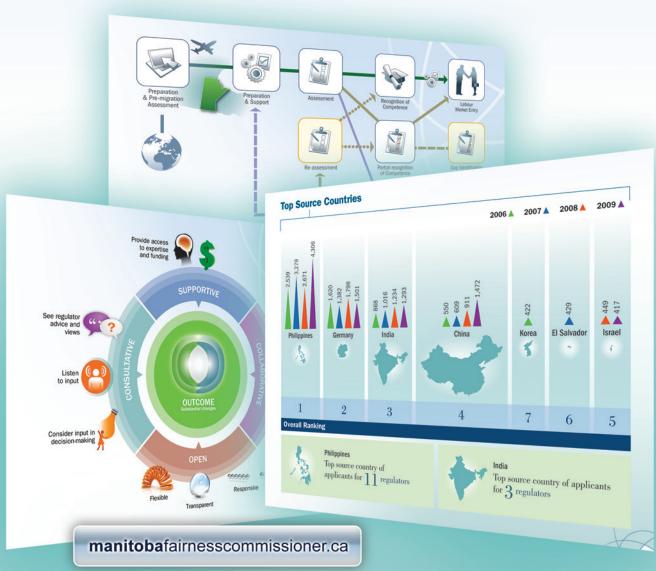
OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

The Fair Registration Practices in Regulated Professions Act

A Report on its Implementation and Effectiveness

December 2008 - December 2010







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Dear Minister

It is my duty and privilege to submit the Manitoba Fairness Commissioner's first Report covering the period from December 2008 to December 2010.

In accordance with Section 13(1) of *The Fair Registration Practices in Regulated Professions Act*, C.C.S.M. c.F12, "Every two years the fairness commissioner must prepare and submit to the minister a report on the implementation and effectiveness of this Act and the regulations in helping to ensure that the registration practices of regulated professions are transparent, objective, impartial and fair."

Respectfully submitted

Ximena Munoz

Manitoba Fairness Commissioner





Bureau du commissaire à l'équité du Manitoba

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Madame la Ministre,

J'ai le devoir et le privilège de vous soumettre le premier rapport de la commissaire à l'équité du Manitoba pour la période allant de décembre 2008 à décembre 2010.

Conformément au paragraphe 13(1) de la *Loi sur les pratiques d'inscription équitables dans les professions réglementées*, « En vue de faire en sorte que les pratiques d'inscription des professions réglementées soient transparentes, objectives, impartiales et équitables, le commissaire à l'équité établit tous les deux ans un rapport sur la mise en œuvre et l'efficacité de la présente loi et des règlements et le remet au ministre ».

Le tout respectueusement soumis.

La commissaire à l'équité du Manitoba,

Ximena Munoz



Glossary

This glossary gives meaning to 8 terms that appear frequently in this report. The glossary will help you make sense of who is who and who does what.



[1] **Internationally Educated**

An individual with international education applying for registration with a Canadian regulator.



Internationally Educated Professional (IEP)

A professional with international education and work experience.

GOOD TO KNOW IEPs become IEAs when they apply to a regulator for registration.



[3]

National Occupational Classification Number (NOC #)

The federal government's standard that classifies and describes the occupations in the Canadian economy.

GOOD TO KNOW NOC organizes over 30,000 job titles into 520 occupational group descriptions. In the immigration process, individuals' occupations are identified according to these codes.

[4]

Occupational Standards

The level of competence, knowledge, skills, and practical experience set by regulators and required for entry into a profession.



[5]

Provincial Nominee Program (PNP)

In an agreement with the federal government, the PNP gives Manitoba greater control over immigration to the province by instituting a process for the province to nominate and accept immigrants.



The PNP is responsible for more than tripling immigration to Manitoba since its inception in 1998.



Registration

The licensing or certification process whereby applicants acquire legally sanctioned professional recognition with rights to practise and/or title within a jurisdiction.

GOOD TO KNOW The term is used broadly by the Fairness Commissioner to refer to the entire process, from application, assessment and testing, through to registration.

[7]

Regulated Profession

An occupation that requires a high degree of expertise, training and qualifications, as well as recognition from a regulating authority to practise or to use an occupational title.



[8]

Regulator

A government sanctioned organization, usually an association, institute or college that is responsible for the governance of a profession. It ensures its members are qualified to provide safe and competent practice to the public. Registration is required for membership.

GOOD TO KNOW Also referred to as a regulatory body.

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Message from the Manitoba Fairness Commissioner

It has been two exciting, ambitious and challenging years since this office was opened by the government of Manitoba. I believe that we have learned and accomplished a great deal and laid the foundation for work yet to come.

We have worked closely with regulators and have learned more about them, their realities and their challenges. We have heard from internationally educated professionals who have shared their insights about what is working well and what needs to be done differently. We were fortunate to have learned from our Ontario colleagues who were the first in Canada to proclaim an act dealing with fair registration practices.

We have confirmed that the issue is complex. That there is no one solution and that it will take collaborative effort and cooperation to make the changes needed. That change will take time.

I am confident that the approach we have taken is the right approach for Manitoba. Ensuring that we all understand well what the challenges are; identifying what needs to be done and who needs to do it; and providing expertise and resources, is what makes the difference.

It is encouraging to witness the eagerness of some regulators to respond—adopting changes in policies and practices in order to improve fairness.

And this is just the beginning.

The reviews of the assessment and recognition practices of all regulatory bodies will be a focal activity for us in the next two years, as well as supporting the implementation of applicant data collection and reporting.

We will continue to actively engage regulators and support the development of clear communication projects, gap training, professional practice seminars, exam preparation opportunities and self-assessment tools. We will facilitate opportunities to share successful methods, techniques and processes among regulators and their counterparts in other jurisdictions.

We will have to find solutions to time-consuming, costly and not demonstrably necessary practices. We also need to find better ways to take work experience into account and assess it fairly. The knowledge, the skills and the experience from years of study and from successful practice that internationally educated professionals bring are needed in Manitoba. We need to maximize the use of those qualifications.

Though there is still much to do, I am encouraged by the working relationship we have developed with regulators and our achievements to date. I have also been very fortunate to work with colleagues who are knowledgable, hard working, committed and passionate about the work we do. The demands on this very small complement of three staff have been significant. The help from outside experts has been key in helping us accomplish as much as we have.

Together, we are upholding Manitoba's long-standing reputation as a leader in Qualification Recognition. And we will continue to progress toward our ideal of fair registration practices that recognize the qualifications of internationally educated professionals.

Ximena Munoz

Message de la commissaire à l'équité du Manitoba

eux années passionnantes, ambitieuses et stimulantes se sont écoulées depuis l'ouverture du Bureau par le gouvernement du Manitoba. Je crois qu'au cours de cette période nous avons appris et accompli beaucoup de choses et établi la base du travail encore à venir.

ette établi

Nous avons travaillé en collaboration avec les organismes de réglementation et avons appris à mieux les connaître, ainsi que leurs réalités et leurs défis. Nous avons écouté les professionnels formés à l'étranger nous faire part de ce qu'ils pensaient de ce qui marche bien et de qui a besoin d'être changé. Nous avons eu la chance de pouvoir consulter nos collègues de l'Ontario qui ont été les premiers au Canada à adopter une loi sur les pratiques d'inscription équitables.

Nous avons confirmé que la question est complexe. Il n'y a pas de solution unique et cela prendra un effort collectif pour entreprendre les modifications nécessaires. Ces modifications prendront du temps.

Je suis confiante que nous avons pris la bonne approche pour le Manitoba. Ce qui fait la différence c'est de veiller à bien comprendre tous les défis, de déterminer ce qui a besoin d'être fait et par qui, et de fournir l'expertise et les ressources nécessaires.

Il est encourageant de voir l'enthousiasme avec lequel certains organismes de réglementation ont réagi en modifiant leurs politiques et leurs pratiques afin d'améliorer l'équité.

Et ce n'est qu'un début.

Au cours des deux prochaines années, nous nous concentrerons particulièrement sur les examens des pratiques d'évaluation et de reconnaissance de tous les organismes de réglementation et nous appuierons la mise en œuvre de la collecte des données sur les demandeurs et l'établissement des rapports.

Nous continuerons de solliciter activement les organismes de réglementation et d'appuyer l'élaboration de projets sur le langage clair, la formation axée sur les lacunes, les séminaires sur les pratiques professionnelles, les possibilités de préparation aux examens et les outils d'auto-évaluation. Nous faciliterons les occasions de partager les méthodes, les techniques et les processus réussis avec les organismes de réglementation et leurs homologues d'autres provinces et territoires.

Nous devrons trouver des solutions pour les pratiques qui prennent du temps, qui coûtent cher et dont la nécessité est difficile à démontrer. Il nous faut également trouver de meilleures façons de tenir compte de l'expérience professionnelle et de l'évaluer équitablement. Nous avons besoin au Manitoba des connaissances, des compétences et de l'expérience que les professionnels formés à l'étranger ont acquises pendant leurs nombreuses années d'études et l'exercice réussi de leur profession. Nous avons besoin d'utiliser au maximum leurs qualifications professionnelles.

Il y a encore beaucoup à faire, mais je suis encouragée par les relations de travail que nous avons établies avec les organismes de réglementation ainsi que par nos réalisations jusqu'à présent. J'ai également eu la chance de travailler avec des collègues qui sont avertis, travailleurs, dévoués et passionnés par notre travail. Les demandes faites à ce très petit personnel de trois membres ont été importantes. L'aide fournie par les experts externes a été essentielle pour nous aider à accomplir tout ce que nous avons fait.

