

FAIR ACCESS:

Changing the Conversation,
Leading the Transformation
Annual Report 2014–2015

Office of the
fairness
commissioner

Bureau du
commissaire à
l'équité



WHAT IS THE OFFICE OF THE FAIRNESS COMMISSIONER?

The [Office of the Fairness Commissioner \(OFC\)](#) was created by the Fair Access to Regulated Professions and Compulsory Trades Act, 2006 to ensure that everyone who is qualified to practise in a profession or trade that is regulated in Ontario can get a licence to practise here. This need arose because some professionals, particularly those trained outside of Ontario, were encountering unnecessary obstacles.

The OFC works with the regulatory bodies that oversee the regulated professions and trades, to ensure that their licensing processes are transparent, objective, impartial and fair. Ultimately, the OFC's goal is to ensure that anyone qualified in a regulated profession or trade who wishes to practise in Ontario is not prevented from doing so by an unduly complex, costly or time-consuming licensing system.

TRANSPARENT

OBJECTIVE

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IMPARTIAL

FAIR

MESSAGE FROM THE COMMISSIONER

There was a moment, in late November 2014, when I realized just how far we have come since the Office of the Fairness Commissioner (OFC) was established. I was at the OFC's *Transforming Access* forum, listening to the conversations about:

- immigrant-serving organizations and regulatory bodies and postsecondary institutions working together to reduce barriers for internationally educated professionals
- a global economy where credentials are portable and mobile, meaning that jurisdictions must be competitive to attract the best and the brightest
- the importance of harnessing the skills of newcomers to Ontario, ensuring all are able to contribute once they are here

These were conversations not just about fair access, but what fair access *means* – in real, practical, economic and societal terms.

It struck me that this was an extraordinary dialogue, given that eight years ago such topics were barely on the radar screen. To now hear fair access being talked about with so much passion and innovation, and to know that the talk is being followed up by action, filled me with a great sense of accomplishment.

I am extremely proud of the OFC's leading role in bringing a fair-access agenda to the forefront, helping to spearhead national and provincial strategies and serving as a model for other jurisdictions.

I am proud of our groundbreaking research, analysis and reports.

I am proud of the hundreds of licensing improvements we have brought about.

I am proud of cataloguing exemplary practices, to both guide and inspire further improvement.

I am proud of creating new paths for applicants for licences to practise professions and trades in Ontario, with clear protocols and processes to help them navigate through a complex system.

Above all, I am proud of changing the conversation, highlighting fair access as a topic worth pursuing. The *Transforming Access* forum was, in itself, a measure of the OFC's determination and success in moving the fair-access agenda forward. It signalled major, tangible advancement since the OFC began its work in 2007.

Back then, I can assure you, the conversations were very different, if they were taking place at all.

At the time, much of the talk around this issue centred on anecdotes about engineers and doctors driving cabs. While these stories were certainly valid, in some ways they minimized bigger concerns such as chronic underemployment among immigrants, increasing labour mobility, and systemic obstacles faced by too many applicants.

My job, as Fairness Commissioner – a first not just for Ontario but for the entire world – was to raise awareness of these broader issues, and to develop strategies to address them.

I am pleased to report that we have made tremendous progress. Yes, some internationally trained professionals continue to face barriers preventing them from fully contributing, and there are still too many unnecessary hurdles and complications in the licensing process. But I truly feel that we have built momentum in the right direction, as evidenced by the extensive improvements in licensing practices and the robust engagement of so many of our stakeholders.

I want to commend OFC staff members for their commitment and diligence in bringing the OFC to this point. Identifying licensing obstacles, drawing attention to them and developing recommendations for improvement is painstaking work. It is a credit to our staff's dedication that so many improvements have been made, and that relations with regulatory bodies and other stakeholders are so strong.

The OFC continues to face challenges in its efforts to improve access. Some barriers cannot be addressed by regulators alone. Government and other stakeholders must do their part to eliminate barriers and help enable fair access.

Fortunately, for the most part the spirit of cooperation throughout the licensing community has been admirable. And the OFC's role in fostering continuous improvement continues to grow.

Over the years, the comment I have heard most often is that the OFC has made a difference just by being here. No doubt that is why other jurisdictions have taken steps to emulate us. We are giving Ontario an economic and cultural advantage, demonstrating that we welcome qualified professionals, regardless of where they were trained.

This journey is far from over, of course. There is still much, much work to be done. But as I leave the OFC, I am heartened by the progress we have made together, and the direction we have set for the future.

I wish the new Commissioner all the best in building on this strong foundation, continuing a transformation that is making Ontario a world leader in fair access.

May the four words that have guided my time as Ontario Fairness Commissioner – Transparent • Objective • Impartial • Fair – echo throughout Ontario's licensing community for many years to come.



