

Office of Vocation Structure and Responsibilities

May 2023



Office of / Bureau de la
vocation

The United Church of Canada
L'Église Unie du Canada

Office of Vocation: Structure and Responsibilities (May 2023)



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About the Office of Vocation

The Office of Vocation is part of the structure of the United Church. The Board of Vocation is an elected body that oversees the Office of Vocation, honouring and living into intercultural mission and ministry.

The authority and responsibility of the Office of Vocation, along with the membership of the Board of Vocation, are described in *The Manual*, under E. Office of Vocation.

Description

To carry out its responsibilities the Office of Vocation consists of the Board of Vocation and the following committees and commissions. It is supported by staff in the General Council Office and deployed Vocational Ministers.

The Board of Vocation

The Board of Vocation is the elected member body accountable for the work of the Office of Vocation to the General Council. It may bring proposals to the General Council or its Executive. It may assign the work from the General Council to any of its committees or commissions. It receives and responds to correspondence directed to it. It determines the standards for accreditation upon recommendation of the Standards for Accreditation Committee.

The Board of Vocation, in preparation for the next triennium, receives the names from the pool of people nominated by the regional councils to the General Council Nominations Committee in order to appoint the members of its committees and commissions. The National Indigenous Council appoints one member to the Board of Vocation. The General Secretary may seek other names to ensure an appropriate balance of experience, including intercultural perspectives and the various streams of ministry. The Board of Vocation itself is appointed by the General Council through its Nominations Committee from this same pool of nominees. The term of office for all elected members in the Office of Vocation is three years, renewable once.

In the oversight and discipline of ministry personnel, the Board of Vocation has specific responsibility for establishing a Formal Hearing Committee or an Appeal Committee. Decisions of the Remedial Committee or the Credentialing Committee may be appealed to the Board of Vocation. Decisions of the Board of Vocation from formal hearings or appeals may be appealed to the Judicial Committee of the General Council.

See appendix A for the Office of Vocation procedure to address concerns about ministry personnel.

Standards for Accreditation Committee

The Standards for Accreditation Committee (Standards Committee) implements the policies set by the General Council by recommending standards to the Board of Vocation in the areas defined by *The Manual*, section E.2.2. These standards are to contribute to the effectiveness of ministry personnel in their leadership in communities of faith and beyond, responding to God's call.

The Standards Committee may consult with appropriate bodies such as the National Indigenous Council, La Table, and the Deans and Principals of the Theological Schools. It may set up task groups to carry out a piece of work.

The Standards Committee will ensure that mandatory trainings have appropriate content and that there are resources to carry out the standards, such as a system to offer mandatory training webinars. As the need arises, it will support other educational bodies, such as Sexual Misconduct Prevention and Response Committees, that will function as educational teams across the country.

Credentialing Committee

The Credentialing Committee responds to applications from ministry personnel for the following, determining credentials according to the policy and processes of the General Council and guided by the pertinent resources:

1. intentional interim ministers;
2. educational supervisors;
3. readmission;
4. ministry partners;
5. admission applicants (*Note: the Standards Committee, in implementing the recommendations of General Council, may determine that admission is the work of a separate committee*);
6. military chaplains; and
7. other chaplaincies as required.

It may ensure support for special ministries, such as intentional interim ministries.

Response Committee

The work of this committee is described in appendix A.

The Response Committee ensures that there are trained and supported reviewers, investigators, consultants, conflict resolution facilitators, and people with other expertise as required.

Timely response to concerns is essential, so the designated staff position in the General Council Office will take the initial steps to process these, accountable to the Response Committee.

