



FAIRNESS COMMISSIONER

COMMISSAIRE À L'ÉQUITÉ

THE OFC NEWSLETTER

JUNE 2024

Bill 190, Working for Workers Five Act, 2024 Proposed Amendments to FARPACTA



On May 6, 2024, the provincial government introduced Bill 190, Working for Workers Five Act, 2024. This bill includes two important amendments to the [Fair Access to Regulated Professions and Compulsory Trades Act, 2006 \(FARPACTA\)](#) to help remove barriers for internationally trained applicants. These amendments deal, respectively, with application document flexibility and the parallel processing of applications.

The first amendment would, if passed, require that regulated professions develop policies providing for the acceptance of reasonable alternatives where applicants cannot obtain standard registration-related documentation for reasons beyond their control. Such policies would need to describe what constitutes a reasonable alternative and include timelines within which regulated professions would process alternative documentation and inform the applicant of next steps.

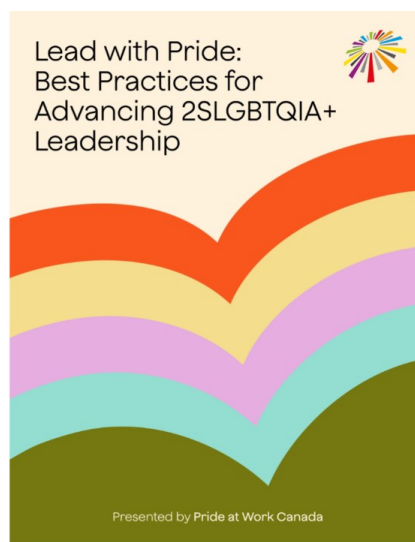
The second amendment would require that regulated professions have a plan to facilitate parallel processing of registration steps, enabling applicants delayed in one part of the registration process to proceed with other parts of the process, wherever possible. This would be the first time that a provision of this nature has been included in a Canadian fair access statute.

The bill would also provide that, before implementing their alternative documentation policy and parallel processing plan, regulated professions would need to submit them to the Fairness Commissioner for review and respond to any input from the commissioner.

Finally, the bill confers upon the Lieutenant Governor in Council regulation-making authority to prescribe requirements for these policies and plans, which could include addressing how the parallel processing plan must address delays, and to prescribe a process for approval of a policy or plan or updated policy or plan.

In the view of the Office of the Fairness Commissioner, these amendments would, if passed, promote the fairer and more expeditious processing of applications from internationally trained candidates to the professions and skilled trades. We look forward to working with all parties to discuss the operationalization of these provisions should they be endorsed.

Promoting Inclusive Registration Processes



Under Ontario's fair access legislation, regulated professions have a general duty to provide registration practices that are transparent, objective, impartial and fair. The extent to which a regulator can achieve these goals turns, to a large degree, on whether it can assess applications in an unbiased and open-minded fashion, with a high level of cultural competency.

On this basis, regulators have invested considerable resources to train members with responsibility for registration decisions and to promote dialogue on issues pertaining to diversity, inclusion and anti-racism.

As an example of such dialogue, education and thought leadership, and to celebrate Pride Month, we have included reference to one such resource. [Pride at Work Canada](#) empowers Canadian employers to build workplaces that celebrate all employees regardless of gender expression, gender identity, and/or sexual orientation.

Though addressing a slightly different context, the resource that Pride at Work Canada has developed, and which is referenced below, features an analysis of the career pathways and experiences of queer and trans leaders, as well as the workplace practices of private, public, and non-profit sector employers, to establish an understanding of the barriers, supports, and opportunities for queer and trans professionals to reach leadership positions in Canada:

[Lead with Pride: Best Practices for Advancing 2SLGBTQIA+ Leadership](#)

For this report, other resources and more, please visit www.prideatwork.ca.

Committing to Indigenous Reconciliation



In June, Canadians also celebrate National Indigenous History Month. This is an important opportunity to acknowledge Indigenous Peoples and to learn about their histories, cultures and ways of life. It is also a suitable time to acknowledge their contribution to Ontario's professions and skilled trades.

There are a variety of ways for regulators to help ensure that professionals offer culturally appropriate services to Indigenous Peoples and their communities. These include embedding Indigenous education (e.g., history, principles of cultural safety) into their professional training courses, encouraging engagement with Indigenous communities to assess their needs and circumstances; and providing resources for professionals to incorporate into their practices.

As an example of the first approach, the Royal College of Physicians and Surgeons of Canada (the RCPSC or college) has established an [Office of Indigenous Health](#) that drives the organization's commitment to reconciliation in medical education. The RCPSC's

Indigenous Health Committee has been given responsibility for developing accessible educational resources for specialists.

In creating these materials, the college has relied on the tools made available through the [San'yas Indigenous Cultural Safety Training Program](#). This program focuses on confronting anti-Indigenous racism and promoting cultural safety for Indigenous people. By participating in this course, individuals can better understand the needs of Indigenous communities and move towards addressing the Calls to Action outlined by the [Truth and Reconciliation Commission](#).

San'yas cultural safety training has an Ontario component that aims to improve experiences and outcomes by increasing respect and understanding of the unique history and current realities of Indigenous communities. Find out more at [Ontario — San'yas Indigenous Cultural Safety Online Training \(sanyas.ca\)](#).

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