Hon. Jean Augustine, PC, CM, CBE

Fairness Commissioner from 2007 to March 2015

About the Commissioner – Hon. Jean Augustine, PC, CM, CBE

Jean Augustine served as Ontario's Fairness Commissioner – the first person ever to hold this position – from 2007 until her retirement in March 2015. She is a Member of the Order of Canada, in recognition of her distinguished career as an educator, politician and advocate for social justice. Her many accomplishments include being the first African-Canadian woman elected to the Parliament of Canada and then the first black woman to serve in a federal Cabinet.

A GROWING CONSTITUENCY



The number of licensed members of professions and trades in Ontario, as well as the number of regulatory bodies under the mandate of the Office of the Fairness Commissioner (OFC), continues to grow.

The OFC now oversees the licensing practices of **42 regulatory bodies**.

In 2014:

- The OFC started collecting data about the registration practices of the **Human Resources Professionals Association**, which includes 20,874 members.
- Overall, there was a 1.9% rate of growth in the numbers of licensed professionals and tradespeople in Ontario in 2014 compared to 2013. This is consistent with the slow but steady increase seen in previous years.

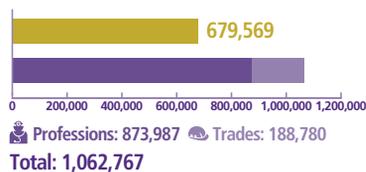
The following graphic shows some further statistical highlights for 2014. It also highlights the growth in some areas from 2007, when the OFC began its work, to 2014.

NUMBER OF REGULATORS

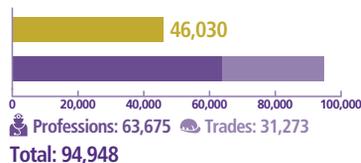


■ 2007* ■ 2014

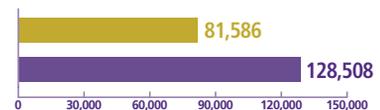
TOTAL NUMBER OF PROFESSIONALS & TRADESPEOPLE



TOTAL NUMBER OF APPLICANTS



NUMBER OF INTERNATIONALLY EDUCATED PROFESSIONALS**



INTERNATIONALLY EDUCATED APPLICANTS



* NOTE: Trades were not within the OFC's mandate in 2007. ** NOTE: Data for professionals and tradespeople is combined.

The top five source countries of international applicants to Ontario professions and trades are India, the Philippines, China, the United States and Australia. The professions and trades receiving the bulk of these applications are nursing, certified general accounting, teaching, engineering and medicine.

TIMELINE: ACTION ON FAIR ACCESS



2006

Fair Access to Regulated Professions Act, 2006, creates the Office of the Fairness Commissioner (OFC).



2007

Hon. Jean Augustine is named Fairness Commissioner, the first position of its kind in the world.



2008

All regulated professions in Ontario begin to undergo audits, as the OFC reviews and analyzes licensing paths, procedures and rationales.

2010

OFC develops a method, the first in Canada, for assessing licensing practices.



OFC releases *Clearing the Path: Recommendations for Action in Ontario's Professional Licensing System*, setting out 17 specific recommendations.



OFC begins gathering, for the first time, hard data on licensing in Ontario's regulated professions.



2009

OFC surveys qualifications assessment agencies, to learn more about the fairness of their assessments.



OFC releases *Getting Your Professional Licence in Ontario: The Experiences of International and Canadian Applicants*, the first study ever commissioned to document applicants' experiences.

OFC publishes results of a research project on licensing requirements in other Canadian jurisdictions.



2011

OFC works with Ontario regulators on implementation of the [Ontario Labour Mobility Act](#).

OFC launches its first comprehensive assessment of all 37 regulatory bodies within its mandate – the first assessment of its kind in Canadian history.



2013

OFC releases *A Fair Way to Go: Access to Ontario's Regulated Professions and the Need to Embrace Newcomers in the Global Economy*, a 77-page report on the state of Ontario's licensing system.

OFC presents the forum "Protection or Protectionism?" to expand the fair-access discussion to broader issues around global competition, labour mobility and immigration policy.

2014

The second comprehensive assessment is completed, after 18 months of in-depth analysis of 34 regulatory bodies' licensing practices.

OFC presents a fair-access forum, *Transforming Access*, welcoming 150 multi-stakeholder participants.

In collaboration with the Ministry of Citizenship, Immigration and International Trade, the OFC conducts a study comparing employment match rates in regulated professions between immigrants and their counterparts born and educated in Canada.

2012



OFC completes the first comprehensive assessment and publishes the outcomes, including 339 recommendations for improvement and 304 commendable practices.

OFC launches the Exemplary Practices Database, an online searchable tool citing more than 100 excellent practices, to serve as both a guide for all regulatory bodies and a motivator for better licensing.

An OFC study, *Academic Requirements and Acceptable Alternatives: Challenges and Opportunities for the Regulated Professions in Ontario*, results in 11 recommendations to streamline academic requirements and/or provide acceptable alternatives for internationally educated professionals.

2015

OFC releases its report, *Assessment of Registration Practices: Progress and Problems in 2013–2014*, detailing the results of the 2013–14 assessment cycle (Cycle 2).

