



On June 9, 2022 allegations of the Member's professional misconduct were referred to the Discipline Committee for hearing, on a date yet to be fixed. Please see the Notice of Hearing below:

**ONTARIO COLLEGE OF SOCIAL WORKERS
AND SOCIAL SERVICE WORKERS**

IN THE MATTER OF Sections 26 and 28 of the *Social Work and Social Service Work Act, 1998*, S.O. 1998, Chapter 31;

AND IN THE MATTER OF a hearing directed to be held by the Discipline Committee of the Ontario College of Social Workers and Social Service Workers under the *Social Work and Social Service Work Act, 1998*;

AND IN THE MATTER OF allegations respecting the professional conduct of **Embarka Naima Hazem**, a Social Worker and member of the said College;

NOTICE OF HEARING

TAKE NOTICE that a hearing will take place on a date to be fixed by the Registrar at the hour of 9:30 o'clock in the forenoon (or as soon after that time as a panel can be convened for the purpose of conducting the hearing) at the Board Room of the Ontario College of Social Workers and Social Service Workers, 250 Bloor Street East, Suite 1000, Toronto, Ontario before the Discipline Committee of the Ontario College of Social Workers and Social Service Workers. The hearing will be held pursuant to the provisions of sections 26 and 28 of the *Social Work and Social Service Work Act, 1998* (the "Act") and pursuant to the Regulations made thereunder, for the purpose of hearing and determining allegations of professional misconduct against you, Embarka Naima Hazem, which allegations were referred to the Discipline Committee pursuant to section 25(1) of the Act.

AND TAKE NOTICE that you are alleged to be guilty of professional misconduct within the meaning of section 26(2) of the Act in that you are alleged to have

engaged in conduct that contravenes the Act, Ontario Regulation 384/00 (the “**Professional Misconduct Regulation**”), Schedule “A” to By-law No. 66 of the Ontario College of Social Workers and Social Service Workers, being the Ontario College of Social Workers and Social Service Workers Code of Ethics (the “**Code of Ethics**”), and Schedule “B” to By-law No. 66 of the Ontario College of Social Workers and Social Service Workers, being the Ontario College of Social Workers and Social Service Workers Standards of Practice Handbook (the “**Handbook**”)¹.

- I. **The following are particulars of the said allegations:**
1. In or about January to March 2018, you were registered as a social worker with the Ontario College of Social Workers and Social Service Workers (the “**College**”).
 2. During this time, you worked for, and were terminated from, FrancoQueer (the “**Organization**”). You provided services to clients of FrancoQueer that included the provision of education, information, resources and referrals, as well as the management, administration and delivery of the settlement and integration for francophone LGBTQIA clients.
 3. During this time, you requested that a group of the Organization’s clients, including [AA, BB and/or CC] (the “**Clients**”), sign a request for a special general meeting of the Organization’s Board of Directors (the “**Board**”), to remove one or more members from the Board.
 4. You also asked the Clients to leave the Organization as a whole, as well as the Organization’s WhatsApp group, and/or asked them to join a new organization and/or WhatsApp group, called United FrancoQueer and/or Black FrancoQueer.
 5. In so doing, you threatened, coerced, improperly influenced, harassed, abused or exploited the Clients, or attempted to threaten, coerce, improperly influence, harass, abuse or exploit the Clients. You used information learned through your professional position of

¹ By-law 24, as amended by By-law Nos. 32 and 48 and revoked effective July 1, 2008 by By-law 66, continues to apply to conduct which occurred prior to July 1, 2008.

authority, including the Clients' citizenship status and/or sexual orientation, to threaten that you would make damaging statements to the government, Immigration Board, Courts, and/or Tribunals, which could potentially harm their refugee claims, if the Clients did not comply with your requests.

6. Around the time of your termination, you removed hard copy Client files and/or documents from the Organization's office. You failed to return these files despite having been requested to do so.
7. Around the time of your termination, you removed approximately \$840.70 in cash from the Organization's office. You failed to return these funds despite having been requested to do so.
8. Following your termination, you failed to return the Organization's laptop, despite having been requested to do so.

