The College of Medical Laboratory Technologists of Ontario

CONSOLIDATED BYLAWS

Effective Date: December 31, 1994
Revision Date: May 12, 2020

THE COLLEGE OF MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO
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1. DEFINITIONS

1.1 In the bylaws, unless otherwise defined or required by the context,

1.1.1 "Act" means the Regulated Health Professions Act, the Medical Laboratory Technology Act and the regulations;

1.1.2 "appointed officer" means the Registrar & CEO and any other employee of the College appointed by the Council as an appointed officer;

1.1.3 "committee" means a committee mentioned in section 10 of the Health Professions Procedural Code or the bylaws;

1.1.4 "meeting(s)" means any meeting which is held for the purposes of considering or transacting business relevant to the College and to be held in any manner that allows all persons participating to communicate with each other simultaneously and instantaneously;

1.1.5 "regular meeting(s)" means any meeting of the Council to which sections 12 and 15 refer; and

1.1.6 "special meeting(s)" means any meeting of Council to which sections 13 and 16 refer.

1.1.7 "College" means the College of Medical Laboratory Technologists of Ontario

1.2 The signing officers are the President, the Vice-Presidents, the Registrar & CEO and the Registrar & CEO’s designate.

2. SEAL

The seal depicted on the right is the seal of the College.

3. BANKING

3.1 In this section, "bank" means the bank appointed under subsection 3.2.
3.2 The Council shall appoint a bank chartered under the *Bank Act* (Canada) for the use of the College.

3.3 All money belonging to the College shall be deposited in the name of the College with the bank.

3.4 The Registrar & CEO or the Registrar & CEO’s designate may endorse any negotiable instrument for collection on account of the College through the bank or for deposit to the credit of the College with the bank, and the College’s rubber stamp may be used for such endorsement.

4. **INVESTMENTS**

Funds of the College shall be invested in accordance with Council policy.

5. **CUSTODY OF SECURITIES**

All shares and securities owned by the College shall be lodged in the name of the College, with a chartered bank or trust company, or in a safety deposit box of such an institution or held in accounts with such brokerage houses as may be authorized by the resolution of Council.

6. **DOCUMENTS**

6.1 Unless otherwise provided by law or by the bylaws, a document of the College shall be signed by,

6.1.1 either the Registrar & CEO, Registrar & CEO’s designate, the President or one of the Vice-Presidents; or

6.1.2 the Registrar & CEO and the Chair of the Registration Committee if the document is a certificate of registration.

6.2 A person who may sign a document may impress the seal of the College upon the document if the seal is required and if the document has been signed as required by the bylaws.

6.3 The Registrar & CEO may sign summonses, notices and orders on behalf of any committee of the College, including a tribunal within the meaning of the *Statutory Powers Procedure Act*. 
6. 4 No person shall sign or seal a document affecting the College unless authorized by the Act, regulations or these bylaws.

7. **FISCAL YEAR**

The fiscal year of the College shall be the calendar year; January 1, to and including, December 31.

8. **AUDIT**

8.1 In this section, "auditor" means the person or people appointed under subsection 8.2.

8.2 The Council shall annually appoint one or more auditors who are duly licensed under the *Public Accounting Act, 2004* to hold office and, if an appointment is not made, the auditor in office shall continue until a successor is appointed.

8.3 The Council shall fill any temporary vacancy in the office of auditor but, while such vacancy continues, the surviving or continuing auditor, if any, shall continue as auditor.

8.4 The auditor shall report to the Executive Committee at their last meeting before he or she reports to Council.

8.5 The auditor shall report in writing to the Council at least annually.

8.6 The auditor has a right of access at all reasonable times to all records, documents, books, accounts and vouchers of the College and is entitled to require from the Council members, officers and employees of the College such information as in his or her opinion is necessary to enable him or her to report as required by law or under this section.

8.7 The auditor is entitled to attend any meeting of the Council and to be heard at any such meeting that he or she attends on any part of the business of the meeting that concerns him or her as auditor.

8.8 Despite any other provisions of the bylaws, the Executive Committee shall not exercise the powers or duties of the Council under this section.
9. FEES

9.1 A person who submits an application for registration, for consideration by the Registrar & CEO under section 15 of the Health Professions Procedural Code, shall pay a non-refundable application fee of $150 plus applicable taxes.

9.2 A member who holds a practising certificate of registration or a non-practising certificate of registration shall pay the following non-refundable annual fee:

9.2.1 For a practising certificate of registration $340.00 plus applicable taxes.

9.2.2 For a non-practising certificate of registration $170.00 plus applicable taxes.

9.3 The annual fee referred to in subsection 9.2 is payable on or before December 31 of the year which precedes the year for which the fee is due.

9.4 The annual fee payable by a member who holds a practising certificate of registration in the year in which the member is first issued the certificate shall be,

9.4.1 payable upon registration; and

9.4.2 prorated according to the portion of the year between the date the certificate is issued and December 31 of that calendar year.

9.5 On changing his or her certificate from non-practising to practising the member shall pay the difference between the annual fee for the practising certificate and the annual fee for the non-practising certificate.

9.6 On or before October 31 of any year, the Registrar & CEO shall notify every member who holds a practicing or non-practising certificate of registration of the amount of the annual fee and the date on which it is due.