Remedial Committee

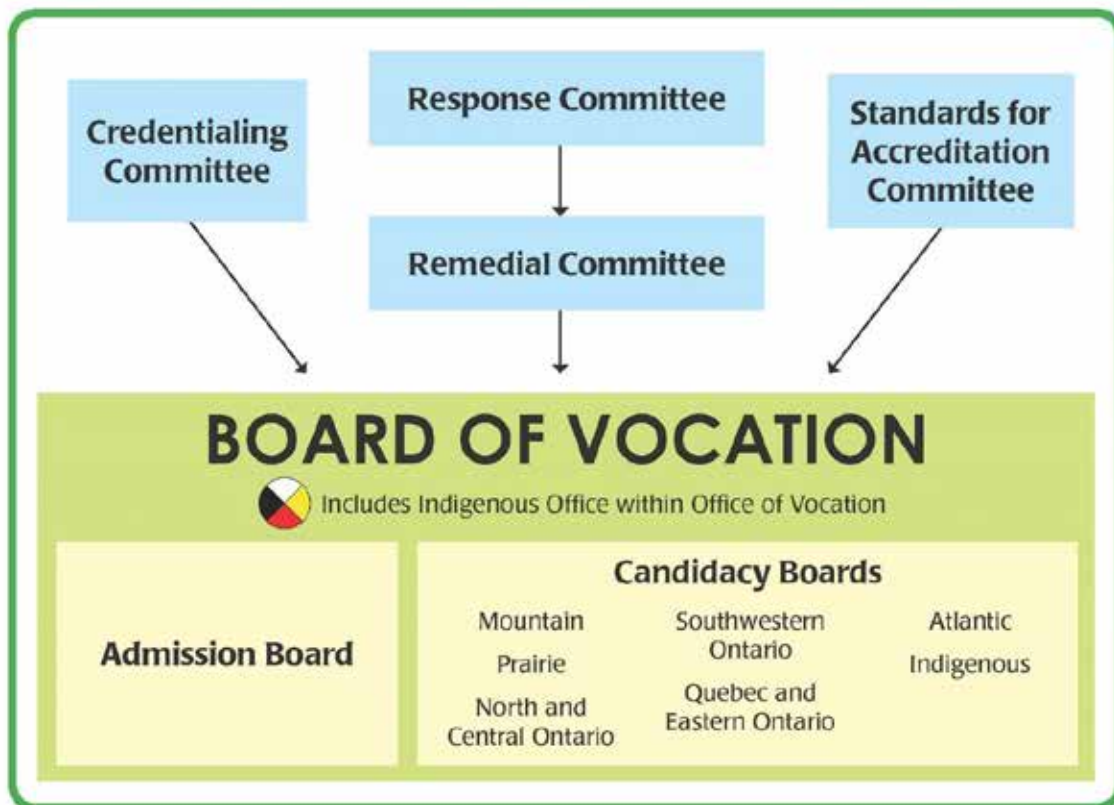
The work of this committee is described in appendix A.

Candidacy Boards

The six Candidacy Boards serving in different geographies, and the Indigenous Candidacy Board serving the Indigenous Church, are commissions of the Board of Vocation. The National Indigenous Council determines the members of the Indigenous Candidacy Board. All are appointed by the Board of Vocation.

All seven Candidacy Boards have the responsibilities outlined in the resources related to the Candidacy Pathway, including naming candidates, terminating candidacy, and determining readiness for accreditation for commissioning to the diaconal ministry of education, service, and pastoral care; ordination to the ministry of word, sacrament, and pastoral care; and recognition of designated lay ministry. See *The Manual*, sections E.2.3 and H. Entering Ministry.

OFFICE OF VOCATION



Appendix A: Procedure to Address Concerns about Ministry Personnel

This procedure supplements the provisions in *The Manual* relating to oversight, review, and discipline of ministry personnel. Where an inconsistency exists between this procedure and *The Manual*, the relevant provision of *The Manual* takes precedence.

Definitions

1. The following are terms used in this procedure:
 - (a) “Consultant” is a trained person on a roster maintained by the Office of Vocation with the role of acting as a liaison to a complainant or respondent.
 - (b) “Coordinator” is a managerial staff member of the Office of Vocation.
 - (c) “Conflict resolution facilitator” is a trained person on a roster maintained by the Office of Vocation with the role of attempting to facilitate the resolution of concerns and issues in dispute, which may include restorative justice, mediation, and negotiation.
 - (d) “Investigator” is a trained person on a roster maintained by the Office of Vocation with the role of investigating concerns of misconduct raised against a ministry personnel and making findings of fact.
 - (e) “Reviewer” is a trained person on a roster maintained by the Office of Vocation with roles that include assessing the effectiveness of a ministry personnel.
 - (f) “Ministry personnel” is a general term that refers to a member of the order of ministry, designated lay minister, candidates serving under appointment, diaconal supply, and ordained supply.
 - (g) “Standards” includes all published educational, ethical, and practice standards as well as all reporting obligations required of ministry personnel by the United Church.
 - (h) “Registry of accredited ministry personnel” is a term that indicates that those ministry personnel on the registry
 - (i) are in good standing as defined by *The Manual*, and
 - (ii) have completed an up-to-date annual declaration with respect to criminal charges; and
 - (iii) have completed all mandatory training and requirements
 - (i) “Mandatory requirements” includes all published educational and reporting obligations required of ministry personnel by the United Church.

