



## **Membership Requirement – Vulnerable Sector Check Policy**

### Purpose:

- To establish policy and procedure surrounding the Membership Requirement to maintain a current Vulnerable Sector check in accordance with CMMOTA Bylaws 3.5.1.1.4., 3.5.1.2.4., 3.5.1.3.2., 3.5.1.4.2., 3.5.1.5.2, 3.5.1.6.5., 3.5.1.7.4., 3.6.2.2., and 3.6.2.3., 3.6.2.4., and 3.6.2.5..

### Policy:

1. All Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, and Spa Therapist Members are responsible to maintain a Vulnerable Sector Check (VSC) that has been completed within a three (3) year time frame.
2. All Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, and Spa Therapist Members in Nova Scotia are responsible to maintain a VSC that has been completed within a one (1) year time frame.
3. Student Massage Therapist Members and Student Manual Osteopathic Therapist members are responsible to maintain a VSC that has been completed within a three (3) year time frame only if they have also obtained professional liability insurance through the Associations insurance broker.
4. Student Massage Therapist Members and Student Manual Osteopathic Therapist members in Nova Scotia are responsible to maintain a VSC that has been completed within a one (1) year time frame only if they have also obtained professional liability insurance through the Associations insurance broker.
5. A new VSC must have been completed within the previous six (6) months to be considered valid.
6. Administration shall notify Members requiring a new VSC by email to the last known e-mail address of the member of their pending expiration of their existing VSC three (3) months prior to the three (3) year anniversary of the creation of the VSC.
7. Administration shall notify Members in Nova Scotia requiring a new VSC by email to the last known address of the member of their pending expiration of their existing VSC three (3) months prior to the one (1) year anniversary of the creation of the VSC.
8. Members shall be responsible to pay for (if required) and obtain a new VSC prior to the three (3) year anniversary of their current VSC.
9. Members in Nova Scotia shall be responsible to pay for (if required) and obtain a new VSC prior to the one (1) year anniversary of their current VSC.
10. A new VSC must have a completion date not older than six (6) months in order to be accepted by the Association.



11. Members shall be responsible to submit a new VSC to the CMMOTA office via email, or hard paper copy before the three (3) year anniversary of the creation of the current VSC.
12. Members in Nova Scotia shall be responsible to submit a new VSC to the CMMOTA office via email, or hard paper copy before the one (1) year anniversary of the creation of the current VSC.
13. If any VSC is returned with new information that has been added in the previous five (5) year period, then a fingerprint VSC or Sworn Declaration and a full legal disclosure (details surrounding the peace bond(s), restraining order(s), charge(s), or conviction(s)) shall be required, unless the information is only in relation to a Driving Under the Influence (DUI) charge.
14. If any VSC is returned with information that has been added more than five (5) years before the VSC was completed, then a fingerprint VSC and/or Sworn Declaration and/or a full legal disclosure (details surrounding the peace bond(s), restraining order(s), charge(s), or conviction(s)) may be required, at the discretion of the Executive Director.
15. If, after receiving any VSC, the CMMOTA administration deems it necessary that a new VSC needs to have a fingerprint VSC or Sworn Declaration and a full legal disclosure (details surrounding the peace bond(s), restraining order(s), charge(s), or conviction(s)), then the Member shall, at the discretion of the Executive Director, be granted an extension of up to six (6) months to obtain and submit the requested documents. A receipt must be submitted within 2 weeks (14 days) of the request showing that the fingerprinting or sworn declaration is in process. The Executive Director shall provide a reasonable deadline date for such information to be submitted by the member.
  - a. In cases where a standard VSC is provided which contains only an "Adverse Information located on police record management system", or likewise, under the information to disclose section of the VSC, no further action on the part of the Association is required.
16. If after receiving a standard VSC, the CMMOTA administration becomes aware of any violation of CMMOTA Bylaw 3.6.2.4., 3.6.2.5., 3.6.2.6., or 3.6.2.8., then the matter shall be referred to the Executive Director to carry out the necessary complaint reporting under CMMOTA's *Disciplinary Policy for Complaints*.
17. If a fingerprint VSC or Sworn Declaration is required, it must be produced by a potential member before membership status is granted with the Association.
18. If a fingerprint VSC and/or Sworn Declaration and/or Disclosure of Criminal Record provides additional details listed in the information section which was not contained in the VSC, then at the discretion of the Executive Director, a member may be required to produce a new fingerprint VSC and/or Sworn Declaration on a more frequent basis (not less than yearly) until no new information has been provided for a period of ten (10) years, or until the record is returned clean, whichever is shorter.



The Executive Director shall provide a reasonable deadline date for such information to be submitted by the member.

