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Official Report of Debates (Hansard)

Wednesday 22 November 2006

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Mercredi 22 novembre 2006

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

Fair Access to Regulated
Professions Act, 2006

Loi de 2006 sur l'accès équitable
aux professions réglementées

Chair: Andrea Horwath
Clerk: Susan Sourial

Présidente : Andrea Horwath
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 22 November 2006

Mercredi 22 novembre 2006

The committee met at 0904 in committee room 1.

**FAIR ACCESS TO REGULATED
PROFESSIONS ACT, 2006**

**LOI DE 2006 SUR L'ACCÈS ÉQUITABLE
AUX PROFESSIONS RÉGLEMENTÉES**

Consideration of Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions /
Projet de loi 124, Loi prévoyant des pratiques d'inscription équitables dans les professions réglementées de l'Ontario.

**CANADIAN TAMIL CONGRESS
ASSOCIATION OF SRI LANKAN
GRADUATES OF CANADA**

The Chair (Ms. Andrea Horwath): Good morning. The standing committee on regulations and private bills is called to order. We're here today to continue public hearings on Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions. We will start with our first witness of the day. I want to thank everyone for coming. Welcome to the committee members. I hope we have a positive day of hearings.

Our first group for this morning is the Canadian Tamil Congress. There are a number of representatives. Please come and have a seat at the four chairs opposite. As you get seated, I'll explain the process. State the names of all the people in your party, for the record. As well, you'll have a 10-minute opportunity for your presentation. If you leave some time within that 10 minutes, at the end the members of the committee will have a chance to ask you questions.

Welcome. Thank you for coming. Please begin.

Mr. Chinniah Ramanathan: Thank you for inviting us for this occasion. My name is Chinniah Ramanathan. Our friends here are Dr. Kanagasabai Theivendrarajah and Mr. Surren Balendran. We represent the Canadian Tamil Congress as well as the Association of Sri Lankan Graduates of Canada. Mr. Danton Thurairajah got caught in traffic; he's from the Canadian Tamil Congress. He'll be here in a few minutes.

As Tamil Canadians, we have about 300,000 in population here in Canada. Most of them are in Ontario. A

good number of them are professionals. Many of these professionals couldn't get access to their own professions due to the existing system here, so we would like to point out some of our issues.

We know that there's a shortage of professionals, and studies show that Canada's future strategically lies in tapping the skills of immigrant professionals. Ironically, the province of Ontario has not given them the necessary tools and legislative structural initiatives to tap this existing pool of assets. Canada's current immigration policy makes it easier for the trained and skilled professional to immigrate, but once in Canada, the path to recognition is an uphill task and often these individuals end up underemployed or unemployed. Ontario must ensure that newcomers with foreign professional qualifications gain fair access to registration with their respective professional bodies and that assessments of their credentials are conducted objectively and fairly.

While the Canadian Tamil Congress and the Association of Sri Lankan Graduates of Canada agree with the intent of Bill 124, we feel strongly that further amendments could be made to improve this landmark piece of legislation. We would like to highlight four areas of concern for the committee.

The first one is financial support during training. It's very common in the Canadian Tamil community that many of the foreign-trained professionals are underemployed, as they are compelled to take up different jobs than their own profession to support their family. Thus, their contribution to the Canadian economy is not tapped to its maximum. We feel that Bill 124, under part V, should make provisions to create funding arrangements for training these professionals during the transitional period. This will encourage these professionals to opt for the training programs and move forward towards accessing their own professions.

The second issue is the department for evaluation of credentials. To make the credential evaluation process fair and orderly, we recommend a department within the proposed access centre which will evaluate the equivalence of standards between regulatory bodies and educational institutions in different countries with Ontario. This department should be able to obtain vital information, such as course content and graduation processes from the universities and other educational or professional institutions outside Canada. These data shall be pro-

vided to regulatory bodies to assist them in determining equivalence of credentials.

The third issue is appeal rights and professional advice. The bill does not provide any mode of legal representation or professional guidance to those seeking to appeal decisions. We would appreciate if the province could include a commitment to provide assistance to those who require legal support or representation for their appeals regarding registration decisions. We believe that individuals should have access to an appeal process in regard to registration decisions and that this appeal should be carried out by an independent appeals body. An appeal generally should be a more rigorous and transparent process, and provision should be made to handle it delicately, considering the large impact on individuals' lives. An independent appeals body is more transparent, accountable and also provides an appearance of fairness to the public.

0910

The fourth issue is special training programs. Most foreign-trained professionals lack the ability to market themselves due to their cultural differences. We also recommend that under part V of Bill 124, through the proposed access centre, the government of Ontario should provide special training programs tailored to suit each professional to get hired by potential employers. This way, the provincial government will be able to get these professionals' contributions to the economy of the province. For those waiting in their home countries for permission to immigrate to Canada, the government should conduct similar online training through the Internet. It should be conducted with the assistance of the universities, colleges and professional regulatory bodies.

My friend Surren will explain more about this need for the training for immigrant professionals who are here right now, already immigrated. He will explain more about that.

Mr. Surren Balendran: We strongly feel that most of the Sri Lankan Tamil professionals who have already come here, and most of the graduates, are underemployed. They are working in the manufacturing industry in order to support their families.

The government should provide some kind of tool for them to look after their families when they are going through the transition. They are going for odd jobs just to make sure they can support their families, so there should be provisions to look after their families as they move to their own professions. That is one part of the current system—the families are not motivated to go up. Some people have an M.Sc., some a Ph.D., and they are either taxi drivers or in manufacturing. That has to be stopped. People should be contributing to the economy.

We see that some sorts of training programs are being done, but they are not necessarily tailored to cater to the professional. They go to employment centres where they provide information on how to write a resumé or how to conduct an interview, but for the professional level, that has to be marketed properly. For a few associations where they do, like Access or maybe COSTI or Skills for

Change, the waiting list is so numerous that people lack to follow up on that one. When they have to go there, the funding is not fully provided through the HRDC for them. I think the province should step up and provide funding for both: in looking after the individual who is going through the transition, as well as to provide funds through some kind of organization that will be tailored to making the professional more marketable and more adaptable to the industry so they can contribute in a much better way than they are.

Mr. Ramanathan: We have a community with high potential, but the government is not tapping it. It's really quite a waste. That's why we are worried.

The Chair: Thank you. Does that conclude your presentation?

Mr. Ramanathan: Yes.

The Chair: You've left a little bit of time for questions, so I would ask the member from the official opposition to ask some questions. You have about a minute and a half.

Mr. Frank Klees (Oak Ridges): I appreciate your submission. Could I ask you to comment on the issue of online training? You talk about the need to be able to do this training online. What is your view if that kind of training were to take place before people even come here? The technology is there, and usually it takes two or three years while someone's waiting in the country of origin to get approval to come here. Why wouldn't those programs start to take place already while they're waiting for approval? What would that do to accelerate this process and get people running on the ground when they're here?

Mr. Ramanathan: The thing is that there is a difference between the type of education we have there and here. Most of them are a British-based system of education, and here it's a North American system. Even the technical terms—for example, engineering. If you take civil engineering and go to a site, some of the terms they use are entirely different from what we use back home.

Mr. Klees: So what if we designed a program here in Ontario that could be used online to do exactly that, to begin to integrate people while they're already in their country of origin?

Mr. Ramanathan: That's why we have come here.

Mr. Balendran: Let's say I come here. When I decide to immigrate to this part of the world—so I am already in the process of coming to this country. The moment I land at Pearson airport, I should be able to contribute something to this economy. If we have been given enough tools and training beforehand—people who want to excel in their life will go there and find out what sorts of things they need to strengthen themselves, to contribute successfully in this part of the world. That's what we are expecting. They should be aware of what sort of corporate culture is here, what sort of things are expected here. That is lacking here. These people come here and don't know anything about it. We are saying they should have some openness, the kinds of things that this part of the world is expecting from potential employees. That's

what we are expecting from the online program, the online practice.

The Chair: Thank you very much. Unfortunately, we've run out of time. Thank you very much for your presentation. We appreciate your coming this morning.

Mr. Balendran: Thank you very much for this opportunity.

Mr. Dave Levac (Brant): Madam Chair, can we continue the trend of yesterday that when anyone doesn't have—I'm not saying this one doesn't, but if future individuals don't have presentations, can we get the hard copies, please?

The Chair: Yes, absolutely. I meant to mention that the presentation was on its way, being photocopied, for this particular group. Absolutely, we'll make sure that happens. Thank you very much, Mr. Levac.

Mr. Klees: Madam Chair, I noticed that in the research, we have a number of these regulatory colleges who gave us no response. I would ask that specific calls be made to follow up on these regulatory colleges. There is no reason why they should not be responding to a request from this committee for the kind of information we requested, so I would ask that our researchers undertake to make direct calls and to report to the committee what responses they receive from these regulatory colleges as to why they're not responding.

The Chair: Certainly, Mr. Klees. It's my understanding that we had about a 75% return rate on the request. Is that correct?

Mr. Klees: Well, we should have 100%. These are regulatory colleges. They owe us that information. It's unacceptable that they do not respond to this committee.

The Chair: All right. We'll ask research, then, with that direction, to move forward and recontact those groups directly.

SKILLROUTE CANADA

The Chair: Can we have SkillRoute Canada Inc. join us? Welcome. Thank you for coming to speak to the committee today. You have a 10-minute time slot, which includes an opportunity for questions if you leave time at the end of your presentation. Please begin when you're ready by introducing yourselves to the committee.

Mr. Shan Palanisamy: Thank you, Chairperson and members of the committee. My name is Shan Palanisamy. With me I have Jim Buchan. We represent SkillRoute Canada. SkillRoute Canada helps newcomers find meaningful skills-commensurate employment in Ontario. We applaud Bill 124 because it helps alleviate a major labour integration issue for newcomers to Ontario.

Before I proceed, I would like to tell you how SkillRoute Canada came about. We have 10 years of regulatory experience and knowledge. We worked for the Ontario College of Teachers for three and half years. During this time, we studied and researched the regulatory industry in Ontario. We formed Reform Data Systems to provide IT and business process services to the regulatory industry of Ontario. We specialize in this

niche market. We know that 80% of regulatory bodies do not have in-house IT services. While working with regulatory bodies, and through extensive research and discussions with associations, immigration consultants, educational institutions, agencies serving immigrants and newcomers themselves, we developed a revolutionary newcomer employment integration solution. That is how we created SkillRoute Canada.

Bill 124 forms an integral part of our solution. It helps alleviate a major integration barrier for professional newcomers. While other barriers may be overcome with time, licensure and certification is a bane of an immigrant's mobility. However, the regulatory barrier is only part of the problem. There are five challenges that newcomers essentially have to overcome:

(1) lack of Canadian work experience that they face with employers;

(2) transferability of my foreign credentials that I have difficulty with when I come to Canada;

(3) lack of language skills. Newcomers come from all over the world. They have communication problems with English and French, and job-specific language skills on top of that;

(4) lack of social networks;

(5) eventually, and ironically, lack of jobs. When you have 262,000 people who walked into Canada last year, 60% of whom landed in Ontario, 50% in Toronto, Toronto is not going to have jobs for you.

What we have is a solution that we have patented, an Internet-based solution that engages newcomers even before they land in Canada. That's what needs to happen, right?

I'm going to take you through some processes that we have developed for our solution. The Internet-based solution registers the individual, and this system is available wherever they are. In the registration process, they provide to us their professional information so we are able to take them through the hurdles they need to come through when they land in Ontario. After registration we take them through orientation, which tells them all the barriers they'll have to overcome.

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Once we determine through this process if skills and language training are required, we would lead and link them to organizations that provide these services, LINC-type programs—ESL, TOEFL.

Moving along, if credential assessment is required, we lead and link them to organizations that supply the services, for instance, WES, and this is where Bill 124 comes into being: licensure and certification. We lead and link them to regulatory bodies that provide the services, and once past that stage, I have my licence to practise in Ontario.

We also provide mentoring services, which are value-added services. Organizations like Maytree provide the edge they need in the workplace.

Finally, we link the candidate who's job-ready to the employer; we match up the skills.

You may see some lines down here. What we do with our system is capture this information as the immigrant or newcomer is proceeding through our system. It's being reported and captured in this data capture and reporting engine. This process that you see is in no form linear. The CLM process is not a linear process in any way, and our system has a built-in algorithm that guides the newcomer through their labour mobility, whether they're in the skilled worker category or the professional category. As you can see, this is an algorithm that's built into the tool and leads the newcomer eventually to employment.

What we have done with the CLM process is effectively integrated the newcomer in their trained profession. But what about my five, 10 or 15 years of experience that I bring to Canada? Am I a junior at this stage? To handle this, we take the international work experience and compare that to Canadian standards. Immigrants bring global work experience to Canada; hence their experience needs to be evaluated in that manner. We developed the WEEM engine for that purpose. What this does is take international work experience, compares that with all the standards we have in Canada—NOC, regulatory experience, regulatory colleges, community organizations. We feed that into an engine and we use expert evaluation techniques to extract information about the foreign work experience and we rate them as whether the individual or newcomer is a junior, intermediate or senior. This a subjective representation of the model.

How does this model actually work? We use modeling components. NOC, or national occupation code, is available to us. That is a Canadian standard, what you see on your top right. Newcomers bring international talent to Canada, so we use the international standard classification of occupations put out by the UN since 1950. Every 10 years it goes through changes. Those are the two standards or benchmarks that we use and into which we feed the candidate's portfolio. The previous employment information is fed in, international work experience is evaluated based on the WEEM algorithm, and the international work that's been tabulated is evaluated for the Canadian employer, who is now able to overcome the issue of, "Where's your Canadian work experience?"

Just recently, the Conference Board of Canada indicated that annually we lose about \$5 billion in not utilizing their skills. Here's how we are going to overcome that issue.

Finally, what we have through the system is an extensive reporting model which allows us to get extensive information—qualitative and quantitative statistical information that's available for the government of Ontario, where at any given time over time you're able to tell that on the average basis a newcomer coming to Canada with an architectural background or engineering background is going to have six months, a year or two years to integrate effectively into the Ontario economy. What I've just given you is an overview of the business process model. Jim is going to take you through the technology solution that this process delivers.

Mr. Jim Buchan: Thank you, Shan.

We only have a few minutes left, so I'm going to take you very quickly through the front-end technology portion, which essentially shows you the screenshots visually on what Shan has just given us.

The first part is the candidate portal, a candidate, of course, being a newcomer who is already here in Canada or someone who's considering a move to Canada within the next couple of months or the next year, whatever the case may be. The candidate would sign on, as Shan mentioned, in the CLM process, in the registration portion. Once they complete their registration they would be given a user name and password with which they can log into the system and gain access. Once they do that, they would see a screen that looks like this. This is an actual candidate, Mr. Prasad, who is currently going through the credential assessment part of the CLM model. You can see all the different levels down here to the left. They are in order, as per the specific profession or trade that the person has. On the left, you see basic information on the individual. This is the type of individual information that regulatory bodies and employers really want to know. Rather than just having a resumé that's just available anywhere, you really want to have specific information on when the person is coming here, what their rating is, have they taken CLBA or IELTS training—that type of information so that they can make a clear decision. You'll notice, by the way, that some of this is blocked out. That's to adhere to PIPEDA guidelines for security. That's basically the first screen, which is the candidate.

The partner area would basically encompass people like regulatory bodies. If they want to go in and find out specific statistics on people landing in Canada, in certain jobs, occupations, professions, they can do that, if the government wants to do that. HRSDC, specific ministries in Ontario, if they want to do that, we would give them a user name and password, they would log into the system—and here's an example of one. I'm sure you know JobStart. They have a listing of our candidates here. As you can see on the left, it's done by location, when they're getting into Canada, if they've arrived or not, and the specific skill and profession. If they want to find out more information on that individual, on the statistics, they only have to click on the check mark and that gives them a breakdown of where this person currently is in the system. Have they moved to Canada yet? Are they in the process of moving to Canada? If they're in the process of moving to Canada and they're not here yet—let's say they're coming in six months or a year—we would say, "Based on your specific profession or skill, here's where you need to go"—

The Chair: You have a minute.