Capitalized terms have the meanings given to them in *The Manual* or in resources incorporated by reference in *The Manual*.

Responsibilities

2. The Office of Vocation will establish and maintain the membership of the Response Committee and Remedial Committee; ensure a roster of trained consultants, conflict resolution facilitators, investigators, and reviewers; and provide Accessibility Assessment and Effectiveness Support to ministry personnel.

3. The Response Committee is responsible for receiving and assessing concerns and determining the most appropriate process or committee to address eligible concerns. The Response Committee is also responsible for addressing the non-compliance of ministry personnel with the mandatory professional development and oversight requirements.
4. The Remedial Committee is responsible for:
 - (a) ensuring compliance by ministry personnel with the authority of the United Church;
 - (b) assessing and deciding whether to accept an investigator's findings in relation to allegations of misconduct;
 - (c) assessing and deciding whether to accept a reviewer's report findings with respect to the effectiveness of a ministry personnel;
 - (d) determining the appropriate disposition of substantiated concerns, which may include initiating formal complaints before a Formal Hearing Committee where warranted.
5. Accessibility Assessment is responsible for determining if a ministry personnel has been or is incapacitated and the extent of that capacity, and supporting the ministry personnel's rehabilitation, where appropriate. In fulfilling its responsibilities, Accessibility Assessment works in collaboration with the Restorative Care Plan service providers and the appropriate regional council minister and Vocational Minister.
6. Effectiveness Support is responsible for the development, delivery, and/or oversight of directed programs for ministry personnel. It may include the appointment by the Remedial Committee of an Effectiveness Support Committee for a ministry personnel.
7. The Formal Hearing Committee is responsible for conducting formal hearings to consider formal complaints and recommendations brought forward by the Remedial Committee. The Appeal Committee is responsible for hearing and determining eligible appeals by ministry personnel of decisions made by the Response Committee, the Remedial Committee, or other decision-making body of the Office of Vocation. A Formal Hearing Committee and an Appeal Committee are each comprised of three of the elected members of the Board of Vocation.
8. Ministry personnel will be entitled to procedural fairness and natural justice in their dealings with the Board and Office of Vocation and its committees and commissions. The work of the Board and the Office of Vocation and its committees and commissions will be performed fairly and in a manner such that any decision made with respect to ministry personnel is transparent to and understandable by the ministry personnel, with due regard to their individual circumstances.
9. In performing its work, the Office of Vocation and its committees and commissions may consult with and/or work in collaboration with the regional council, with a view to acting in the best interests of both the ministry personnel and the community of faith.
10. The Board of Vocation and its committees and commissions, at their sole discretion, may conduct all or part of their duties via audio and/or video conferencing.

11. Elected members of the Board of Vocation and its committees, when responding to a concern raised against a ministry personnel, must declare a conflict of interest if they a) have had prior involvement in the matter; or b) have any other conflict that could bias or be perceived to bias the decision of the Board or its committees.

Compliance by Ministry Personnel with the Mandatory Professional Development and Oversight Requirements

12. Ministry personnel are required to recognize the authority of the United Church. The United Church may, from time to time, establish mandatory professional development and oversight requirements for ministry personnel. Ministry personnel must ensure that they fulfill all their obligations to the United Church, unless expressly excused.
13. **Inactive Ministry Personnel:** Ministry personnel who are not performing any of the functions of ministry (such as fully retired pensioners and ministry personnel receiving restorative care/long-term disability) are excused from compliance with the mandatory requirements. Before resuming the performance of any of the functions of ministry, such ministry personnel are required to bring themselves into compliance with the mandatory requirements for ministry personnel so that their names may be returned to the Registry of Accredited Ministry Personnel of the Office of Vocation.
14. The Office of Vocation will maintain records in relation to the compliance of ministry personnel with the standards of the United Church, and monitor ministry personnel's compliance, including completion of mandatory training and the annual filing of the declaration relating to criminal charges.
15. Ministry personnel who are unable to meet a compliance deadline, and have not been expressly excused, are required to submit an explanation in writing with respect to the failure to meet the deadline. Where circumstances warrant, the Vocational Minister may, at their discretion, arrange for assistance to aid the ministry personnel in achieving compliance and may extend the deadline for compliance or enter into a deadline extension agreement with the ministry personnel.
16. Where the ministry personnel continues to be non-compliant with a mandatory requirement without a satisfactory explanation, the Office of Vocation will refer the matter to the Response Committee.
17. The Response Committee will issue a Formal Notice of Non-compliance to the ministry personnel, with a copy to the chair of the Ministry and Personnel Committee, or equivalent, of the ministry personnel's community of faith and the applicable regional council.
18. If the ministry personnel does not take the necessary steps to immediately bring themselves into compliance, the ministry personnel will not be in "good standing" in accordance with *The Manual*, J.2.3. The ministry personnel will be provided with the opportunity to show