9.7 A member who receives a notice under subsection 9.6 and who fails to pay his or her annual fee on or before December 31, shall pay the following penalty in addition to the annual fee:

9.7.1 If the fee is paid after December 31 but before February 1, a penalty of 20 per cent of the annual fee.
9.7.2 If the fee is paid on or after February 1, a penalty of 40 per cent of the annual fee.

9. 8 A person whose certificate of registration has been suspended or revoked and who applies to the Registrar & CEO for reinstatement shall pay a non-refundable reinstatement fee of $100.00 plus applicable taxes.

9. 9 The certificate of registration replacement fee is $25.00 plus applicable taxes.

9. 10 The Registrar & CEO may charge a fee for anything he or she is required or authorized to do, and except where fees for those things are prescribed, the fees charged shall be set by the Registrar & CEO.

9. 11 Voluntary Roster Fees

9.11.1 A person who submits an assessment application for inclusion on the voluntary roster shall pay a non-refundable application assessment fee of $100.00 plus applicable taxes.

9.11.2 There shall be an annual non-refundable voluntary roster fee payable by anyone accepted to the voluntary roster. The annual voluntary roster fee shall be $50.00 plus applicable taxes per year which shall be payable on or before April 1 of each year.

9.11.3 On or before February 1 of each year, starting in 2017, the Registrar & CEO shall notify every person on the voluntary roster of the amount of the annual voluntary roster fee and the date on which it is due.

9.11.4 A person who is given notice under subsection (3) and who fails to pay his or her annual voluntary roster fee shall pay the following penalty in addition to the annual voluntary roster fee: (a)

9.11.4.a If the fee is paid after April 1 but before June 1, a penalty of 20% of the annual voluntary roster fee.

9.11.5 If a person who is given notice under subsection (3) fails to pay his or her annual voluntary roster fee by June 1 that person will be removed from the voluntary roster and must undertake a new application assessment and pay the associated fee for same if they wish to be reinstated.
10. LIABILITY INSURANCE

10.1 A practising member must hold professional liability insurance that provides coverage for medical laboratory technology practice.

10.2 The professional liability coverage referred to in subsection 10.1 may be obtained by the individual medical laboratory technologist directly or may be obtained through the policy of an employing agency, professional association, union or other organization acceptable to the Registrar & CEO so long as it covers the entire practice of medical laboratory technology of the member and meets the requirements of this section.

10.3 A practising member must have professional liability coverage that meets the requirements of this section for each and every place in which he or she practices.

10.4 The professional liability insurance referred to in subsection 10.1 must have the following characteristics:

10.4.1 a minimum liability limit of no less than $1,000,000.00 per occurrence;

10.4.2 be subject only to such exclusions and terms and conditions as are consistent with normal insurance industry practices;

10.5 Within 30 days of any request by the College, a member required to hold the professional liability insurance referred to in this section, shall provide current documentary proof, acceptable to the Registrar & CEO, that his or her professional liability insurance complies with the requirements set out in this section.

11. COUNCIL MEETINGS

11.1 The Council shall hold,

11.1.1 regular meetings which shall be called by the President from time-to-time; and

11.1.2 special meetings which may be called by the President, or by a majority of Council members, who deposit with the Registrar & CEO
a written requisition for the meeting containing the matter or matters for decision at the meeting.

11.2 The President shall cause each Council member to be given as much notice as is practicable in writing, of the place, date and time of all Council meetings by sending notification by a method as is reasonable to provide notice to each Council member at least:

11.2.1 Seven (7) days before a regular meeting, and

11.2.2 Three (3) working days before a special meeting

11.3 Notice of all meetings shall be given to all members and the public in accordance with Part V of Regulation 207/94 under the Medical Laboratory Technology Act, 1991.

11.4 No regular or special meeting shall be made void because of an inadvertent or accidental error or omission in giving notice. In addition, Council may by unanimous vote waive notice of a meeting and ratify, approve and confirm any proceedings taken at the meeting.

12. REGULAR MEETINGS

12.1 A regular meeting of Council shall be called by the President.

12.2 A regular Council meeting may only consider or transact,

12.2.1 matters brought by the Executive Committee or the President;

12.2.2 recommendations in reports by committees;

12.2.3 motions of which notice of the motion was given by a Council member at the preceding Council meeting;

12.2.4 motions which the Council members agree to consider by a majority vote of those in attendance;

12.2.5 routine and procedural matters in accordance with the rules of order; and

12.2.6 other matters in accordance with Council policy.
13. SPECIAL MEETINGS

Notice of a special meeting shall state the business for which the meeting is called and contain sufficient information to permit the member to form a reasoned judgment on the decision to be taken. No additional subjects shall be considered at the meeting unless specifically mentioned in the notice.

14. PRESIDENT’S & VICE PRESIDENTS’ DUTIES

The duties of the President and Vice-President are set out in Council policy.

15. TELECONFERENCING

Any meeting of the Council or a committee, other than a hearing that must be held in person, may be conducted by means of conference telephone or other communications facilities which permit all persons participating in the meeting to hear and speak to each other, and persons participating in the meeting by such means are deemed to be present at the meeting.

16. WRITTEN RESOLUTIONS

A resolution in writing, signed by all persons entitled to vote on that resolution at a meeting of the Council or a committee of the College, is as valid as if it had been passed at a meeting except where the Act requires a meeting or a hearing in person.

