



**FAIRNESS COMMISSIONER**

**COMMISSAIRE À L'ÉQUITÉ**

# THE OFC NEWSLETTER

## JANUARY 2024

### A NEW SET OF PROPOSED FARPACTA AMENDMENTS



On November 14, 2023, the provincial government introduced Bill 149, the Working for Workers Four Act, 2023. If passed, this legislation would add new provisions to section 10(2) of the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006* (FARPACTA), as well as add regulation-making authority for the government. Currently, section 10(2) reads as follows:

If a regulated profession makes its own assessment of qualifications, it shall do so in a way that is transparent, objective, impartial and fair, and if it relies on a third party to assess qualifications, it shall take reasonable measures to ensure that the third party makes the assessment in a way that is transparent, objective, impartial and fair.

The bill would expand upon this provision in two discrete but inter-related ways. First, the bill would authorize the government to enact regulations to identify the minimum

requirements that a regulated profession must take to show that it has assessed applicant qualifications in a way that is transparent, objective, transparent and fair.

Second, it would authorize the government to enact regulations to identify the required minimum reasonable measures that a regulated profession must take to ensure that a third party makes assessments in a way that is transparent, objective, impartial and fair. These measures would include any requirements respecting contracts that the regulated profession enters into with the third party.

In the view of the Office of the Fairness Commissioner (OFC), these proposed amendments are both timely and important as, increasingly, regulated professions have devolved key components of their assessment and registration processes to third-party service providers (TPSPs). However, the accountability measures that regulators apply to these relationships, particularly with respect to client service, timeliness and psychometric standards, tend to vary significantly.

In addition, historically, the bulk of applicant complaints that the OFC receives relate the work performed by TPSPs, as opposed to the practices of regulated professions, themselves.

Should Bill 149 pass, the particulars of the minimum requirements will be contained in regulations that the government enacts for this purpose. The Ministry of Labour, Immigration, Training and Skills Development (the ministry) has indicated that it will consult with interested stakeholders on the content of these regulations.

The OFC will continue to work with the ministry, regulated professions, TPSPs and other groups to help to successfully implement any regulations that may be developed.

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## **MEMBERSHIP IN REGULATED PROFESSIONS AND REGULATED HEALTH COLLEGES**

Each year, the Office of the Fairness Commissioner (OFC) requires regulated professions and regulated health college (regulators) to submit annual Fair Registration Practices (FRP) reports. In these documents, regulators provide updates on their registration practices, as well as information on the number of applicants to the profession and membership details.

The OFC is pleased to share some key statistics for the January to December 2022 period.

Please note that, under our legislation, regulators are required to make these reports available to the public. Consolidated links to these documents are now available on our website under the [Professions and Trades](#) section.



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# 2022 QUICK FACTS

## MEMBERSHIP IN REGULATED PROFESSIONS AND REGULATED HEALTH COLLEGES

**15** REGULATED  
PROFESSIONS

(Skilled Trades Ontario  
is also responsible for  
23 compulsory trades)

Covered by the Fair Access  
to Regulated Professions and  
Compulsory Trades Act, 2006.

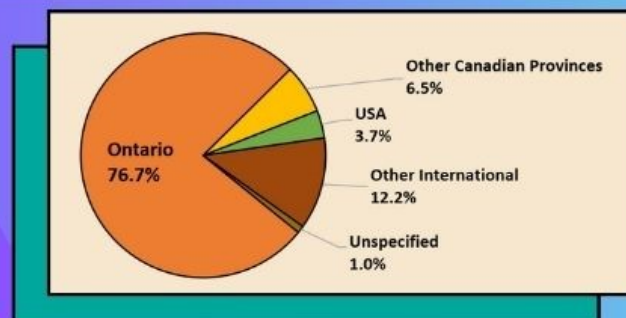
**26** REGULATED HEALTH  
COLLEGES

Covered by the Regulated Health  
Professions Act, 1991.

## MEMBERS

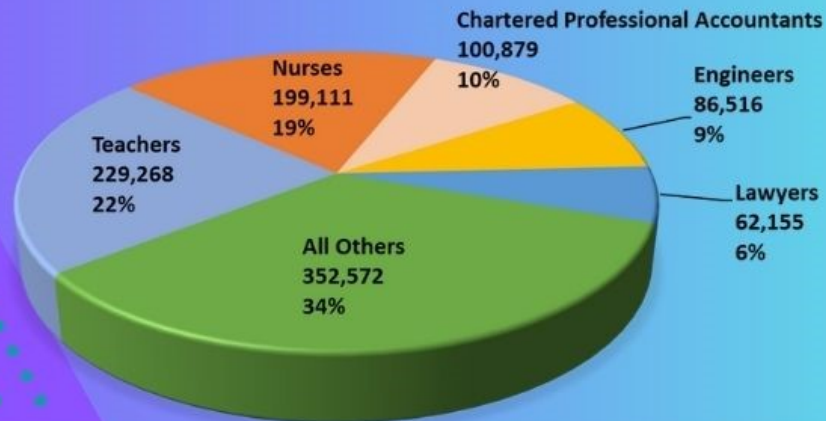
Anyone who is licensed to practice a regulated profession in Ontario is a member of that profession.

### 1. NUMBER OF MEMBERS AND WHERE THEY WERE TRAINED



## 2. FIVE PROFESSIONS WITH THE LARGEST NUMBER OF MEMBERS

	1	2	3	4	5	
Profession	Teachers	Nurses	Chartered Professional Accountants	Engineers	Lawyers	All Others
Number of members (total 1,030,501)	229,268	199,111	100,879	86,516	62,155	352,572
Percentage of members compared to total members in all professions	22.2%	19.3%	9.8%	8.4%	6.0%	34.3%



## 3. TOP 10 PROFESSIONS WITH THE LARGEST NUMBER OF INTERNATIONALLY TRAINED MEMBERS

	1	2	3	4	5
Profession	Teachers	Nurses	Engineers	Physicians	Pharmacists
Number of Internationally Trained Members	38,442	30,123	27,502	13,834	8,694
Percentage of members compared to total members in the profession	17%	15%	32%	30%	49%

	6	7	8	9	10
Profession	Lawyers	Chartered Professional Accountants	Dentists	Physiotherapists	Engineering Technicians and Technologists
Number of Internationally Trained Members	7,159	5,881	5,219	3,552	3,453
Percentage of members compared to total members in the profession	12%	6%	44%	16%	32%

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