OFC prepares to launch online learning modules to help regulatory bodies comply with legislation.

After seven years of leadership, Hon. Jean Augustine retires as Ontario's Fairness Commissioner.

Helen Angus is named as interim Fairness Commissioner.



ASSESSING PROGRESS

ASSESSMENTS OF REGISTRATION PRACTICES

From May 2013 to September 2014, the OFC conducted the second comprehensive assessment of regulatory bodies' licensing practices. Building on the first cycle of assessments (conducted in 2011–12), this second cycle targeted areas of weakness previously identified, for 34 regulatory bodies.

Because the Cycle 2 assessments were targeted, the OFC was able to probe more precisely, deeply, and rigorously in the areas of weakness, and with a stronger emphasis on transparency and on clear evidence. A thorough analysis of the Cycle 2 assessments appears in *Assessment of Registration Practices: Progress and Problems in 2013–2014*, which is available at www.fairnesscommissioner.ca.

The following three pages highlight the progress and problems described in the report.



ENABLING CONTINUOUS IMPROVEMENT

Central to the work of the OFC is a **continuous improvement strategy**. The OFC advises and influences the regulators to continuously improve their practices, monitors emerging issues, identifies improvements that are meaningful and achievable, and identifies exemplary practices that can be constructively shared with other regulatory bodies.

In addition to comprehensive assessments, the OFC requires annual Fair Registration Practices reports, and periodic Entry-to-Practice reviews and audits. Each of these processes aims to ensure that all regulators are meeting their duties under fair-access legislation.

STATISTICAL HIGHLIGHTS

The Cycle 2 assessments reflect notable progress:

- **92% of the recommendations from Cycle 1 had been implemented**, with the remaining 26 recommendations carried over into Cycle 2.
- **7 (20%) of the 34** regulatory bodies that were assessed in 2013–14 **did not receive any recommendations at all**.
- Most regulators continue to work diligently to improve their licensing procedures, as evidenced by the **167 commendable practices** identified in Cycle 2.

The OFC also made **247 recommendations for improvement** in Cycle 2. Clearly, problems persist.

PROGRESS

The Cycle 2 assessments offered ample evidence that regulatory bodies are making a concerted and strategic effort to improve their licensing practices.

More Accessible Information and Greater Transparency

Regulatory bodies are making more information available to applicants, and in a greater variety of ways.

Examples include:

- adding new information to their websites or reorganizing existing information to make it clearer and easier to find
- providing clearer information about how to request an appeal or review of a decision
- stating more clearly the rationales for their registration requirements
- improving the quality and quantity of information that they provide to all applicants, and especially to those who are internationally educated

More Flexible Registration Pathways

Regulators are increasingly open to considering alternative pathways that individuals can use to demonstrate the competencies – the skills and knowledge – required for professional practice.

Better Training

Almost half of the regulatory bodies found ways to improve training to reduce bias among decision-makers and assessors.

PROBLEMS

While progress is clearly being made, the Cycle 2 assessments identified some persistent problems, especially in areas related to:

- lack of fairness of registration requirements
- quality of assessments and registration decisions
- inadequate access to records

The assessments also revealed ongoing concerns about regulators' understanding of the law and fair-access principles, underdeveloped ways of soliciting feedback from applicants, and a reluctant approach to transparency.

Lack of Fairness of Registration Requirements

A large number – 93% – of regulatory bodies could improve the fairness of their registration requirements. In particular, improvement is needed in developing defensible rationales for registration requirements, such as Canadian-experience requirements, and in recognizing acceptable alternatives to standard academic requirements.

- **Canadian experience** – Some regulatory bodies require applicants to undergo a period of practical training or work experience in Canada (or Ontario) related to the profession or trade. This is a particular focus for the OFC because it contributes to the systemic disadvantage of internationally educated applicants applying for a licence to practise in Ontario.
- **Recognizing acceptable alternatives** – Flexible pathways help to ensure that all people, regardless of where they were educated, have equal opportunity to demonstrate their qualifications and competencies. The OFC continues to influence regulatory bodies to develop accessible, affordable and sustainable alternative pathways for applicants to meet requirements for licensing. It also continues to recommend the Ontario government provide guidance and oversight for regulatory bodies where there is a lack of money to implement or sustain alternative pathways.

Quality of Assessments and Decisions

Regulatory bodies must connect their registration requirements to the competencies needed to enter their professions. But regulatory bodies must also ensure that their evaluation methods allow applicants to demonstrate those competencies.

The OFC's Cycle 2 assessments revealed that nearly 40% of the regulators had difficulties explaining how their assessment criteria were linked to the required competencies or to explain the connection to applicants.

Overall, the OFC made recommendations for improvement to 73% of the regulatory bodies assessed on their assessment of qualifications.