Ensemble, nous confirmons la réputation de longue date du Manitoba comme chef de file de la reconnaissance des qualifications professionnelles. Nous continuerons à chercher à atteindre notre idéal de pratiques d'inscription équitables pour reconnaître les qualifications des professionnels formés à l'étranger.

Ximena Munoz

Executive Summary

The Fair Registration Practices in Regulated Professions Act

In accordance with Section 13(1) of *The Fair Registration Practices in Regulated Professions Act*, C.C.S.M. c.F12, "Every two years the fairness commissioner must prepare and submit to the minister a report on the implementation and effectiveness of this Act..."

The Fair Registration Practices in Regulated Professions Act was proclaimed in 2009. The Act applies to 31 self regulated professions, government regulated professions, and the trades.

The purpose of the Act 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.

Registration Reviews

The Manitoba Fairness Commissioner has a responsibility to review the registration practices of regulated professions and determine compliance with requirements of the Act. In consultation with regulators, we crafted guidelines for the reviews and a Registration Review process.

Three regulators are participating in a pilot of the Registration Review process. Five others are undergoing reviews initiated in 2010. We are working co-operatively with these regulators to document and understand their processes, evaluate them, and agree on an action plan to move things forward.

At A Glance2008 – 2010

We find the workshops and business meetings of significant value.

- College of Occupational Therapists of Manitoba



While the Fairness Commissioner is to report on the registration of internationally educated professionals (IEPs), currently there is no baseline data on how many IEPs are registered by the regulators or how long each of the processes take.

Regulators will begin to record applicant data as of January 1, 2011 using a data collection process developed for this purpose. The applicant data will record the experience of individual internationally educated applicants (IEAs) as they move through the process of assessment and registration. Limited aggregate data will allow a basic comparison between internationally educated and domestic applicants. In addition, regulators will report the number of professionals registered under interprovincial labour mobility.

Outreach

Although the Office of the Manitoba Fairness Commissioner (OMFC) works primarily with regulators, it is also responsible for advising numerous stakeholders including government on matters under the Act. Accordingly, the OMFC made 16 local presentations to approximately 450 people and 8 presentations to national groups about the Act and the work of the OMFC in the past 2 years. We also created a web portal for regulators and other stakeholders:

The OMFC has established monthly Breakfast Business Meetings for regulators and has hosted workshops on: Managing Cultural Differences; Appeals, and Plain Language Writing. Regulators were also presented with information on Manitoba's French Language Policy and the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications.

Support

During this period of establishing relationships with regulators and building a foundation for our future work, our approach to implementing the Act has been collaborative and supportive. Part of this approach is a commitment to help regulators make needed and substantive changes by providing access to expertise and funding.

The OMFC funded 53 projects totalling \$1.7 M in the last 2 years.

Direct programming was provided for IEPs through the following gap training projects:

- The Internationally Educated Agrologists Program (IEAP)
- The Technical Report Writing Program of the Certified Technicians and Technologists Association of Manitoba
- The Internationally Trained Accountants Program



- Bridging Program for Internationally Educated Medical Laboratory Technologists Program
- The Internationally Educated Teachers Program

Activities to help regulators meet the reporting requirements of the Act and to increase efficiency in their business operations were also funded. This included IT support for applicant data reporting as well as three applicant tracking pilot projects.

The OMFC produced the following documents and distributed them to more than 350 people representing 133 groups and organizations:

- Manitoba Fair Practices for the Assessment and Recognition of Internationally Educated Applicants
- Process Model for Qualification Recognition (QR)
- To The Point: A Plain Language Guide for Regulators

Findings

The Fair Registration Practices in Regulated Professions Act is one of several new initiatives impacting the work of Manitoba regulators including the new Manitoba Health Act, the Agreement on Internal Trade, and the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications.

In addition, QR issues for regulators include:

- Added work
- Not able to rely only on paper credentials
- Limited expertise on alternative assessment methods
- Need to identify means to fill gaps
- Limited infrastructure and resources
- · Challenges managing cultural diversity

The issues for IEPs include:

- Lack of clear information and self-assessment tools prior to arrival resulting in lost opportunities to prepare overseas
- Difficulty obtaining required documents after arrival
- Unfamiliar testing methods with no feedback
- · Past work experience not assessed

At A Glance2008 - 2010



Projects funded by OMFC

17M

Dollars in project funding



OMFC publications

350

People/organizations OMFC publications were distributed to Limited funding supports to cover high assessment fees which range from \$200 to \$10,000, and gap training fees which range from \$3,500 to \$90,000+

We recently held focus groups on the issues IEPs face in getting their qualifications recognized.

The 120 IEPs who participated in the discussions—most of them recognized and working in their fields—confirmed our findings.

Immigration Impact

The significant increase in immigration to Manitoba, from 4,588 in 2001 to 15,803 in 2010 (pre), has been the result of concerted effort by the province of Manitoba to increase immigration through the Provincial Nominee Program.

Over the last two years, 16 regulators have reported an increase in internationally educated applicants.

The highest numbers of internationally educated professionals to Manitoba were:

- Accountants
- Technicians and technologists
- Engineers
- · Physicians and surgeons
- Nurses

The top source countries for international applicants were the Philippines and India.

Budget

In 2010-11, the OMFC operated with a budget of \$380.0 and 4 FTEs.

Process Model for QR

Over the years, Manitoba has developed, piloted, and adopted many innovative Qualification Recognition (QR) practices.

The Process Model for QR is the ideal—a system that gives internationally educated professionals the information and support they need to go through the QR process and find success in the labour market in a timely manner. This model guides our work at the OMFC.







Résumé

Loi sur les pratiques d'inscription équitables dans les professions réglementées

Conformément au paragraphe 13(1) de la *Loi sur les pratiques d'inscription* équitables dans les professions réglementées, CPLM c. F12, « le commissaire à l'équité établit tous les deux ans un rapport sur la mise en œuvre et l'efficacité de la présente loi et des règlements et le remet au ministre... »

La Loi sur les pratiques d'inscription équitables dans les professions réglementées a été proclamée en 2009. La Loi s'applique à 31 professions autonomes, professions réglementées et métiers.

L'objet de la Loi est d'aider à s'assurer que les professions réglementées et les personnes qui présentent une demande d'inscription aux professions réglementées sont régies par des pratiques d'inscription transparentes, objectives, impartiales et équitables.

Examen des pratiques d'inscription

Il incombe au commissaire à l'équité du Manitoba d'examiner les pratiques d'inscription des professions réglementées et de déterminer la conformité aux exigences de la Loi. En consultation avec les organismes de réglementation, nous avons élaboré des lignes directrices pour les examens et un processus d'examen des inscriptions. Trois organismes de réglementation participent à un projet pilote du processus d'examen des inscriptions. Cinq autres font l'objet d'examens commencés en 2010. Nous collaborons avec ces organismes de réglementation afin de documenter et de comprendre leurs processus, de les évaluer et de s'entendre sur un plan d'action qui nous permettra d'aller de l'avant.

Coup d'œil sur 2008 - 2010

> « Nous attachons une grande importance aux ateliers et aux réunions d'affaires. »

> - Ordre des ergothérapeutes du Manitoba



organismes de réglementation ont participé à un projet pilote du processus d'examen des inscriptions

organismes de réglementation ont fait l'objet d'un examen des inscriptions



Bien que le commissaire à l'équité doive présenter un rapport sur l'inscription des professionnels formés à l'étranger, il n'y a pas à l'heure actuelle de données de base sur le nombre d'inscriptions de professionnels formés à l'étranger par les organismes de réglementation ni la durée de chaque processus.

Les organismes de réglementation commenceront à consigner les données sur les demandeurs à compter du 1er janvier 2011 à l'aide du processus de collecte de données élaboré à cette fin.

Les données sur les demandeurs indiqueront l'expérience de chaque demandeur formé à l'étranger pendant le processus d'évaluation et d'inscription. Les données globales limitées permettront de faire une comparaison entre les demandeurs formés à l'étranger et ceux formés au Canada. De plus, les organismes de réglementation donnent un compte rendu du nombre de professionnels inscrits conformément aux accords interprovinciaux de mobilité de la main-d'œuvre.

Activités d'extension

Bien que le commissaire à l'équité travaille principalement avec les organismes de réglementation, il lui incombe également de conseiller de nombreux intervenants dont le gouvernement en vertu de la *Loi*. Par conséquent, le Bureau du commissaire à l'équité du Manitoba (le Bureau) a fait 16 présentations locales à environ 450 personnes et huit présentations à

des groupes nationaux sur la Loi et ses travaux au cours des 12 dernières années. Il a également créé un portail Web pour les organismes de réglementation et d'autres intervenants: manitobafairnesscommissioner.ca

Le Bureau a établi des petits-déjeuners de travail mensuels pour les organismes de réglementation et a organisé des ateliers sur la gestion des différences culturelles, les appels et la rédaction en langage simple. Les organismes de réglementation ont également reçu des renseignements sur la politique du français du Manitoba et sur le Cadre pancanadien d'évaluation et de reconnaissance des qualifications professionnelles acquises à l'étranger.