Mr. Buchan: —"and this is what you need to do." We'd even link them to the specific stuff.

The final one here is the employer. They can log into the system with the user name and password. Here's an example of what a mining-related employer would see upon logging into the system. They can select by mining occupation, profession or trade. You'll notice there that

we have “employable candidates.” There’s a second selection called “international candidates.” If they want to find all the international candidates in the system, they simply click on that dropdown box and it shows all those candidates. If they want to find out the Canadian employable candidates—in other words, the people who have moved through the system, MTCU, credential assessment, licensure and certification, all that information, they click the submit button and it shows them all the people who are in the system that are of the mining-related profession. Once they find the people they want to go to, they simply have to click on this and that would show them a breakdown of that specific individual. Everything above “professional education” is what the employer really wants to know. Here’s the rating that we gave them. If they click on that rating, they would see the breakdown of how that rating came to be. Also, it gives specific information on language, CLBA, what’s their rating, what’s their IELTS or LINC rating, if it happens to be there, where they got their training from, so on and so forth. Everything below that is just a basic abstract of their resumé. With that—

The Chair: Thank you very much. Unfortunately, we’ve run out of time. And we do have a number of people today; it’s a very tight schedule. I apologize for that.

Mr. Palanisamy: We do understand.

The Chair: My understanding from the clerk is that you would be prepared to provide some of this by e-mail and she can send it around to the committee. Is that right?

Mr. Palanisamy: Right. We certainly can do that.

The Chair: We would appreciate that. Thank you for your presentation.

ONTARIO COLLEGE OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS

The Chair: Next we have the Ontario College of Social Workers and Social Service Workers. Can you please join us at the table? You’ll have a 10-minute opportunity for your presentation. If you leave any time within that 10 minutes, members can ask you questions. I’ll let you know when you have a minute left in your presentation, so that you can begin to wrap up. Welcome, and please begin by introducing yourselves to the committee.

Ms. Glenda McDonald: Good morning. My name is Glenda McDonald. I’m the registrar and chief executive officer of the Ontario College of Social Workers and Social Service Workers.

Ms. Debbie Tarshis: My name is Debbie Tarshis. I’m legal counsel for the Ontario College of Social Workers and Social Service Workers.

Ms. McDonald: The Ontario College of Social Workers and Social Service Workers is the regulatory body for social workers and social service workers in Ontario. The college was established on March 1, 1999, by the Social Work and Social Service Work Act. All of the provisions of the Social Work and Social Service

Work Act were brought into force by August 15, 2000. The college is accountable to the Minister of Community and Social Services. The regulatory framework of the college is similar to the regulatory framework of the regulated health professions governed by the Regulated Health Professions Act. The college’s current membership is over 11,300 social workers and social service workers. Our mandate is to serve and protect the public interest through self-regulation of the professions of social work and social service work. Social workers and social service workers provide services to the most vulnerable sectors of society. It’s critical to the safety of the public of Ontario that all social workers and social service workers meet the standards of qualification in order to be issued certificates of registration; otherwise, the public of Ontario will be at a risk of harm.

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The college understands that the purpose of the Fair Access to Regulated Professions Act, 2006, is to help ensure that regulated professions and individuals applying for registration by regulated professions are governed by registration practices that are transparent, objective, impartial and fair. The college is committed to fair, objective, transparent and accountable registration processes. Since the spring of 1999, the college has received and processed well over 12,000 applications for certificates of registration. Approximately 400 applicants, or 3%, have been refused a certificate of registration with the college as they did not meet the requirements for registration set out in the registration regulation made under the Social Work and Social Service Work Act. The college believes that as a result of the existing requirements and processes, its registration practices are fair, objective, impartial and transparent.

The college also understands that it is intended that the act will accomplish the goal of improving access to the regulated professions for internationally educated applicants. To date, the college has issued approximately 830 certificates of registration to internationally educated social workers or social service workers. Additionally, the college is a member of the advisory committee for the internationally educated social work bridging program offered at the Chang School of Continuing Education at Ryerson University.

Through these actions, the college supports the stated goals of the act, but the college does not believe that the act will accomplish these goals. The college firmly believes that the act will have unintended consequences that will have a negative impact on access to the professions of social work and social service work and a negative impact on the ability of the college to carry out its public protection mandate of regulating the professions in the public interest. The college sets out the reasons for these beliefs in our written submission, which has been distributed to all of you. I will just summarize our main recommendations.

The college believes that the requirements of the act will not accomplish the objectives of the act but rather will add bureaucracy and expense to the process for

registering applicants and create barriers to registration. The act will require the college to use significant resources and funds currently being used for registration in order to comply with the various reporting and audit requirements. The act will also cause the college to convert what is a flexible assessment process to a less individualized and standardized process and to raise the fees paid by applicants.

The college recommends that the government not seek this proposed legislative solution. Instead, the college recommends that the government take other steps to reach the act's objectives, such as providing additional funding to educational institutions so that they can establish or expand bridging programs for internationally educated professionals at a cost that is affordable to such professionals. The college believes that, based on our experience of the internationally educated social work bridging program at the Chang school at Ryerson University, bridging programs provide internationally educated professionals with education and experience that facilitate their transition to employment in the Ontario social services sector.

Our second main recommendation is that we believe the creation of a Fairness Commissioner and the powers provided to the commissioner, including the extraordinary power to audit the college and its registration practices and to issue compliance orders, will have a serious impact on the ability of the college to effectively regulate the professions of social work and social service work in the public interest. The college believes it will be placed in the untenable position of implementing inconsistent or conflicting legislative frameworks and receiving inconsistent or conflicting advice, direction, requirements or orders from the Fairness Commissioner and the Minister of Community and Social Services. In order to avoid undermining the role of the college in regulating the two professions in the public interest, the college recommends that the proposal to create a Fairness Commissioner and, in particular, the commissioner's extraordinary powers respecting audits and compliance orders be reconsidered.

Our third recommendation is that the act provides that it is paramount to any other legislation in the event of a conflict. This paramountcy provision causes concern for the college. The role of the college in regulating the professions of social work and social service work is to ensure for the public of Ontario that social workers and social service workers are qualified to practise the two professions in accordance with established professional standards. There are several potential conflicts and inconsistencies between the act or a regulation made under it and the Social Work and Social Service Work Act or a regulation made under it. The college is concerned that the potential conflicts and inconsistencies between the act and its regulations and the Social Work and Social Service Work Act and its regulations will create confusion and unintended consequences regarding the college's regulatory role and will involve the college in proceedings before the courts while inconsistent and conflicting provisions await judicial interpretation. This

would have a negative impact on the protection of the public from harm.

The college recommends that in order to avoid conflict and inconsistency between the act or its regulations and the Social Work and Social Service Work Act and its regulations, a complementary amendment be made to the Social Work and Social Service Work Act under which the Social Work and Social Service Work Act and its regulations would prevail in the event of a conflict with the Fair Access to Regulated Professions Act or its regulations.

That concludes my formal presentation. Thank you for your attention and the opportunity to address the committee.

The Chair: Thank you very much. There are about two minutes left for questions, so I'll start with Mr. Tabuns.

Mr. Peter Tabuns (Toronto-Danforth): I think it's fairly clear that you see the bill, as written, as being problematic for social workers. My concern is that we have large numbers of people who come to this country who don't get, I think, a fair assessment of their contribution and they become in need of social workers because they're dealing with family disintegration.

You cite a statistic on the number of people who are accepted when they apply and the number who are not accepted. How does that break down between people coming from Ontario colleges and people from overseas? What percentage of overseas applicants are accepted?

Ms. McDonald: We haven't, until very recently, started to track the information between internationally educated applicants and Canadian-educated applicants. Anecdotally, the vast majority of internationally educated applicants are accepted and registered with the college; in fact, a much higher percentage of the Canadian-educated applicants are not.

The Chair: Thank you very much for your presentation. We certainly appreciate you coming in this morning. Thank you for providing the written presentation as well.

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REGISTERED NURSES' ASSOCIATION OF ONTARIO

The Chair: Next we have the Registered Nurses' Association of Ontario. Members, there has been a request from this group if their photographer could take a picture. As long as the picture is taken without disturbing the proceedings of the committee, I'm sure everyone would be all right with that. So welcome. As you take your seats, I'll explain again that the process is a 10-minute presentation. If you leave some time at the end for questions, members will be able to ask questions. Please begin by introducing yourselves for the record.

Ms. Joan Lesmond: Good morning. Thank you very much. My name is Joan Lesmond. I'm the immediate past president of the Registered Nurses' Association of Ontario and the past president of the International

Nursing Interest Group. With me today on my left is Valerie Glasgow, who is currently the president of the International Nursing Interest Group, and on my right is Kim Jarvi, who is our senior economist. Thank you again for this opportunity to present to you.

The Registered Nurses' Association of Ontario is the professional organization for registered nurses who practise in all roles and sectors across Ontario. Our mandate is to advocate for healthy public policy and for the role of nursing in shaping and delivering health services. We welcome this opportunity to present our views on Bill 124 to the standing committee. We support this bill's contribution to building a more inclusive and welcoming Ontario. As an immigrant myself, I really do support that, because I can speak to some of those experiences.

More and more internationally trained professionals are choosing to make Ontario their home, including many nurses. RNAO supports the rights of nurses to choose where they live and practise. However, we strongly oppose international recruitment of health care professionals as a government health human resources strategy. It is unethical to poach nurses from other countries, particularly those with shortages and acute health care needs. Recently, I represented our association in Africa, where people were dying of HIV and AIDS, yet still those nurses were being recruited and there were no nurses to deliver the service; hence the point of strongly opposing poaching, but nurses who would like to come to the country, most definitely welcoming them.

The evidence tells us that recent immigrants face barriers in finding jobs that use their training and skills. One of those barriers is the registration process for internationally trained nurses. We believe Bill 124 will contribute to a more equitable registration process. However, we have some suggestions to really strengthen the bill. We've already forwarded you a full submission, but I'll give you a brief synopsis to stay within the time frame.

The proposed access centre for internationally trained individuals can ease the transition of these professionals into their chosen fields. However, RNAO recommends strengthening this body by requiring the centre to hire advocates for internationally trained applicants and requiring the centre to compare and evaluate other countries' regulatory and educational standards to Ontario's in a kind of proactive way.

RNAO supports the requirement that regulatory staff be trained in assessment. In addition, we ask that regulatory staff also be required to complete training in anti-discrimination, anti-racism and cultural competency, because sometimes some of the nurses, even if they're qualified, do experience some type of racism from some of their colleagues within the setting itself.

RNAO also welcomes the creation of the Office of the Fairness Commissioner. We ask that the bill require the commissioner to report annually on the impact of the act on certification and employment of internationally trained professionals.

RNAO supports keeping regulated health professions under the Regulated Health Professions Act and answerable to the Minister of Health and Long-Term Care.

Ontario has taken a number of steps to help internationally trained nurses move through the registration process. One such program is the CARE Centre for Internationally Educated Nurses, which has successfully helped hundreds of internationally trained nurses to prepare for nursing employment in Canada. In fact, I've been on that advisory committee representing RNAO and have met many of the nurses themselves in that process. Bridging programs in universities and colleges also meet the needs of internationally trained nurses by helping them to meet practice requirements in Ontario. RNAO would ask for continued support and expansion of those programs.

Regulatory bodies have some concerns about the accountability requirements of Bill 124. At the same time, Ontarians expect accountability from regulatory bodies. RNAO asks the government to consult with the regulatory bodies to ensure that reporting and auditing requirements deliver effective and efficient accountability.

The system also benefits from a guarantee of an independent appeal for process of registration applications. The RHPA professions have access to the Health Professions Appeal and Review Board, but an independent tribunal should be available for other professions.

It should be noted that after registration, professionals continue to face challenges integrating into the Ontario workforce. While RNAO welcomes the steps taken in Bill 124, it is equally crucial to provide ongoing support programs for newly registered professionals.

Thank you for giving us the opportunity to present to you on such a very important bill. We'll entertain any questions you might have.

The Chair: Thank you very much. You've left about four minutes for questions, so we'll start with the government side.

Mr. Khalil Ramal (London-Fanshawe): Thank you for your presentation. Since you stated at the beginning that it's important to all the newcomers to break the barriers and allow them to integrate and use their professional skills which they obtained in whatever country they came from, do you agree with me that we should establish a level playing field with regard to bodies overseeing conduct or a regulated body, without any exceptions, in order to create a balance, instead of exempting certain regulatory bodies?

Ms. Lesmond: I don't understand the question. Sorry about that.

Mr. Ramal: You mentioned the audit, that it will create some kind of obstacle. You mentioned a lot of things that will erase your regulatory body, which exists right now. I hope that you agree with me on this issue: In order to pass this bill and break all the barriers, we have to create a level playing field for all the regulated bodies in all the professions to allow other newcomers to integrate and fit into the system.

Ms. Lesmond: Most definitely. I think when people choose to make Canada their home, this is something that really should be clear so people could have an equitable playing field and to practise really in the best interests of the patient. I definitely agree with you.

Mr. Ramal: So you see that Bill 124 is the right mechanism in order to allow many to integrate?

Ms. Lesmond: I'll turn that to Kim, our economist.

Mr. Kim Jarvi: I think RNAO's position is that these are steps in the right direction. We have some recommendations to strengthen this, including a tribunal in addition to the Office of the Fairness Commissioner. We would also like to see consultation with the regulatory bodies so that any oversight and audit is efficient and cost-effective.

Ms. Lesmond: The key message is "equitability" here.

The Chair: Mr. Delaney.

Mr. Bob Delaney (Mississauga West): I have one question of clarification on your presentation. You state, and I quote: "However, we strongly oppose the international recruitment of nurses or other health care professionals as a government health human resources strategy." Could you, just for clarification, tell me: On what basis are you making this allegation, and who do you allege is doing it?

Ms. Lesmond: I think in some areas it is quite evident that nurses are imported to fit a gap. So what we're saying is that there are nurses who would like to come and work within this setting, so these nurses could be legitimately welcomed into Canada—

Mr. Delaney: My question was, by whom and from where?

Mr. Jarvi: This is a general problem. Canada is not the only culprit and Ontario is not the only culprit. The International Council of Nurses—

Mr. Delaney: Again, who is doing this and from where?

Ms. Lesmond: I want to make a point very clearly: The International Council of Nurses has also taken that position and there are some countries I can give you—

Mr. Delaney: I understand that, but my question is, by whom and from where?

Ms. Lesmond: I could get back to you with some research and some statistics of the specifics, but for your information, it is happening and what we're saying to you is, we need to look at two things: non-poaching of nurses to Canada, but welcoming those who truly choose Canada to practise. But we'll get back to you about specifics.

Mr. Jarvi: We're not accusing the government of that practice.

Mr. Delaney: Okay. Just as a note, then, could research follow up with this deputant and ask for clarification on this statement?

The Chair: Details of who—

Mr. Delaney: Specifically, by whom and from where?

The Chair: Thank you very much for your presentation. We very much appreciate you coming to see us this morning.

0950

ONTARIO ASSOCIATION OF ARCHITECTS

The Chair: Next we have the Ontario Association of Architects. Please make your way to the end of the table. You'll have 10 minutes for your presentation. If you leave any time after your comments, the members can ask questions. So please begin your presentation by stating your name for the record, and welcome.

Mr. Louis Cooke: Good morning. My name is Louis Cooke. I am the vice-president of regulatory affairs for the Ontario Association of Architects. My colleague here, Hillel Roebuck, is the registrar. I'm pleased to be here today to present this to you.

The Ontario Association of Architects is a self-regulating organization governed by the Architects Act, whose principal object is to regulate the practice of architecture and govern its members in order that the public interest is served and protected. The association is dedicated to promoting and increasing the knowledge, skill and proficiency of its members and administering the Architects Act.

