendments were proposed to By-Law No. 4 “Council of the College”, Section 6(B), Duties of a Council Member.

2021 September 27 – MOTION 15: S. Biber/S. Mall

4. THAT the proposed revision to By-Law No. 4 “Council of the College”, Section 6(B), Council Meetings, be approved.

CARRIED

To reduce the notice requirement for a regular Council meeting and set the notice requirement for a special Council meeting, amendments were proposed to By-Law No. 4 “Council of the College” Section 8, Notice to Council Members.

2021 September 27 – MOTION 16: L. Hargreaves/C. Watt

5. THAT the proposed revisions to By-Law No. 4 “Council of the College”, Section 8, Notice to Council Members, be approved.

CARRIED

To remove reference to working groups since this term is not used, an amendment was proposed to By-Law No. 5 “Committees of the College”, Definitions.

2021 September 27 – MOTION 17: S. Biber/J. Mathers

6. THAT the proposed revisions to By-Law No. 5 “Committees of the College”, Definitions, be approved.

CARRIED

	<p>To enable Council to appoint non-council members of the public to committees, an amendment was proposed to By-Law No. 5 “Committees of the College”, Nominations, Section 5(A). To clarify that committee appointment decisions are based on skills, competencies and needs of the committee, an amendment was proposed to Section 5(B).</p> <p>2021 September 27 – MOTION 18: L. Hargreaves/S. Biber</p> <p>7. THAT the proposed revisions to By-Law No. 5 “Committees of the College” Non-Council Members be approved.</p> <p style="text-align: right;">CARRIED</p> <p>To remove the requirement for ratification, an amendment was proposed to By-Law No. 5 “Committees of the College” to Section 7 Committee Vacancies to remove “to be ratified by resolution and to add “for information”.</p> <p>2021 September 27 – MOTION 19: S. Biber /A. Cantalini</p> <p>8. THAT the proposed revisions to By-Law No.5 “Committees of the College”, Section 7, Committee Vacancies, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>To ensure consistency between registrants and non-council members, an amendment was proposed to By-Law No. 5 “Committees of the College”, Section 7, Reappointment to a Committee.</p> <p>2021 September 27 – MOTION 20: R. Van Vliet/S. Biber</p> <p>9. THAT the proposed revisions to By-Law No. 5 “Committees of the College”, Section 8, Reappointment to a Committee, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>To incorporate non-council public members on statutory committees, amendments were proposed to By-Law No. 5 “Committees of the College”, “Schedule A”.</p>	
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	<p>2021 September 27 – MOTION 21: S. Biber/L. Tucker</p> <p>10. THAT the proposed revisions to By-Law No. 5 “Committees of the College”, Schedule A, Composition of Committees, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>14 In Favour 1 Abstained</p> <p>To clarify that non-council member includes registrants and members of the public, an amendment was proposed to By-Law No. 6 “Non-Council Members”, Definitions, Section 1(I),</p> <p>2021 September 27 – MOTION 22: M. Kesler/L. Tucker</p> <p>11. THAT the proposed amendment to By-Law No. 6 “Non- Council Members”, Definition, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>14 In Favour 1 Abstained</p> <p>To distinguish non-council registrants from non-council public members, an amendment was proposed to By-Law No. 6 “Non-Council Members”, Section 2, Eligibility of Non-Council Members for Appointment to Committees.</p> <p>2021 September 27 – MOTION 23: L. Hargreaves /R. Van Vliet</p> <p>12. THAT the proposed revisions to By-Law No. 6 “Non-Council Members”, Section 2, Eligibility of Non-Council Members for Appointment to Committees, be approved.</p> <p style="text-align: right;">CARRIED</p> <p>To set out the eligibility requirements for Non-Council Public Members, a proposed amendment was added to By-Law No. 6 “Non-Council Members”, at Section 3, Eligibility of Non-Council Public Members for Appointment to Committees.</p> <p>2021 September 27 – MOTION 24: J. Mathers/S. Biber</p> <p>13. THAT the proposed addition to By-Law No. 6 “Non-Council Members”, Section 3, Eligibility of Non-Council Public Members for Appointment to Committees, be approved.</p> <p style="text-align: right;">CARRIED</p>	
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7.4 2022 Examination Content Outlines

S. Mall, Chair of the Registration Committee, reported to Council that each year, the content outlines for both examinations are reviewed to ensure the content is fair, valid, reliable and defensible. He advised Council that no changes were required to the 2022 Examination Content Outlines.