cause to the Response Committee why corrective action should not be taken against them for their outstanding non-compliance.

- (a) Where the ministry personnel does not show cause and where the ministry personnel remains non-compliant, the Response Committee may refer the matter to the Remedial Committee to take whatever action it deems is just and fair in all the circumstances, including initiating a formal complaint and recommending to the Board of Vocation that a Formal Hearing Committee be established to consider whether the ministry personnel's name should be placed on the Discontinued Service List (Disciplinary).
- (b) Prior to the Formal Hearing, the Remedial Committee and ministry personnel may agree to resolve the matter, which may include the ministry personnel requesting that their name be placed on the Discontinued Service List (Voluntary).

The Response Committee

19. (a) Subject to subsection (b) herein, the Response Committee will consider concerns, including allegations of misconduct, ineffectiveness, or incapacity of ministry personnel, raised by
- (i) the Ministry and Personnel Committee of a community of faith/pastoral charge or a governing body of a community of faith or other ministry;
 - (ii) the ministry personnel; a regional council or Vocational Minister;
 - (iii) another ministry personnel; a consultant under the Sexual Misconduct Prevention and Response Policy;
 - (iv) a consultant under the Sexual Misconduct Prevention and Response Policy;
 - (v) a member, adherent, or congregant of a community of faith/pastoral charge or a person for whom the ministry personnel was pastorally responsible; or
 - (vi) a reliable third party.

Candidates: Notwithstanding any other provision of this document, all concerns received relating to Standards of Practice of a candidate for ministry will be dealt with by the Candidacy Board. Investigations into concerns received relating to breach of ethical standards by a candidate may be initiated by the Response Committee, but the Candidacy Board is responsible for making decisions in response to the investigator's report.

- (b) The Response Committee will not process a concern if, in its opinion,
- (i) the last incident of conduct or action by the ministry personnel giving rise to the concern occurred more than 12 months ago (with the exception of concerns relating to sexual abuse and/or sexual misconduct as defined in the Sexual Misconduct Prevention and Response Policy and Procedures);
 - (ii) the concern does not constitute misconduct, ineffectiveness, or incapacity on the part of the ministry personnel;
 - (iii) the matter has been dealt with previously; or
 - (iv) the concern is frivolous, vexatious, manifestly without substance, or made for an improper purpose.

20. *No apparent case:* Where in the opinion of the Response Committee the concern as presented does not disclose any facts that, if true, would constitute misconduct, ineffectiveness, or incapacity on the part of a ministry personnel, the party raising the concern will be offered an opportunity to provide additional information, failing which the concern will not be processed.
21. As soon as reasonably possible after receiving a concern, the Response Committee will
 - (a) provide the complainant with confirmation that the concern was received;
 - (b) notify the ministry personnel that a concern has been received regarding their conduct or action and advise the ministry personnel of the general nature of the concern;
 - (c) ensure that pastoral care is provided/offered to the ministry personnel and other affected people, as warranted; and
 - (d) advise a consultant, regional council minister, Vocational Minister of the concern, as warranted.
22. The Response Committee will consider an eligible concern and may do one of the following:
 - (a) refer it to an Accessibility Assessment;
 - (b) refer it to a conflict resolution facilitator, provided that parties are agreeable;
 - (c) refer it to a reviewer; or
 - (d) refer it to an investigator; or
 - (e) take an alternate course of actionwhichever, in the opinion of the Response Committee, is most appropriately suited to address the concern raised. The referral is not subject to appeal.
23. Where the Response Committee has referred the concern to a reviewer, the reviewer will be advised only of the general nature of the concern and thereafter will gather information from individuals with first-hand knowledge of the conduct and actions of the ministry personnel under review. The reviewer will ensure the ministry personnel has the opportunity to respond to the specific information gathered during the review.
24. Where the Response Committee has referred the concern to an investigator, the investigator will provide the ministry personnel with the particulars of the allegations and ensure the ministry personnel has the opportunity to respond fully, including identifying witnesses with information relevant to the investigation.
25. The coordinator of the Response Committee will keep the individual who raised the concern apprised of the status of the concern, including its ultimate outcome.

