



# **Statement to the Standing Committee on Social Policy**

## **Re: *Bill 88, Working for Workers Act, 2022***

The Ontario College of Teachers  
March 29, 2022

## **Chantal Bélisle, OCT, Interim Registrar & CEO**

Bonjour and good afternoon. My name is Chantal Bélisle and I am the Interim Registrar & CEO of the Ontario College of Teachers. Joining me today is Membership Analyst Nancy Tran.

We are here today to share concerns regarding proposed amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act (FARPACTA)*, outlined in schedule three of *Bill 88*, which would establish tight and unyielding timelines in which regulators must respond to domestic labour mobility applicants for certification in Ontario.

The Ontario College of Teachers is Canada's largest professional regulator. With more than 230,000 members, we receive a substantial number of domestic and international applications.

While the College supports expediency in licensing Canadian certified professionals moving to Ontario for work, we must also ensure that the process:

- remains fair and equitable for all applicants,
- does not negatively impact employment opportunities for labour mobility applicants from other Canadian jurisdictions,
- provides flexibility for the College to handle emergency situations,
- is consistent and implemented smoothly, and, most importantly,
- continues to protect one of Ontario's most vulnerable populations – the more than two million students attending elementary or secondary school in the province.

## **Nancy Tran, Membership Analyst**

### **Prescribing strict timelines for labour mobility applicants moves other applicants to the back of the line**

The College processes applications in the order they are received. This ensures fair and equitable timelines for all applicants, regardless of where they come from.

The proposed amendments are meant to ensure that applications from Canadian certified teachers would be acknowledged within 10 days, evaluated within 30 days and, where necessary, receive an appeal decision within 10 days.

If enacted, the new timeframes would create a two-tiered system, with Canadian certified teachers ahead of all other applicants, including internationally educated teachers and graduates from teacher education programs in Ontario.

This will likely be met with negative reactions from the international and Ontario applicant groups and the public.

Further, the changes do not support the Ontario Fairness Commissioner's core principles of fairness, impartiality, transparency and objectivity.

Recommendation: Provide the College with the flexibility to make best efforts to meet the timelines outlined above, as opposed to mandating them. This will ensure we can assess applications individually and accommodate unforeseen circumstances (e.g., a surge of labour mobility applications would stall all other applications in the system, as Canadian licensed teachers receive priority treatment).

**Strict timelines exacerbate teacher shortages in areas already facing critical deficiencies**

The College has recently implemented the Temporary Certificate program to lessen the existing teacher shortage.

Additionally, in the last several years, the College has been working to alleviate teacher shortages in critical areas such as French, technological education and Indigenous languages.

The proposed timelines would have the unintended effect of exacerbating the teacher shortage and shortages in these key subject areas, as College resources will be diverted to comply with strict timelines for Canadian certified applicants instead of ensuring all applicants become certified, including French, technological education and Indigenous language teachers.

Recommendation: Provide the College with the flexibility to respond to labour market needs.

**Incomplete information on the public register puts the public at risk and could make it harder for labour mobility applicants to find teaching jobs**

In Ontario, the teaching qualifications of every Ontario Certified Teacher (OCT) are listed on both their certification document and the College's public register. This includes the specific student grade range and subject(s) they are qualified to teach.

Teachers are trained for specific subjects such as French, high school math and machinery. The qualifications act as proof these educators are competent and qualified to safely and effectively teach these subjects.

Ontario's school boards are required to use this information when hiring teachers and assigning them to roles that fit both their training and qualifications – which helps ensure Ontario's students receive the best education possible.

No other Canadian jurisdiction lists the level of detail on certification documents or public registers as we do. Over the years, our public register has evolved to provide greater transparency and public accountability about teachers and their individual qualifications.

This process is completely dependent on the originating jurisdiction, and timelines can vary greatly, depending on how long ago the program was completed.

Domestic labour mobility applicants would be negatively impacted if they are certified in Ontario without first confirming their teaching qualifications, as employers may not be able to assign them to a suitable teaching position or any position at all.

The validation process ensures we can continue to maintain an accurate public register, which is essential to both helping school boards find suitable teachers and ensuring that teachers are assigned to classes they are qualified to teach.

Recommendation: Provide the College with the flexibility to conduct due diligence into applicants' teaching credentials and qualifications.