17. VOTING

17.1 Unless otherwise provided in the bylaws or by agreement of the Council, at all meetings of the Council, every question shall be determined by a majority of votes cast at the meeting (excluding the Chair’s) and, if there is an equality of votes on a question, the Chair shall cast the deciding vote.

17.2 Every vote at a Council meeting other than a Council meeting held by teleconference, shall be by a show of hands or as Council shall otherwise determine. At the request of any member of Council a roll call vote shall be taken so long as Council does not determine to vote by secret ballot. In the event of a roll call vote, the President shall request each member in turn to state his or her vote and such vote will be recorded in the minutes on the motion or resolution under consideration. Voting at a meeting of Council held by teleconference shall be by roll call vote.
18. MINUTES

The Chair shall cause the proceedings of the Council meeting to be tape recorded, and a written record of the Council meeting, when signed in accordance with Council policy, is proof, in the absence of evidence to the contrary, of the accuracy of the contents of every such record.

19. ELECTION OF COUNCIL MEMBERS

19.1 Electoral Districts
The following electoral districts are established for the purpose of the election of members to the Council:

19.1.1 Electoral District 1: Southwest Region
Composed of the Cities of London, St. Thomas, Stratford & Windsor; Bruce, Elgin, Essex, Grey, Huron, Lambton, Middlesex, Oxford & Perth Counties; Municipality of Chatham-Kent; Town of St. Mary’s; and the Township of Pelee.

19.1.2 Electoral District 2: Central West Region
Composed of the Cities of Brantford, Guelph & Hamilton; Brant, Dufferin, Haldimand, Norfolk & Wellington Counties; and the Regional Municipalities of Halton, Niagara & Waterloo.

19.1.3 Electoral District 3: Metropolitan Toronto
Composed of the City of Toronto.

19.1.4 Electoral District 4: Central East Region
Composed of the Cities of Barrie, Kawartha Lakes, Orillia & Peterborough; Haliburton, Northumberland, Peterborough & Simcoe Counties; and the Regional Municipalities of Durham, Peel & York.

19.1.5 Electoral District 5: East Region
Composed of the Cities of Belleville, Brockville, Cornwall, Kingston, Ottawa, Pembroke, Prince Edward County & Quinte West; Frontenac, Hastings, Lanark, Lennox and Addington & Renfrew Counties; Towns of Gananoque, Prescott, & Smith Falls; and the United Counties of Leeds and Grenville, Prescott and Russell & Stormont, Dundas and Glengarry.
19.1.6 Electoral District 6: North East Region
Composed of the City of Greater Sudbury; the Districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury & Timiskaming; and the District Municipality of Muskoka.

19.1.7 Electoral District 7: Northwest Region
Composed of the Districts of Kenora, Rainy River & Thunder Bay.

19.1.8 Electoral District 8: Member-at-large
Composed of the whole province and members residing outside Ontario, for the purpose of electing a member-at-large.

**Note:** Districts named in Electoral District 6: North East Region, and Electoral District 7: Northwest Region include all single-tier municipalities contained within them. A complete list of single-tiered municipalities contained in each district is provided by the Ontario Ministry of Municipal Affairs and Housing.

19.2 Eligibility to Vote

19.2.1 A member is entitled to vote in an election if,

19.2.1.a the member is a holder of a current certificate of registration as a practising member or a non-practising member; and

19.2.1.b on the fortieth (40th) day immediately preceding the election date, the member practises or resides in Ontario and the member’s mailing address registered with the College is in the electoral district for which an election is being held.

19.2.2 If the member resides outside Ontario and is not practising in Ontario, then the member is only eligible to vote for the member-at-large.

19.3 Number of Members to Be Elected

The number of members to be elected in an electoral district is as follows:

19.3.1 For each of electoral districts 1, 5, 6, 7, and 8, one member.

19.3.2 For each of electoral districts 2, 3 and 4, two members.
19.4 Term of Office

19.4.1 The term of office for a member elected to Council is three years, effective January 1 of the calendar year following the election.

19.4.2 Where a regular election is not held as prescribed, the elected members of the Council then in office continue in office until their successors are elected or appointed.

19.5 Election Date

An annual election shall be held during September for those positions on the Council coming vacant at the end of that year.

19.6 Eligibility for Election

A member is eligible for election to the Council for an electoral district if,

19.6.1 the member is the holder of a practising certificate of registration;

19.6.2 the member’s certificate of registration has not been revoked or suspended at any time in the six (6) years immediately preceding the election;

19.6.3 the member’s mailing address registered with the College continues to be in the electoral district for which the election is held,

19.6.4 the member is not in default of payment of any obligation to the College under a regulation or the bylaws,

19.6.5 the member is not the subject of proceedings for incompetence, professional misconduct or incapacity,

19.6.6 the member’s certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation,

19.6.7 the member has not been an officer, director or employee of one of the following in the previous twelve (12) months: professional association of medical laboratory technologists, a union representing medical laboratory technologists, or an association that represents employers of medical laboratory technologists, other than an officer or director of a local chapter or unit of the association or union.
19.6.8 a period of three (3) years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee; and

19.6.9 the member has not been an employee, consultant or supplier of the College in the previous twelve (12) months.

19.7 Nomination and Election Procedure

19.7.1 Each member shall be notified annually of the call for nominations, the details of the nomination procedure, deadline for receipt of nominations, the options for casting ballots and the deadline for receipt of ballots.