2021 September 27 – MOTION 25: S. Biber/A. Cantalini

THAT Council approve the 2022 Certification Examination Content Outlines effective January 1, 2022.

CARRIED

7.5 College Performance Measurement Framework (CPMF) and Recommendations on Governance Domain Improvements

C. Flitton, Registrar & CEO, reviewed the planned improvement actions and recommendations on Governance Domain improvements, as recommended by the Ad Hoc Governance Committee, to close the “improvement gap and shift the “partially met” measures in the standards to “meet” with submission of the 2021 CPMF, with Council.

2021 September 27 – MOTION 26: S. Biber/L. Hargreaves

THAT Council approve the following recommendations of the Ad Hoc Committee on Governance to ensure all requirements in the CPMF Governance domain are met:

1. Incorporate a self-assessment that demonstrates the competencies, into the election process and suggest to candidates that they should attend a Council meeting as an observer, if possible, to help them understand the work of the College.
2. Take no action to create competencies for statutory committees given that the current Council member competencies are sufficiently broad to encompass the requirements of all committees and that extensive committee training is also provided after being appointed to a committee.
3. Specific public interest rationale, as defined by the Ministry of Health, to be provided in briefing notes to Council, where applicable, in addition to the regulatory

	<p>modernization principles.</p> <p>4. Public interest rationale to be incorporated into Council minutes where applicable.</p> <p>5. Add the rationale for the Executive Committee meetings in reports.</p> <p>6. Clearly identify in the report when the Executive Committee has acted on behalf of Council.</p> <p style="text-align: right;">CARRIED</p> <p>14 In Favour 1 Abstained</p> <p>Action: Bring forward at November’s Council Meeting “Dissolution of the Ad Hoc Committee on Governance”.</p> <p><u>7.6 2022 Proposed Council Meeting Schedule</u></p> <p>K. Westfall-Connor presented the 2022 Council meeting schedule for consideration by Council.</p> <p>2021 September 27 – MOTION 27: J. Mathers /S. Biber</p> <p>THAT Council approve the 2022 Council meeting schedule:</p> <table data-bbox="422 1270 1136 1701"> <tr> <td>Monday, February 7, 2022</td> <td>Council Retreat</td> </tr> <tr> <td>Tuesday, February 8, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Wednesday, February 9, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Monday, May 9, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Tuesday, May 10, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Monday, June 13, 2022</td> <td>Professional Development Day</td> </tr> <tr> <td>Monday, September 19, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Tuesday, September 20, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Monday, November 28, 2022</td> <td>Council Meeting</td> </tr> <tr> <td>Tuesday, November 29, 2022</td> <td>Council Meeting</td> </tr> </table> <p style="text-align: right;">CARRIED</p> <p><u>7.7 Appointment of Public Member to Committees</u></p> <p>K. Westfall-Connor advised Council that with Public Member, C. Gross’s resignation and with vacancies on both the Quality Assurance and Client Relations Committees, the Executive</p>	Monday, February 7, 2022	Council Retreat	Tuesday, February 8, 2022	Council Meeting	Wednesday, February 9, 2022	Council Meeting	Monday, May 9, 2022	Council Meeting	Tuesday, May 10, 2022	Council Meeting	Monday, June 13, 2022	Professional Development Day	Monday, September 19, 2022	Council Meeting	Tuesday, September 20, 2022	Council Meeting	Monday, November 28, 2022	Council Meeting	Tuesday, November 29, 2022	Council Meeting	<p>Staff</p>
Monday, February 7, 2022	Council Retreat																					
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	<p>Committee appointed J. Patel to both committees effective September 22, 2021.</p> <p>2021 September 27 – MOTION 28: S. Biber /D. Oehring</p> <p>THAT the decision of the Executive Committee to appoint Jalpa Patel to the Quality Assurance and Client Relations Committees effective September 22, 2021 be ratified by Council.</p> <p style="text-align: right;">CARRIED</p>	