Specific issues that continue to concern the OFC include:

- **Impartiality** – Many regulatory bodies found it difficult to explain the steps they took to ensure that they were implementing impartial practices. The OFC continues to challenge regulatory bodies to identify sources of bias and develop strategies to reduce it in assessment and decision-making processes.
- **Accountability of qualifications assessment agencies** – Most regulatory bodies outsource various licensing steps to external organizations (third parties), such as World Education Services or a national body for the profession. In the Cycle 2 assessment, 31% of regulatory bodies did not demonstrate adequate measures to hold their third parties accountable for having transparent, objective, impartial and fair practices. The number of regulatory bodies receiving recommendations for improvement in this area is *higher* than in 2011–12.

Inadequate Access to Records

The OFC made recommendations for improvement to 12 regulatory bodies that needed to enhance transparency regarding document retention and applicants' access to their records.

Applicants need to access their records, including their application and supporting documents, to help them understand a decision, build an appeal case, and maintain access to documents that are difficult or costly to obtain.



CONTINUOUS IMPROVEMENT AT THE OFC

Adhering to the continuous improvement approach that the Office of the Fairness Commissioner requires of regulators, the OFC regularly reviews and updates its own processes and procedures.

After completing the Cycle 2 assessments, the OFC changed the assessment cycle to every three years from two. This will give regulatory bodies more time to implement improvements and show progress before the next cycle begins.

The OFC has updated its continuous improvement strategy, as well as revising its approach to Entry-to-Practice reviews, audits and Fair Registration Practices reports.

ONGOING MONITORING



The 2014–15 fiscal year was very busy for the OFC with activity surrounding the second cycle of assessments of regulatory bodies' registration practices (see the previous section). The two-year (now three-year) assessments are only one way – although a major one – that the OFC monitors registration practices and encourages continuous improvement.

The OFC works regularly with regulatory bodies and other stakeholders, and receives information about their activities from many sources, such as the regulators' annual Fair Registration Practices reports and ongoing dialogue. In this way, the OFC learns frequently about progress regulators have made as part of the continuous improvement efforts, along with challenges they are facing, and progress and problems involving other organizations, such as qualifications assessment agencies.

This section highlights some of these achievements and problems.

POSITIVE CHANGE

Self-Assessing Using Recognized Professional Standards

Independent of the OFC's assessment, the [College of Early Childhood Educators](#) voluntarily reviewed its own regulatory practices using the standards of the UK Professional Standards Authority for Health and Social Care. This enabled the college to identify its successes and areas that needed improvement. The findings of the review are informing the college's work plans and budget, and are aiding in cross-departmental awareness and collaboration.

Streamlining Application Through an Online Portal

The National Association of Pharmacy Regulatory Authorities launched [Pharmacists' Gateway Canada](#) – a new, national portal to help applicants who graduated with a pharmacy degree not accredited by the Canadian Council for Accreditation of Pharmacy Programs. The new portal is the first point of contact for internationally educated pharmacist applicants. It acts as a central repository for original documents and evaluation results, to help eliminate duplication in documentation requirements across provincial and national bodies.

The portal creates a fair, consistent approach to registration in all Canadian provinces. It also provides important information online and through telephone support, and features two self-assessment tools to help international applicants make an informed decision before starting the process to become licensed as pharmacists in Canada.

SEEKING SOLUTIONS

Some fair-access challenges are especially difficult and may involve many stakeholders.

Medical Residency Requirement

For internationally educated physicians, collaboration between government, regulators, and assessors is necessary to offer viable alternatives to Canadian residency training.

To become licensed in Ontario, most immigrant physicians must complete residency training in Canada. About 2,000 applicants compete each year for the 200 Ontario residency positions reserved for international medical graduates. In 2014, over 60% of these positions were granted to Canadians who studied medicine abroad, making it disproportionately difficult for immigrant physicians to secure residency training. Canada-wide, only 19% of immigrant physicians applying for residency were successfully matched to a training position. For the sub-group educated in Africa, Asia and the Middle East, fewer than 10% were successful in securing a residency match.

The OFC has discussed with the [College of Physicians and Surgeons of Ontario \(CPSO\)](#) exploring alternative routes to licensing so that qualified immigrant applicants have a fair opportunity to fulfil licensing requirements. In particular, the OFC has called for practice-ready assessment and training positions.

The OFC continues dialogue with CPSO and the Ministry of Health and Long-Term Care about creating practice-ready assessment opportunities in Ontario.

Unifying Accounting Regulatory Bodies

Ontario's three accounting regulators are moving toward unification into a single entity called the [Chartered Professional Accountants of Ontario](#) (CPA Ontario). The OFC has met with each regulator over the past year to monitor how this unification will affect new and current applicants. The three regulators have developed transition plans and communications materials to inform applicants about the transition.

The OFC is in ongoing dialogue with CPA Ontario, the new body that represents all three accounting professions. The OFC reviewed existing accounting professions' legislation and identified improvements that would strengthen accountability, transparency and ministerial oversight in new legislation that will govern CPA Ontario.