Soutien

Pendant cette période d'établissement de relations avec les organismes de réglementation et de création d'une base pour nos futurs travaux, notre approche de mise en application de la *Loi* a été collaborative et positive. Cette approche consiste en partie en un engagement à aider les organismes de réglementation à entreprendre des modifications nécessaires et importantes en leur fournissant un accès à de l'expertise et à du financement.

Le Bureau a financé 452 projets, soit au total 1,7 million de dollars au cours des deux dernières années.



Des programmes directs ont été fournis aux professionnels formés à l'étranger au moyen des projets suivants de formation visant à combler les lacunes :

- le programme d'agronomes formés à l'étranger
- le programme de rédaction de rapports techniques de la Certified Technicians and Technologists Association of Manitoba.
- le programme de comptables formés à l'étranger
- le programme de transition pour les technologistes de laboratoire médical formés à l'étranger
- le programme des enseignants formés à l'étranger

Les activités visant à aider les organismes de réglementation à respecter les exigences de la Loi relatives aux rapports et à augmenter l'efficacité des opérations liés à leur exploitation ont également été financées, notamment le soutien aux technologies de l'information pour les rapports sur les données des demandeurs ainsi que trois projets pilotes de suivi des demandeurs.

Le Bureau a publié les documents suivants, puis les a distribués à plus de 350 personnes représentant 133 groupes et organismes.

 Manitoba Fair Practices for the Assessment and Recognition of Internationally Educated Applicants (pratiques équitables d'évaluation et de reconnaissance des demandeurs formés à l'étranger du Manitoba)

- Process Model for Qualification Recognition (QR) (modèle de processus de reconnaissance des qualifications)
- To The Point: A Plain Language Guide for Regulators (un guide de langage simple pour les organismes de réglementation)

Conclusions

La Loi sur les pratiques d'inscription équitables dans les professions réglementées est l'une des nouvelles initiatives qui ont des répercussions sur les travaux des organismes de réglementation, notamment la nouvelle loi sur la santé du Manitoba, l'entente sur le commerce intérieur et le Cadre pancanadien d'évaluation et de reconnaissance des qualifications professionnelles acquises à l'étranger.

De plus, les questions sur la reconnaissance des qualifications à examiner pour les organismes de réglementation incluent les suivantes :

- le travail supplémentaire
- l'incapacité de se fier à des titres de compétences sous forme de documents
- l'expertise limitée dans d'autres méthodes d'évaluation
- le besoin de trouver des moyens de combler les lacunes;
- l'infrastructure et les ressources limitées
- les difficultés à gérer la diversité culturelle.

Coup d'œil sur2008 - 2010



projets financés par le Bureau

1,7M
de dollars en financement de projets



publications du Bureau

350 personnes ont reçu les publications

du Bureau

Les questions à examiner pour les professionnels formés à l'étranger incluent les suivantes :

- le manque d'information claire et d'outils d'auto-évaluation avant d'arriver au Canada, ce qui empêche de se préparer à l'étranger;
- la difficulté d'obtenir les documents exigés après l'arrivée au Canada;
- les méthodes inconnues sans rétroaction;
- l'expérience professionnelle antérieure non évaluée;
- les soutiens financiers limités pour couvrir des frais d'évaluation élevés qui vont de 200 \$ à 10 000 \$, ainsi que les frais relatifs aux lacunes de formation, qui atteignent de 3 500 \$ à 90 000 \$.

Nous avons récemment organisé des groupes de discussions sur les défis auxquels les professionnels formés à l'étranger doivent faire face pour faire reconnaître leurs qualifications.

Les 120 professionnels formés à l'étranger qui ont participé aux discussions – et qui, en majeure partie, sont reconnus et travaillent dans leur domaine – ont confirmé nos conclusions.

Répercussions de l'immigration

L'accroissement important du nombre d'immigrants au Manitoba (de 4 588 immigrants en 2001 à 15 803 en 2010) découle de l'effort concerté de la province du Manitoba à encourager l'immigration à l'aide du programme Candidats du Manitoba. Au cours des deux dernières années, 16 organismes de réglementation ont déclaré une augmentation du nombre de demandeurs formés à l'étranger.

Le plus grand nombre de professionnels formés à l'étranger ayant immigré au Manitoba étaient :

- comptables
- · techniciens et technologistes
- ingénieurs
- · médecins et chirurgiens
- · infirmiers.

Les principaux pays d'origine des demandeurs étrangers étaient les Philippines et l'Inde.

Budget

En 2010-2011, le Bureau a été exploité avec un budget de 380 000 dollars et quatre ETP.

Modèle de processus pour la reconnaissance des qualifications

Au fil des ans, le Manitoba a élaboré, mis à l'essai et adopté un grand nombre de pratiques de reconnaissance des qualifications. Le modèle de processus pour la reconnaissance des qualifications est l'idéal – un système qui donne aux professionnels formés à l'étranger les renseignements et le soutien dont ils ont besoin pour entreprendre le processus de reconnaissance des qualifications et pour réussir sur le marché du travail en temps opportun. Au Bureau, nous nous quidons sur ce modèle.



professionnels formés à l'étranger ont été consultés au sein des groupes de discussion du Bureau



organismes de réglementation ont déclaré un accroissement du nombre de demandeurs formés à l'étranger

Manitoba: A Leader in QR

A Brief History

Qualification Recognition (QR) is challenging work because it is a complex issue that involves numerous players. Alongside the work of attracting immigrants is the work of trying to compare and understand the education, skills, and abilities of professionals from abroad against established Canadian—and specifically Manitoban—standards.

2004

2002



The QR initiative is born.

A Think Tank brings together Manitoba employers and regulators, practitioners from the immigration settlement field and post-secondary institutions, and civil servants from numerous departments and levels—to identify the issues and challenges from their perspective as well as potential solutions. IEPs speak of their own challenges and achievements.



2003

The revolutionary thinking of this dynamic group led by a Ministerial Committee gives birth to *The Framework for a Manitoba Strategy on Qualification Recognition*—a document outlining guiding principles that squarely states the need for concrete systemic change and the Province's commitment to take the lead.

The
Framework
continues to
guide the work
of QR today



A Summit on QR presents initiatives that test the principles of the Framework. Innovative approaches are highlighted such as new gap training pilots—the result of collaborations between regulators, employers, post-secondary institutions, and government.



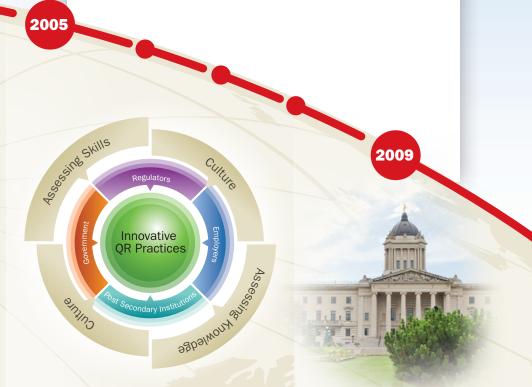
Why QR, Not CR?

Credential Recognition (CR) focuses solely on a comparison of academic credentials.

Qualification Recognition (QR) takes into account academic credentials, professional development and work experience, and includes both formal and informal learning. QR gives a fuller picture of who an individual is and what they know and can do.



Looking at how IEPs are assessed becomes a new focal point. The Standards of Assessment concept paper, the Manitoba Fair Practices for the Assessment and Recognition of Internationally Educated Applicants, and the Process Model for Qualification Recognition challenge regulators, employers, and post-secondary institutions to re-examine and renew their practices and their role within a new and changing world. Increasingly, players are encouraged to identify the standards and competencies against which new entrants are measured—rather than to rely on comparing paper credentials, which has already proven to be woefully insufficient and frequently impossible.



Innovative QR practices are developed, piloted and adopted.

- New ways of assessing skills and knowledge
- Greater awareness of the role that culture plays in how we communicate and do things
- Innovative responses to filling gaps that involve creative partnerships with regulators, employers, post-secondary institutions, and government

Manitoba's commitment to recognizing the qualifications of IEPs leads to the development of legislation. The Fair Registration Practices in Regulated Professions Act is proclaimed and represents a new phase in the Province's leadership in QR.

The Fair Registration Practices in Regulated Professions Act

Purpose

The purpose of the Act 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.

Professions

The Act applies to 31 self regulated professions, government regulated professions, and the trades.