### **Chantal Bélisle, OCT, Interim Registrar & CEO**

#### **Timelines do not provide flexibility in emergency situations**

The proposed legislative amendments do not provide for compassion or understanding when there are emergency situations or extenuating circumstances. For example, some of our applicants could be facing personal difficulties such as health issues.

Right now, the College's practice is to work through these situations on a case-by-case basis, which ensures flexibility and understanding for applicants who are struggling because of circumstances beyond their control.

Recommendation: More flexibility is needed to account for compassion and understanding in emergency situations or extenuating circumstances.

#### **Discrepancy between calendar and business days**

The provisions of FARPACTA currently refer to "calendar days" whereas the proposed amendments refer to "business days".

Recommendation: Standardize the language and use the term "calendar days" in both FARPACTA and the proposed amendments. For reporting purposes, the College's system is currently set up to track calendar days.

#### **No clarity regarding the exemption process for the College**

As currently written, it is not clear if the College can apply for an exemption as an entity or if exemptions must be sought on a case-by-case basis if timelines cannot be met.

This entails submitting a request to the Office of the Fairness Commissioner, who then makes a recommendation to the Ministry of Labour, Training and Skills Development. The timeline for this process is undefined and could potentially be lengthy.

Recommendation: Enable the College to apply for the exemption as an entity, ensuring the process is only done once, as opposed to repeating the process for every single application.

Similar to the proposed regulations being developed for international applicants, we recommend adding the following target: timelines should apply to 85 per cent of labour mobility applicants.

### **One-sized fits all approach to timing will not work for all regulators**

The proposed timelines do not account for the unique circumstances of each regulator.

For example, the Ontario College of Teachers conduct all aspects of evaluation from A to Z based on a thorough review of each applicant's qualifications, while other regulators may rely on third-party credential assessment services or their national body to conduct many aspects of the evaluation.

Applicants to other regulated professions only apply for licensure after these third-party assessments are completed, which substantially reduces the amount of work and time required for the regulator to conduct its assessment.

We evaluate all aspects of applications in-house, which requires additional time and expertise. The proposed amendments would force the College to adhere to timelines that do not take into account our unique and comprehensive process.

Recommendation: To ensure all regulators can implement changes to their certification process in a smooth and seamless manner, transition timelines should be tailored to the unique needs of each regulator.

Recommendation: The Ontario College of Teachers requests a one-year transition period from the date the amendments are proclaimed. This would help us to appropriately implement any changes, such as hiring additional staff with expertise and restructuring our priority queues.

### **Stringent timelines may interfere with proper vetting, putting a vulnerable student population at risk**

The proposed 30-day limit to render a certification decision will only run smoothly if applications require little to no follow-up or additional information.

However, in many instances, the College needs additional time to obtain vital information not provided by the applicant, and unfortunately, certification decisions within 30 days become an unrealistic target.

In cases where an applicant's professional suitability for certification comes into question, the College requires additional time to make the appropriate inquiries.

For example, if a labour mobility applicant has a criminal history or has faced disciplinary action in the past, we will have to verify specific details with different stakeholders (e.g., the originating regulator or teacher authority, the police, courts, employers and the applicant themselves).

This is one of the ways the College protects the public interest as it ensures that only those who are of good character can teach Ontario's students.

Unfortunately, the College has no control over applicant response times or third-party processing timelines.

Recommendation: It is important that the College maintains its suitability vetting process, even if it means exceeding the 30-day timeline in some cases, as it relates directly to our mandate to protect the public, which includes a vulnerable elementary/secondary student population.

### **In conclusion**

The College understands and supports the need to expedite the certification process for Canadian certified professionals moving to Ontario.

But we also stress the importance of ensuring the changes to certification for all professionals are fair and do not have negative and unintended consequences for applicants, employers, schools and students.

We look forward to working closely with the government to discuss alternatives to the proposed amendments, as included in our written submission. This will help ensure that what does move forward is in the best interest of Ontario's public education system and allows us to fulfill our mandate of protecting the public interest by supporting the wellbeing of Ontario's students.

Merci and thank you for the opportunity to share our thoughts. We would be pleased to answer any questions.

Chantal Bélisle, OCT  
Interim Registrar & CEO

Nancy Tran,  
Membership Analyst