Interim Measures

26. The Response Committee, in consultation with the regional council and the Office of Vocation,
 - (a) may make an interim order appropriate in the circumstances. Unless urgent intervention is needed, ministry personnel will be provided with the opportunity to make submissions prior to an interim order being issued; and
 - (b) determine the “standing” of the ministry personnel and/or financial support for the ministry personnel, pending the outcome of the investigation or review process.

27. For a period of up to six months, while a ministry personnel is on administrative leave/suspension and actively engaged and fully compliant with the processes of the Office of Vocation, the Office of Vocation will provide the ministry personnel with Personnel Emergency Funding equal to the ministry personnel’s standard remuneration (less travel allowance) from their community of faith. Ministry personnel will not accrue vacation or sabbatical leave credits while in receipt of Personnel Emergency Funding. In exceptional circumstances, the Office of Vocation may, in its sole discretion, extend the Personnel Emergency Funding beyond six months.

Accessibility Assessment

28. Accessibility Assessment will act in a manner consistent with human rights legislation, the Restorative Care Benefit Plan, and the Long-Term Disability Policy.

29. Representatives from the United Church’s third-party medical adjudication service provider may act in an advisory capacity to Accessibility Assessment.

30. If, after making inquiries, Accessibility Assessment has reasonable and probable grounds to suspect that the ministry personnel may be incapacitated, it may
 - (a) arrange for the ministry personnel to undergo physical or mental examinations by identified health professionals; and
 - (b) refer a concern to the regional council minister and/or the Vocational Minister, pending the completion of a medical assessment.

31.
 - (a) Where a report from a health professional confirms that the ministry personnel is incapacitated from performing the functions of ministry to a limited extent, Accessibility Assessment will advise the applicable Ministry and Personnel Committee/community of faith and the regional council of the medical limitations so that the parties may engage in the accommodation process and may refer the matter to Effectiveness Support, as warranted.
 - (b) Where a report from a health professional confirms that the ministry personnel is totally incapacitated from performing the functions of ministry and the United Church’s restorative care provider or the long-term disability benefit provider concurs, the ministry personnel’s name will be removed from the registry of accredited ministry personnel of the Office of Vocation and the ministry personnel will not be eligible for

call or appointment, until the ministry personnel is medically cleared to return to work and has brought themselves into compliance with the mandatory requirements for ministry personnel.

- (c) Where a report from a health professional indicates that the ministry personnel poses or is likely to pose a harm or injury to themselves or others, the Response Committee will determine what interim measures, if any, are warranted and the ministry personnel's status will be "not in good standing."
- (d) Where a report from a health professional confirms that the ministry personnel is not incapacitated, the Response Committee will refer the concern to either a reviewer or an investigator, if warranted.

- 32. Accessibility Assessment will not disclose the personal health information of ministry personnel to anyone, except as permitted under the *Personal Health Information Privacy Act* (or comparable legislation).

Conflict Resolution

- 33. The Office of Vocation may assign conflict resolution facilitators to provide guidance and conflict resolution services to various related entities, including
 - (a) the Indigenous Church;
 - (b) a regional council to aid with early intervention of concerns relating to ministry personnel; and/or
 - (c) a pastoral charge/community of faith in relation to concerns of workplace harassment under the Workplace Harassment Policy.
- 34. Conflict resolution services may be offered to attempt to facilitate the resolution of concerns between ministry personnel and the party raising the concern.
- 35. If the ministry personnel and the party raising the concern agree upon a proposal to resolve the concern, the proposed resolution will be brought to the Response Committee, and the Response Committee may endorse or reject the resolution.
- 36. In the event that a conflict resolution process is unsuccessful or the Response Committee rejects the proposed resolution arrived at by the parties, the Response Committee will refer the concern to
 - (a) a reviewer; or
 - (b) an investigator,whichever, in the sole discretion of the Response Committee, is most appropriately suited to address the concern raised.