The following are named as regulated professions to which this Act applies:

Health Professions

- College of Dietitians of Manitoba
- College of Licensed Practical Nurses of Manitoba
- College of Medical Laboratory Technologists of Manitoba
- 4. College of Midwives of Manitoba
- College of Occupational Therapists of Manitoba
- 6. The College of Physicians and Surgeons of Manitoba
- 7. College of Physiotherapists of Manitoba
- 8. College of Podiatrists of Manitoba
- College of Registered Nurses of Manitoba
- The College of Registered Psychiatric Nurses of Manitoba

- 11. Denturist Association of Manitoba
- 12. Manitoba Association of Optometrists
- 13. The Manitoba Association of Registered Respiratory Therapists
- 14. Manitoba Chiropractors
 Association
- 15. Manitoba Dental Association
- 16. Manitoba Naturopathic Association
- 17. Manitoba Pharmaceutical Association
- 18. The Manitoba Speech and Hearing Association
- 19. The Opticians of Manitoba
- 20. The Psychological Association of Manitoba
- 21. College of Dental Hygienists of Manitoba

Other Professions

- Association of Manitoba Land Surveyors
- Association of Professional Engineers and Geoscientists of the Province of Manitoba
- Certified General Accountants Association of Manitoba
- Certified Technicians and Technologists Association of Manitoba
- 5. The Institute of Chartered Accountants of Manitoba
- 6. The Law Society of Manitoba
- 7. The Manitoba Association of Architects
- Manitoba Institute of Agrologists
- Manitoba Veterinary Medical Association
- Society of Management Accountants of Manitoba

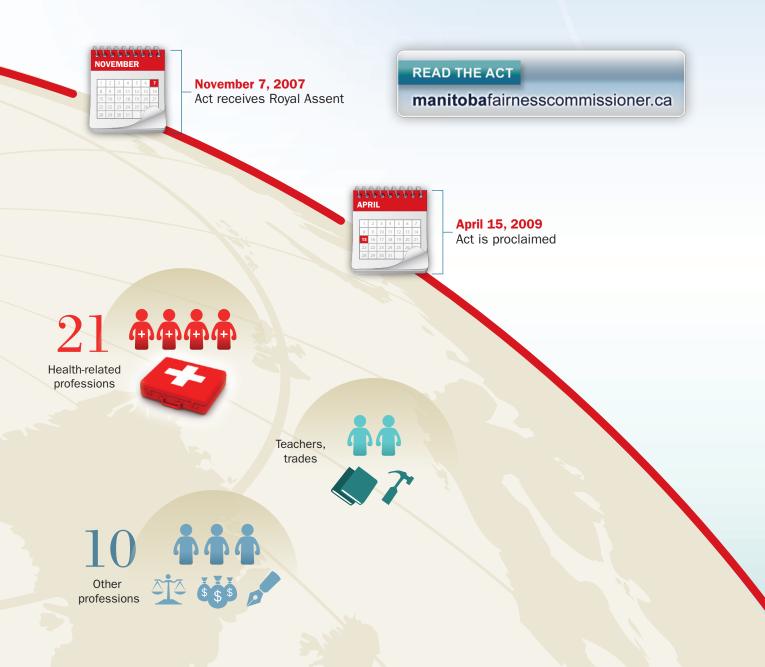
Responsibilities

Minister

- Provides applicants with information and assistance on registration requirements and processes
- Provides regulators with information and assistance on fair registration practices and related matters

Manitoba Fairness Commissioner

- Helps regulators understand how to comply with the Act
- Reviews registration practices and makes recommendations
- Ensures compliance with the Act



Fair Registration Practices Code

To comply with the Act regulators have a general duty to provide registration practices that are transparent, objective, impartial and fair.



1. CLEAR INFORMATION

- · Registration practices
- Length of registration process
- Internal review or appeal process
- Registration requirements and assessment criteria
- Acceptable alternative requirements
- Applicant supports
- Registration fees



6. ACCESS TO RECORDS

- Provide access, limited only by legal exceptions, privacy concerns, public safety or integrity of registration process
- Apply severability in cases where records contain information regulators cannot disclose
- Establish a process to consider requests for records
- Charge fees only if estimates are provided and fees do not exceed cost recovery



5. TRAINING

 Ensure decision-makers are properly trained



4. QUALIFICATION RECOGNITION

- Provide information on required documents and alternatives
- Ensure assessments are transparent, objective, impartial and fair



3. INTERNAL REVIEW OR APPEAL

- · Give applicants opportunity to make submissions
- · Specify how submissions can be made
- Provide information about review or appeal rights, procedures and timeframes involved
- Ensure independent decision-makers
- · Waive fees when fair and equitable



2. TIMELY DECISIONS, RESPONSES & REASONS

- Registration decisions
- · Written responses

We are not asking regulators to lower professional standards. We are asking them to raise the standards for assessment.

About the OMFC

Our Work

April 15, 2009 marked the true beginning of the Act's implementation and the responsibilities of the Fairness Commissioner as set out in *The Fair Registration Practices in Regulated Professions Act*.

A decision was made not to draft and introduce regulations at this time, but rather to focus on the development of guidelines for reporting. By consulting with regulators on the creation of reporting guidelines, the OMFC has chosen an approach emphasizing relationship building and the flexibility that it affords.

The Fair Registration Practices in Regulated Professions Act is a new kind of legislation in Canada and Manitoba is only the second province in Canada to adopt such legislation. The implementation of Manitoba's Act follows a uniquely Manitoban approach. There are no blueprints for this work and a great deal of these first two years has focused on learning and creating policies, processes, and templates.

Our Work with Regulators

The Office of the Manitoba Fairness
Commissioner works primarily with regulatory bodies to ensure and promote fair registration practice. One of the responsibilities of the Fairness Commissioner is to provide guidance to regulators—to afford greater precision—as to what fair registration practice requires.

Our Work with Other Stakeholders

We have a responsibility to advise numerous stakeholders including government departments, government agencies, community organizations, post-secondary educational institutions, third parties involved in the assessment of qualifications, and others about matters related to the Act.

Our Work with Internationally Educated Professionals (IEPs)

The OMFC holds periodic focus groups with IEPs to learn of their experiences with QR in Manitoba. These gatherings provide opportunity to learn about barriers and challenges, pathways and solutions, frustrations and achievements.

In addition, the OMFC listens to IEPs encountering process issues with regulators. The OMFC clearly states that the commissioner cannot intervene in registration decisions. By listening to challenges experienced by IEPs, the OMFC gains insight into potential issues of process that can be addressed/discussed with regulators.

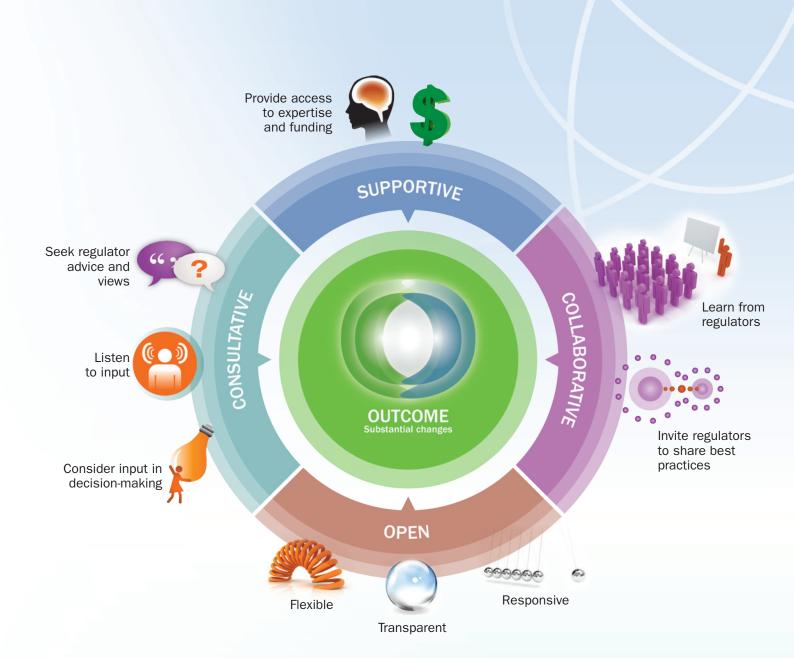


The OMFC is committed to the outcome and to how we get there.

Our Approach

It is my role as Fairness Commissioner to lead regulators and other stakeholders in the call for fairness. The OMFC is committed to a collaborative and supportive approach as we communicate about the legislation and initiate and oversee activities that effect positive change and bring us closer to our ideal—to see all qualified applicants recognized.

We seek to emulate the principles outlined in the Act and concern ourselves with being transparent, objective, impartial, and fair.



Our work is steadily guided by the following:

Consultation

We seek regulator advice and views.

Support

We are committed to helping regulators make needed and substantive changes by providing access to expertise and funding.

Collaboration

Relationship building is key and we recognize there is much to learn from regulators. We invite regulators to share best practices with each other.

Openness

We are curious and willing to consider new ways of seeing and doing things. We are responsive to opportunity and challenge.

Defining Fairness

Key Principles

1. Procedural Fairness

This means simply that registration practices need to be fair in process. In the language of *The Fair Registration Practices in Regulated Professions Act*, the registration process must be:



Transparent

Registration process is clear and apparent for all to see



Objective

Use of valid and independent criteria or standards in the registration requirements



Impartial

The absence of bias or prejudice in registration decisions

2. Relational Fairness

This refers to the perception individuals have of how fairly they have been treated. Registration practice is relationally fair if the regulator:

- Communicates the meaning and reasons for its decisions to applicants
- Treats applicants with respect
- Allows applicants the opportunity to respond and be heard

3. Substantive Fairness

This is achieved in the registration process when only and all competent applicants are recognized in an efficient and timely manner. In this case, registration is fair in outcome and in substance.

4. Substantive Equality

This is a principle recognized by the Supreme Court of Canada that permits differential treatment in an effort to realize fair treatment and a genuine equality of opportunity. In terms of QR, this suggests assessment and recognition processes that are able to take relevant differences into account. It challenges regulators to look at how they measure competency. Treating people fairly sometimes means treating people differently.

2031

Predicted year immigrants will make up 100% of Manitoba's net population growth

We need IEPs' knowledge, skills and talent. But we are struggling to fully recognize and harness their potential.

100%

Percentage of the net increase to the Canadian labour force made up of immigrants by 2016

Immigration Impacts

For over a hundred years, people from all over the world have come to call Manitoba home.