19. Administration may, if a fingerprint VSC was previously required, upgrade the standard three (3) year VSC requirement to either a Sworn Declaration or fingerprint VSC at the discretion of the Executive Director.
20. Administration may, for members from Nova Scotia, if a fingerprint VSC was previously required, upgrade the standard one (1) year VSC requirement to either a Sworn Declaration or fingerprint VSC at the discretion of the Executive Director.
21. If after receiving a fingerprint VSC and/or Sworn Declaration, the CMMOTA administration becomes aware of any violation of CMMOTA Bylaw 3.6.2.4., 3.6.2.5., 3.6.2.6., or 3.6.2.8., then the matter shall be referred to the Executive Director to carry out the necessary complaint reporting under CMMOTA's *Disciplinary Policy for Complaints*.
22. If a Member does not submit the required VSC prior to the three (3) year anniversary of the creation of the current VSC, then Administration shall follow CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.
23. If a Member in Nova Scotia does not submit the required VSC prior to the one (1) year anniversary of the creation of the current VSC, then Administration shall follow CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.
24. If a Member does not submit a required fingerprint VSC and/or Sworn Declaration and/or Legal Disclosure of peace bond(s), restraining order(s), charge(s), or conviction(s) by the deadline supplied by Administration under sections 15, and 18 of this policy then Administration shall follow CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.

Administration Procedure:

1. Administration will record and track the VSC and date of the three (3) year anniversary of the creation of the VSC for all Members of the Association.
2. Administration will record and track the VSC and date of the one (1) year anniversary of the creation of the VSC for all Full, Associate, and Student Members of the Association in Nova Scotia.
3. Administration will send a notice of pending expiration of a Members VSC 3 months prior to the three (3) year anniversary of the creation of the VSC to the last known email address of the member.
4. Administration will send a notice of pending expiration of a Nova Scotia Member's VSC 3 months prior to the one (1) year anniversary of the creation of the VSC to the last known email address of the member.
5. Administration shall receive for review all new VSC's from members for verification and acceptance as fulfilling this membership requirement.
6. Administration, if necessary (as per Policy #13 and/or #14), will inform the member by email, if additional information, such as a fingerprint record check or sworn declaration or full legal disclosure, is needed and the deadline (as per Policy #15)



for submission of additional information as approved by the Executive Director, if the submission deadline passes the three (3) year anniversary of the previous VSC.

7. Administration, if necessary (as per Policy #13 and/or #14), will inform the Nova Scotia member by email, if additional information, such as a fingerprint record check or sworn declaration or full legal disclosure, is needed and the deadline as per Policy #15) for submission of additional information as approved by the Executive Director, if the submission deadline passes the one (1) year anniversary of the previous VSC.
8. Administration will inform the member by email once their new VSC has been accepted and updated in their membership profile.
9. Administration will, if it becomes aware of information as detailed in Policy #16 or Policy #21, refer the matter to the Executive Director to carry out the necessary complaint reporting under CMMOTA's *Disciplinary Policy for Complaints*.
10. If a Member's VSC certification lapses, then Administration shall follow CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.

Member Procedure:

1. A Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, Spa Therapist, Student Massage Therapist Member, or Student Manual Osteopathic Therapist Member shall be responsible to obtain a Vulnerable Sector Check from their local police detachment prior to the three (3) year anniversary of the creation of the VSC, and to forward that document to CMMOTA Administration prior to the three (3) year anniversary of their previous VSC.
2. A Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, Spa Therapist, Student Massage Therapist, or Student Manual Osteopathic Therapist Member from Nova Scotia shall be responsible to obtain a Vulnerable Sector Check from their local police detachment prior to the one (1) year anniversary of the creation of the VSC, and to forward that document to CMMOTA Administration prior to the one (1) year anniversary of their previous VSC.
3. A Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, Spa Therapist, Student Massage Therapist, or Student Manual Osteopathic Therapist Member shall be responsible to submit a copy of a new VSC to CMMOTA Administration prior to the three (3) year anniversary of their previous VSC by email, or by regular post.
4. A Full Massage Therapist, Full Manual Osteopathic Therapist, Associate Massage Therapist, Registered Massage Therapist, Spa Therapist, Student Massage Therapist, or Student Manual Osteopathic Therapist Member from Nova Scotia shall be responsible to submit a copy of a new VSC to CMMOTA Administration prior to the one (1) year anniversary of their previous CRVSC by email, or by regular post.
5. If requested, a Member shall be responsible to provide additional information to CMMOTA Administration prior to the deadline set forth by the Executive Director by email, or regular post.



6. If a Member does not provide Administration with a new VSC prior to the three (3) year anniversary of their previous VSC, or the submission of additional information requested by a deadline set by the Executive Director (as per Policy #13 and/or #14 and/or #15), then they understand that they will be subject to CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.
7. If a Member from Nova Scotia does not provide Administration with a new VSC prior to the one (1) year anniversary of their previous VSC, or the submission of additional information requested by a deadline set by the Executive Director (as per Policy #13 and/or #14 and/or #15), then they understand that they will be subject to CMMOTA's *Disciplinary Policy for Non-Compliance regarding Vulnerable Sector Check*.

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