II. It is alleged that by reason of engaging in some or all of the conduct outlined above, you are guilty of professional misconduct as set out in section 26(2)(a) and (c) of the Act:

- (a) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and **Principle I of the Handbook** (commented on in **Interpretations 1.5, 1.6, and 1.7**) by failing to be aware of your values, attitudes and needs and how these impact on your professional relationships with clients; by failing to distinguish your needs and interests from those of your clients to ensure that, within professional relationships, clients' needs and interests remain paramount; and, as a College member employed by an organization, by failing to maintain an awareness and consideration of the purpose, mandate and function of that organization and how these impact on the limit professional relationships with clients;
- (b) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and **Principle II of the Handbook** (commented on in **Interpretation 2.2.1, 2.2.3, 2.2.4, and 2.2.8**) by engaging in professional relationships that constitute a conflict of interest or in situations in which you ought reasonably to have known that the client would be at risk in any way; by using information obtained in the course of a professional relationship and using your professional position of authority, to coerce, improperly influence, harass, abuse or exploit a client, former client, student, trainee, employee, colleague or research subject; by soliciting or using information from

clients to acquire, either directly or indirectly, advantage or material benefits; and by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the professions of social work or social service work;

- (c) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and **Principle III of the Handbook** (commented on in **Interpretation 3.4 and Footnote 3**) by engaging in discrimination based on race, ethnicity, language, religion, marital status, gender, sexual orientation, age, disability, economic status, political affiliation or national origin and by failing to adhere to the Ontario *Human Rights Code* and the *Charter of Rights and Freedoms* in the provision of services;
- (d) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and **Principle IV of the Handbook** (commented on in **Interpretation 4.2.1, 4.2.2 and 4.2.3**) by failing to comply with the requirements regarding record retention, storage, preservation and security set out in any applicable privacy and other legislation; by failing to take necessary steps to protect the confidentiality and security of paper records, files, electronic records and/or other communications; and by failing to ensure that each client record is stored and preserved in a secure location for at least seven years from the date of the last entry;
- (e) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and **Principle V of the Handbook** (commented on in **Interpretation 5.1, 5.2 and 5.3**) by failing to comply with any applicable privacy and other legislation, and failing to obtain consent to the collection, use or disclosure of client information including personal information; by failing to acquire and maintain a thorough understanding of the organization policies and practices relating to the management of client information; and/or by disclosing information concerning or received from clients;
- (f) In that you violated **Section 2.28 of the Professional Misconduct Regulation** by contravening the *Act*, regulations or by-laws;
- (g) In that you violated **Section 2.29 of the Professional Misconduct Regulation** by contravening a federal, provincial or territorial law or a municipal by-law where the purpose of the law or by-law is to protect public health or the contravention is relevant to the member's suitability to practise; and/or

- (h) In that you violated **Section 2.36 of the Professional Misconduct Regulation** by engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

AND TAKE NOTICE that the Discipline Committee may make an order under Section 26(4), (5), (6), (7), (8) and (9) of the Act, or any of them, in respect of any or all of the above allegations.

AND FURTHER TAKE NOTICE that the parties (including the College and you) shall be given the opportunity to examine before the hearing any documents that will be given in evidence at the hearing.

AND FURTHER TAKE NOTICE that at the said hearing, you are entitled to be present and to be represented by counsel.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THIS NOTICE OF HEARING, THE DISCIPLINE COMMITTEE MAY PROCEED WITH THE HEARING, AND MAY DEAL WITH THE ABOVE ALLEGATIONS AGAINST YOU, IN YOUR ABSENCE AND WITHOUT ANY FURTHER NOTICE TO YOU.

Dated at Toronto, the _____ day of 2022

By: _____
Registrar and CEO
Ontario College of Social Workers and Social Service Workers