19.7.2 The notice shall normally reach members no later than 120 days before the deadline for receipt of ballots.

19.7.3 Where there is an interruption of delivery service during a period affecting publication of the call for nominations or the receipt of nominations by the College, the Registrar & CEO shall extend the deadline for the receipt of nominations and of ballots for such period as the Registrar & CEO considers necessary to compensate for the interruption.

19.7.4 Ballots may be cast using any system approved by Council.

19.7.5 Any ballot system approved by Council must allow for the re-count and elimination of ballots.

19.7.6 The nomination of a candidate for election shall be in writing and shall be given to the Registrar & CEO at least ninety (90) days before the ballots are sent to members.

19.7.7 The nomination shall be signed by the member and by at least five (5) members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

19.7.8 A candidate may withdraw the nomination for election to the Council, in writing, no later than the deadline for receipt of nominations by the College.
19.7.9 Where no nomination is received for an electoral district, the Council shall appoint one or more members for the term or terms required.

19.7.10 If the number of candidates nominated for an electoral district is equal to the number of members to be elected in that electoral district, the Registrar & CEO shall declare the candidates to be elected by acclamation.

### 19.8 Registrar & CEO’s Electoral Duties

The Registrar & CEO shall supervise and administer the nomination and election of candidates and, for the purpose of carrying out that duty, the Registrar & CEO shall, subject to the by-laws,

19.8.1 cause to be sent to every member who is eligible to vote a list of the candidates in the electoral district, a ballot, an explanation of the voting procedure and any other accompanying materials approved by the Council;

19.8.2 establish a deadline for the receiving of ballots;

19.8.3 where there is an interruption of delivery service during an election, extend the holding of the election for such period of time as the Registrar & CEO considers necessary to compensate for the interruption;

19.8.4 establish procedures for the validating and counting of the ballots;

19.8.5 provide for the immediate notification of all candidates and Council members of the results of the election; and

19.8.6 provide for the elimination of ballots thirty-one days following the announcement of the election, unless a candidate challenges the election or its results.

### 19.9 Number of Votes to Be Cast

19.9.1 A member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to the Council from the electoral district in which the member is eligible to vote.
19.9.2 A member shall not cast more than one vote for any one candidate.

19. 10 Tie Votes

Where there is a tie in an election, the Registrar & CEO shall break the tie by lot.

19. 11 Recounts

19.11.1 Within thirty (30) days from the date of the election, a candidate may request a recount of the ballots in the electoral district in which the member was nominated, by depositing the appropriate fee and a written request for the recount.

19.11.2 Where a recount has been requested, the Registrar & CEO shall appoint the time and the place and arrange for the recount, which shall take place within fifteen (15) days from the date of the request.

19.11.3 The recount shall be conducted, subject to clause 19.8.4 in the same manner as the original counting of the ballots.

19.11.4 The candidate or a representative appointed by the candidate may be present at the recount.

19.11.5 The recount shall be conducted by two scrutineers appointed by the Registrar & CEO.

19.11.6 If the recount changes the result of the election, the full amount of the fee shall be returned to the candidate but, if the recount does not change the result of the election, the candidate forfeits the fee to the College.

19.12 Disqualification of Elected or Appointed Members

19.12.1 The Council shall disqualify an elected or appointed member from sitting on Council if the member,

19.12.1.a is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;

19.12.1.b is found by a panel of the Fitness to Practise Committee to be an incapacitated member;
19.12.1.c fails, without cause, to attend three consecutive meetings of the Council;

19.12.1.d fails, without cause, to attend three consecutive meetings of a committee to which the member has been appointed;

19.12.1.e fails, in the opinion of the Council, to discharge properly or honestly any office to which the member has been elected or appointed;

19.12.1.f ceases to practise or reside in the electoral district for which the member was elected, unless the term of office is due to expire in the next twelve months;

19.12.1.g becomes an officer, director or employee of one of the following: professional association of medical laboratory technologists, a union representing medical laboratory technologists, or an association that represents employers of medical laboratory technologists, other than an officer or director of a local chapter or unit of the association or union.

19.12.1.h becomes bankrupt;

19.12.1.i is found to be mentally incompetent; or

19.12.1.j fails to comply with the Council Member’s Code of Conduct policy.

19.12.2 An elected member who is disqualified from sitting on the Council ceases to be a member of the Council.

19.13 Filling of Vacancies

19.13.1 If the seat of an elected Council member or Academic member position becomes vacant before the expiry of the member’s term of office, the Council may,

19.13.1.a leave the seat or position vacant until the next election or appointment; or
19.13.1.b appoint a successor from among the members of the College who would be eligible for election or appointment if an election or appointment process were held; or

19.13.1.c direct the Registrar & CEO to hold an election or commence the appointment process in accordance with this bylaw.

19.13.2 The term of office for a member appointed or elected under subsection 19.13.1 shall continue until the time the former Council member’s term would have expired.

20. **APPOINTMENT OF ACADEMIC MEMBER**

20.1 The term of office of the academic member is three years effective January 1 of the calendar year following the appointment.