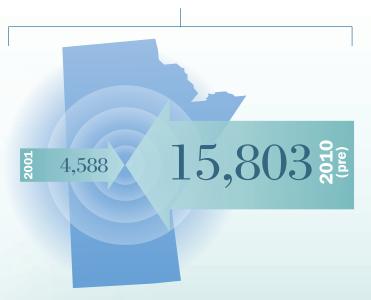
In 2003, The Premier's Economic Advisory Council announced Manitoba's need to increase immigration to keep its population and workforce in balance.

Quite simply, we need new citizens and workers if we are to continue to enjoy the standard of living we have come to take for granted.

"Growing through Immigration" is one of the cornerstones of the Province's economic development plan. Since its introduction in 1998, the Provincial Nominee Program (PNP) has been responsible for more than tripling the annual rate of immigration to Manitoba.

Landed Immigrants to Manitoba

Manitoba's annual rate of immigration has increased 3.5 times in under a decade.



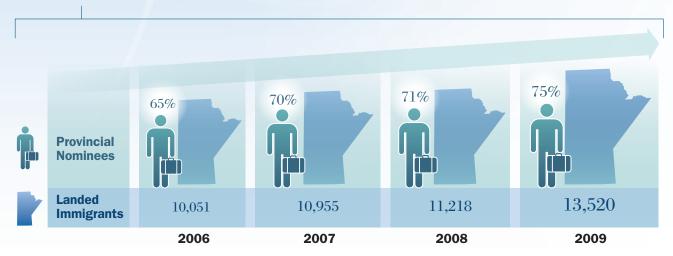
Facts and Stats

Landed Immigrants 2006 - 2009

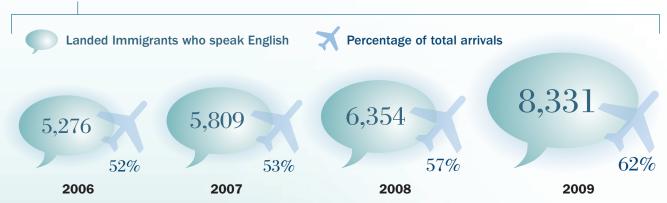
Arrivals

Provincial Nominee Program

The majority of landed immigrants are Provincial Nominees.



English Language Ability

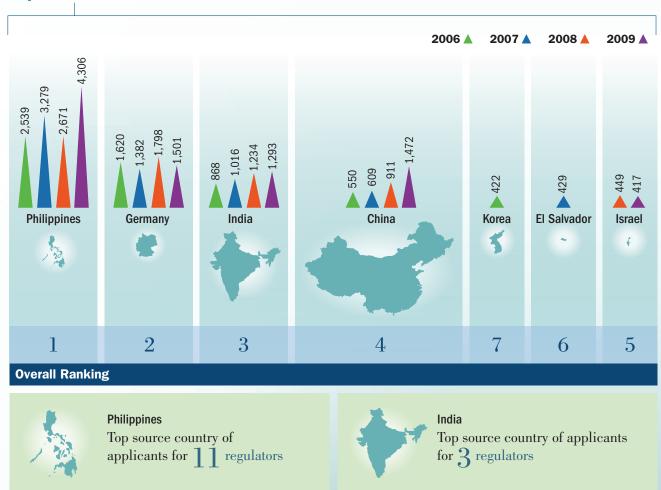


Post-Secondary Education

30% of landed immigrants had post-secondary education. The OMFC aims to help Manitoba make full use of this education.



Top Source Countries



I felt like I was hitting walls, not knowing how the process for becoming certified works.

—Internationally educated accountant

Difficulty obtaining documents from their home country—once they are in Canada— is the single largest barrier.

—Manitoba regulators

Internationally Educated Professionals (IEPs)

The Issues

Today's immigrant is highly skilled. Many are professionals anxious to quickly re-establish themselves. But the system is not efficient—it is onerous and frustrating. Tenacity, drive, resourcefulness, and patience are mandatory for success.



Lack of Information

Most IEPs arrive in Manitoba with little or no understanding of how the system works. Many IEPs think that acceptance to immigrate equals recognition of their qualifications or vice versa. They are unaware that they need to be assessed and registered by a regulator before they can work in their profession in Canada. This can be a devastating surprise.

Misinformation

Misinformation from family, friends, government and other agencies is common.

The true cost and length of the registration process far exceeds what is written in information materials.



Confusion

Access to clear, consistent and current information and at the right time— about what they need to do, when, and who can help them—remains a challenge for IEPs. There is so much information from so many sources; the amount of information can feel overwhelming. In addition, the information is often unclear and key pieces are missing. No one seems to have the full picture.



Long Process

Many IEPs believe it will take six months to a year to become employed in their field at their level. In reality, it is often a long process that can take years. For some, the process is never completed.

Lack of Self-Assessment Tools

There is a lack of profession-specific self-assessment tools available to IEPs pre-migration. Such tools help IEPs gain a sense of how they may fare in a formal assessment process.



Lost Opportunity

Most IEPs do not prepare for QR pre-migration because they are unaware of the need. We are missing opportunities to inform them about what they can do to prepare while waiting for immigration approval. IEPs could save valuable time and money if they contacted their regulator, arranged for appropriate documents and studied English prior to their arrival in Manitoba.





Difficulty Obtaining Documents

Collecting and/or arranging for identity and academic documents prearrival is critical. Getting documents from overseas once you are in Canada is very difficult—sometimes impossible—and expensive, and can take as long as 12-18 months to complete. Manitoba regulators state this is the single largest barrier IEPs face. IEPs want an opportunity to demonstrate what they know and can do.



Experience Not Assessed

Regulators do not give sufficient weight to international work experience. Traditional assessment processes were designed for students in a sequential Canadian education system. The experience of IEPs who are most often mid-career professionals is not always assessed. In addition, assessment processes rarely allow IEPs to demonstrate their skills.



Testing Methods

Assessment tools—most often paper-based exams—may assess test-taking skills and endurance over knowledge. Testing methods, such as the multiple choice format, are not universal and may be unfamiliar to those from a different culture. Registration exams are especially challenging because of scarce and inadequate preparation material, little study support, unfamiliar testing methods, and insufficient writing time for EAL applicants.

Lack of Feedback

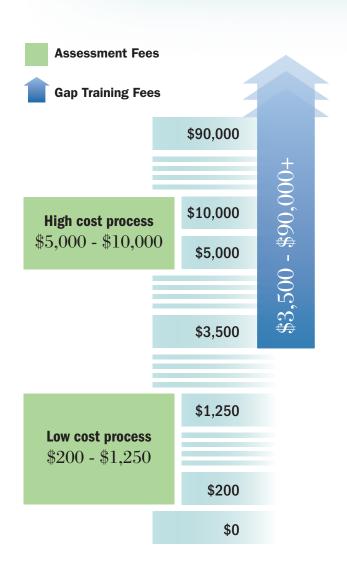
Frequently, there is little or no meaningful feedback on exams and a lack of advice about how to address gaps in knowledge.



Lack of Gap Training Opportunities

There is very limited access to supervised work experience, gap training, or the opportunity to get Canadian work experience. In addition, post-secondary institutions often do not allow for individualized learning plans. There is little opportunity for IEPs to learn about the distinct character of Canadian practice—this is a far bigger challenge than meeting technical skill gaps.





High Cost

Funds IEPs bring are largely used for settlement—to support themselves and their family—and most often last a year or less. IEPs do not expect to need large amounts of money to get certified, and very few are aware of available financial supports for QR.

Funds required for assessment are due up front. The total cost to complete the entire process—including filling any gaps—can be very expensive. IEPs new to Canada have no credit rating and are often ineligible for loans from financial institutions.

The licensing process is confusing and complicated.

New immigrants want to know what path to take.

Taking exams to get licensed was the most difficult time in my life.

I had to work full time and take exams. It is difficult to do that when you have a family and children to support. You have to be determined and study hard to accomplish your goals. The financial assistance of the government helped a lot.

—Internationally educated engineer

Qualification Recognition (QR)

The Ideal Model

In our collective work on QR, we have gotten quite good at identifying barriers and issues—often right down to the practical level where detail and nuance make a big difference in experience and outcome.

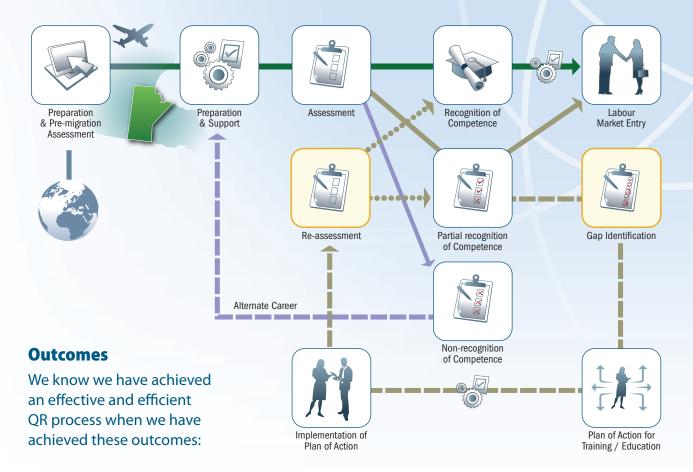
Ideally, a well functioning QR process ensures that internationally educated professionals have the information and support they need to successfully complete the recognition process and enter the workforce without delay.