Nursing Competency Assessment

Since 2013, the [College of Nurses of Ontario \(CNO\)](#) has required internationally educated registered nurse applicants whose academic credentials are not equivalent to Canadian standards to undergo an [Objective Structured Clinical Examination \(OSCE\)](#), to show that they have the required competencies. The OSCE is administered by a third party that submits applicants' scores to the CNO. The CNO then applies further assessment.

The OSCE includes an assessment of self-regulation and ethics, but applicants must also complete a separate jurisprudence exam administered by the CNO. Therefore, internationally educated applicants who take the OSCE may be tested on this material twice.

The OFC has asked the CNO to explain how it evaluates OSCE scores and the rationale for including in the OSCE material that may be addressed in the jurisprudence exam. The CNO has made progress and the OFC continues to monitor the efforts.

TRANSFORMING ACCESS – FAIR-ACCESS FORUM



On November 21, 2014, the OFC hosted a forum called *Transforming Access* – the first such event in the OFC’s history. Nearly 150 participants attended the multi-stakeholder conference, which included regulatory bodies, postsecondary institutions, and immigrant-serving organizations.

The forum gave participants an opportunity to look back on the work of the OFC and generate ideas for working more closely together to advance the fair-access agenda. Presenters provided local, provincial, national and global perspectives.

Following are highlights of the forum.

FAIR ACCESS IN NATIONAL PERSPECTIVE

This panel discussion focused on best practices and lessons learned from Canadian fair-access experiences that suggest new ways for stakeholders to improve licensing in Ontario, including:

- putting more energy into Mutual Recognition Agreements
- working with regulators to administer assessments and exams abroad
- ensuring that employers are part of the solution
- improving the quality and quantity of bridging programs
- providing limited licences to practise

ROUNDTABLE SESSIONS

Transforming Access included four roundtable sessions, in which participants heard expert presentations and joined discussions about relevant topics. Following are synopses of the sessions.

Challenging Our Assumptions about Competency

Competency assessment is increasingly considered the gold standard for evaluating an applicant's qualifications for entering practice; that is, what a person can do is far more relevant to licensing than whether he or she can pass a theoretical-knowledge-based exam or has an educational credential.

By linking assessment tools to competencies, regulators can focus on what applicants know and can do. This is especially important for people who were educated outside Canada.

Multi-Stakeholder Work Group Model

Nova Scotia's Multi-Stakeholder Work Group model is a successful approach to bringing diverse people and organizations together on a regular basis, in order to develop a collective model for change and devise solutions to immigrants' employment issues.

Discussions highlighted the relevance of multi-stakeholder collaboration to address fair access to the regulated professions in Ontario.

Because fair-access legislation is already in place in Ontario, multi-stakeholder work groups may have easier access to foundations and private funding for innovation and experimentation.

Stretching the Limits of Research

Research changes as new questions and findings emerge. For example, the field of research into immigration has recently merged with the research into the composition of the different regulated professions. This session provided an opportunity for researchers to discuss the recent studies and the work that still needs to be done.

Postsecondary Education and Fair Access

In recent decades the number of immigrant professionals coming to Canada has increased exponentially – with many requiring upgrading, particularly in language skills, in order to qualify for licensing. But the quantity and quality of the educational programs and systems they need have not kept pace.

Regulatory bodies and academic institutions that provide the necessary programs must work together. And a "road map" is needed for integrating immigrant professionals, outlining the roles and responsibilities of educational institutions, government, settlement agencies, employers and immigrants themselves.

KEYNOTE SPEECH: OPENING BORDERS, MAINTAINING STANDARDS

Harry Cayton, CBE (Chief Executive, Professional Standards Authority for Health and Social Care, UK) delivered a presentation outlining push and pull factors for labour mobility and made many interesting observations. He discussed fair access in the global market and an ethics framework for skilled migration.

DIVERSE PARTICIPATION

The *Transforming Access* forum drew a diverse range of stakeholders related to fair access – including academics, innovators, consultants and program managers. The OFC is grateful to the organizations that presented at the forum:

- CARE Centre for Internationally Educated Nurses
- Centre for Global eHealth Innovation, University Health Network
- Centre of Excellence for Research on Immigration and Settlement
- Department of Economics, McMaster University
- Ethnic, Immigration and Pluralism Studies Program, Munk School of Global Affairs, University of Toronto
- George Brown College
- Martek Assessment Ltd.
- Nova Scotia Department of Labour and Advanced Education
- Office of the Manitoba Fairness Commissioner
- Ontario College of Trades
- Pharmacy Examining Board of Canada
- Professional Standards Authority for Health and Social Care, UK
- Ryerson Centre for Immigration and Settlement
- Ryerson Maytree Global Diversity Exchange, Ryerson University
- School of Policy Studies, Queen's University
- Toronto Region Immigrant Employment Council
- Touchstone Institute
- Tri-campus Expansion and International Professionals Initiatives, School of Continuing Studies, University of Toronto
- WeirFoulds, LLP

MATCH-RATE STUDY



Full results of this study will be published in a special edition of the Canadian Public Policy journal.