The council is very conscientious of the responsibility of the OAA to have fair and transparent licensing practices. The OAA is a charter member of the Ontario Regulators for Access Consortium, the ORAC, and fully supports the letter issued to Minister Colle on November 3, 2006, by the chair regarding Bill 124. This submission on behalf of the OAA is intended to convey specific comments and observations with respect to the government's proposed Bill 124, the Fair Access to Regulated Professions Act, 2006.

Transparent, objective, impartial and fair registrations practices: The OAA agrees with the premise of the proposed legislation in its intent to ensure that regulated professions have registration practices which are transparent, objective, impartial and fair. The issue is one the OAA takes seriously, and has in fact recently put in place measures to enhance current practices related specifically to individuals who are considered internationally trained in the field of architecture as outlined below.

In Ontario, a licence as an architect is granted based on a clearly defined set of education, examination and experience requirements set out in section 27 under the Architects Act. These requirements are delineated to the public via the OAA's website. These requirements are in addition to the Occupation Career Map for Foreign-Trained Architects, soon to be the e-Career Map, and are available to the public from the OAA website. This collaborated effort with the Ministry of Training, Colleges and Universities resulted in a 12-page document which clearly defines the registration process through step-by-step descriptions. Provision is also made within the licensing requirements to allow internationally-trained architects to obtain credit for experience obtained in jurisdictions outside of Ontario.

In June 2006, the OAA launched a group mentoring, online mentoring and employer outreach pilot program

for internationally trained professionals. The initiative is in partnership with JVS Toronto and funded by the government of Ontario through the Ministry of Citizenship and Immigration.

An alternative pathway to professional licensure is also available through the Ontario Association for Applied Architectural Sciences, the OAAAS. OAAAS delivers a new building design professionals program that recognizes three categories of building designers: associate, technologist, and ultimately a technologist who is eligible for a licence with terms, conditions and limitations granted by the OAA to practise a limited scope of architecture.

The OAAAS is an association governed by a board of directors comprised of representatives from the Ontario Association of Certified Engineering Technicians and Technologists and the Ontario Association of Architects.

Access centre for internationally trained individuals: While we applaud the creation of the access centre for internationally trained individuals as noted in the proposed bill, we trust that it will be linked to the information and programs that we already have available for internationally trained professionals, as well as co-ordinated at the national level.

Audits and annual reports, fairness commissioner: The OAA has concern that the role and powers of the Fairness Commissioner are intended to be very broad and not clearly defined; in fact, they may conflict with the role and responsibility of the OAA as the regulator of the profession of architecture in the province of Ontario.

Part VI of the proposed legislation speaks to annual reports on registration practices from all professional regulators to be filed with the Fairness Commissioner. In addition, each organization is to participate in a formal audit of registration practices at least every three years. The OAA questions the need for the intended audit process and annual reporting and stress that it is imperative that the differences between the professions be considered when creating the proposed classes of regulated professions.

Virtually all costs related to compliance with the proposed act are to be borne by the regulator. The cost of the audit and the training of individuals to ensure compliance will be of significant financial ramifications to the OAA, which has a very small membership base.

Another concern is raised with the selection of auditors whose background, knowledge and experience with the architectural profession may be lacking in understanding of the registration practices. This will need to be clearly defined.

Proposed amendments for consideration: We would like to propose the following specific modifications to Bill 124, which are consistent with those made by ORAC in the recent letter to Minister Colle:

(1) The word “practices” is sometimes replaced by the term “requirements”—see clause 18(2)(a). We would submit that these words have very different meanings and request that a consistent use of the term “practices” should be used in the bill.

(2) That the Fairness Commissioner’s extraordinary powers to call for audits of a regulator’s registration practices be removed and replaced with the power to advise the minister that a best practices assessment of the registration practices should be conducted for the purposes of continuous improvement.

(3) That a clause precluding public reporting by the ministry of regulatory practices which may jeopardize fair practices of a regulator for applicants—individual or all—be included.

(4) That the penalties proposed under subsection 29(3) be aligned with legislative fees as set out in current regulatory mechanisms, for example, the RHPA. The fees, as proposed, are excessive. These additional costs and penalties could result in significant financial burdens which could be difficult or impossible for a regulator to manage. For example, how could publicly appointed councillors be responsible for registration decisions and not be appropriately protected in this system?

We trust that the standing committee will take these comments and concerns into consideration as part of their detailed review of Bill 124.

The Chair: Thank you. You’ve left a little bit of time for questions, so I’ll turn it over to Mr. Tabuns.

Mr. Tabuns: Could you tell us what percentage of internationally educated architects who come here are currently accepted as architects when they apply?

Mr. Hillel Roebuck: All the internationally trained professionals go through the same process as the domestic. There have not been any who have not complied with the licensing requirements.

Mr. Tabuns: Good to know. Thank you.

The Chair: Thank you very much for joining us this morning. We appreciate your presentation and thank you for providing it in written format as well.

JEFFREY REITZ

The Chair: Next we have Jeffrey Reitz, a professor. Welcome. Please join us at the table. You have 10 minutes for your presentation, as you’ve seen. If you leave some time within that time frame, members will be able to ask questions of you. So make yourself comfortable, state your name for the record and begin your presentation.

Dr. Jeffrey Reitz: My name is Jeffrey Reitz and I’m from the University of Toronto. I have circulated a copy of my presentation. Thank you for the opportunity to meet with this committee.

I believe that Bill 124, the Fair Access to Regulated Professions Act, would make an enormously positive contribution to resolving one of the most significant problems confronting Canadian immigration today; namely, the underutilization of immigrants’ skills.

The bill addresses one of the most frequently mentioned aspects of the problem—fair access to professions—and does so in a way which is innovative and effective. I believe it will also prove to be a strategic move in the broader effort to deal with the problem

across the labour force. It will show leadership in demonstrating that positive action is possible, and I believe the bill may be a catalyst to generating awareness across all groups of employers of the potential that exists within our large immigrant population.

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I want to say a few more words about the problem in general, about its significance in the province of Ontario and about the strategic nature of this initiative, more than about the details of the bill itself.

The issue of the underutilization of immigrants' skills, although by no means new, is increasingly pressing. It featured in discussions of immigration issues 25 years ago and, more recently, it has been the subject of several research and policy initiatives in Canada and in other immigration countries. The economic impact in Canada has been estimated at \$2 billion annually. This is only the tip of the iceberg, however.

First, the difficulties that immigrants have in translating their foreign qualifications into earnings, whatever their field of employment, is much larger. It's about \$15 billion annually.

Secondly, the employment difficulties of immigrants are intensifying over time. Reports from Statistics Canada show that the overall earnings of newly arrived immigrants in the late 1990s were about 20% below that of their counterparts arriving in the 1970s, and this is despite vastly upgraded levels of skills.

Third, there's a broader social impact because of the fact that most of these immigrants are of non-European origins, making them visible minorities within the Canadian population. As a result, poverty rates among visible minorities are increasing.

Finally, because immigrants are concentrated in Ontario and particularly in Toronto, these impacts are magnified here. Because of the significance of immigration to the economic, social, cultural and political future of the province, it's incumbent on government to act to address these employment issues.

Of course, this problem exists in other jurisdictions outside Canada. However, because of its significance in Canada and Ontario, we in particular must be leaders in addressing the problem of immigrant skill underutilization.

We know that the problem exists. Just one indication among many is a study that the provincial government itself did, *The Facts Are In*, a survey conducted in 1998 and 1999 by the provincial government which showed the experiences, dissatisfactions and frustrations among skilled immigrants in gaining access to employment at their level of skill.

However, although new programs are introduced, the reality is that, in the past, we have not been particularly innovative in addressing this problem. For example, in mounting our current credential assessment services here in Ontario as a result of an open competition, we turned to an American firm to provide the skill and expertise, and yet the evidence does not suggest that the United States is particularly effective in addressing the employ-

ment problems of skilled immigrants. This is so for the simple reason that the issue is of much less significance south of the border. Here in Ontario it is critical, and so it is important that we begin to take the leadership in finding more effective ways to ensure that our immigrants find employment suitable to their training and that they do so quickly.

The problem of immigrant skill underutilization is complex. A complete answer will involve many activities across diverse institutional sectors, and it will require government leadership, coordination and resources.

Many of the programs are beginning to be put in place, including credential assessment services, bridge-training programs to top up immigrant skills or to fill gaps across a range of occupations, workplace internships and mentoring programs and upgraded human resource management training, to name a few. This is an area in which more attention and information will be needed in the future.

However, the employment of immigrant professionals is an area of particular concern for two reasons: First is that although the professional qualifications of immigrants are higher than in the past relative to the native-born population, their success in gaining access to professional employment is declining. So the problem in this sector is becoming worse. Second, the regulation of professional employment is highly organized, so effective action to intervene and address the problem of gate-keeping is readily within our grasp.

It's important to realize that the professionally trained immigrants and workers seeking employment in regulated occupations are only a small part of the pool of skilled immigrants who experience barriers to the use of their skills in the labour market. In fact, there's a very large group of immigrants with post-secondary degrees seeking employment in occupations which are highly skilled but not formally regulated, for example, technicians or middle-level managers, including human resource managers themselves. Some of the immigrants applying for those jobs are persons who have had difficulty in the regulated occupations and seek alternatives. Others are persons with previous experience outside Canada in a non-regulated sector and want to continue that specific type of work in Canada. Still others are persons with general education who are as qualified as many native-born Canadians who are applying.

What happens in many of these cases is the same as happens in the regulated fields; namely, the immigrant applicants are set aside in favour of others whose skills are more familiar. It's interesting that in the case of immigrants who are applying for skilled jobs at one level because of barriers at higher levels, many encounter the objection that they are over qualified. This is becoming something which some regard as a standard human resource practice, but which is a decision that the Canadian Human Rights Commission handed down—it says “yesterday”; that's not correct—recognized as discriminatory.

One might think that the barriers outside the regulated fields would be lower, on the argument that the standards

there are less rigorous. The evidence from labour market surveys and the census suggests that the reverse may be the case. More detailed review of qualifications in the regulated fields may actually help immigrants. In less regulated but still highly skilled lines of work, the lack of regulation may allow for a more informal process, which makes it more difficult for immigrants to bring their specific qualifications forward. Earnings losses to immigrants in these lower level jobs are greater in percentage terms than what exists in the regulated occupations. In fact, this is a more numerous group within the immigrant community. So they should also be a priority, but the existing regulations do very little to assist them beyond the provision of language training.

What is significant about the Fair Access to Regulated Professions Act is that it would make a real difference in a highly visible and accessible sector of our workforce. It would require Ontario's regulated professions to ensure that their licensing process is fair, open and transparent and that credentials are assessed more quickly. Doing this would not only make a large contribution to resolving an important public policy problem, it would provide a highly visible demonstration of the critical importance of the immigrant workforce in general to the development of the knowledge economy of the future. It's not that professional associations have been particularly resistant to change; it is that we look to these associations for leadership, and where that leadership is not forthcoming, it is incumbent on government to step in and show the way. This is what Bill 124 does, and I support it strongly.

The Chair: Thank you very much. We have time for a quick question.

Mr. Klees: Thank you. I appreciate your submission. You make a very important point on the last page where you talk about the fact that so many employers will use the excuse, "You're over qualified." So we have people who have the qualifications, perhaps even credentials, but they're not getting the jobs. My question to you is, beyond this bill, which may well do—and we hope it will—many of the things that government has as its objective, if there's one thing that government can do or should do to ensure that we address this issue of people who are qualified getting the door slammed in their face, what can government do to address that very practical issue?

Dr. Reitz: Unfortunately, it is a very complex problem. I don't think there is one thing. I guess if I had to say one thing, it's that the organization that I believe has mounted the most effective plan and program to address this issue is the Toronto Region Immigrant Employment Council. So if there is one thing I would suggest the government do, it's to listen to that organization and implement as many of its recommendations as possible.

As I say, there is no silver bullet here, because the labour force is complex. Every occupation has its own particular set of qualifications, requirements and so on and there's no way that we can address all of that. I suppose the most comprehensive approach that has been before the Legislature is the Employment Equity Act,

which was passed in this province by a previous government and then later rescinded. That act addressed employment discrimination, and that's what we're talking about: employment discrimination.

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It's interesting that at the federal jurisdiction where there is an employment equity law, the employers who have been subjected to it have emerged as among the strongest supporters of diversity hiring and the utilization of immigrants in the workforce, namely the banks. The banks have been subject to this law, which Ontario has rejected as a quota bill and a horrendous imposition on the private sector. The people who have been subject to that law in the federal jurisdiction have emerged as the greatest defenders of minority hiring and immigrant hiring and are not at all complaining about the imposition of quotas. I would say to the contrary.

There is that particular initiative. I am not putting it forward here, because I know that the politics of it have become quite negative. That in fact is one of the reasons I've turned my own personal attention in this area to the question of qualification recognition and addressing that. I think TRIEC, the Toronto Region Immigrant Employment Council, has developed a very effective overall plan for dealing with the various aspects of it, which include the very same issues I've mentioned.

The Chair: Thank you very much. I'm going to have to ask you to end your presentation. Sorry.

Dr. Reitz: Okay. Sorry about that.

The Chair: Thanks very much. We do really appreciate your comments. Thanks for coming to see us this morning.

COMMUNITY ALLIANCE FOR SOCIAL JUSTICE

The Chair: Our next presentation is from the Community Alliance for Social Justice. Please take your seats at the end of the table. Again, introduce yourselves as you begin your presentation. You'll have a 10-minute time frame, and if you leave time, we'll be able to ask you some questions. So, welcome, and please begin.

Mr. Edwin Mercurio: Thank you very much for giving us the chance to speak to this legislative committee. My name is Edwin Mercurio. I am the chairperson of the Community Alliance for Social Justice. On my left is our past chair, Pura Velasco, and on my right is our director for the Kababayan Community Centre, Ms. Flor Dandal.

Ms. Flor Dandal: And the vice-chair of the Community Alliance for Social Justice.

Mr. Mercurio: The Community Alliance for Social Justice feels that the recognition of internationally educated professionals is a vitally important issue to the Community Alliance for Social Justice, a coalition of more than 27 Filipino community and other social organizations in Toronto.

The Philippines represents one of Canada's most important sources for immigration, ranking third in the

1990s, after China and India. In the 2001 census, just over 223,000 immigrants migrated to Canada and identified themselves as Filipinos, and around 10,000 new arrivals have been added to this number every year since then. Between 2001 and 2005, 67,000 Filipinos arrived in Canada, making the total 290,000 Filipinos.

As a group, Filipinos are highly educated. In 2001, almost 57% of Filipino immigrants to Toronto had some university-level education; this compared with 33% for all immigrant groups and just under 35% for residents. Moreover, most Filipinos arrive with a strong command of English and a familiarity with North American institutions.

Despite these high levels of human capital, the average wage levels for Filipino men and women are substantially below a variety of comparison groups. Statistical analyses have shown that Filipinos have among the highest levels of occupational segmentation of any immigrant groups, says a study made by Hiebert, 1999, and Kelly, 2005.

The non-recognition of their foreign-earned credentials, institutionalized de-skilling, de-professionalization and institutional obstacles to practising their licensed professions in Canada have caused economic marginalization to Filipino Canadians, especially to new arrivals. Why is it that despite having high levels of education among Filipino immigrants, a vast majority of them end up in low-paying jobs resulting in an average income lower than that of most immigrants?

A recent survey conducted by the Community Alliance for Social Justice—or CASJ for short—in collaboration with Dr. Philip Kelly of York University, explains the de-professionalization, de-skilling and occupational segmentation experienced by many Filipino immigrants in Canada, which to a large extent explains this high-education/low-income disparity. Approximately 1,100 survey questionnaires were distributed. Over 420 Philippine-trained immigrants in Toronto responded to the survey.

Government 2001 statistics indicate that 57% of Filipino immigrants in Toronto had some university-level education compared with 35% for all Canadians, the study notes, yet Filipinos are concentrated in a few sectors and in lower occupational niches where, on average, Filipinos earn less than what visible minority immigrants earn as a whole. The study, titled *The De-professionalized Filipino: Explaining Subordinate Labour Market Roles in Toronto*, co-authored by Mila Astorga-Garcia and Dr. Philip Kelly, explores the causes of such de-professionalization in the Filipino community, using the survey and focus group methods.