20.2 A member is eligible for appointment to the Council as the academic member if,

20.2.1 the member is the holder of a practising certificate of registration;

20.2.2 the member’s certificate of registration has not been revoked or suspended at any time in the six (6) years immediately preceding the appointment;

20.2.3 the member is not in default of any obligation to the College under a regulation or the bylaws;

20.2.4 the member is not the subject of proceedings for incompetence, professional misconduct or incapacity;

20.2.5 the member’s certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation;

20.2.6 the member has not been an officer, director or employee of one of the following in the previous twelve (12) months: professional association of medical laboratory technologists, a union representing medical laboratory technologists, or an association that represents employers of medical laboratory technologists, other than an officer or director of a local chapter or unit of the association or union;
20.2.7 the member’s primary employment is to teach a course of study in Medical Laboratory Technology accredited by Accreditation Canada’s EQual Canada program.

20.2.8 a period of at least three (3) years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee; and

20.2.9 the member has not been an employee, consultant or supplier of the College in the previous twelve (12) months.

20.3 No person may be an academic member for more than nine (9) consecutive years.

20.4 A call for members interested in being appointed as the academic member will be sent by the College to all members, no later than one hundred and twenty (120) days before the date the appointment takes effect.

20.5 The Executive Committee shall receive all nominations and make such enquiries as it deems appropriate, before making a recommendation to Council.

20.6 The Council shall appoint the academic member by a resolution of the Council no later than December 31st of the year prior to the commencement of the term of office.

21. COMPOSITION OF STATUTORY COMMITTEES

21.1 The Executive Committee shall be composed of:

21.1.1 The President / Chair of Council;

21.1.2 One Vice President / Chair, Professional (who is a member of the Council who is a member of the College);

21.1.3 One Vice President / Chair, Public (who is a member of the Council appointed to the Council by the Lieutenant Governor in Council);

21.1.4 At least one member of the Council who is a member of the College; and
21.1.5 At least one member of the Council appointed to the Council by the Lieutenant Governor in Council.

21.2 The Registration Committee shall be composed of:

21.2.1 At least two members of the Council who are members of the College;

21.2.2 At least two members of the Council appointed to the Council by the Lieutenant Governor in Council; and

21.2.3 At least three members of the College who are not members of the Council.

21.3 The Inquiries, Complaints and Reports Committee shall be composed of,

21.3.1 At least two members of the Council who are members of the College, and who are not members of the Discipline Committee or Fitness to Practise Committee;

21.3.2 At least two members of the Council appointed to the Council by the Lieutenant Governor in Council, and who are not members of the Discipline Committee or Fitness to Practise Committee; and

21.3.3 At least five members of the College who are not members of the Council, appointed by the Council, and who are not members of the Discipline Committee or Fitness to Practise Committee.

21.4 The Discipline Committee shall be composed of:

21.4.1 At least two members of the Council who are members of the College, and who are not members of the Inquiries, Complaints & Reports Committee;

21.4.2 At least three members of the Council appointed to the Council by the Lieutenant Governor in Council, and who are not members of the Inquiries, Reports & Complaints Committee; and

21.4.3 At least five members of the College who are not members of the Council, and who are not members of the Inquiries, Complaints & Reports Committee.
21.5 The Fitness to Practise Committee shall be composed of:

21.5.1 At least two members of the Council who are members of the College and who are not members of the Inquiries, Complaints and Reports Committee;

21.5.2 At least two members of the Council appointed to the Council by the Lieutenant Governor in Council and who are not members of the Inquiries, Complaints and Reports Committee; and

21.5.3 At least two members of the College who are not members of the Council and not members of the Inquiries, Complaints and Reports Committee.

21.6 The Quality Assurance Committee shall be composed of:

21.6.1 At least two members of the Council who are members of the College;

21.6.2 At least one member of the Council appointed to the Council by the Lieutenant Governor in Council; and

21.6.3 At least three members of the College who are not members of the Council.

21.7 The Patient Relations Committee shall be composed of:

21.7.1 At least two members of the Council who are members of the College;

21.7.2 At least two members of the Council appointed by the Lieutenant Governor in Council; and

21.7.3 At least one member of the College who is not a member of the Council.

22. VOLUNTARY ROSTER COMMITTEES

22.1 In addition to any committees that may be created from time to time by Council under subsection 26(5), there shall be the following committees related to the Voluntary Roster of Medical Laboratory Assistants & Technicians:
a. Voluntary Roster Registration Committee  
b. Voluntary Roster Quality Assurance Committee  
c. Voluntary Roster Inquiries, Complaints and Reports Committee  
d. Voluntary Roster Discipline and Fitness to Practise Committee

23. ELECTED OFFICERS

23.1 The officers of the College shall be the President, Vice-Presidents and other such officers as the Council shall determine from time to time.

23.2 The Council shall, at the last regular Council meeting before December 31st each year, elect a President and two (2) Vice-Presidents to hold office commencing January 1st of the following year and, if an election of officers is not so held, the President and two (2) Vice-Presidents shall continue in office until their successors are elected.

23.3 Of the two Vice-Presidents, one shall be a member of the Council who is a member of the College, the other shall be a member of the Council appointed to the Council by the Lieutenant Governor in Council.

23.4 A member of Council may be nominated for the office of President or Vice-President by delivering a written nomination supported by two other members of Council to the Registrar & CEO not less than fifteen (15) days prior to the last regular meeting of Council before December 31st. The Registrar & CEO shall circulate information about such nominations to the members of the Council in advance of the Council meeting.