The Remedial Committee

37. A reviewer will conduct a review and prepare a report setting out evidence and making findings of fact and one of the following findings:
 - (a) the ministry personnel has fulfilled the functions of ministry personnel in an effective way;
 - (b) the ministry personnel has not fulfilled the functions of ministry in an effective way; or
 - (c) there are reasonable and probable grounds for believing that the ministry personnel has acted in a way that is a proper ground of discipline.
38. An investigator will conduct an investigation into allegations of misconduct and prepare a report setting out the evidence and the findings of fact.
39. The Remedial Committee may obtain and consider information that relates to ministry personnel from criminal or quasi-criminal proceedings.
40. The Remedial Committee will provide the ministry personnel with a copy of the applicable report/information obtained and provide the ministry personnel with the opportunity to make submissions to the committee. After considering the submissions of the ministry personnel, the Remedial Committee will
 - (a) accept some or all of the findings and/or the opinion of the reviewer/investigator;
 - (b) reject some or all of the findings and/or the opinion of the reviewer/investigator;
 - (c) remit the matter back to the reviewer/investigator with questions that may require that the reviewer/investigator engage in a further inquiry and provide a supplemental report; or
 - (d) take an alternate course of action as warranted in the circumstances. whichever the Remedial Committee deems appropriate.
41. Where the Remedial Committee accepts that a ministry personnel has not fulfilled the functions of ministry personnel in an effective manner, has engaged in misconduct, or there are reasonable and probable grounds for believing that the ministry personnel has acted in a way that is a proper ground of discipline, then prior to determining the disposition of the concern, the Remedial Committee will consider
 - (a) any prior dispositions of concerns that relate to the ministry personnel, including those arrived at through informal dispute resolution;
 - (b) any prior decisions of the Remedial Committee, or its predecessor, that relate to the ministry personnel;
 - (c) any previous support provided by Effectiveness Support, or its predecessor, that relate to the ministry personnel;
 - (d) the input of the person concerned in matters arising under the Sexual Misconduct Prevention and Response Policy and Procedures;
 - (e) any reliable, relevant information that relates to the ministry personnel, including information from the applicable regional council; and,
 - (f) the submissions of the ministry personnel.

42. After consideration of information set out in the preceding provision, the Remedial Committee will determine whether to:
- (a) establish goals for a directed program and refer the matter for Effectiveness Support;
 - (b) where the ministry personnel is in receipt of a pension income from The United Church of Canada Pension Plan, explore whether the ministry personnel is prepared to be fully retired and not eligible for an appointment;
 - (c) where it would be acceptable, explore whether the ministry personnel is prepared to request that their name be placed on the Discontinued Service List (Voluntary);
 - (d) bring the matter forward, as a formal complaint, to the Formal Hearing Committee with a recommendation for a disciplinary sanction, which may include that the ministry personnel's name be placed on the Discontinued Service List (Disciplinary); or
 - (e) take an alternate course of action, as warranted in all the circumstances,
- whichever the Remedial Committee deems appropriate.
43. The Remedial Committee will advise the regional council of the course of action taken and other pertinent information relating to the ministry personnel's pastoral relationship with the community of faith.
44. Where the matter is referred for Effectiveness Support, the Remedial Committee will:
- (a) establish the goals of the directed program;
 - (b) determine whether to appoint an Effectiveness Support Committee; and
 - (c) consider whether the ministry personnel should be suspended from performing the functions of ministry, pending the successful completion of the directed program.
45. Where the ministry personnel makes a request to have their name placed on the Discontinued Service List (Voluntary), the Remedial Committee and the ministry personnel may agree to jointly present a submission to the Board of Vocation recommending that resolution, which may include a request that the Board of Vocation allow the person whose name is to be placed on the Discontinued Service List (Voluntary) to perform one or more functions of ministry.
46. Where the matter is being brought forward as a formal complaint to the Formal Hearing Committee, the ministry personnel will be suspended from performing the functions of ministry, pending the outcome of the formal hearing.
47. Where the Remedial Committee appoints an Effectiveness Support Committee to assist the ministry personnel in achieving the goals of the directed program, the Effectiveness Support Committee, working with the Vocational Minister, will design the directed program for the ministry personnel, for approval by Remedial Committee. In designing the directed program, consideration will be given to
- (a) any previous support provided to the ministry personnel;
 - (b) the submissions of the ministry personnel relating to the content and requirements of a directed program;
 - (c) the opinion of the regional council; and/or