The main cause identified in the survey and focus groups was systemic non-recognition of Philippine-earned education and experience. As a consequence of this systemic barrier, Filipinos are forced to take on survival jobs to support themselves and their families and to meet financial obligations, such as debts incurred due to the high cost of immigration. Survival jobs provide no surplus to finance tuition or professional upgrading.

In the survey, 53% of the respondents cited non-recognition of credentials and professional licences as a factor preventing them from practising professions. Seventy-eight per cent of the survey respondents were college graduates; 80% of live-in caregiver program participants in the survey had college degrees; 35% of survey respondents said they would consider leaving Ontario in order to practise their professions elsewhere.

Professional regulatory bodies that make accreditation and licensing decisions were criticized by the focus group participants for their basic ignorance of Filipino institutions and qualifications; arbitrariness in application of standards; high cost of enrolment in upgrading courses; and failure to recognize even third-country, including US, experience. Many Filipino professionals thus end up in jobs far below their educational qualifications and skills, training and experience. Half of the survey respondents said they were overqualified in their current jobs. This situation applies to both the old-timers as well as newcomers, thus shattering the popularly bandied-about myth that only newcomers find difficulty accessing trades and professions. Fifty-three per cent of post-1990 arrivals said they were overqualified, while 41% of pre-1990 arrivals said they were overqualified in their present jobs.

In the focus group, an outstanding criticism was directed against Canada's immigration policy and practice of bringing in the best and the brightest immigrants from the Philippines and other countries through the strict point system. The majority of these immigrants, however, are not absorbed in jobs commensurate with their education and training, with the end result of immigrants ending up as a source of high-quality cheap labour in Canada. Focus groups were held with engineers, accountants, nurses and with a group of mixed professionals, both regulated and unregulated.

CASJ petitions the Legislature of Ontario to amend the bill in these areas:

(1) Provincial regulatory boards' policies and practices should be reviewed and changed to allow for a highly informed, professional, fair and efficient accreditation process.

(2) Governments of all three levels should provide effective social supports for immigrants to allow them to settle and find appropriate jobs commensurate with their foreign education, training and experience. The federal live-in caregiver program should be reformed to allow applicants to enter Canada as skilled immigrants—thus allowing them access to housing and social service supports, legal services and labour protection—to train toward eventually practising their professions and trades and to bring their families with them, thus eliminating the serious social costs of reunification after long years of family separation. The provincial government should thus work with the federal government to change this program to allow caregivers to come as landed immigrants so they are not hampered by many restrictions that result in their denial of access to social supports, legal supports and training opportunities.

(3) Provide legal, professional and academic assistance to new Canadians seeking recognition of credentials. This includes provision of trained advocates without charge to applicants to present the cases of applicants before the regulatory appeal tribunal.

(4) Fully establish a fair registration code in the legislation. The strict point system established by the Canadian government to bring the brightest and the best from other countries to Canada must be considered in allowing foreign-trained professionals to practise their professions commensurate with their training and experience after passing fair and acceptable accreditation standards.

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(5) The province should provide government-subsidized loans to foreign-trained professionals so that they can utilize their skills, practise their professions, provide the much-needed services for Ontarians and participate in nation-building.

(6) Grant education points to foreign-trained nurses and other professionals so that they can come in as immigrants and not through the live-in caregiver program, or LCP.

The last but not the least: (7) Establish a department within the access centre established by the act which will fairly evaluate the equivalence of standards between regulatory bodies and educational institutions in different countries and in Ontario. Regulatory bodies will be provided with these data to assist them in determining equivalence of credentials. The Filipino community should be represented in access centres and in regulatory boards. Thank you very much.

The Chair: Thank you for your presentation. Unfortunately, or fortunately, you've taken us right to the wire. We don't have time for questions, but we do appreciate your presentation very much. Thank you for joining us this morning.

CERTIFIED MANAGEMENT ACCOUNTANTS OF ONTARIO

The Chair: Our next presentation is from the Certified Management Accountants of Ontario, if you could join us at the table. You have 10 minutes for your presentation. Please begin by introducing yourself for the record. If you leave any time in your presentation, we'll be able to ask you some questions. Welcome, and please begin.

Mr. David Hipgrave: Good morning. My name is David Hipgrave and I am the president and chief executive officer of the Certified Management Accountants of Ontario. With me is Catherine Harvey, vice-president at the society.

CMA Ontario is pleased to provide this presentation and accompanying submission to assist the committee in its review of Bill 124.

Under the authority of the Society of Management Accountants of Ontario Act, 1941, CMA Ontario is the professional body responsible for the accreditation, regulation and continuing professional development of

CMA's in Ontario. With 16,000 certified members and 4,000 student members, CMA Ontario is an integral part of a profession that is 47,000 members strong across Canada and around the world. CMA Ontario maintains rigorous standards of accreditation and professionalism in management accounting to protect the public interest.

Over the past five years, the number of graduates from the CMA program in Ontario has grown by 9% per year on average, which exceeds the growth rates of the other professional accounting bodies in Ontario. Of note, one in six of our 2005-06 graduates were internationally educated, holding only an international degree. CMA Ontario has proactively introduced important new measures to accelerate access for the internationally educated to the CMA accreditation process while upholding high standards and fair registration practices. Several examples of these measures include our bridging program, transcript evaluations and career map.

First, we have established a bridging program that enables candidates to fast-track their eligibility for our entrance examination. We no longer require candidates to be employed as an entry requirement to this program, and this enables new Canadians who have not yet secured employment to begin our program sooner and also provides them with access to CMA-bound employment opportunities.

Secondly, CMA Ontario evaluates transcripts at no charge from potential candidates anywhere in the world. This enables Ontario-bound internationally educated individuals to learn if they qualify for our bridging program, if they require additional studies to qualify for it or if they can benefit from the mutual recognition agreements we have struck with other accounting bodies.

Finally, together with the government of Ontario, CMA Ontario provides a career map information service that expands the information available to prospective immigrants about the management accounting profession and our accreditation requirements.

Moving forward, additional initiatives are being pursued by CMA Ontario, including participation in the January 2007 Premier of Ontario business mission to India. India is the largest source of internationally educated individuals seeking advanced standing in the CMA program in Ontario. Through the mission, we will explore bridging programs with leading Indian institutes and universities to support prospective newcomers in advancing their studies prior to arrival in Ontario.

When Bill 124 was introduced in June 2006, CMA Ontario welcomed the legislation as an important initiative to ensure fair and timely access to the profession for all candidates, including the internationally trained.

We support this significant step by the government of Ontario and recognize that there are many other programs and services that assist the internationally trained in the province. We support the objectives of Bill 124 and applaud Minister Colle and the McGuinty government for their leadership on this issue.

CMA Ontario believes that the many facets of the proposed new regime will ensure that the government's goals are achieved. For example, the Fairness Commis-

sioner, together with the reporting, certification and audit requirements, will play a vital role in establishing consistent practice standards across all regulated professions, for the benefit of the internationally trained and others seeking registration. The access centre will be an important focal point for individuals and the many organizations that support them in settling in Ontario and achieving full employment.

These government initiatives, together with the commitment of all regulators, we believe can place Ontario at the forefront of fair access for the internationally trained and of high regulatory standards.

In keeping with our belief that this legislation is a step in the right direction, CMA Ontario would like to provide several suggestions and recommendations and some comments on the legislation which we believe are essential to our collective success. These are set out in our submission for the committee's consideration, but this morning I would like to highlight a few.

Item 1: Throughout the legislation, including in its purpose, there are references to registration practices that are transparent, objective, impartial and fair. We recommend that clear definitions of these terms be developed, specifically as they pertain to the way in which registration practices are to be conducted. These definitions must be sufficient to guide the translation of these principles into clear and consistent standards of practice across all regulated professions that are, in turn, capable of being audited on a consistent basis by multiple parties. For example, the definition of transparency could include the requirement that assessment and registration decisions be communicated to candidates with clear and sufficient reasons.

We also recommend that definitions be established for "registration practices" and "requirements for registration," with the former pertaining to procedural criteria and the latter to substantive criteria relating to qualification for registration.

Also, we recommend that the regulated professions be consulted in developing these definitions because their expertise can really help to ensure that the definitions will support fulfillment of the purpose of the act.

Item 2: Subsection 12(3) states that a function of the Fairness Commissioner is to "consult with regulated professions on the cost of audits." We recommend that the regulated professions also be consulted on the standards, scope and timelines for the audits in addition to the costs.

Item 3: Section 14 stipulates that the Fairness Commissioner shall prepare and submit an annual report on the effectiveness of the act and its regulations. We recommend that the primary measurement of the effectiveness of the act and its regulations be based on compliance therewith because this is the most direct indicator of whether the legislation's purpose is in fact being achieved. Supporting performance indicators may be drawn from the reports submitted by regulated professions and the auditor's reports.

Item 4: Subsection 25(2) specifies that no compliance order shall require a regulated profession to make, amend

or revoke any regulation that it has the authority to make under its governing act. Although we interpret this exception to apply to the requirements for registration that are established by a regulated profession, we recommend that the exception for requirements for registration be explicitly stated in the legislation.

Item 5: Subsection 28(1) specifies that a regulated profession that is the subject of a compliance order may appeal the order to the Divisional Court with the leave of the court. We believe that a regulated profession would seek an appeal only on critical matters and, therefore, believe that it is essential that any such appeal be heard by the court.

Subsection 28(2) specifies that an appeal may be made on questions of law only. Again, given the criticality of the matters on which an appeal would be sought, we believe that appeals should also be permitted on questions of fact or mixed law and fact; otherwise, a process for appeal to an independent tribunal should be established for questions of fact or mixed law and fact. This will ensure due process in the disposition of compliance orders that the regulated profession believes would be detrimental to the conduct of the profession and the public interest.

Our full recommendations and comments are provided in our written submission, which we have provided here today.

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In conclusion, CMA Ontario concurs with the overall premise of the proposed legislation that regulated professions have a duty to provide registration practices that are transparent, objective, impartial and fair.

The appointment of a fairness commissioner, together with the reporting, certification and audit requirements, can play a vital role in building confidence in the fairness of registration practices for all individuals, including the internationally trained, across all regulated professions. The creation of the access centre can serve as an important focal point for linkages with the regulated professions and the provincial and federal governments in this area and can also provide an important source of information and support for individuals seeking internships and mentorships.

Finally, we recognize that many stakeholders must take action if we are to help the internationally trained to achieve their full economic potential in Ontario. This legislation and we, as a regulator, can play an important role in assuring fair and timely access in the regulated professions in Ontario.

We encourage the government in its efforts and we would welcome further opportunities to work with the minister's office to create strong and sound legislation and regulations.

CMA Ontario supports this government initiative and the framework set out in Bill 124. We hope that our contribution to your deliberations will be valuable as you prepare advice for the Legislative Assembly on this legislation.

Thank you for hearing us today.

The Chair: Thank you very much for your presentation. It's much appreciated.

Mr. Delaney: Chair, on a brief point of privilege: I'd just like to acknowledge the CMAs as perhaps a shining example of the best of practices in Ontario and to commend them on getting the spirit of the resource available to them in foreign-trained professionals years ago. I often cite them as an example of the way it should be.

The Chair: Thank you, Mr. Delaney.
Thank you again for your presentation.

PROFESSIONAL ENGINEERS ONTARIO

The Chair: Next we have the Professional Engineers Ontario. Welcome. Please join us at the table. You have 10 minutes for your presentation. Please begin by introducing yourselves for the record. I'll let you know when you have about a minute left. Otherwise, if you finish earlier than that, the remainder of the 10 minutes will be used by members to ask questions. So please begin.

Mr. Kim Allen: Thank you very much. My name is Kim Allen. I'm the CEO and registrar of Professional Engineers Ontario. On my right is Michael Price, our deputy registrar of licensing and registration; on my left is Mark Baruzzi, our general counsel.

Thank you very much for the opportunity to make this presentation.

Professional Engineers Ontario regulates the practice of professional engineering and governs its licence and certificate holders so that the public interest may be served and protected. PEO's—I'll use "PEO" through the presentation—registration practices espouse the fair registration principles within Bill 124. In addition, we've very pleased that the government did not establish the independent appeals tribunal as recommended in the Thomson report.

In our 84-year history, more than half of our elected presidents had been trained outside of Canada. A similar number of professional engineers who operate as volunteers on our committees, including those who assess academic and experience qualifications, have been trained outside of Canada. Today, one third of the approximately 68,000 licensed professional engineers have been internationally trained, a testament to PEO's registration practices.

In fact, PEO licensed more internationally trained graduates in 2005—and we'll certainly license more in 2006—than we did graduates of Canadian programs. Our continuous work was recognized in January 2005 by the Ministry of Training, Colleges and Universities, where PEO was ranked first among the professional regulatory bodies, having evaluated the most measures responding to the barriers facing internationally educated individuals seeking licensure.

PEO is proud that qualified international graduates play a vital and growing role in our profession, and we support the government's plan to ensure fair access to regulated professions.

PEO supports the view that through co-operation with government and stakeholders we can continually assure the public of Ontario that PEO's registration practices are transparent, objective, impartial and fair. As an active member of the minister's roundtable, we continue to work with the government to achieve these views. Continued consultations will be required to ensure that the proposed regulations proclaimed under the act reflect the legislation's intent and the spirit of it.

With this in mind, I'm going to walk you through our licensing practices. If the committee can actually have a quick look at the nice little coloured chart in here, it will help you walk through the licensing practices that are in our presentation.

Our practices begin with an application. The second step in it, in box number 2, is an assessment of the application versus licensing requirements, and that occurs by the registrar. Within our legislation, the registrar can refer or the applicant has the right to have it referred to two different statutory committees dealing with the major components of experience and academics. That makes up our first very comprehensive assessment.

The next step in the process is, once all those assessments have been completed, the determination whether or not the applicant has met all of the licensing requirements. If they have, we simply issue the licence; if they haven't, we are, as the registrar, required to issue what is called a notice of proposal to refuse to issue the licence. This affords the applicant the ability to have a hearing under our legislation. If the applicant chooses not to have a hearing by notice—and they have 30 days to decide whether they want the hearing or not—then we complete the process by not carrying out the order and not issuing the licence. Should the applicant choose to go to a registration hearing, it is a completely independent panel. Another statutory tribunal that's set up under our act and operates under the Statutory Powers Procedure Act conducts a second very comprehensive assessment. That registration tribunal has the ability to either issue the licence or not issue the licence, and a few other things. At the end of that registration, the decision out of the registration tribunal, either party has the ability to appeal it to Divisional Court.

With this in mind, PEO has three proposals that we're talking about to try to enhance the Fair Access to Regulated Professions Act.

The first proposal—if you look right in the middle of box 5—is: In the spirit of achieving the legislative intent of subsection 8(1), where regulators are required to provide an independent review in it, PEO proposes that the definition of a registration decision be amended to include the wording in our item C below, which would simply recognize that the issuing of a notice of proposal to refuse to issue a licence is a registration decision. Then our registration tribunal carries out the intent of that. The amendment will clarify that the registration committee does carry out the intent of that internal review required by the act in subsection 8(1).

The second item we wanted to put forward—and PEO has worked for a long time on ongoing improvements to

our registration process as they're put in place—is that regulatory bodies can spend considerable time and effort revising registration practices to try to make them fairer and more transparent. We urge that the act be amended to include that, upon request by a regulatory body, the Fairness Commissioner provide advance rulings on proposed practices by the regulators.

Our third item is that, in the spirit of the legislation, in addition to the powers that already exist under subsection 26(4), where the Fairness Commissioner may, on his own, review the order, vary the order or rescind the order, PEO suggests that the act also provide for an internal review or appeal mechanism from the Fairness Commissioner's compliance orders and that there be a reasonable time period specified to do that so we can move on very quickly.