There is no one solution. And, we all have a role to play. We know what isn't working. Some things we can change quickly; others will take longer-tem planning, cooperation and negotiation, and resources. Change will take commitment and patience.

OR Process Model

Under the OMFC, the *Process Model for Qualification Recognition* has grown to more fully articulate both the goals and the ways to get there.

The *Process Model for QR* is a set of key activities—set out in a step-by-step pathway—that lead to and end with professional registration and success in the labour market. How those activities are defined and realized determines the effectiveness and efficiency of the QR process.



Preparation and Pre-migration Assessment

Potential immigrants make informed decisions about coming to Canada. They know whether they can expect to be registered or certified and work in their profession or trade. And, they can begin the assessment process prior to landing in Canada.

Preparation and Support

Supports are in place in Canada for internationally educated professionals so they can begin the QR process knowing what to expect and where to turn in the case of a setback.

Assessment

The quality and variety of assessment methods provide valid results. Applicants understand the results of their assessment and have a support plan to help them move forward.

Partial or Non-recognition of Competence

Assessment results are never a dead end.
Applicants have supports in place as they enter the labour market or move toward another stage such as gap training/re-assessment or an alternate career.

Gap Identification and Implementation of a Plan of Action for Education/Training

Applicants have a clear understanding of their gaps. Resources are in place to help them address their gaps, get re-assessed and recognized, and enter the labour market efficiently.

Gap training programs such as the Internationally Educated Engineers Qualification Program (IEEQ) and the Internationally Educated Agrologists Program (IEAP) contribute to success, as does financial assistance from the Professional Immigrant Program (PIP), Credential Recognition Program (CRP), Student Aid, and employers.

Re-assessment

Applicants who do not meet the requirements for recognition have the opportunity to repeat the process of gap training and re-assessment until they are successful.

Labour Market Entry

Internationally educated professionals get help searching for and securing their first job. They get essential skills training and on-the-job supports to help them learn the norms of their new workplace, fit in, and find success.

Regulators

The Issues

Meeting the requirements under *The Fair Registration Practices in Regulated Professions Act* is one of several new initiatives impacting the work of Manitoba regulators. A new Manitoba Health Act, new directives under the Agreement on Internal Trade, and the expectations under the Pan-Canadian Framework on Foreign Qualification Recognition are also putting pressure on regulators to review their regulatory practices.

Added Work

Evaluating internationally earned qualifications is an added dimension to the work of regulating. It does not reflect regulators' main line of business. It is time consuming and can be challenging to accurately verify degrees for Canadian equivalency.

Increasing numbers of IEPs also mean increasing requests for information and individual counseling. The impact means more complicated files requiring a greater time commitment and intensified workload.

Different Focus

Regulators' main concern is protection of the public. Emphasis has been placed on ensuring that degrees are legitimate and documents not fraudulent. This has resulted in a focus on keeping incompetent people out rather than ensuring competent applicants get in.

Against Tradition

Most assessment processes reflect the traditional applicant for registration— Canadians educated in a sequential education system. Internationally educated applicants are most often mid-career professionals, and assessment of their qualifications calls for innovative methods.

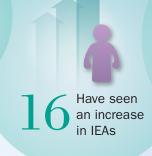
Limited Expertise

Regulators are not assessment experts. The focus has been on credentials such as degrees, which can be difficult to compare and evaluate. Little attention has been directed on how best to identify what internationally educated applicants know and are able to do. Many regulators have inherited organizational practices and at times have limited understanding of the reason behind them or how they can be changed. Confirming that IEPs possess required clinical competencies and evaluating the equivalency of international experience against Canadian standards is challenging for most regulators.

No Alternatives

Assessments can result in a dead end for applicants who are not able to provide the required evidence. Regulators may have difficulty assessing academics correctly and providing gap analyses. They may not consider the competencies required for the profession—the essence of the requirement—and so have not identified alternate ways an applicant can demonstrate that they meet them. Many regulators have yet to identify entry level competencies or to have an occupational analysis completed for their profession.

Regulator Facts 2008 - 2010



Have seen a decrease in IEAs

21%

Are responsible for their own assessment

33%

Have some international reciprocity agreements

Lack of Gap Training

When gaps are identified, regulators often feel ill equipped to provide guidance to applicants about how they can be filled. Some regulators have identified as problematic the lack of exam preparation programs in Manitoba designed to assist IEPs. Others point to limited resources to help regulators develop competency-based assessments or to initiate gap training/bridging programs.

60%

Identify the need for more expertise to deal with IEAs

58%

Have 3 staff or fewer

Other Priorities

The majority of provincial regulators are members of national organizations. Many find themselves under pressure from a national body's priorities or practices.

Limited Resources

Many regulators have limited infrastructure—human resources and expertise—and need greater support to be able to access increased resources for ongoing process improvements.

Limited Awareness

Increasing cultural diversity represents a new and changing world. Regulators often have limited awareness of immigration and settlement issues and of the services available to support newcomers.

Have a relationship with



87% Work with electronic databases

Number of IEAs

2005 - 2010

0

Naturopaths Speech pathologists and audiologists <5

Land surveyors
Podiatrists
Denturists
Optometrists
Respiratory therapists
Chiropractors
Opticians

 $\underset{\scriptscriptstyle (\text{in order})}{\text{Highest}}$

Accountants
Technicians and technologists
Engineers
Physicians and surgeons
Nurses

Source: Information gathered by the OMFC

We would be struggling to meet requirements of the Act if it were not for the OMFC and their support.

—College of Licensed Practical Nurses of Manitoba

Implementing the ActActivities and Accomplishments

Added Work

Implementing *The Fair Registration Practices in Regulated Professions Act* is itself a process. Our work has just begun, and the work yet to be done stretches out ahead of us. By seeking input and engaging expertise, the OMFC is nurturing change. Change that in turn will spread and grow, that will push us to look at old practices in new ways, to try new approaches, and to take stock and measure our results.

The following is a summary of our accomplishments over the past two years based on responsibilities outlined in the Act.

To give information and advice to regulated professions to help them understand the requirements of the Act

—The Fair Registration Practices in Regulated Professions Act

Presentations

Presented to regulators:

- An introduction to The Act
- · An introduction to the work of the OMFC
- The Manitoba context, barriers to recognition, and models and best practices in Qualification Recognition
- The French language policy of the Province of Manitoba
- The Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications

We believe regulators
have a clearer
understanding of The Fair
Registration Practices
in Regulated Professions
Act and a keener sense of
their responsibilities
under it.

Information Sessions

Organized information sessions for regulators on issues and services for immigrants:

- Immigration
- Language training and settlement services for newcomers
- Qualification recognition and employment supports for immigrants
- Language assessment and benchmarking
- Academic Credential Assessment Service

Consultations

Consulted regulators on:

- The Registration Review process
- · Applicant data collection and reporting requirements

Workshops

Hosted workshops for regulators on:

- Managing cultural differences
- How to hold appeals
- Plain language writing

Meetings

Established monthly Breakfast Business Meetings for regulators that are a vehicle for:

- Presenting consistent information and ensuring regular contact
- Providing updates on activities
- · Consulting on specific items
- Presentations/consultations by other stakeholders

A primary accomplishment in these early days under the Act is the positive and collegial working relationship with regulators. Our positive engagement has resulted in a real ability possible initiatives, and act upon them.

Regulators have benefited from coming together on a regular basis. The OMFC has become a trusted source of information and advice, support, and expertise on QR related issues.

Publications

Produced and distributed documents to over 350 people representing 133 groups and organizations:

- Manitoba Fair Practices for the Assessment and Recognition of Internationally Educated Applicants
- Process Model for Qualification Recognition
- To The Point: A Plain Language Guide for Regulators

manitobafairnesscommissioner.ca

Created a web portal for regulators and other stakeholders

Regulators and other stakeholders are able to get up-to-date information on Qualification Recognition and the work of the OMFC.

2 To review the registration practices of regulated professions—including their use of third parties to assess qualifications of applicants—for the purpose of determining compliance with the requirements of the Act, and to make recommendations to regulated professions about how to improve compliance

—The Fair Registration Practices in Regulated Professions Act

Crafting a Registration Review Process

We consulted with regulators in Fall 2009 to help us develop guidelines for a Registration Review process, create documents, and develop compliance tools. We aim to establish a meaningful review process that concretely identifies fairness issues and leads to progressive action plans.

The Registration Review includes:

- Documenting the regulator's assessment and registration process
- Analyzing the relevance and necessity of the requirements for registration
- Writing a Compliance Evaluation Report
- Developing an Action Plan
- · Compiling all elements into a Registration Review Report

Where possible, Registration Reviews are preceded by profession-specific focus groups to hear about the experience of internationally educated professionals who have successfully navigated the process.