Match Rate

A *match rate* is the total number of people working in the regulated profession divided by the total number of employed people who have completed the related education that would normally lead to licensure in that profession.

The OFC partnered with the Ontario Ministry of Citizenship, Immigration and International Trade on an ambitious research project designed to compare the employment match rates for immigrants educated in a regulated profession outside Canada with their counterparts born and educated inside Canada.

The study examined Statistics Canada data for 2006 and 2011, and analyzed trends and provincial comparisons over the five years following implementation of Ontario's fair-access legislation.

Some of the findings were positive. For example, in 2006–07, internationally educated individuals made up 33.4% of those who studied to practise a regulated profession, but only 16.1% of those licensed (a gap of 17.3%). Over the next five years, this representation gap narrowed by 2.7%. The gap between internationally educated immigrant professionals who are licensed and Canadian born and educated professionals who are licensed has narrowed over time. Although not specifically a match-rate issue, this is a positive change, and is directly related to the work of the OFC.

Unfortunately, progress in employment has not been as significant as progress in licensing.

The research also yielded some alarming results, as shown in the following infographics:

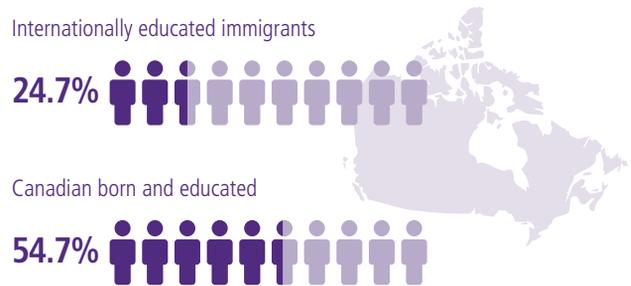
MORE THAN 75%
of employed immigrant professionals were working in jobs outside their field, and most of those jobs were well below their skill level.



In Ontario, 24.1% of internationally educated immigrants were working in their profession, compared to 51.5% of the Canadian born and educated.



For the rest of Canada, the corresponding figures were 24.7% and 54.7%.



Overall, the findings indicate that continuing growth in the numbers of internationally educated professionals – both immigrants and Canadian born – reinforces the importance of foreign-qualification recognition for Canada.

The research supports:

- a continued role for fair-access legislation to hold regulators accountable
- stronger engagement with employers to promote immigrant hiring and retention
- specialized advisement and training for alternative careers
- thoughtfully designed pre-arrival initiatives that reduce time away from professional practice without increasing barriers to immigration

OUTREACH/EDUCATION ACTIVITIES



The OFC continues to make presentations, provide advice, and educate stakeholders about fair access to the professions and trades.



ONLINE LEARNING PROJECT

As part of its ongoing education activities, the OFC is working closely with regulatory bodies to develop open-access, interactive, online learning modules.

These modules will be free, flexible [learning resources](#) to help regulators orient and train their staff and council members about the fair-access law.

Professionally developed with instructional designers and content experts, the modules will be a useful component of a regulator's training program.

In 2014, information was gathered about regulators' learning needs. Module development began in October 2014, with the first tests to be done in spring 2015.

The online modules are scheduled to be launched in fall 2015.



CONFERENCES AND SPEECHES: HIGHLIGHTS

The OFC made presentations and delivered speeches at various gatherings throughout the year. Highlights include:

- delivering a keynote address at the City of Toronto's Kennedy Employment & Social Services conference at the Ellesmere Community Centre in Scarborough, Ontario
- participating as a member of a panel on "Removing the Canadian Experience Barrier – Recognizing Experience, Facilitating Learning" at the Canadian Association for Prior Learning Assessment conference in Ottawa

-
- organizing and participating in the Canadian Network of National Associations of Regulators’ plenary session in Montreal on “Transparency as a Gateway to Accountable Governance”
 - organizing and participating in a plenary session at the Metropolis Conference on “Putting Immigrant Skills to Work: Employment Match Rates in the Regulated Professions,” in Vancouver
 - delivering a speech at a professional development program at Osgoode Hall Law School in Toronto on “Registration fairness and labour mobility – how to balance diversity and objectivity in professional regulation”
 - serving as a panel member at the Touchstone Institute forum on competency assessment in Toronto

GET THE FACTS – ACCREDITATION INFORMATION FOR FOREIGN TRAINED PROFESSIONALS

“A very successful event that we found to be extremely beneficial to hundreds of individual and many community partners. This success can be directly attributed to the involvement and support of the Fairness Commissioner’s office in attending and providing up-to-date factual information regarding the need for credential assessment(s) and the work the Commissioner continues to do with the varied regulatory bodies in Ontario in promoting understanding, flexibility and inclusiveness of professionals trained abroad.”