- (d) the opinion of a professional or other third party, as appropriate.
48. Upon approval of the content and budget of the directed program by the Remedial Committee, Effectiveness Support will be tasked with its administration and oversight. Effectiveness Support will provide a mid-term report to the Remedial Committee on the ministry personnel's progress in the directed program.
 49. Following completion of the content of the directed program by the ministry personnel, the Effectiveness Support Committee will submit its final report to the Remedial Committee, which will include its opinion on whether the ministry personnel has achieved the goals and thereby successfully completed a directed program. Where appropriate, the Remedial Committee may share that report with the regional council.
 50. Upon receipt of the Effectiveness Support Committee's final report, the Remedial Committee will arrange to meet with the ministry personnel to assess their achievement of the goals of the directed program.
 51. Where the Remedial Committee is satisfied that the ministry personnel has successfully completed the directed program, it will restore the ministry personnel's status to "good standing" and return their name to the Registry of Accredited Ministry Personnel. The coordinator will advise the ministry personnel and the regional council of this decision.
 52. Where the Remedial Committee determines that the ministry personnel
 - (a) has refused to submit to its authority; and/or
 - (b) has not successfully completed a directed program,
 the Remedial Committee will determine whether to
 - (i) explore whether the ministry personnel is prepared to be fully retired and not eligible for an appointment in circumstances where the ministry personnel is in receipt of pension income from The United Church of Canada Pension Plan;
 - (ii) explore whether the ministry personnel is prepared to request that their name be placed on the Discontinued List (Voluntary) in circumstances where the disposition would be appropriate;
 - (iii) bring the matter forward, as a formal complaint, to the Formal Hearing Committee with a recommendation for a disciplinary sanction, which may include that the ministry personnel's name be placed on the Discontinued Service List (Disciplinary); or
 - (iv) take an alternate course of action, as warranted in all the circumstances;
 whichever the Remedial Committee deems appropriate.

Hearings before the Board of Vocation

53. Formal Hearing Committees and Appeal Committees are comprised of three of the elected members of the Board of Vocation. The Chair of a Formal Hearing Committee or an Appeal Committee will be the Chair of the Board of Vocation, if practicable. In the event that this is

not practicable, the Board of Vocation will appoint a chair of the Formal Hearing or Appeal Committee.

54. An Appeal Committee will hear and consider appeals by the ministry personnel of appealable decisions made by the Response Committee or the Remedial Committee or another committee of the Board that relates to the ministry personnel. A Formal Hearing Committee will hear and consider a formal complaint or a recommendation of the Remedial Committee.
55. Formal Hearings and Appeals will be conducted in accordance with the *Statutory Powers Procedure Act (Ontario)* or equivalent legislation.
56. A Formal Hearing Committee and an Appeal Committee may engage in mediation of the matter before it at any stage in the proceedings with the consent of the parties. If mediation is not successful, the committee retains the power to determine the matter through the hearing process.
57. When the Formal Hearing Committee determines that the ministry personnel has engaged in misconduct, the Formal Hearing Committee may accept the sanction recommended by the Remedial Committee, or it may issue such other sanctions as it deems just and reasonable in all the circumstances, including one or more of the following:
 - (a) issuing an admonishment;
 - (b) imposing a suspension for a finite period of time;
 - (c) ordering restitution; and/or
 - (d) placing the ministry personnel's name on the Discontinued Service List (Disciplinary).
58. A Formal Hearing Committee and an Appeal Committee may consult with the coordinator, a member of General Council staff, and/or legal counsel for advice relating to procedural matters.
59. A Formal Hearing Committee or an Appeal Hearing Committee will determine whether to conduct the hearing virtually (via audio and/or video conferencing) or in person. Where the hearing is to be in person, it will be held within the geographic bounds of the regional council in which the concern arose or in another location that is desirable, having regard to the convenience of the ministry personnel, the witnesses, and the Formal Hearing Committee or Appeal Committee.
60. The decision of a Formal Hearing Committee or an Appeal Committee will be provided to the regional council.
61. The decision of a Formal Hearing Committee or an Appeal Committee is final and binding. Such a decision may only be appealed, with leave, to the Judicial Committee.