Registration Reviews

Eight regulators are currently undergoing Registration Reviews by the Manitoba Fairness Commissioner:

Participating in the pilot of the Registration Review process:

- 1 The College of Registered Nurses of Manitoba
- 2 The College of Occupational Therapists of Manitoba
- 3 The College of Midwives of Manitoba

Undergoing Registration Reviews initiated in 2010:

- 4 The Association of Engineers and Geoscientists of Manitoba
- 5 The Certified Technicians and Technologists Association of Manitoba
- 6 The Licensed Practical Nurses of Manitoba
- 7 Professional Certification Unit of Manitoba Education (Teachers)
- 8 Apprenticeship Manitoba (Trades Qualification)

The first set of Compliance Evaluations are to be provided to the pilot regulators early in 2011. Action Plans and Registration Review Reports will be completed in 2011. To advise regulated professions, government agencies, community organizations, post-secondary educational institutions, third parties relied on by regulated professions to assess qualifications, and others as the Minister may direct, about matters under the Act

—The Fair Registration Practices in Regulated Professions Act

Presentations

The OMFC made 16 local presentations about the Act and the work of the OMFC to approximately 450 people representing:

- · Provincial and federal governments
- Immigrant service providers
- Ethnocultural organizations
- Sector councils, professional associations, and unions
- Community organizations

One hundred and forty-two people—representing all regulators as well as other stakeholders—availed themselves of information and advice on how to manage cultural diversity.

Working with Other Stakeholders

The Fairness Commissioner receives frequent invitations to present at and participate in national QR related activities and

functions. To date, 8 presentations have been made to national groups including 6 conferences and 2 federal government sponsored events.

Information and advice has been provided to the national working group charged with the implementation of the Pan-Canadian Framework for the Assessment and Recognition of Foreign Oualifications.

Developmental work on the Applicant Data Reporting Requirements has been shared with federal colleagues concerned with reporting as per the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications as well as with provincial colleagues charged with reporting on interprovincial mobility under Chapter Seven of the Agreement on Internal Trade.

The OMFC participates in numerous committees intended to improve the state of QR in the Province. These include:

- Multi-stakeholder committees on creating pathways and gap training responses for internationally educated professionals
- Interdepartmental working groups to share information and coordinate programming responses for internationally educated professionals
- An interdepartmental committee to provide provincial input on the Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications

Since 2009, the OMFC has hosted 9 focus groups with about 120 IEPs, the majority recently recognized and working in their fields.

Participating IEPs represented the following professions:

- Engineers
- Licensed practical nurses
- Accountants
- · Technicians and technologists
- Teachers
- Dentists

We also hosted general sessions for health and non-health related professions.

The purpose of focus groups is to learn about the experiences of IEPs with QR in Manitoba. The voices of IEPs give us a better understanding of what is working and what is not, what would be helpful, and where the biggest challenges remain.

IEPs who are registered and working in their fields have appreciated being invited by the government of Manitoba to provide input and share insights on what IEPs need to be successful.

To report to the Minister on registration practices related to internationally educated individuals and their registration by regulated professions, and to report to other Ministers in respect of those same issues as they relate to the regulated professions for which those ministers are responsible

In addition, the review of the registration practices of regulated professions is to include a report on the registration of internationally educated individuals

—The Fair Registration Practices in Regulated Professions Act

Quantifying the Issue – Developing Applicant Data Reporting Requirements

In order to report on the registration of internationally educated individuals, regulators must begin by identifying their internationally educated applicants as a distinct applicant category. Currently, the overwhelming majority of regulators do not record or track their internationally educated applicants.

Consequently, there is no baseline data about how many IEPs are registered by the various professional regulators and how long the process takes.

One way to measure the success of our collective work in qualification recognition is to look at what percentage of professionals who come to Manitoba actually get registered and how long that process takes. Over time, we would expect that first number to increase and the second one to decrease.

And it is not enough just to know how long the entire process takes—parts of which are beyond regulators' responsibility. We need to see how that process breaks down, marking the timeline from one step to the next. Doing so will yield a concrete understanding of what we need to work on in order to shorten the time to registration.

Data Sets

Developing the Applicant Data Reporting Requirements has involved numerous considerations. The OMFC drew on the expertise of business solutions specialists, consulted with the regulators, and was guided by Provincial legal counsel. In the end, two distinct sets of data will form the basis of the data reporting:

Data Set 1

- Will record the experience of individual internationally educated applicants—anonymously—as they move through the process of assessment and registration
- Significant timing points are tracked beginning with the moment a file is opened and ending with a file's closure, either because an applicant moves on to the regulator's membership registry or because they abort the process

Data Set 2

 Will present aggregate data that will allow basic comparisons between internationally educated and domestic applicants

In addition, the OMFC requests that regulators report on the number of professionals registered under interprovincial labour mobility in order to facilitate our provincial colleagues' needs to report on Chapter 7 of the Agreement on Internal Trade (AIT).

Regulators will begin to record applicant data as of January 1, 2011. They must submit the data on an annual basis according to calendar year. Their first report covering the period January 1 to December 31, 2011, is due on March 1, 2012. Work to support regulators so that they can record and report data efficiently continues.

5 To provide information and assistance respecting fair registration practices and related matters to:

- Regulated professions
- Organizations that deal with internationally educated individuals, including community organizations, post-secondary educational institutions, trade or occupational organizations and employers

—The Fair Registration Practices in Regulated Professions Act

Since December 2008, the OMFC has funded 53 projects totalling \$1.7 M from the Manitoba Opportunities Fund (MOF) to support the implementation of *The Fair Registration Practices in Regulated Professions Act*. Annual financial reporting follows the Department of Labour and Immigration's established process. The prime focus of these resources has been to support regulators, either through direct assistance or through the provision of expertise.

Funding is provided under two priority areas:

A. Service Delivery

Projects eligible for funding under Service Delivery provide direct programming to internationally educated professionals seeking recognition, in one of three categories: assessment and support; gap training, and orientation and preparation. Funding is intended largely for regulators, and also for post-secondary institutions working in partnership with regulators and employers.

Gap Training

Gap training projects follow a distinctly Labour and Immigration model based upon partnership between regulator, post-secondary institution, employers, and government. The purpose is to help IEPs fill gaps identified by the regulator, leading to a successful outcome of registration.

From December 2008 to December 2010, OMFC-supported gap training projects included:

- The Internationally Educated Agrologists Program (IEAP)
- The Technical Report Writing Program of the Certified Technicians and Technologists Association of Manitoba
- The Internationally Trained Accountants Program
- Bridging Program for Internationally Educated Medical Laboratory Technologists Program
- The Internationally Educated Teachers Program

Orientation and Preparation

To date, most of this activity has been centred on working with regulators to develop Professional Practice Seminars. These are a series of profession-specific modules that explain the culture of the profession in Canada—the "how we do things here" piece. This information—although outside the formal registration process—is key to successful practice.

One hundred IEPs received gap training that was developed in partnership with regulators, post secondary institutions, and other stakeholders. Eighty area of expertise.

B. Development and Support

This subvention helps regulators make changes so they can comply with requirements of the Act. Responses to improve the assessment and recognition of IEPs are supported under this priority area. So too are activities that support regulators in improving their assessment and registration policies, processes, and practices. It also allows the OMFC to provide support and expertise to the regulators.

Regulators are able to respond more efficiently to requirements under the Act because of the support provided by the OMFC.

Capacity Development

Activities undertaken to date include:

- Provide information and a conduit to expertise and other resources
- Organize workshops
- Use plain language to improve the clarity, comprehensiveness, and accessibility of public information (pamphlets, websites, forms, and correspondence)
- Provide French translations of key information

Regulators are improving the information they provide to IEPs.

Websites, forms, and correspondence are being renewed to be clearer, more complete and accessible, and easier to understand and navigate.

Reporting

These OMFC activities help regulators meet the reporting requirements of the Act and increase the efficiency of their business operations:

- Funding to help regulators enhance their Information Technology (IT) systems/databases so they can record applicant data and generate reports as per OMFC requirements
- Funding and expertise to help three regulators pilot a custom, internet-based tracking system that allows applicants to log in and monitor the status of their applications

Pan-Canadian Framework

A Note on the Commitment to Timely Service and Manitoba Regulators

In 2009, the Forum of Labour Market Ministers initiated A Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications. Its purpose is "to articulate a new, joint vision for governments to take concerted action to improve the integration of immigrants and other internationally-trained workers into the Canadian labour market."

Timeliness

Timeliness is one of the framework's guiding principles:

"...within one year, an individual will know whether their qualifications will be recognized, or be informed of the additional requirements necessary for registration, or be directed toward related occupations commensurate with their skills and experience."

"The one-year *begins* once all documents and fees required to process the applicants are provided to the relevant regulatory authority and *ends* after the candidate has received a decision related to the assessment of his/her foreign qualifications."

The OMFC recently surveyed all Manitoba regulators on the Pan-Canadian Framework definition of timeliness.

All Manitoba regulators report informing applicants of a decision related to their assessment within 6 months.

The Pan-Canadian Framework definition of timeliness does not include the time it takes an applicant to gather all documentation required for registration nor the time involved in filling identified gaps.



