

REMARKS BY

Hon. Jean Augustine, PC, CM
Fairness Commissioner

At

ACCES Employment Toronto Event

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I am pleased to speak to you today and, in particular, to speak about the concrete things the OFC is doing to respond to the challenges facing internationally educated professionals when they migrate to Ontario.

Simply put, the mandate of the Office of the Fairness Commissioner—or OFC, for short-- is to ensure that the 42 regulatory bodies in Ontario demonstrate fair treatment and grant even-handed access to newcomers who seek to practise their trade or profession here. As you know, it's the law, and the job of my office is to ensure that it is adhered to.

And so everything we do is designed to remove the roadblocks that stand in the path of our newcomers.

It's perfectly clear to me that the OFC needs to continue to educate our regulators with the resources and activities that

we are currently developing. A large part of this exercise depends on the regulators' understanding of our expectations.

These expectations, in turn, are based on our province's fair-access legislation. The four basic principles we base all our work on are Transparency, Objectivity, Impartiality and Fairness—and our interpretation of these four principles.

The trick is to breathe life into these four principles.

And I'd like to tell you how we have done just that in the past year.

Some of my staff members recently participated in the development of a research project called the Employment Match Rates in the Regulated Professions: Trends and Policy Implications.

This project examines ground-breaking research on employment-match rates for immigrant professionals between 2006 and 2011. It shows that labour market outcomes have not kept pace with progress in licensing. The research compares Ontario and national match rates to highlight provincial trends and disparities. It takes a close look at five of the most prevalent fields of study for immigrants: engineering, accounting, nursing, medicine and teaching. Policy implications for fair access work, pre- and post-arrival supports and alternative career supports for immigrants are being examined. One of our major endeavours was our second cycle of assessments, which culminated in a report you can access online in a few days from now.

From the second cycle of assessments we learned that, although the regulators in general are trying to improve their methods for evaluating international qualifications, there is still a great deal of work to be done in this area.

Let me give you an example.

In our second cycle of assessments—that of 2013-2014—fully one-quarter of the province’s forty-two regulatory bodies actually failed to demonstrate sufficient or adequate measures to hold their third-parties assessors accountable for ensuring practices that were transparent, objective, impartial and fair.

This number is higher than we noted in our assessment in 2011-12, and it shows a persistent problem with ensuring accountability of third-party assessors, such as World

Educations Services, which regulatory bodies rely upon for qualification assessments.

A major endeavour in the past year was our first Forum, which attracted close to 150 stakeholders.

Transforming Access was the first such event staged by the OFC in its seven-year history. The one-day event was attended by specialists who, like you, are dedicated to improving access for newcomers to the professions and trades. Although most participants came from Ontario, two specialists came from Nova Scotia and Manitoba and one expert came from England to provide an international perspective.

The purpose of the Forum was threefold:

- bring various stakeholders together to discuss common interests and concerns with respect to access

- review the progress since Fair Access legislation was effected (2006) and OFC opened (2007)
- investigate ways that stakeholders can work together in future, to improve access for newcomers seeking licensure to the trades and professions in Ontario

You will also be able to access the highlights of the Forum on our website by the end of the month.

An exciting project we have on the go is our online Learning Modules for regulators. Our modules will address the purpose and practical application of the fair access legislation. They are being developed to address the fact that training options on these topics for regulators are limited.

The modules will help regulators fulfill their public-interest mandate by helping them know and understand the laws that

apply to them. The modules will also help regulators to be better prepared to meet their obligations and enhance their capacity to identify potential issues related to fair-access legislation.

The online learning modules will be open-access and interactive. They will help regulators orient and train their staff and council members about the legislation so that they can continue to fulfill their mandate.

We hope that our Database of Exemplary Practices is the go-to section of our website for regulators. These exemplary practices are drawn from the regulatory bodies who demonstrate an exemplary way of doing something in particular. For example, communicating with applicants. The exemplary practices allow regulators to see what other

regulatory bodies are doing to improve particular practices and to adopt a particular practice as appropriate.

Through all these activities, we are helping the 42 regulators to maintain professional standards to protect the public at the same time as they deal fairly with applicants.

In our work we have taken a continuous improvement approach rather than a strict compliance/non-compliance one.

We believe that it is better to work alongside the regulators, encouraging and motivating them to readily acknowledge and put energy into addressing their deficiencies in their registration practices.

Conclusion

I hope that my remarks have helped paint a picture of the things that are being done to measure and remove the barriers

and challenges that face our internationally educated professionals.

Thank you for your kind attention.

Now I hope you have a few questions for me.

Optional

Speaking of the daily work life at the OFC, I want to let you know that my appointment will come to an end this coming March. I am honoured to have been the first person in the world to be chosen to stand at the helm of the very first Office of the Fairness Commissioner. I have been wrestling with these issues since 2007, when the office was created. I have—most of the time—enjoyed the relentless advocacy that was necessary—and still *is* necessary—in the struggle to regulate

our regulators with respect to registering professional newcomers, so that our newcomers receive fair treatment and are permitted to make their fair contribution to Canada.