Tona Robis, Director, Toronto Employment & Social Services Division

ADVICE TO STAKEHOLDERS

Providing advice on all fair-access issues – to regulators, ministries and other stakeholders – is part of the OFC’s mandate under the [Fair Access to Regulated Professions and Compulsory Trades Act, 2006 \(FARPACKA\)](#), as stated in Part IV, 13(3)(f).

ADVICE ON REGISTRATION REGULATIONS

In 2014–15, the OFC provided advice on proposed registration regulations and amendments to several regulatory bodies under its mandate and to the appropriate ministries.

ADVICE TO REGULATORS AND THEIR THIRD PARTIES

In its annual meetings and other communications with regulatory bodies, the OFC and the regulatory bodies discuss current and ongoing issues, including progress and challenges.

The OFC also provides advice to other stakeholders, such as third-party or national organizations for professions, and the Ministry of Citizenship, Immigration and International Trade.

In 2014–15, the OFC offered advice to various regulatory bodies and other stakeholders on issues such as:

- acceptable alternatives to current registration requirements
- rationale for requirements
- exam contents
- challenges faced by internationally trained applicants
- requirements for Canadian work experience
- language competency requirements
- recognition of foreign credentials

ADVICE TO GOVERNMENT

In 2014–15, the OFC provided the following advice to ministries:

Ministry of Citizenship, Immigration and International Trade

- Timely approval is needed for regulation amendments.
- Some professions continue to require Canadian experience in order to become licensed.

Ministry of the Attorney General

- The accounting professions appear to have greater self-regulating power and autonomy than other professions.
- The ministry should ensure proper ministerial oversight of the accounting regulators so that the unification of these regulators aligns with fair-access principles.
- The ministry should actively engage the OFC in the development of legislation governing the accounting professions.

Ministry of Health and Long-Term Care

- The ministry should harmonize the Commissioner’s power over health regulators with the same power over non-health regulators, to better enable oversight capacity.
- Fair access to residency positions for immigrant physicians should be reconciled with labour-market demand and limited health-care dollars.
- The College of Nurses of Ontario’s assessment of internationally educated registered nursing applicants should be more transparent.
- The Ministry of Health and Long-Term Care, the Ministry of Citizenship, Immigration and International Trade and the College of Nurses of Ontario should collaborate to address systemic gaps in bridging education.

Ministry of Training, Colleges and Universities

- Bridging programs should be more accessible and sustainable.

ONTARIO'S REGULATORY BODIES



The Office of the Fairness Commissioner reports directly to the Ontario Minister of Citizenship, Immigration and International Trade, to provide updates on fair access across the province's licensing system.

The Commissioner advises the eight ministries responsible for regulated professions and trades, to draw attention to issues and progress in the regulatory bodies they oversee.

REGULATORY BODIES AND RESPONSIBLE MINISTRIES

MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS

College of **Veterinarians** of Ontario

MINISTRY OF THE ATTORNEY GENERAL

Ontario Association of **Architects**

Institute of **Chartered Accountants** of Ontario

Professional **Engineers** Ontario

Certified **General Accountants** of Ontario

Law Society of Upper Canada

Certified **Management Accountants** of Ontario

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Ontario College of **Social Workers and Social Service Workers**

MINISTRY OF EDUCATION

College of **Early Childhood Educators**

Ontario College of **Teachers**

MINISTRY OF HEALTH AND LONG-TERM CARE

College of **Audiologists and Speech-Language Pathologists** of Ontario

College of **Chiropractors** of Ontario

College of **Chiropractors** of Ontario

College of **Dental Hygienists** of Ontario

Royal College of **Dental Surgeons** of Ontario

College of **Dental Technologists** of Ontario

College of **Denturists** of Ontario

College of **Dietitians** of Ontario

College of **Homeopaths** of Ontario

College of **Kinesiologists** of Ontario

College of **Massage Therapists** of Ontario

College of **Medical Laboratory Technologists** of Ontario

College of **Medical Radiation Technologists** of Ontario

College of **Midwives** of Ontario
College of **Naturopaths** of Ontario
College of **Nurses** of Ontario
College of **Occupational Therapists** of Ontario
College of **Opticians** of Ontario
College of **Optometrists** of Ontario
Ontario College of **Pharmacists**
College of **Physicians and Surgeons** of Ontario
College of **Physiotherapists** of Ontario
College of **Psychologists** of Ontario
College of Registered **Psychotherapists** of Ontario
College of **Respiratory Therapists** of Ontario
College of **Traditional Chinese Medicine Practitioners and Acupuncturists** of Ontario

MINISTRY OF NATURAL RESOURCES AND FORESTRY

Ontario Professional **Foresters** Association
Association of Ontario **Land Surveyors**

MINISTRY OF NORTHERN DEVELOPMENT AND MINES

Association of Professional **Geoscientists** of Ontario

NO MINISTRY

Ontario Association of Certified **Engineering Technicians and Technologists**
Human Resources Professionals Association

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES

Ontario College of **Trades** (Compulsory Trades)