23.5 The election of the President and Vice-Presidents shall be by secret ballot using generally accepted democratic procedures and, where more than two (2) Council members are nominated, the nominee who receives the lowest number of votes on each ballot shall be deleted from the nomination unless each nominee receives the same number of votes on the ballot, and the procedure shall be followed until one nominee receives a majority of the votes cast. In the event of a tie for three consecutive ballots, the nominee shall be chosen by lot.

23.6 If the office of the President becomes vacant, the Council shall appoint one of the Vice-Presidents to become the President for the unexpired term of the office and the office of that Vice-President thereby becomes vacant.
23.7 The Council shall fill any vacancy in the office of Vice-President at a special meeting which the President shall call for that purpose as soon as possible after the vacancy is declared.

23.8 The office of Vice-President(s) becomes vacant if the holder of the office dies, resigns, stops being a Council members, or is removed from office by a two-thirds (2/3) vote of all the members of the Council (excluding vacancies), whereupon the Council shall elect a new Vice-President(s) from among its members to hold office for the remainder of the term.

23.9 In the case of the absence or inability to act of any officer of the College, of Council, or for any other reason that Council may deem sufficient, the Council may delegate all or any powers of such officer to any other officer or any member of the Council for the time being.

24. COMMITTEE CHAIRS

24.1 The Council shall, at the first regular Council meeting after January 1st, appoint by resolution the Chair of each committee to hold office until their successors are appointed or until removal by a resolution of the Council.

24.2 The Council may fill any vacancy in the Chair of any committee.

24.3 Where the Chair of a committee is unable to act for a matter or a period of time, he or she shall appoint from the Committee a person to act on his or her own behalf, failing which the Council shall appoint an Acting Chair from the Committee.

25. REMUNERATION AND EXPENSES

The Council shall pay the reasonable expenses and reasonable compensation to professional members of Council and its Committees in accordance with the guidelines on Expenses and Per Diems for Public Appointees to Health Professions Regulatory Bodies (College), issued by the Ministry of Health and Long-Term Care, or as decided from time to time by the Council.

26. COMMITTEES

26.1 Where one or more vacancies occur in the membership of a committee, the committee members remaining in office constitute the committee so long as their number is not fewer than the prescribed quorum.
26.2 Unless otherwise prescribed in the bylaws, the Council shall appoint the members of each committee and a Chair for each Committee provided for under the Act, in accordance with the bylaws of the College.

26.3 The Executive Committee may and, if necessary for a committee to achieve its quorum, shall appoint members to fill any vacancies which occur in the membership of a committee.

26.4 The President of the Council, if not already a voting member, and the Registrar & CEO shall be non-voting members of each committee created by the bylaws.

26.5 The Council may, from time to time, create committees, in addition to the statutory committees or standing committees, and where such committees are created shall appoint the members of and a Chair for each committee in accordance with the bylaws.

26.6 In appointing members to any statutory, standing or ad hoc committee, the Council may appoint members or non-members of the Council unless the Act or bylaws of the College provide otherwise.

26.7 Subject to the Act and the bylaws of the College, Council may assign to any committee any duty and power except such matters as, by law, must be dealt with by the Council or a statutory committee or the Registrar & CEO. Upon the appointment of any standing or ad hoc committees, the Council shall provide for its jurisdiction, provided that the exercise of any duties or powers by any such committee unless expressly assigned by Council as specifically provided for by the bylaws of the College, is subject always to the approval of Council.

26.8 Every appointment to a committee, including appointments to fill vacancies, expires at the first regular meeting of Council in the calendar year.

26.9 Any member of a committee who is a member of Council may be removed from that committee by a two-thirds (2/3) vote of the members of the Council present at the meeting, whereupon the Council shall appoint a new member from among the members of Council to hold office for the remainder of the term.

26.10 Any member of a statutory committee who is not a member of Council and any member of a standing or ad hoc committee may be removed from that committee by resolution of Council, whereupon Council shall appoint a new person to hold office for the remainder of the term.
26.11 The composition and terms of reference of any standing or ad hoc committees shall be in accordance with the bylaws.

27. COMMITTEE PROCEDURES

27.1 Each committee shall meet from time-to-time at the direction of the Council or the Executive Committee or the call of the Chair at a date, time and place in Ontario designated by the Chair.

27.2 No formal notice is required for a meeting of a committee but an appointed officer involved in the committee’s activities shall make reasonable efforts to notify all the committee members informally of every meeting and to arrange the meeting date and time for the convenience of the committee members.

27.3 Unless otherwise provided in the Act or the bylaws, a majority of members of a committee constitutes a quorum.

27.4 The Chair or the Chair’s appointee for the purpose shall preside over meetings of the committee or panel.

27.5 Every question which comes before the committee may be decided by a majority of the votes cast at the meeting (excluding the Chair’s) and, if there is an equality of votes on a question, the Chair shall cast the deciding vote.

27.6 The Chair shall record the proceedings of every committee meeting other than a hearing, or cause them to be recorded, and the written record of every committee meeting when signed by the Chair is proof, in the absence of evidence to the contrary, of the contents of every such record.

27.7 The written record of the proceedings of a committee meeting when accepted at a subsequent committee meeting, subject to any corrections made at such subsequent meeting, is conclusive proof of the accuracy of the contents of every such record.