I tried to go through the presentation very quickly so I can afford the committee some opportunity to ask some questions.

The Chair: That's great; thank you. We did get out of order, so I believe it's the government, Mr. Ramal. If there's time, then we'll move to—please, Mr. Ramal. Thank you.

Mr. Ramal: Thank you very much for your presentation. I know you're working very hard as part of the roundtable committee in order to advise the minister on this very important file, to get this bill right, to help many people in this province to integrate and find a job and be accredited. But we heard from many different speakers who commented in terms of removing the audit provision from the bill—different titles cost a lot of money and create obstacles. As you know, it started as a very important element of the bill in order to make sure that fairness and accountability are in place. What's your comment on this?

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Mr. Allen: Our position on it is that, again, if it improves the confidence of the people of Ontario that our practices are audited and demonstrated to be fair, transparent and all that, it's good for everybody concerned. So it's a good process to have those ones in where you have an independent review of it, and if there is something that isn't up to speed on it, then we'd like to know that and try to correct those types of situations. We think the audit is a useful and very meaningful part of the process in the bill.

Mr. Ramal: So you think the bill is on the right track in order to address the issues.

We've been listening to many different presenters since last week. Many people came before this committee and presented and they talked about how important this bill is in order to break down those barriers and allow people to enter the market by giving them the chance to be accredited in a fair way and giving them the chance to be a part of this community. So what's your comment on this?

Mr. Allen: We think the bill is certainly headed in the right direction in providing the right principles and the right drivers to ensure that we shrink the time to the mini-

um extent so we can have people become successful in Ontario.

Mr. Ramal: Thank you.

The Chair: Mr. Klees?

Mr. Klees: I have fairly regular meetings with your political action people. In a meeting just a couple of weeks ago, I asked them this question in terms of the labour balance, and I was advised that, in their opinion, there is actually an oversupply of engineers in this province and that is one of the problems why perhaps foreign-trained engineers are having a difficult time getting a job here.

However, we did some research—and specifically, it was that response that prompted my request for this research—to inquire of the various regulatory bodies as to their opinion in terms of whether there is an excess or a shortage of supply. In the engineers' response in our report, it indicates that there's no conclusion.

I'd like to know from you: Do you believe that there is an oversupply of engineers for the labour market as it is in Ontario today, or not?

Mr. Allen: Again, as the regulator, our job is to license whoever comes to our door and to ensure that those practices are fair, open and transparent for all that are put in. Our experience is that a number of applicants have considerable difficulty gaining the right type of experience, which would suggest that their ability to actually gain those types of employment that are needed to fulfill our experience requirement is difficult.

Mr. Klees: So the conclusion would be that there's an oversupply?

Mr. Allen: With engineering, we've got 41-odd disciplines that come in and it's very discipline-by-discipline-specific, so, depending on where the applicant comes in, whether or not there are specific jobs in those areas is difficult to say.

With our body, we get about 4,000 applications a year, and the numbers are something like 15,000 people coming to Ontario who claim to have engineering qualifications, but we don't see them applying to us. So how many of those are included in that group that are having difficulty is very difficult to tell. There's another 5,000 or 5,500 graduates from Ontario universities per year who are entering into that profession. So there is a total of about 20,000 people, but we only see about a quarter of those people actually apply for licensures. Not all engineering jobs require to be licensed by the profession.

The Chair: Thank you very much. We've run out of time. I appreciate your presentation. Thank you for joining us this morning.

CARE CENTRE FOR INTERNATIONALLY EDUCATED NURSES

The Chair: Next on our list of presenters we have CARE Centre for Internationally Educated Nurses. I would ask representatives from that organization to join us at the table. You have 10 minutes for your presentation. If you leave time within that, you will have

some questions asked by members of committee. Please state your name for the record. I will let you know when you have one minute left in your presentation if we get that far.

Ms. Amy Go: Thank you very much. My name is Amy Go and I'm the chair of the board of directors of CARE centre. With me is Aruna Papp, our executive director.

First of all, I want to thank the Ontario government for funding CARE. We just received confirmation of another three years of funding, over \$3 million to expand our services outside of Toronto on a regional basis. So that's great. Thank you very much.

Since our inception, CARE has helped over 500 registered nurses, those internationally educated. They are very happily employed in our health care system, providing services to the communities.

CARE applauds the government for its leadership in introducing this bill, because we believe this is a very strong first step to opening the doors to internationally educated professionals in Ontario. But we do believe there are certain provisions that can be strengthened and there are complementary measures that should be taken so that internationally educated professionals will truly have a chance in Ontario.

I will talk about the specifics, and Aruna will talk about the complementary strategies.

First of all, appeal: I'm sure you've heard that it is important to have an appeal process so that another independent body will assist the individuals if they have questions and concerns about the process. Through CARE, we have been able to intervene and actually prevent them from going to appeal, but not all individuals have those kinds of services. It's important that we have that appeal process and that we provide assistance to individuals to go through that appeal.

The second point I want to raise is about the assessment of qualifications. It is probably the most important component of the registration process. The bill has laid out some very critical principles, and we totally agree with them, but we just want to highlight a couple more. First of all, consistency: In our experience we have found that there are individual assessors with a lot of power, a lot of discretion in their hands. They have the power to deem or to deny an application, so consistency is critical in that process. The other principle is, of course, anti-discrimination and anti-racism. That should be an overarching principle of this legislation, and I believe this legislation is based on that principle.

The other aspect is training. The individual, as I mentioned, has so much power in the assessment process, in the regulatory process, so it's critical that their personal biases—and that they also have the cultural competency to provide a fair and objective assessment. We believe a regulatory body should provide training to all their staff on anti-racism, on anti-discrimination, and to ensure that they all have the cultural competency to provide assistance to internationally educated professionals.

The other thing is about the access centre. You probably have heard that again. CARE is an access centre.

We've been a very successful access centre, so we don't believe that we need to duplicate the efforts. We can actually expand on these services. We should provide more of these types of services to other internationally educated professionals, and CARE can definitely assist in that process. We believe that the access centre as envisioned in this legislation should be like a clearing house. It should be a place where people can come for information and be referred to places like CARE and other programs, and also to gather the best practices amongst the regulatory bodies, amongst the community programs, so that we can continue to enhance the process.

Those are the specifics that we would like to address for this legislation.

Ms. Aruna Papp: The complementary strategies that we would like to present are—as you know, immigrants come with a lot of higher learning experience and usually they are not assessed in a proper way. It is a very critical part of their qualifications. While it is a very complex process—we understand that—we think that it requires a dedicated resource to ensure that the information is reliable and the assessment is fair and objective. Rather than relying on individual professional regulatory bodies, it should be conducted by an independent body so that it can be more clear, objective and more centralized. We recommend that the government of Ontario should fund a centralized prior learning assessment centre that is independent from the regulatory bodies to ensure the fairness and objectivity of the process.

Others have also spoken on the issue of employment equity and we would like to re-emphasize that getting licensing is just one of the steps, a difficult step, but many immigrants face a lot of discrimination within the system and most often the excuse they hear is, "You have no Canadian experience."

Without the protection of the legislation, such as employment equity, these qualified individuals may not be able to practise their trades and professions. We are recommending that the Ontario government should entrench employment equity through legislation.

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Ms. Go: That concludes our presentation.

The Chair: Thank you very much. You've left a little bit of time for questions from members of committee, so we'll begin with Mr. Tabuns.

Mr. Tabuns: Thank you very much for that presentation. How important do you see the establishment of independent tribunals for appeals to making sure this act is effective?

Ms. Go: I think it's really critical. In fact, we've had a conversation with the Health Professions Appeal and Review Board. What they are seeing, even with the current process, is that many of the individuals have no representation. They have no idea how to go about appealing. Just like the Human Rights Commission—if we turn it to court only, these individuals are going to be even more at a loss. There's no way they will be able to navigate the system. It's critical that we have an appeal

body that would assist them and also provide assistance in that appeal process.

Going through court is not for everybody. Many individuals, particularly internationally educated professionals, are so intimidated by that process that they would not even try to go through the court.

Ms. Papp: Most of them don't even know that there is an appeal system, that they do have that option.

The Chair: Thank you very much for your presentation. We appreciate you being here today.

INTER-CULTURAL NEIGHBOURHOOD SOCIAL SERVICES

The Chair: Our next presentation is from Inter-Cultural Neighbourhood Social Services, if the people from that organization can join us at the end of the table. You'll have 10 minutes for your presentation. If you leave any time at the end, members of committee will have a chance to ask you questions. I'll try to give you a warning when you're down to about a minute left in your presentation, so you can begin to wrap up. Please begin your presentation by introducing yourselves for the record. Thanks very much, and you can start at any time.

Ms. Andrea Seepersaud: Madam Chair, ladies and gentlemen, good morning. My name is Andrea Seepersaud. I am the executive director of Inter-Cultural Neighbourhood Social Services. This is an agency that provides services to more people than you can seat in the SkyDome at any time. We employ 70 full-time staff and we have four locations in Peel region.

With me this morning is Darcy MacCallum, on the far end, who is manager of the largest settlement-workers-in-schools program in Ontario. This is a program that is provided in the school system in Peel region, through about 85 schools, to newcomers and their parents. We also provide assistance to teachers.

I have, on my right, Amira Masud, who is the manager of the first in-house language training program that was implemented in Canada, and that addresses sector-specific terminology and English-language enhancement. It also has components of mentoring and internship.

On my left is Pat Hynes, an internship advocate in the ELT program and the only person we know of whose mandate is to advocate for the internship of internationally trained professionals in the business sector.

I say all of these things not so much to boast about our agency but to provide a context to which you can make reference when we speak to you this morning.

ICNSS—this is the acronym for our agency—has spent the greater part of 20 years, and I have spent all of my 12 years with this agency, conceptualizing and implementing programs and services aimed at individual capacity-building and resettlement and adaptation of newcomers to Canada. The issue of reciprocity remains on the top of our list of things that we obsess about, so to speak. Our staff who are here today will speak on the various components of the bill as they relate to the enhancement of what they do on a daily basis.

Ms. Amira Masud: The first item is that Bill 124 will ensure fair practices in the accreditation process. The enhanced language training program run by our agency recruits internationally trained professionals. This 10-week intensive program includes an internship or mentorship opportunity for each student. The intent is to bridge the gap between a survival job and meaningful employment commensurate with the skills and training these newcomers possess.

Considering that most of our students are internationally trained professionals whose field of expertise is governed by regulatory bodies, we have concluded that Bill 124 will greatly enhance the efforts of our staff and the clients we serve by ensuring that the pathway to meaningful employment in a regulated profession is clear and achievable.

We envision that this bill will help to retain current immigrants who are becoming disenfranchised and disenfranchised by the current obscure and inconsistent practices of certain regulatory bodies. Our outcomes in delivering programs will be greatly enhanced by the existence of this unique, groundbreaking legislation. We will finally be able to cite legislation to protect our clients from the discrimination and unfair practices they currently endure.

Mr. Patrick Hynes: My name is Patrick Hynes, internship advocate with ICNSS.

The second feature, which I am going to be discussing, is that Bill 124 will establish the vital position of a Fairness Commissioner. This component is essential, as openness and fairness will be applied to better enable an internationally trained professional's credentials to be assessed more openly and fairly. Our myriad of programs and services will now be better complemented, as the transition from a settlement or survival job to employment in a professional capacity will be greatly enhanced.

When our staff or clients encounter roadblocks in the credentialing process, Bill 124 will provide us a clear channel through which issues can be resolved. We believe the Fairness Commissioner will give strength to the advocacy role our agency plays. Having a Fairness Commissioner to stand behind the process of assessing an internationally trained professional's credentials will help to ensure that the internship/mentorship experience we secure for our clients will be a positive step toward eventual full entry into the regulated profession for which they were trained.

Mr. Darcy MacCallum: Finally, we believe that the creation of an access centre is a vital piece of this legislation for three reasons. First of all, we believe that it will be a significant one-stop source of reliable information for our settlement counsellors and the clients we serve. It will enable our counsellors to serve our clients in a timely manner because we will not have to be chasing around through various different websites and sources of information for the details that our clients need, and it will increase the confidence that our clients have that Ontario is well organized and welcoming of their skills.

Second, we believe it will be a clearinghouse for the research that is spoken about in the legislation. Our

workers are on the front lines, observing trends and issues on a regular basis, and to have a source where their information and the information of others like them around the province can be aggregated is absolutely essential, we believe, to the further steps that are needed to enable internationally trained professionals to enter the workforce.

Finally, we believe that this access centre will be a conduit of information, not only for our agency to receive up-to-date information but for internationally trained professionals who go directly to the access centre. We would hope that the access centre would become a conduit back to agencies like our own that can assist the individuals as they work their way through the processes and find employment.

Ms. Seepersaud: So far, we've discussed the three parts that we believe are very important to our service that we provide in Peel region. We'd like to entertain any questions, if there are any from the floor.

The Chair: Thank you very much. Mr. Ramal.

Mr. Ramal: I want to thank you very much for coming this morning and detailing the importance of this bill. I would imagine you are here just to encourage all the members of the committee to support the bill because supporting it and letting it pass as soon as possible will quickly help many people waiting to get accredited in the province of Ontario. What do you think about this point? Do you want to add to it?

Ms. Seepersaud: Certainly, this is a landmark bill. It is something that has never happened in the history of Canada, I believe. I have personally waited a very long time to see this sort of thing happen, simply because my job has become extremely difficult, given a previous presentation where we actually looked at numbers of immigrants coming in with highly qualified portfolios and not finding employment.

We see 52,000 people on an annual basis. About 90% of those people have got some degree of education, 80% of them have got post-secondary education and about 70% of them are looking for jobs when they come to our centre. So yes, this legislation is amazing. We endorse it and we are looking to a very quick passing of this bill.

The Chair: Mr. Levac.

Mr. Levac: If there's time, Chair.

The Chair: Yes.

Mr. Levac: Thanks for your presentation. I just wanted to make one point and then ask a question. The point I'd like to make is, your organization is a non-profit agency funded by various agencies, including municipal, provincial and federal governments. The gain that you receive from the bill is based on the services you already provide, and you see this as a one-stop shop with a capacity to help you do your job even better than what you already do?

Ms. Seepersaud: That's right. Our agency's a drop-in centre, so yes.

Mr. Levac: Right, and the multiple number of languages you serve is representative of your community or representative of people from across the province who come for your services?

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Ms. Seepersaud: Our agency has a mandate for the region of Peel, and we can serve the greater Toronto area, but these are languages that are very specific to the people in Peel region.

Mr. Levac: It's the last question, Chair. Is there time?

The Chair: Sure.

Mr. Levac: A question was asked earlier about too many engineers, too many nurses or too many whatever. We've gotten ourselves into trouble previously by deciding that we don't need them anymore, we stop bringing them in, and then we find out we've got a shortage a few years down the road. What is your solution to the legitimate concern that maybe we're bringing in too many so-and-sos?

The example I would use to dovetail into that concern is that China is producing, if I've got my numbers right, literally thousands and thousands of engineers a year. If they become immigrants, we would have thousands and thousands of potential engineers coming into our country. How do you respond to the concern that's being raised by any one individual profession?

Ms. Seepersaud: Let's look at the engineers, for example. In our agency, we explore the possibility of transferring their skills into similar-type occupations or occupations that would require those skills and not necessarily require an engineering licence.

Pat, would you like to speak on this?

Mr. Hynes: As a placement advocate, one of the issues that I believe—there are regulated professions and then there are related professions. An engineer can work as an engineer, as an engineering technologist; there are a number of related professions. So to answer that question, Canada's economy is growing, Ontario's economy is growing, and there is room for new engineers.

There's room for other regulated professions that certain individuals believe there's an over-influx into at the present time, because you're not only looking at a profession, you're looking at a related profession, and their chance at meaningful employment is still greatly enhanced. I run into a number of private sector companies that advocate, "We may not need them as an engineer, but we may need them as an engineering technologist. We may need them in a related capacity." At the end of the day, they still will have a meaningful employment experience.

To answer your question, yes, there still is a need.