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<p>8.</p>	<p><u>Items for Discussion</u></p> <p><u>8.1 Return to Office Plan</u></p> <p>M. Boon provided Council with a high-level update on the Return to Office Plan. She advised that prior to COVID, CMTO planned to implement remote work to manage the growth in staff. As such, CMTO anticipates that many staff will be able to continue to work remotely and will only be required to be in the office for defined purposes. CMTO is committed to customer service and will continue to be responsive to the public, Registrants and complainants should they want to speak to someone in person. Once CMTO has a better sense of the number of staff that are required to be in the office, the office footprint will be reviewed.</p> <p>Council agreed with the approach and suggested that the dates/times the College is open be published clearly on the website, including “by appointment only”, to provide an option to those who cannot attend in-person during the dates/times announced.</p> <p>Council agreed with the hybrid approach to Committee and Panel meetings, and in the remote environment, continue to effectively meet their statutory requirements.</p> <p><u>8.2 In-Camera Session</u></p> <p>2021 September 27 – MOTION 29: D. Oehring/C. Watt</p> <p>THAT Council move to an in-camera session at 12:18 PM in accordance with the RHPA, Schedule 2, Section 7(2)(e) to discuss opinions received from the solicitors for the College.</p> <p style="text-align: right;">CARRIED</p>	
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	<p>2021 September 27 – MOTION 30: S. Biber/L. Hargreaves</p> <p>THAT Council move out of the in-camera session at 12:33 PM in accordance with the RHPA, Schedule 2, Section 7(2)(e).</p> <p style="text-align: right;">CARRIED</p> <p><u>8.3 Vaccination and RMTs</u></p> <p>M. Boon presented the draft position statement to Council. Council agreed that the statement should be amended to reflect that CMTO strongly encourages COVID-19 Vaccinations for RMTs. In addition, they also agreed that RMTs who publicly communicate anti-vaccine, anti-masking, anti-distancing and anti-lockdown statements or who promote COVID-19 treatments unsupported by science will face review, investigation and/or disciplinary action by CMTO.</p> <p>2021 September 27 – MOTION 31: L. Hargreaves /J. Mathers</p> <p>THAT the proposed statement “CMTO Supports COVID-19 Vaccination for RMTs” be approved by Council as amended.</p> <p style="text-align: right;">CARRIED</p> <p>Action: Update the position statement and share with the profession.</p>	<p>Staff</p>
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<p>9.</p>	<p><u>Items for Information</u></p> <p>No questions or concerns were raised regarding items shared for information purposes only.</p>	
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<p>10.</p>	<p><u>New Business</u></p> <p>In-Camera Session</p> <p>2021 September 27 – MOTION 32: C. Watt/L. Tucker</p> <p>THAT Council move to an in-camera session at 2:11 PM in accordance with the RHPA, Schedule 2, Section 7(2)(d) to discuss personnel issues.</p>	
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	<p style="text-align: right;">CARRIED</p> <p>2021 September 27 – MOTION 33: J. Mathers/A. Cantalini</p> <p>THAT Council move out of the in-camera session at 2:20 PM in accordance with the RHPA, Schedule 2, Section 7(2)(d).</p> <p style="text-align: right;">CARRIED</p>	
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<p>11.</p>	<p><u>Adjournment</u></p> <p>2021 September 27 – MOTION 34: S. Biber/C. Watt</p> <p>THAT the September 27, 2021 Council meeting be adjourned.</p> <p style="text-align: right;">CARRIED</p> <p>The meeting was adjourned at 2:21 PM.</p> <p>K. WESTFALL-CONNOR C. FLITTON</p> <p>_____ _____</p> <p>K. Westfall-Connor, RMT C. Flitton President Registrar & CEO</p>	
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