27.8 The written record of every committee meeting shall be deposited with the Registrar & CEO promptly after it has been signed by the presiding and recording officers.

27.9 Sections 15 and 16 apply to committee meetings.
28. **NOMINATIONS**

28.1 The Executive Committee shall recommend to the Council,

28.1.1 which members of Council should be appointed to each committee;

28.1.2 who should be appointed Chair of each committee;

28.1.3 which members of the College who are not members of Council should be appointed to each committee that has such members; and

28.1.4 who should be appointed to fill a vacancy on any committee including a Chair of a committee.

The Council may act without a recommendation of the Executive Committee or contrary to a recommendation.

29. **APPOINTMENT OF NON-COUNCIL MEMBERS TO COMMITTEES OF THE COLLEGE**

29.1 This Section applies with respect to the appointment of members, who are not members of the Council, to a committee of the College.

29.2 The term of office of a committee member is one year.

29.3 A member is eligible for appointment if, on the day of the appointment, the member meets the eligibility requirements for election to the Council that,

29.3.1 in the case of a member other than an academic member, are set out in subsection 19.6.1 of these bylaws; and

29.3.2 in the case of an academic member, are set out in subsection 20.2 of these bylaws.

29.4 The Council shall disqualify a member appointed to a committee from sitting on the committee if the member,

29.4.1 is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
29.4.2 is found to be an incapacitated member by a panel of the Fitness to Practise Committee;

29.4.3 fails, without cause, to attend three consecutive meetings of the committee to which the member has been appointed;

29.4.4 fails, without cause, to attend a hearing or panel review for which the member has been selected;

29.4.5 neither practises nor resides in Ontario; or

29.4.6 becomes an officer, director or employee of one of the following: professional association of medical laboratory technologists, a union representing medical laboratory technologists, or an association that represents employers of medical laboratory technologists, other than an officer or director of a local chapter or unit of the association or union.

29.4.7 A member who is disqualified under subsection 29.4 from sitting on a committee ceases to be a member of the committee, and the Council shall appoint a successor as soon after the disqualification as feasible.

29.4.8 The term of office of a person who is appointed as a successor under subsection 28.5 expires when the term of office of the person being replaced would have expired.

30. THE REGISTER

30.1 In this part,

"member" includes a former member;

"practise" and "practice" in respect of medical laboratory technology includes performance of laboratory tests and procedures for diagnostic or therapeutic purposes, as well as medical laboratory administration, education, research or consultation.

30.2 In addition to the information required under subsection 23(2) of the Health Professions Procedural Code, the register shall contain the following pertaining to each member:
30.2.1 The date of initial registration with the College;

30.2.2 The dates a member's registration is suspended or terminated for any reason and the dates a member's registration is restored after a suspension or termination;

30.2.3 The specialties in laboratory science, if any, that the member is authorized to practice;

30.2.4 The member's home address, which shall normally be the member's mailing address for the purpose of elections, and home telephone number;

30.2.5 The member's date of birth;

30.2.6 Whether the member's preferred language of communication is English or French;

30.2.7 The name of each degree or diploma held by the member and the date the member received the degree or diploma and the name of the institution granting the degree or diploma;

30.2.8 The name and type of any professional certification in medical laboratory technology and the name of the organization issuing the certificate;

30.2.9 The date and score of any qualifying examinations completed by the member as required by the College;

30.2.10 A description of the work or other experience referred to in the member's application for registration;

30.2.11 The identity, address and telephone number of each employer or other person the member works for and the title or description of the member's position with each employer or person, the employment category, full time/part time status, type of facility, area(s) of responsibility and area(s) of practice;

30.2.12 A description of the required practice, the number of hours practised in the twelve (12) months preceding the last renewal, details of any refresher courses and quality assurance program
requirements completed by the member;

30.2.13 rescinded

30.2.14 rescinded

30.2.15 The electoral district, other than Electoral District 8, in which the member is entitled to vote;

30.2.16 rescinded

30.2.17 An e-mail address for the member that is distinct from the e-mail address of any other member and that the member checks personally on a regular basis.

30.3 A member’s name in the register shall be the member’s full name and consistent with the name on any degree, diploma or professional certification.

30.4 The Registrar & CEO may direct that a member’s name, which is not the name used by the member on any degree, diploma or professional certification, be entered in the register if the member satisfies the Registrar & CEO that the member has validly changed his or her name since training and that the use of the newer name is not for an improper purpose.

30.5 A member shall use the name most recently entered into the register under subsection 29.3 as his or her name entered in the register.

30.6 The information in the register shall be kept in a systematic order for easy reference and capable of being easily reproduced.

30.7 The Registrar & CEO shall provide in printed form any information contained in the register which is designated as public upon a request in writing and payment of the fee set by the Registrar & CEO.

30.8 The Registrar & CEO shall provide a certificate sealed with the seal of the College of any information contained in the register which is designated as public upon a request in writing and payment of the fee set by the Registrar & CEO.

30.9 The Registrar & CEO may waive the requirement for a request in writing or the payment of the fee referred to in subsections 30.7 and 30.8 where he or
she believes it appropriate to do so.

30.10 A member shall provide the information required to be kept in the register to the College in writing when requested to do so by the Registrar & CEO.