The Chair: Thank you very much. We really appreciate your presentation. Thanks for coming in to see us this morning.

CANADA CHAPTER OF COST
AND MANAGEMENT ACCOUNTANTS
OF BANGLADESH

The Chair: Next we have the Cost and Management Accountants of Bangladesh. Do we have a representative from that organization? Please join us. As you've noticed, we have a 10-minute opportunity for your pres-

entation. If you leave some time within that 10 minutes, members will be able to ask you questions. Please state your name for the record and begin your presentation. I'll let you know if you are getting to a point where there's only a minute or so left. Thank you, and welcome.

Mr. Akhtar Ahmad: Good morning, everybody. First of all, I've lost my voice for the last few days. Please bear with me.

Madam Chair and respected members of this standing committee, we would like to express our sincere gratitude for giving us the opportunity to talk to you today. This is a very short time. We cannot go into much detail, but I would like to highlight a few points about the bill.

First of all, let me introduce myself. My name is Akhtar Ahmad. I am the chairman of the Canada chapter of CMA Bangladesh and also the president of BPAC. I immigrated to Canada as a landed immigrant in 1990. I did my master's degree at the University of Dhaka, Bangladesh, and I did my CMA in Bangladesh in 1981; just to mention it to you, I was a scholar student.

Before immigrating to Canada, I had an excellent career, actually. I worked for Pfizer International in Bangladesh, the biggest pharmaceutical company in the world. I also worked for Hoechst Pharmaceutical. That's a German pharmaceutical company. I also worked for a subsidiary company of Tate and Lyle that is based in London, UK. I am now working in the health care sector, for about the last 12 years, as a financial director. In my present job, actually I took the initiative and we were able to increase our turnover by almost five times during my stay with this company.

I just want to highlight some difficulties I faced when I came to Canada. I came to Canada with great expectations. I thought that Canada was a great country. It was chosen the best country in the world many times. I thought I would be able to use my skills in this country. For immigration purposes, Immigration Canada recognized my professional qualifications and experience to select me as an independent immigrant under the skilled category. But when I came to Canada, I found that the reality was completely different. No accounting bodies were willing to give me any recognition, even at a minimum level.

I talked to, first of all, CMA Canada. They told me that they don't recognize CMA Bangladesh qualifications at all. They told me that since I had my master's degree they could give me some exemptions based on that degree. I was surprised. As I mentioned, I am chairman of the Canada chapter of CMA Bangladesh. As chairman, I had much correspondence with CMA Canada, but they refused to give any consideration to CMA Bangladesh qualifications. We find the regulatory bodies in Canada very unfair as well as inconsistent. I just want to give one example.

CMA Canada helped establish CMA Pakistan about 52 years back. At that time, Bangladesh was a part of Pakistan—East Pakistan—so everything was set up by CMA Canada. In 2002, CMA Canada gave an exemption to CMA Pakistan in all prerequisite courses, plus part 1

of the entrance examination. We inherited the same program from Pakistan. We are a member of the South Asian Accounting Federation, an international body. Everything—the syllabus, course materials—is the same. As I mentioned, we inherited the same program from CMA Pakistan after partition. We actually wanted to get the same exemption as is given to CMA Pakistan, but CMA Canada refused. On the website of CMA Ontario, they recognize CMA Pakistan, those levels, so there's proof.

Another thing I also want to mention is that the CMA Bangladesh qualification is recognized by the Institute of Certified Management Accountants of USA, so anybody with CMA qualifications from Bangladesh can get a CMA USA qualification without any examination. So it is very difficult to understand, being that our neighbour, the USA, a bigger country, with 10 times the economy of Canada, and recognized all over the world—if CMA USA can recognize our qualifications, why won't CMA Canada recognize us? The unfortunate thing is that—we feel it insulting—they don't even consider CMA Bangladesh qualifications equivalent to an undergraduate degree. This is unbelievable. It's very unfair. Our members are suffering. A lot of our chapter members have moved to the USA because they got frustrated. There is no recognition at all in Canada about CMA Bangladesh.

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I just want to give some views about Bill 124. First of all, we congratulate the present Ontario government for bringing in this important bill, which was overdue. We hope this is the first step in the right direction but we strongly feel that there should be some important amendments to make the bill work effectively.

I just want to highlight some of the amendments we are proposing on behalf of CMA Bangladesh and BPAC, the Bangladeshi-Canadian Political Action Committee.

The first amendment we are proposing is to list all regulatory bodies in the bill. We feel it's very important. It should be clear, and the regulatory bodies should know, that they're accountable to the Fairness Commissioner. Otherwise, there will be a lot of confusion, especially from our point of view. We find it important that CMA Canada, CGA Ontario, all these organizations, have to be listed in the bill. We saw that Judge Thomson also listed them, all 36 regulatory bodies, in appendix B.

The Chair: You have about a minute left.

Mr. Ahmad: The second amendment we are proposing is to establish a separate department to evaluate equivalency. I think it's very important. The University of Toronto has equivalency for all universities. That will save time for everybody and I think it will make the system work more easily.

Another amendment we are proposing is the appointment of a Fairness Commissioner. We think he or she should be appointed by the Legislature and should report to the Legislature, because that will make the position less political.

The next amendment we are proposing is legal representation. People who want to apply and who are not

happy with the decision of the regulatory body should have access to legal representation. Also, there should be a timetable for taking decisions because a reasonable time—it could be open-ended. There should be a four-week, two-week time limit.

The next one is, there should be a fair registration practices code established. It was also my understanding that the Thomson report—

The Chair: Mr. Ahmad, we've run out of time. I'm sorry. Your comments are on the record, with your written submission. We don't have any time for questions either, so I apologize for that. Nonetheless, we do have your written submission as well. We wanted to thank you for coming today. Unfortunately, we're running behind on our schedule.

Mr. Ahmad: I understand. Thanks again.

The Chair: Thank you very much. We appreciate your presentation.

ONTARIO FEDERATION OF LABOUR

The Chair: Next we have the Ontario Federation of Labour. Please join us at the end of the table. If you could begin your presentation by stating your names for the record. You have a 10-minute time frame. When there's about a minute left, I'll let you know. If you leave time before your presentation time frame is up, the members will be able to ask you questions. Welcome, and begin.

Ms. Terry Downey: Good morning. My name is Terry Downey and I am the executive vice-president of the Ontario Federation of Labour. To my left is Pam Frache, who is the director of education and training at the federation.

The Ontario Federation of Labour represents over 700,000 working people in Ontario. I'm pleased to have an opportunity to present our federation's views on Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions.

We are pleased that the Ontario government is moving forward with legislation that has the potential to transform the employment prospects of hundreds of new Canadians and, in so doing, greatly improve the living standards for their families, especially their children. Such a critical piece of legislation must provide for registration practices that are not only transparent, objective, impartial and fair, but are also accessible, accountable and enforceable. We therefore have a series of recommendations that I will present.

First of all, accountability: Accountability is a critical component of fairness. The Ontario Legislative Assembly is comprised of democratically elected members of provincial Parliament, and these MPPs are, in effect, advocates for internationally trained individuals and are ultimately accountable to their constituents for their decisions. As such, we believe that the Ontario Legislature should appoint the Fairness Commissioner and that the Fairness Commissioner ought to report back to the Ontario Legislature.

Moreover, the minister responsible must be assigned the authority and responsibility to actively intervene to fix problems as they are identified by the Fairness Commissioner. By ensuring that the Ontario Legislature receives the commissioner's recommendations, MPPs are in a position to hold the minister accountable if he or she does not fulfill his or her responsibilities in this regard.

Secondly, enforceability: For any practice or procedure to be enforceable, there must be clear criteria that determine a fair process. Vagueness, complication and interpretation are all ingredients that reduce the enforceability of legislation.

For example, although part II states that "A regulated profession has a duty to provide registration practices that are transparent, objective, impartial and fair," there are no clear criteria here that define any of these objectives. What one person believes to be fair may be quite unfair to another party. As such, we believe the legislation must include a fair registration practices code that clearly outlines criteria for what is indeed "transparent, objective, impartial and fair." In this way, regulated professions will have a standard against which their processes can be measured.

In addition, significant work must be undertaken to evaluate and establish equivalency between international and Ontario standards. This, we believe, will minimize uneven implementation of standards and interpretation in this regard.

Furthermore, the affected regulated professions must be named in the act to ensure that there is a common understanding of what is expected and from whom. While the act refers to "regulated professions," the act also refers to "internationally trained individuals" and suggests that the access centre will provide information and assistance to "trade or occupational associations, employers...." We need to ensure that this act is clear in its scope to ensure that the appropriate bodies are complying with the new higher standards of fairness and are undertaking work that is appropriate to the scope of this legislation.

Next I want to talk about accessibility. Perhaps the most important element of any legislation is the question of access. All the rules in the world can't impart fairness if those most directly affected cannot access the province—process. Freudian slip here. In this regard, we recommend that an independent regulatory appeals tribunal must be created that provides for a consistent process among all regulated professions covered by this act, that is independent and that provides free legal and professional support for those people who need to access the process. Any bureaucratic process that does not provide such support cannot possibly achieve its goal of providing fairness. For those with the financial means, they will always have a head start over those with little means.

We disagree with the provisions in this act under part III, subsection 11(5) for charging fees for accessing records relevant to any appeals process. Such user fees discourage and limit access to the basic elements of the appeals process.

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Lastly, we call on the Ontario government to make adequate grants, not loans, available to internationally trained individuals so that they can pursue any additional training they need without incurring crushing debt loads and reduced badly needed future earnings.

Ontario and Canada will profit from the fact that other countries have already paid for the basic and higher education of these individuals. This alone should be justification enough for such a measure. By ensuring that internationally trained individuals are quickly integrated into meaningful employment, Ontario and Canada will also benefit from the additional taxes these people will be generating as a result of high-paid employment. Eliminating financial barriers to additional training is a crucial element of this strategy.

In conclusion, Bill 124, we believe, offers real potential in moving forward to address the unemployment and underemployment of many recent immigrants. In addition to the recommendations we have already made, I'd like to remind the committee members that full inclusion of recent immigrants into meaningful employment must also be supported through greatly increased investment in language training and the active promotion of racism-free workplaces. The Ontario government may wish to consider launching a public education program to highlight the positive contributions of immigrants to the economic, social, cultural and political life of Ontario and indeed Canada.

I want to thank you for the opportunity to present today. I say to the Liberals in this room, this is an opportunity that the federation is being denied on Bill 107, and I say shame on you for that. But I look forward to this committee's careful reflection on the deputations and its co-operation in strengthening and improving this much-needed legislation.

The Chair: Thanks very much. You've not left very much time at all. I don't know if there's a quick question that Mr. Klees might have.

Mr. Klees: I would just ask you, if you would, to elaborate on your comment about Bill 107. Why is it that you feel that the Liberals have let you down on that?

Ms. Downey: This is a human rights issue. In Bill 107—

Mr. Ramal: On a point of order, Chair—

Ms. Downey: —I think it's really important that everybody have an opportunity to—

The Chair: Excuse me, can you stop for just a minute? Mr. Ramal.

Mr. Ramal: I think that question is irrelevant to the bill, and I wish the question would concentrate on the bill.

Mr. Klees: You are totally out of order.

The Chair: The question was asked. I believe the answer was given, and we've now run out of time. Thank you very much for the opportunity to hear from you this morning. I very much appreciate it.

Mr. Klees: On a point of order, Chair: I've been watching the proceedings. There hasn't been one time

when I have interrupted either a speaker or a member of the government in this committee. I would ask you to remind Mr. Ramal that in this committee every member has the right to ask any question whatsoever of any person who is a witness here. I would ask him not to interfere again the way that he did. It's not his place to do so, and it's an offence both to the witnesses and to me.

The Chair: Thank you, Mr. Klees. Again, I think we've had a successful couple of days of hearings, and I hope that all members will continue in a collegial fashion to hear from the witnesses, as that is exactly what this hearings process is all about. So thank you all very much for that.

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

The Chair: Our next presentation is from the College of Physicians and Surgeons of Ontario. Can you join us at the end of the table, please? As you know, you have a 10-minute time frame for your presentation. If you leave any time within that, members will be able to ask you questions—if they behave. I'm only kidding. Please go ahead. Introduce yourselves at the beginning of your presentation for the record, please. I thank you for joining us.

Dr. Rocco Gerace: Good morning. Thank you very much. My name is Rocco Gerace. I'm the registrar of the College of Physicians and Surgeons of Ontario. I come to this role from an academic emergency medicine background, where I worked for over 25 years. Joining me is Louise Verity, who's the director of policy and communications from the college.

Let me say from the outset that you have a submission before you. I'm not going to read it; it speaks for itself. But I will simply highlight a few of the points.

I want to say that we are entirely supportive of the intent of this bill. Indeed, the college has been providing leadership in this area for over seven years. Our council, in 1999, issued a statement supporting the welcome and valued role of international graduates in Ontario over the last many years and, indeed, gave direction that we continue to enhance this. We've realized a number of successes. These successes have been alluded to frequently in the Legislative Assembly. So we are onside with the intent, but we do have serious concerns with this legislation, and these concerns warrant significant amendments.

I would suggest to you that, as it stands, this legislation has the potential not to enhance but to impair access of internationally trained doctors to the practice of medicine. We think that our amendments would contribute to the goals that are being sought, that the bill be fair, accountable and transparent in creating these registration processes.

With the disadvantage of international medical graduates, not only internationally trained doctors but the public at large will be disadvantaged. I'm sure all of you know that we face a severe doctor shortage in this prov-

ince, and so we want something that will work. We've circulated to you data around our successes in this area. In the last two years, we've registered more internationally trained doctors than we have doctors of Ontario medical schools; 25 % of the doctors in this province are graduates of international schools.

When Justice Thomson was preparing his report, we were very much involved and indeed very supportive of the provisions that he recommended. The college has made eight recommendations, and I will highlight some of these and hopefully have time for questions at the end.

Our first recommendation is that we change the name of the Fairness Commissioner to something different, something like an access coordinator. The suggestion—and I speak to our college—is that we're not fair. I've said once and will say again that we have been setting standards in this area provincially, nationally and indeed internationally. The idea of an independent commissioner is inconsistent with the principles of self-regulation, a principle that has been endorsed by multiple governments over many years.

Our second recommendation relates to the issue of audits. We're recommending either that the provision for audits be removed or, if there is a will to review, that it be a best practices assessment recommended to the relevant minister. I can tell you that this is our greatest concern. The concept of an audit would force adherence to a defined legislative framework. It would obviate the work of our college in measuring competence rather than measuring credentials. This, we think, would increase barriers. There has been no defined need for audits in the health professions. There already exists an arm's-length independent appeal process, the actual remedy recommended by Justice Thomson. There are changes anticipated to the RHPA, at least recommended changes, in which there will be reporting requirements for the registration committee to the minister. We think that these will be very assistive to both the minister and this commission in respect of registration issues. We think a best practices assessment rather than an audit would provide workable solutions to meet the government's objective of ensuring a fair, accountable and transparent registration process.

Another recommendation is that we feel there should be clear guidelines on when the minister might conduct an assessment. We don't think that these should be carried out ad hoc or on a regular basis. Keep in mind, again, that each individual registrant has access to an independent, arm's-length appeal process, the Health Professions Appeal and Review Board, that is appointed by government. We don't think that an assessment coordinator need do this.

The next issue is the issue of costs. We feel that government should bear the cost of any assessments or audits. It's a principle of self-regulation that costs are borne by the profession. By extension, registration costs are borne by new registrants. Therefore, given that this measure is related to internationally trained professionals, the costs of these measures, the cost of this bureaucracy will be borne entirely by that group.

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It's been suggested to us that the cost should be borne more widely by all registrants. This would have the effect of impacting new graduates of Canadian medical schools who are deeply in debt at the time of registration and create further burdens for them. We don't think this is desirable.