Construction

- Electricians – Construction and Maintenance
- Electricians – Domestic and Rural
- Hoisting Engineers – Mobile Crane Operator 1
- Hoisting Engineers – Mobile Crane Operator 2
- Hoisting Engineers – Tower Crane Operator
- Plumbers
- Refrigeration and Air Conditioning Systems Mechanics
- Residential (Low Rise) Sheet Metal Installers
- Residential Air Conditioning Systems Mechanics
- Sheet Metal Workers
- Steamfitters

Motive Power

- Alignment and Brakes Technicians
- Auto Body and Collision Damage Repairers
- Auto Body Repairers
- Automotive Electronic Accessory Technicians
- Automotive Service Technicians
- Fuel and Electrical Systems Technicians
- Motorcycle Technicians
- Transmission Technicians
- Truck and Coach Technicians
- Truck-Trailer Service Technicians

Service

- Hairstylists

FINANCIAL STATEMENT



STATEMENT OF REVENUES AND EXPENSES YEAR ENDED MARCH 31, 2015

	2015	2014
Revenues		
Ministry of Citizenship, Immigration and International Trade	\$ 1,860,428	\$ 1,749,962
Interest income	7,895	6,502
	1,868,323	1,756,464
Expenses		
Salaries, wages and benefits	1,312,286	1,225,262
Services	274,216	295,387
Office administration	149,897	147,828
Transportation and communications	39,878	50,961
	1,776,277	1,719,438
Excess of revenues over expenses before amortization	92,046	37,026
Amortization of capital assets	34,708	34,206
Excess of revenues over expenses for the year	\$ 57,338	\$ 2,820

NOTES TO FINANCIAL STATEMENT

1. Significant accounting policies

Significant accounting policies followed in the preparation of this financial statement are:

a) Revenues

Funds provided by the Ministry of Citizenship, Immigration and International Trade are recognized in the year in which they are earned.

b) Measurement uncertainty

The presentation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of revenues and expenditures during the reported period. Actual amounts could differ from these estimates.

Full audited financial statements are available on the OFC website or by contacting the OFC.

OFC STAFF

(in alphabetical order)

Hon. Jean Augustine | David Cavaco | Tanya Chute-Molina | Larry Colle |
Dana Dean | Frann Harris | Florine Ip | Nuzhat Jafri | Jennifer Louis |
James Mendel | Angelika Neuenhofen | Mabel Opoku | Jessica Walters |
Richard Webster



Transparency

A process is transparent if it is conducted in such a way that it is easy to see what actions are being taken to complete the process, why these actions are taken, and what results from these actions. In the regulatory context, transparency of the registration process encompasses the following:

- **Openness:** having measures and structures in place that make it easy to see how the registration process operates
- **Access:** making registration information easily available
- **Clarity:** ensuring that information used to communicate about registration is complete, accurate and easy to understand

Objectivity

A process or decision is objective if it is based on formal systems, such as criteria, tools, and procedures that have been repeatedly tested during their development, administration and review and have been found to be valid and reliable. In the regulatory context, objectivity of systems encompasses the following:

- **Reliability:** ensuring that the criteria, training, tools and procedures deliver consistent decision outcomes regardless of who makes the decision, when the decision is made, and in whatever context the decision is made
- **Validity:** ensuring that the criteria, training, tools and procedures measure what they intend to

Impartiality

A process or decision is impartial if the position from which it is undertaken is neutral. Neutrality occurs when actions or behaviours that may result in subjective assessments or decisions are mitigated. Impartiality may be achieved by ensuring that all sources of bias are identified and that steps are taken to address those biases. In the regulatory context, impartiality encompasses the following:

- **Identification:** having systems to identify potential sources of bias in the assessment or decision-making process (for example, sources of conflict of interest, preconceived notions, and lack of understanding of issues related to diversity)
- **Strategies:** having systems to address bias and enable neutrality during the assessment and decision-making process (for example, training policies that address conflict of interest, procedures to follow if bias is identified, and using group deliberation and consensus strategies to come to decisions)

Fairness

A process or decision is considered fair in the regulatory context when all of the following are demonstrated:

- **Substantive fairness:** ensuring the fairness of the decision itself. The decision itself must be fair, and to be fair it must meet pre-determined and defensible criteria. The decision must be reasonable and the reasoning behind the decision must be understandable to the people affected.
- **Procedural fairness:** ensuring the fairness of the decision-making process. There is a structure in place to ensure that fairness is embedded in the steps to be followed before, during and after decisions are made. This structure ensures that the process is timely and that individuals have equal opportunity to participate in the registration process and demonstrate their ability to practise.
- **Relational fairness:** ensuring that people are treated fairly during the decision-making process by considering and addressing their perception about the process and decision.



Office of the Fairness Commissioner

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The Office of the Fairness Commissioner is an arm's-length agency of the Ontario government, established under the Fair Access to Regulated Professions and Compulsory Trades Act, 2006. Its mandate is to ensure that certain regulated professions and trades have registration practices that are transparent, objective, impartial and fair.

Ce document est également disponible en français.

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