30.11 If there is a change in the following information a member shall notify the Registrar & CEO in writing of the change within thirty (30) days of the effective date of the change; including any supporting documentation:

- The member’s name.
- The business address and business telephone number of all premises where the member practices.
- The member’s home address and home telephone number.
- The identity, address and telephone number of each employer or other person the member works for and the title or description of the member’s position with each employer or person.

30.12 In addition to the information set out in subsection 23(2) of the Health Professions Procedural Code, the following is designated as public information:

30.12.1 The member’s registration number.
30.12.2 rescinded
30.12.3 rescinded
30.12.4 Where a decision of a panel of the Discipline Committee has been published by the College with the member’s or former member’s name included,

30.12.4.1 a notation of that fact; and
30.12.4.2 identification of, a link to, or a copy of the specific publication containing that decision

30.12.5 rescinded
30.12.6 rescinded
30.12.7 The business address and business telephone number for each employer a member works for;

30.12.8 The dates on which each class of registration that a member holds was obtained and, if applicable, the dates on which each terminated;

30.12.9 If a member ceased to be a member, a notation specifying the reason for the suspension or termination of registration and the date upon which the member ceased to be a member;

30.12.10 rescinded

30.12.11 rescinded

30.12.12 rescinded

30.12.13 rescinded

30.12.14 rescinded

30.12.15 rescinded

30.12.16 Where, for a pending complaint or other type of investigation, the Registrar & CEO confirms that the College is investigating a member because there is a compelling public interest in disclosing this information pursuant to clause 36(1)(g) of the Act, the fact that the member is under investigation;

30.12.17 Where a member’s certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of the suspension;

30.12.18 Any of the information in respect of a former member that was on the register just before the registration terminated, for a period of at least two years after the termination of registration, except for any information related to discipline proceedings in Ontario, in which case it shall be entered on the register for a period of 50 years after the termination of registration.
31. **BYLAWS**

31.1 Written notice of any proposed addition, amendment, or revocation of bylaws shall be sent to Council members ten (10) working days prior to the date of the Council meeting at which these will be considered.

31.2 Bylaws of the College may be enacted, amended or revoked by a two-thirds (2/3) vote of the members of the Council present at a meeting of the Council duly called for the purpose of considering such action.

31.3 A bylaw or amendment to a bylaw passed by the Council has the full force and effect:

   31.3.1 from the time the motion was passed, or

   31.3.2 from such time as may be specified in the bylaw.

31.4 A bylaw approved of and signed by all members of the Council is as valid and effective as if passed at a meeting of the Council called, constituted and held for the purpose.

31.5 Every bylaw, amendment and revocation shall be dated according to the date on which it was passed by Council.

30.6 All bylaws and amendments to such bylaws as approved by Council shall be forwarded to the members of the College.

32. **INDEMNIFICATION**

Every member of the Council, member of a committee, appointed officer of the College and employee of the College, including any inspector, who, in respect of the execution or intended execution of their duties on behalf of the College, and their heirs, executors and administrators, and estate and effects, shall from time-to-time and at all times be indemnified and saved harmless out of the funds of the College from and against:

32.1 all costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him or her, in or about the execution of the duties of his or her office; and
32.2 all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own wilful neglect or default.

33. REGISTRAR & CEO

The Registrar & CEO shall act as the Chief Executive Officer of the College and shall have such duties as are conferred by the Act and as described in the policies of the College.

34. CONFLICT OF INTEREST

All Council and committee members must comply with the Council member’s code of conduct as set out in Council policy.

35. PROFESSIONAL CORPORATIONS

The fee for the issuance of a certificate of authorization, including on any reinstatement or a certificate of authorization, for a professional corporation is the same as the application fee for a general certificate of registration.

35.1 The fee for the annual renewal of a certificate of authorization is the same as the fee for the annual renewal of a general certificate of registration.

35.2 A professional corporation or a member listed in the College’s records as a shareholder of a professional corporation shall pay an administrative fee of $50 plus applicable taxes for each notice sent by the Registrar & CEO to the corporation or member for failure of the corporation to renew its certificate of authorization on time. The fee is due within thirty (30) days of the notice being sent.

35.3 The fee for the issuing of a document or certificate respecting a professional corporation, other than the first certificate of authorization or one annual renewal of a certificate of authorization, is $100.00 plus applicable taxes.

35.4 Every member of the College shall, for every professional corporation of which the member is a shareholder, provide in writing the following information on the application and annual renewal forms, upon the written request of the Registrar & CEO within thirty (30) days and upon any change in the information within thirty (30) days of the change:
35.4.1 the name of the professional corporation as registered with the Ministry of Consumer and Business Services,

35.4.2 any business names used by the professional corporation,

35.4.3 the name, as set out in the register, and registration number of each shareholder of the professional corporation,

35.4.4 the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director,

35.4.5 the head office address, telephone number, facsimile number and email address of the professional corporation,

35.4.6 the address and telephone number of the major location or locations at which the professional services offered by the professional corporation are provided, and

35.4.7 a brief description of the professional activities carried out by the professional corporation.

35.5 The information specified in subsection 35.4 is designated as public for the purposes of paragraph 4 of subsection 23(3) of the Health Professions Procedural Code.

36. DECLARED EMERGENCIES
In the event of the declaration of a state of emergency by the Government of Canada or the Government of Ontario, Council may approve time-limited emergency policies related to any matter in the bylaws. Any emergency policy shall be communicated to members and the Minister of Health.