With respect to having to ensure third-party assessments, the college relies on the expertise of a number of assessors to assist us when assessing registrants. These assessors are national, have been in existence for almost 100 years, and include certifying bodies such as the Royal College of Physicians and Surgeons of Canada, the Medical Council of Canada and others. We simply have no jurisdiction in this area and it seems simply unworkable that we would have to provide any assurance of their activity.

Finally, if there is a will for a fair, accountable and transparent process, why do we not hold all stakeholders to some form of accountability? The issue of registering doctors is complex. The responsibilities lie not only with the college but with government, with the university and with many others. With this complex degree of responsibility, should government not be held equally accountable? Should government not equally have to report to this commissioner with respect to their activities around funding, around creating training positions and around creating an access body? We think that if accountability is due, the regulators play only a small part in this area and that accountability should be extended widely to all stakeholders.

Thank you. Those are my comments and I'd be pleased to answer questions.

The Chair: Thank you very much. We'll begin with Mr. Tabuns.

Mr. Tabuns: Yes. Thanks very much for that presentation. Does your organization currently have agreements of reciprocal recognition with colleges of physicians and surgeons in other jurisdictions around the world?

Dr. Gerace: No, we do not. The issue of registering doctors is a provincially held responsibility, and each province has its own criteria. Indeed, each state in the US has its own and every other country has its own.

Mr. Tabuns: I understand that in many jurisdictions, like Canada, it's not a national matter; it's a regional or a provincial matter. Okay. I was interested to know if you did have such agreements.

What portion of the people you register are able to go on and do residency? I'm afraid I'm not fully familiar with your process, but many doctors have said to me, "We're able to get our credentials recognized, but we aren't able to actually get residency so that we can go on and practice."

Dr. Gerace: The college has no jurisdiction over who gets residency positions. Residency positions are dictated, firstly, by government in respect of funding, and then by the universities in terms of accepting residents. Once a university accepts a doctor into a residency pro-

gram, while there is a screen, there are no barriers to registration with the college.

Mr. Tabuns: Thank you.

The Chair: Thank you very much for your presentation. We've run out of time, but we do appreciate you taking the time to come and share with us your insights today. Thank you.

SKILLS FOR CHANGE

The Chair: Our next group is Skills for Change. Welcome. As you get seated, again, the process is that you have 10 minutes for your presentation. Please introduce yourself for the record. I'll let you know when you have one minute left; however, if you leave more time than that, members will be able to ask you questions. Welcome, and please begin.

Ms. Shabnum Budhwani: Thank you. My name is Shabnum Budhwani and I coordinate a project called Teach in Ontario at Skills for Change.

"Work is one of the most fundamental aspects in a person's life, providing an individual with a means of financial support and, as importantly, a contributory role in society. A person's employment is an essential component of his or her sense of identity, self-worth and emotional well-being." That was a quote from the Supreme Court of Canada.

When newcomers find meaningful employment, it helps them to live with dignity and self-respect and gives them an opportunity to contribute and give back to their adopted country. They develop stronger ties and feel a sense of belonging; they become full citizens of the country. On the contrary, when the skills and educational qualifications of internationally trained professionals are not recognized, the Canadian economy suffers a loss of billions of dollars annually.

Canada brings into the country the best and the brightest from around the world so that we can benefit from the skills, experience and qualifications of these individuals and meet labour market shortages. What is the use of this if these individuals are unable to contribute the very skills and expertise that brought them into the country in the first place? When internationally trained individuals are unable to practise their profession, they may be forced to ultimately become dependent on the state for support instead of being able to contribute to the state and the economy. This is an undesirable situation in any account.

I wonder how many of us are fortunate enough to be able to get up every morning and have the pleasure of looking forward to going to work every day. As a front-line worker, I know only too well the pain and frustration and despair of countless people who have to drag themselves to work, perhaps in the middle of the night or in the wee hours of morning, going to work in places where their skills are unutilized and their education and experience hold no value. Research shows that it takes 12 to 15 years for immigrants to attain the same professional level that they held in their home countries—unfortun-

ately, a little too long or perhaps too late for some people. In the course of our work, we come across thousands of people who have fallen through the cracks.

My name is Shabnum Budhwani and our organization, Skills for Change, is a not-for-profit organization which helps new immigrants and refugees by providing learning and training opportunities so that they can participate effectively in the Canadian workforce and in the wider community. Last year, our agency served over 7,000 people. Approximately 70% to 75% of our clients find employment in their field or in related fields.

Our clients are new immigrants or refugees who come to Canada with their hearts full of hopes and dreams, but unfortunately for many of them, it is a long struggle before their dreams can turn into reality. New to the country, they face tremendous odds and barriers, and most of the professionals are not even completely aware of the lengthy and tedious procedure of licensing and certification they may have to go through before they can work in their respective fields. When internationally trained individuals immigrate to Canada, they do expect some difficulties and are open to undergoing professional or language upgrading, but most of them are taken aback completely and shocked by the multitude of barriers that they face in re-establishing themselves.

There is never a dull moment at Skills for Change. Having been a front-line worker for the last five years, I get to see and hear first-hand the compelling stories of our clients. What keeps me going is these stories: when people come to me and say they can afford to eat only one meal a day, that they don't want to depend on welfare and want to work and live with pride; or when I hear stories like that of a young mother who had to flee her home country, leaving behind two young kids in an orphanage; or when I think of the neurosurgeon who worked as a dishwasher in order to feed his family—hundreds of stories, each one different, each one leaving its mark behind.

These are our clients, and at Skills for Change we provide them with the resources that can help them to overcome some of these barriers. We provide language upgrading courses to help our clients enhance their communication skills, sector-specific terminology. We also provide skills upgrading courses in computers, book-keeping and accounting, and also employment preparation workshops, bridging and mentoring programs. A lot of our clients are internationally trained individuals who have years of experience in their home country.

I want to share with you the story of Manjeet. Manjeet immigrated to Canada over two years ago with 10 years of experience teaching science in secondary schools. Manjeet says there's only one thing he is trained to do and loves to do, and that is to teach. When he came to Canada his dream was of being able to open a classroom door one day and to say "Good morning, children." Unfortunately, he had to almost give up his dream. Like everyone else, he immigrated with hopes to be able to contribute his skills and knowledge to Canada, but soon realized that licensing and certification was going to be

time-consuming and not easy. He took up a factory job working from 2 p.m. to 2 a.m. in order to feed his family of four. Many times he wanted to give up and go back, but it was his wife who stood by him, who believed in him and urged him on. After all, he had been an excellent teacher, whose contribution had been publicly recognized in his home country. One of his students had topped the province in his secondary exams, giving all the credit for his success to his wonderful teacher, who had always gone over and beyond the call of duty to support and motivate his students. "But of course here in Canada, I am nothing." This is the kind of hopelessness and despair that spells the end of the road for many immigrants who cannot manage to keep pace with what seems to be a dead end.

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When Manjeet saw no hope of progress in his physically taxing factory job, he obtained a heavy-vehicle driving licence so that he could take up truck driving in order to feed his family. It was then that somebody pointed him to Skills for Change. Here he saw a ray of hope in his bleak and hopeless situation. He joined the advanced language proficiency courses offered at Skills for Change specifically designed for internationally educated teachers, learned to use idioms, regained his hope and confidence, passed the language requirements of the regulatory body and gained his interim certificate of qualification.

Five days later he joined the Teach in Ontario program at Skills for Change, a bridging program for internationally educated teachers that assists them in successfully integrating into the Ontario public school system. The program provides orientation, precise and clear information, one-on-one counselling, classroom management techniques, observerships, mentoring, document intervention, interview practice and opportunities for supply teaching. Within weeks of graduating, Manjeet got an interview for supply teaching. Thanks to the orientation to Ontario classrooms that he had received in the program, he confidently answered all the interview questions and came through with flying colours. As Manjeet said, "The day I heard that I had been put on the supply list was a celebration in my house." Now there is no looking back for Manjeet and his wife, who is a teacher too.

These are the kinds of life-changing events that can happen in a person's life when they are able to integrate successfully into the labour market—changes that can have a deep bearing not only on their lives but also on the lives of their families. It can mean the difference between acute poverty, hopelessness and despair and a comfortable life filled with pride, dignity, self-respect and the desire and ability to contribute and give back to society.

This is an example of a partnership between the government, community organizations, a regulatory body and the federation that has proved to be successful, even resulting in systemic changes in the interpretation of regulations that have hastened the certification process for over 200 teachers. This project has, to date, certified

over 850 internationally educated teachers. This example shows how significant that changes in the process of licensing can be to the lives of internationally trained individuals.

We are very excited about Bill 124. This kind of framework provides for fair registration practices in all the regulated professions across the board, providing permanent, long-lasting and long-term solutions. We will no longer have to depend on voluntary initiatives within individual professions.

The Chair: You have about a minute left.

Ms. Budhwani: Bill 124 will create a level playing field and transparent accountability to the public. This is so imperative, especially when we continue to welcome thousands of doctors, engineers, accountants, agrologists and nurses from around the world.

Bill 124 is not going to compromise occupational regulatory bodies or the public. The bill is not intended to lower the standards or jeopardize the degree of protection offered to the public.

The introduction of Bill 124 is also cost-effective. Currently, millions of dollars are spent by the government on support mechanisms to assist the internationally trained to integrate into the labour market. With Bill 124, we anticipate that some of the cost will be reduced as, with more accountability and a transparent process, the process of licensing should be smoother. More responsibility will thus rest on the regulatory bodies to ensure smooth integration.

When I reflect on all this, the example of a traffic light comes to mind. Everybody knows that you need to stop at a red light, yet why do we have a law to enforce that? Because if there is a law, then we have a right to question and to get an answer; we have a right to enforce and to track, to make sure that there is accountability and that there is proper adherence. Without legislation, nobody would have the right to ask why and be obliged to get an answer. It's about time we all asked why.

The Chair: Thank you very much. You've used up all your time, so there's no time for questions. We appreciate your presentation.

NEWCOMER WOMEN'S SERVICES TORONTO

The Chair: Next we have Newcomer Women's Services Toronto. Welcome. Please join us. You have a 10-minute time frame for your presentation. Please begin by introducing yourself for the record. If you have time at the end, we'll be able to ask you questions. I'll let you know when you have a minute left. Welcome, and thanks for coming.

Ms. Marguerite Pyron: Good morning. My name is Marguerite Pyron. I work as the CEO of Newcomer Women's Services Toronto. NEW has served the community for 23 years now. Our mandate and mission is to promote the social, economic and cultural integration of newcomer women and their families. NEW is one of only

a few agencies that provide services exclusively by women for women.

At the outset, I thank the standing committee for the opportunity to present on the bill, and I also thank Minister Colle and his staff for their work, as well as the committee for its deliberations.

I hope to bring to your attention what might be a unique perspective to the committee's view of this bill. When our agency was established in 1983 as New Experiences for Latin American Women, a considerable number of the clients we served were victims of domestic violence. Many of the women who came to us for help and support had fled to Canada to escape violence in their home countries, only to come face to face with it in their own homes at the hands of family members whose expectations of a better life in Canada had been dashed against tremendous barriers to their successful integration.

In 1996, when our organization opened its doors to newcomer women from everywhere in the world, we found that an increasing number of our clients were highly educated in their home countries but experiencing multiple barriers when attempting to obtain employment in their chosen professions here. Indeed, in recent years, nearly 90% of women participating in our programs were university graduates in their home countries. However, despite being the best and the brightest, as required by our immigration policy, they have all too often found it next to impossible to continue to work in their field.

I would now like to speak to the client characteristics briefly. Those of us who work in this sector are often strongly influenced by the stories of the newcomers we serve, and the nature of our work is sometimes altered as these stories change. We know that the women who come to this country bring with them a great deal of resiliency and creativity. Often they are the only ones around whom the whole family life and the success of the family's integration oscillates.

Time and again we hear stories from our clients of the disappointments and frustrations they and their families have faced because of the considerable disconnect between their expectations upon leaving their country of origin and the realities upon their arrival in Canada. They too often learn that post-secondary education and experience gained in their home country counts for little or nothing here, and unless they are able to spend a great deal of time and money, there is little possibility of their being able to continue in their chosen profession.

Failure to successfully integrate has a huge price attached to it, and the costs are allocated to most areas of our infrastructure, including health, housing, justice and education. Greaves et. al. in 1995 estimated that the partial cost of violence against women amounted to a staggering \$4.2 billion annually.

NEW has made it a priority in its overall strategy to provide employment opportunities for newcomer women facing multiple labour market barriers in Canada. However, our clients continue to report that they face a long and often arduous road to attain the necessary credentials

to allow them to resume the careers they abandoned to seek a better life in Canada. Many of them report juggling their family responsibilities and survival employment with evening and weekend study, and some report that the experience has eroded their dignity, self-esteem and personal confidence and even resulted in depression, physical illness and violence in the family.

According to the Family Violence Initiative December 2002 report: "Diversity has given Canada many advantages, yet it has also challenged institutions to respond to a complex range of needs associated with integrating diverse populations into Canadian society. Issues relating to family violence in newcomer families include additional stressors, fewer social resources, financial pressures, intergenerational conflict, trauma caused by separation, racism, language barriers, isolation, threats of deportation and threats of separation from children. Newcomer women abused by their partners may be less likely to report abuse because they may be unaware of where to seek help or unsure that help would be forthcoming."

Family violence exacts an enormous toll on victims, perpetrators, their families and communities. Victims of family violence may experience pain and suffering that affects every aspect of their lives, including serious consequences for their physical and mental health. Individuals and families whose lives are harmed by family violence and fear may be less likely to participate in and contribute to community life, especially the children. Children who are abused, including those who are exposed to spousal violence, may experience physical injuries as well as other physical, psychological and behavioural problems that extend into adolescence and adulthood.

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I would like to speak now to the depreciation of human capital. The Canadian Task Force on Mental Health Issues singled out the barriers to trades and professions as major factors leading to an "erosion of skills, loss of technical idiom and diminishing confidence in one's capabilities." In economic terms, this means a systematic de-skilling and consequent depreciation of the human capital that Canada has gained through immigration.

There are three areas of concern to which I would like to speak now.

The list of regulated professions: Bill 124 in its current form does not include the list of regulated professions which will be covered by the legislation. We propose that the list of regulated professions be included with the bill to provide clarity, universal understanding and public approval.

OCASI submits that a decision to make the application of the act dependent upon listing of a profession in accompanying regulations will seriously imperil the purpose of the act. The most fundamental question in determining whether professions and individuals are governed by practices that are transparent, objective, impartial and fair will be the question of whether the act will apply.

Unless the act applies to a profession, nothing with respect to that profession will change and qualified professionals will be left without recourse. The applicability of the act is too important to be left to be dealt with by regulations. Changes to an act, unlike changes to regulations, must be put before the Legislature for a vote. Changes to regulations occur without a vote in the Legislature and are subject to far less oversight. The current Liberal government should not presume that subsequent governments and bureaucracies will share its commitments and priorities and should be concerned about allowing professions to be excluded from the act without legislative debate. The applicability of the act must remain in the public eye.

Regulations appropriately provide for bureaucratic expediency, but the question of whether the act should apply to a profession is not a detail related to the implementation of the legislation. It is rather a central question and one which should remain with the Legislature. OCASI therefore recommends that the professions that are currently proposed to be included in accompanying regulations be listed in the definition of "regulated profession" in section 2 of the bill. Ideally, all regulated professions should be included in the definition of regulated professions, except those that are dealt with by the Regulated Health Professions Act, 1991. As a member of OCASI, we concur with that recommendation.

Two, we propose that the training required by individuals assessing the credentials is a critical piece of business and that it needs to be stringent and thoughtful. Assessment can be a challenge at the best of times, and the consequences of wrong decisions have a too-serious negative impact on the applicant.

Therefore, we are requesting that the regulators be given assistance in the development of training plans and materials, that the content of these plans and materials be carefully reviewed before application, and that the individuals engaged in this training be required to achieve a specified standard before they can apply their responsibilities as the assessors.

The Chair: You have about a minute left.

Ms. Pyron: Thank you. The existence of an independent tribunal as an adjudicative agency to oversee the decisions rendered by the self-regulated professions is paramount to the credibility of the process and value of the assessment. We submit that the creation of such an independent tribunal be carefully considered and implemented.

In conclusion, we submit that employment is one of the basic human rights in Canada. It is an element of one's life that, for many newcomers, is a validation of their many years spent in education and pre-immigration work experience. We submit that the promise of expedient access to employment given to newcomers prior to immigration must be fulfilled because it is the ethical consequence of that promise, because it is good business and because Canada's economic future demands it.

I thank you all for allowing me this submission. I thank all newcomers and service providers who are

making this bill a reality. At Newcomer Women's Services, we are looking forward to a new and positive chapter in newcomers' settlement in our province and we are delighted that the government policy is moving in a direction of greater fairness and equity for newcomers.

The Chair: Thank you very much. We appreciate your presentation. Unfortunately, there isn't any time for questions, but thank you for coming in this morning.

COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS OF ONTARIO

The Chair: Next we have the College of Medical Radiation Technologists of Ontario. Please join us. You have 10 minutes for your presentation. You will have an opportunity to have questions asked if you leave some time at the end. I'll let you know when a minute is left in your presentation. Please begin by introducing yourselves for the record. Welcome.

Ms. Sharon Saberton: Thank you and good morning. My name is Sharon Saberton. I'm the registrar of the College of Medical Radiation Technologists of Ontario. With me to my right is Linda Gough, the deputy registrar of the college, and to my left is Debbie Tarshis, our legal counsel from WeirFoulds.

The College of Medical Radiation Technologists of Ontario is the regulatory body for medical radiation technologists in Ontario. Our mandate is to serve and protect the public interest through self-regulation of the profession of medical radiation technology. It is the role of the college to protect the public of Ontario by ensuring that applicants meet the standards of qualification in order to practise the profession of medical radiation technology. It is critical to the health and safety of the patients of Ontario that all medical radiation technologists meet the standards of qualification in order to be issued a certificate of registration. Otherwise, patients of Ontario will be at risk of harm.

The college understands that the purpose of the Fair Access to Regulated Professions Act, 2006, is to help ensure that regulated professions and individuals applying for registration by regulated professions are governed by registration practices that are transparent, objective, impartial and fair. The college also understands that it is intended that the act will accomplish the goal of improving access for internationally educated applicants to the regulated professions.

While the college supports the goal of the act, the college does not believe that the act will accomplish the goal. The college firmly believes that the act will have unintended consequences that will have a negative impact on access to the profession of medical radiation technology and access to quality care for patients in Ontario.

I'm now going to move over to page 6. I want to just highlight our current registration practices. First of all, I think it is important to note that an internationally educated applicant can begin the application process to the college from his or her home country.

The process for registration as a medical radiation technologist in Ontario is set out in the Health Professions Procedural Code, a schedule to the Regulated Health Professions Act. If the registrar does not believe that an applicant fulfills the registration requirements, the applicant's application is referred to the registration committee. The applicant is given notice of the reasons for referral to the committee and is entitled to make a written submission to the committee regarding his or her application. A panel of the registration committee reviews the application, considers it. The panel then issues a decision that must be given in written reasons for its decision. An applicant who is not satisfied with the decision of the panel has a statutory right to a review by the Health Professions Appeal and Review Board, HPARB, an adjudicative agency which is independent of the college. An applicant may request a document-based review or a hearing by HPARB.

Next, I'm going to go over to page 8 and talk about specific comments that the college would like to make with respect to this act. The act will create barriers to registering applicants. We believe that the college provides information to applicants; provides written decisions and reasons within a reasonable amount of time; makes publicly available information on documentation; makes objective, transparent, fair and impartial assessment of qualifications in accordance with its registration regulation; and provides access to applicants to the records held by the college with respect to their applications.

We believe that the college has registration practices that are effective in ensuring that only competent medical radiation technologists are registered, while being transparent, objective, fair and impartial. Between January 1, 2000, and December 31, 2005, inclusive, 575 applications were reviewed by the registration committee. Of these applications, 497—86%—were approved, and 36—6% of the total applications reviewed—were the subject of an appeal. Of those 36 appeals, five were successful; that is, the Health Professions Appeal and Review Board referred the applications back to the registration committee for reconsideration.

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What does the act propose to do to further the objectives of fair registration practices? It is proposed that the college devote significant resources to making the following new reports:

(a) reviews of its registration practices at such times as the Fairness Commissioner may specify to ensure that its registration practices are transparent, objective, impartial and fair;

(b) a fair registration practices report annually or at such other times as the Fairness Commissioner may specify;

(c) reports or information relating to the college's compliance with specified sections of the act, in addition to the reports referred to above.

In addition to these reviews and reports, every three years, or at such other times as the Fairness Commissioner may specify, an audit of the college's registration

practices is required to be conducted at the expense of the college. The act does not specify audit standards, the scope of audits or the frequency with which fair registration practices reports and audit reports will be filed. Although these are functions of the Fairness Commissioner, no details are provided in the act.

Not only will the new reporting requirements and costly audit processes have an impact on the resources and funds that are currently applied to the registration processes of the college, the college believes that these requirements will also have an impact on the assessment process itself. The duty of the college is to protect public safety by ensuring that only competent professionals are registered to practise medical radiation technology in Ontario. In the area of medical radiation technology, there's a wide range of educational programs and training internationally. The current registration process permits the college to individually assess the education and competence of individual applicants. The result of imposing multiple layers of reporting requirements will be to convert what is a flexible and responsive assessment process into a standardized and less individualized process. This change will be necessary in order to accommodate the completion of reviews, reports and audits. The college believes that the processes of standardized reporting requirements and audits will in fact disadvantage applicants by reducing the flexibility of current registration processes.

We do have some recommendations outlined on page 11, but I'm going to move now to page 12 and talk about our second concern, that the act will create conflict and confusion.

Currently, the college is accountable to the Minister of Health and Long-Term Care. The college is required to report annually to the minister on all of its activities, including registration. In addition, the minister has the authority to review the council's activities and require the council to provide reports and information, to require a council to make, amend or revoke a regulation under a health profession act, and to require a council to do anything that, in the opinion of the minister, is necessary or advisable to carry out the intent of the RHPA or a health profession act.

The college is also accountable through the regulation-making process. The requirements for registration as a medical radiation technologist are set out in the registration regulation made under the Medical Radiation Technology Act. The regulations of the college are subject to review by the Minister of Health and Long-Term Care and approval of cabinet. In addition, with respect to registration matters, the college and the decisions of its registration committee are subject to review by HPARB, which is an independent adjudicative agency.

In relation to registration matters, it is now proposed that the college be accountable to three oversight bodies: the Fairness Commissioner, the Minister of Health and Long-Term Care and HPARB. This legislative proposal places the college in an untenable position of receiving inconsistent or conflicting advice, direction—

The Chair: You have about a minute left.

Ms. Saberton: —or requirements from all three of the above.

I'm going to now move to the recommendation following that concern, which is that the proposal to create a Fairness Commissioner be reconsidered so that confusion and conflict not be created as a result of the college having three oversight bodies.

Finally, the college believes that the oversight of the health regulatory colleges is in fact effective. The college's registration decisions, like those of the colleges governed by RHPA, are subject to an independent appeal of the Health Professions Appeal and Review Board. HPARB is an administrative tribunal independent of the college.

In conclusion, the college believes that while there is always room for improvement, the current registration practices of the college and current oversight by the college through the RHPA, the code and the regulations is effective. The college therefore recommends that RHPA colleges be excluded from the scope of this act.

I thank you for your time.

The Chair: Thank you very much. Unfortunately, there's not time for questions, but the committee appreciates your comments today.

MAYTREE FOUNDATION
MANULIFE FINANCIAL/
TORONTO REGION IMMIGRANT
EMPLOYMENT COUNCIL

The Chair: Our final presentation for the morning is from the Maytree Foundation and the Toronto Region Immigrant Employment Council. Can individuals from that organization join us at the end of the table? Thank you for coming in this morning. You have 10 minutes for your presentation. If you leave some time at the end of that, we'll be able to ask you some questions. I'll let you know when there's a minute to go. Please begin your presentation by introducing yourselves. Welcome.

Ms. Elizabeth McIsaac: Good morning, and thank you, Madam Chair and honourable members. My name is Elizabeth McIsaac, and I'm the director of policy with the Maytree Foundation, which is a private charitable foundation here in the city of Toronto.

We have a special interest in the issue of employment for immigrants. As a private foundation, Maytree is committed to finding practical solutions to our objectives. One of these practical solutions has been the establishment and development of the Toronto Region Immigrant Employment Council, TRIEC, which is a project of the foundation. We have done this with the leadership of Manulife Financial. And today I am joined by Murray Coolican, vice-president of corporate affairs for Manulife Financial, who will speak on behalf of Manulife and TRIEC.

I'd like to begin first with comments from the point of view of the foundation and its work on this issue, and then I'll turn it over to Murray.

At Maytree, we see efforts to move the marker on complex public policy issues, like access to professions and trades, like licensing internationally trained professionals, as long-term commitments. In fact, we refer to it as "relentless incrementalism," an awkward turn of phrase.

Attention to this issue has been building and articulated recommendations have in fact been on the table since the access report more than 25 years ago. In fact, this has not been a partisan issue. Indeed, each political party in Ontario has acknowledged the issue as being of vital importance to Ontario, each political party has wrestled with it when they were in power, and each political party has made contributions toward solving the problem. But 25 years later, we still have a ways to go. So we relentlessly push forward, and I believe that Bill 124 is the next increment.

Our work on this particular aspect of the issue at the foundation began six years ago when we began to convene occupational regulatory bodies to discuss issues of mutual interest around assessment and recognition of international qualifications. The objective of these meetings was to begin a dialogue among the regulatory bodies around challenges, successes and possible strategies in access to professions and trades and in licensure. In partnership with the regulatory bodies, we developed a learning agenda that included a series of topics, from competency-based assessment practices to creating policy, the impact of rising standards or "credential creep," as it's sometimes called, fair language assessment and so forth.

One of the outcomes of this process was the decision on the part of a group of Ontario regulators to form Ontario Regulators for Access to develop and design proactive approaches for working with internationally trained professionals seeking access to the professions. We saw this as a positive step forward in terms of regulatory bodies wanting to do a better job of recognizing and licensing the internationally trained. However, there was no public accountability for this process, no requirement for participation, no clear benchmarks to be achieved, and no transparency.

We see Bill 124, therefore, as providing a framework for greater accountability and transparency and as an important and necessary step forward. You will hear concerns about how the bill is going to be implemented, about whether it goes too or not far enough in terms of accountability, transparency and authority, and that should make for good public debate. But don't let debate delay action.

As this bill moves forward toward legislation, regulations and implementation—and it should—there should be two things that guide this process. First, there must be a commitment to open an inclusive dialogue on shaping the institutions that will be created as a result—a fairness commission, access centres and so forth. Second, there must be a vision for Ontario more broadly, that while every licensed professional in the province should and must meet the established standards, so too should we

ensure that every international professional who does meet those standards gets licensed.

I'll turn it over to Murray.

1210

Mr. Murray Coolican: Good afternoon. As Elizabeth mentioned, I'm from Manulife, but I'm also speaking today on behalf of the Toronto Region Immigrant Employment Council, or TRIEC. Manulife became involved in and took on a leadership role in TRIEC because we see immigrant employment as an issue that is having and will continue to have a profound impact on our company, our city and our province, and it's an issue on which all stakeholders—and I include the private sector in that—need to do a better job.

We see in Ontario and Canada a critical need to recognize people's skills and talent effectively. From a business perspective, it is your people who make you competitive, and in Canada in 2006 this must include skilled immigrants.

As Elizabeth mentioned, this issue can become complicated with the number of players at the table, but the reality is that we need to have clear rules for who does what and how they do it. Employers are partners in working towards this goal: more skilled workers using their education and training to benefit the economy and the broader community. When this does not happen, we all lose.

I see Bill 124 as adding the rules or guidelines that regulatory bodies can refer to and work towards and that others can rely on. This is an important step forward in making immigrant employment work better in Ontario.

So what difference will Bill 124 make? I think it will make a significant difference. First of all, the proposed access centre will be an identifiable source of reliable information on licensure and registration for internationally trained professionals. This centre can play an important role in helping to solve the information problem and supporting immigrant professionals in charting their own path and understanding their options. At TRIEC, we know from our experiences with immigrant professionals and the institutions they interact with that there are very complex systems that need to be simplified into a clear path that can be navigated in a reasonable time.

The proposed act will require regulatory bodies to adopt fair and transparent registration processes. I think that this will lead to a more responsive system that is better able to accommodate the barriers that internationally trained applicants face. From the point of view of business, this is essential. If Canada continues to see immigration as an integral part of its labour force development strategy, then there must be co-operation with all partners in the process and we need to know what we can expect of those partners.

Under the proposed legislation, a Fairness Commissioner will be appointed to assess and oversee auditing and compliance with the legislation, the idea being that oversight will help ensure that all applicants are treated fairly. This is important for, without oversight, implementation and accountability cannot be assured.

In conclusion, on behalf of Manulife Financial and TRIEC, I encourage you to support this bill and to share in the success of moving this issue forward yet another important step along the way.

The Chair: Thank you very much. There's a little bit of time for questions, starting with Mr. Ramal.

Mr. Ramal: Thank you very much to TRIEC and Maytree Foundation for playing a pivotal role in our community to help many newcomers to integrate. I know you've been a great advocate of many immigrants who have special skills and professions who want to be full participants in our community.

I agree with you. I don't have any questions, but I agree with you. It's very important for all of us to support passage of the bill. As you heard—many people spoke before. Some people said that it goes too far; some people said that it doesn't go far enough. We're not going to go through that debate. But I want to say that the most important thing is that we encourage all members of the committee to help pass the bill and then, in the future, we'll hopefully eliminate all the little things found by the Fairness Commissioner as obstacles. I guess we're willing as a government, as a ministry, to work with everyone, with all the professional regulatory bodies in order to eliminate all the obstacles.

The Chair: Mr. Klees.

Mr. Klees: Thank you very much for your presentation and for the work that you do. I don't know if you were here, but I asked a question of an earlier presenter, if there was one thing that government could do, beyond simply regulatory issues, to help newcomers, and the response was to do the work that you're doing. They mentioned your organization and the good work that you're doing in the community.

The parliamentary assistant said that it doesn't matter. Some people think it's gone too far, some not far enough and it doesn't really matter, that they're going to do whatever they're going to do. The purpose of this process, this standing committee, is to make legislation as good as we can make it. So I'm hopeful that this government will at least listen to people who have something positive to say about how it can be improved.

I would ask you this: Looking at this bill, if there was one amendment, one change that you would like to see to it, in a positive way—and that is not to say that we don't like the intent of this bill—what would that one change to this bill be that would help you to better do the work that you do?

Ms. McIsaac: I actually think that the way the bill has been framed—and in a way it's somewhat framework legislation, so much of it will be left to the regulations. What needs to happen is that we have an attentive and inclusive process as those get developed and implemented. I think the framework is more or less there. I think the recommendation that OCASI has made around the specific inclusion of who is covered, for the sake of clarity, is a useful recommendation. What is there is a good place to begin.

The point of my comments—I don't think you just heard us say, "Yes, it's good debate, and we'll leave it there," and just move along, not paying attention. We have read it, we've taken a careful look at it, and we feel that it's a good starting place. I think there's going to be a significant amount of adjustment for the regulatory bodies, so you don't want to overwhelm them at the outset. You want to encourage them to see how this can benefit them and that it's not a barrier, but rather something that will enhance their capacity and excellence in registration. I think what we have right now is actually a very good starting place.

The Chair: Thanks. We've run out of time, and the committee has actually gone a bit over their schedule. I want to thank you very much for your presentation. Thank you for coming in today. We appreciate your comments.

Committee members, we are adjourning this meeting now, but we do have a meeting on December 6 at 10 o'clock in Hamilton. Thank you very much. It was a good meeting. The meeting is adjourned.

The committee adjourned at 1217.

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