The Pan-Canadian Framework Definition of Timeliness

An OMFC Survey of Manitoba Regulators

DAM Denturists Association of Manitoba

MDA Manitoba Dental Association

MVMA Manitoba Veterinary Medical Association

CGA Certified General Accountants Association of Manitoba

APPRENTICESHIP Apprenticeship

AMLS Association of Manitoba Land Surveyors

APEGM Association of Professional Engineers and Geoscientists of the Province of Manitoba

CMA Certified Management Accountants

CMLTM College of Medical Laboratory Technologists of Manitoba

CPSM The College of Physicians and Surgeons of Manitoba

MCA Manitoba Chiropractors Association

MNA Manitoba Naturopathic Association

OOM The Opticians of Manitoba

CDM College of Dietitians of Manitoba

COTM College of Occupational Therapists of Manitoba

CRPNM The College of Registered Psychiatric Nurses of Manitoba

ICAM The Institute of Chartered Accountants of Manitoba

MIA Manitoba Institute of Agrologists

MPA Manitoba Pharmaceutical Association

PAM The Psychological Association of Manitoba

PCU Professional Certification Unit (Teachers)

CDHM College of Dental Hygienists of Manitoba

CTTAM Certified Technicians and Technologists Association of Manitoba

LAW SOCIETY The Law Society of Manitoba

MAA The Manitoba Association of Architects

MAO Manitoba Association of Optometrists

CLPM College of Licensed Practical Nurses of Manitoba

MSHA The Manitoba Speech and Hearing Association

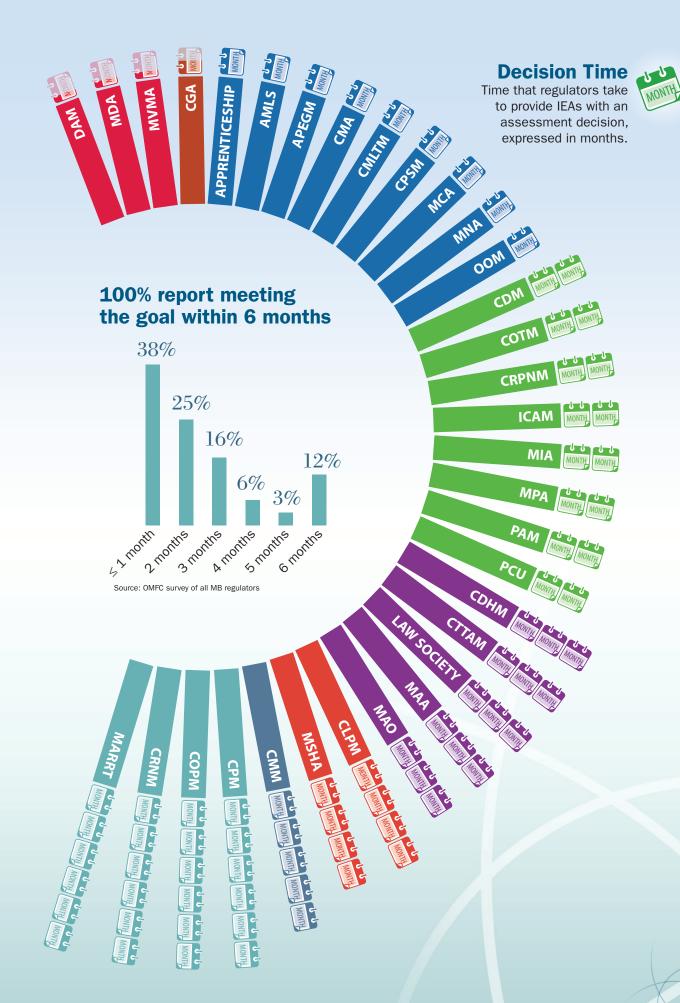
CMM College of Midwives of Manitoba

CPM College of Physiotherapists of Manitoba

COPM College of Podiatrists of Manitoba

CRNM College of Registered Nurses of Manitoba

MARRT The Manitoba Association of Registered Respiratory Therapists



The Fair Registration Practices in Regulated Professions Act Regulators Impacted by the Act

The following information presents a picture of each regulator—who they are, the extent to which they are feeling the impact of increased immigration, and how they are responding to this changing reality, both with and independent of support from the OMFC. The information was provided in part by regulators.

Immigration refers to landings of internationally educated permanent residents (principal applicants only) for the given occupational categories in 2005-09 inclusive as provided by Citizenship and Immigration Canada (CIC). These compilations are based on the National Occupational Classification (NOC).

Regulated Professions Named Under the Act

Association of Manitoba Land Surveyors (AMLS)

Staff	Registered Members	Immigration	Activities with the OMFC
1 FTE (Full Time Equivalent)	54	3 internationally educated individuals with a background in land surveying	Is implementing a new data reporting and applicant tracking system

2 Association of Professional Engineers and Geoscientists of Manitoba (APEGM)

Z AS	Association of Professional Engineers and Geoscientists of Maintoba (APEGIN)				
Staff	Registered Members	Immigration	Activities	With the OMFC	
12 FTE	6,253	597 internationally educated engineers in 14 disciplines	Has been registering internationally educated engineers for more than 50 years	Is enhancing its capacity to record and report applicant data	
			Has experienced a significant increase in IEAs since 2008. Top source countries are Philippines, India and China	Is one of eight regulators currently undergoing a Registration Review	
			Renewed its assessment strategy In 2008. Fewer confirmatory exams and faster assessments are the result		
			Dedicated staff provides in-person advice to internationally educated engineers (IEEs)		
			Provides orientation sessions for IEEs		
			Is a partner in the delivery of the University of Manitoba Internationally Educated Engineers Qualification (IEEQ) program, which accepts 40 IEEs		
			annually		

3 Certified General Accountants Association of Manitoba (CGA Manitoba)

Staff	Registered Members	Immigration	Activities	With the OMFC
20 FTE	1,946	1,206 internationally educated accountants (all accounting designations combined; no separate NOC codes)	Is participating in the development of a national online self-assessment tool Is a partner in the development of a new bridging program for internationally educated accountants at the Asper School of the The University of Manitoba	Is piloting a Professional Practice Seminar series for internationally educated accountants Developed and delivered the Internationally Trained Accountants Program. A customized communication course is available as well as mentorship sessions for IEAs Staff has benefited from cultural diversity training

4 Certified Technicians and Technologists Association of Manitoba (CTTAM)

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Staff	Registered Members	Immigration	Activities	With the OMFC
4 FTE	2,652	internationally educated technicians and technologists in 15 disciplines	Saw unprecedented numbers of applicants in 2010. Top source countries are Philippines, India, and Russia and Ukraine. Large numbers occur in part because IE engineers apply as well as IE technicians and technologists Provides orientation sessions for IEAs Provides quick assessment results with documentation that is useful for securing employment National Technology Benchmarks (NTB) have recently been updated and the list of assessed educational programs and courses in the international database has doubled	Developed and delivers the Technical Report Writing Course for Internationally Educated Technologists to help IEAs complete requirements for certification Is one of eight regulators currently undergoing a Registration Review

5 College of Dental Hygienists of Manitoba (CDHM)

Staff	Registered Members	Immigration	Activities with the OMFC
2 FTE	767	4 internationally educated dental hygienists and dental therapists	Is developing a Competency Assessment and Refresher program (CAR) for internally educated dental hygienists and is committed to providing support to all individuals who have the expertise yet may lack some of the competencies Is developing its website, application package and occupational fact sheet in plain language

6 College of Dietitians of Manitoba (CDM)

Staff	Registered Members	Immigration	Activities	With the OMFC
1.5 FTE	405	15 internationally educated dietitians and nutritionists	Personally guides IEAs through the steps of the registration process and helps them develop a contingency plan	Staff has benefited from workshops on cultural diversity training and plain language

7 College of Licensed Practical Nurses of Manitoba (CLPNM)

Staff	Registered Members	Immigration	Activities	With the OMFC
8.8 FTE	2,894	87 permanent residents who are internationally educated nurses (all nursing designations combined); 196 nurses also arrived as temporary foreign workers during the same period	Has seen a dramatic increase of IEAs since 2008. Top source countries are Philippines, India and Africa. Large numbers occur in part because registered nurses also apply to CLPNM Introduced orientation sessions for IE nurses interested in seeking LPN registration Provides one-on-one assistance and advice for every IEA and has renewed its commitment to timely service Provides applicants with detailed written reasons for assessments National certification exam is under review for plain language and cultural issues. The current 7 1/2 hour exam is to be shortened to 4 1/2 hours in 2012	Has participated in every OMFC organized meeting and event Is one of eight regulators currently undergoing a Registration Review Is reworking its website and application package in plain language Is piloting an applicant tracking system that promotes applicant self service Is developing a Professional Practice Seminar for piloting in 2011-12 Staff has benefited from cultural diversity workshops

8 College of Medical Laboratory Technologists of Manitoba (CMLTM)

Staff	Registered Members	Immigration	Activities with the OMFC
2 FTE	1,093	43 internationally educated medical laboratory technologists and pathologists' assistants	Updated its Occupational Fact sheet in English and French Is enhancing its database to meet applicant data reporting requirements

Ocollege of Midwives of Manitoba (CMM)

Staff	Registered Members	Volunteers	Immigration	Activities	With the OMFC
2.03 FTE	53	40	8 internationally educated midwives and practitioners of natural healing	Is in the midst of a major transition in their assessment process that began in 2008-09 Small numbers of arrivals are a barrier to offering a bridging program in Manitoba. Through its participation in the Multijurisdictional Midwifery Bridging Program (MMBP), CMM is working to provide an effective quality program for internationally educated midwives. The second pilot of the MMBP was completed in 2010. The MMBP offers prior learning assessment, gap training and clinical placement opportunities for IEMs across 5 provincial jurisdictions	Is one of eight regulators currently undergoing a Registration Review Is updating its website to incorporate process changes and plain language

10 College of Occupational Therapists of Manitoba (COTM)

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Staff	Registered Members	Immigration	Activities	With the OMFC
2.2 FTE	604	9 internationally educated occupational therapists	Has had no IEAs in the last two years Is working to improve internal processes Provides a supervised practice registry that allows IEOTs the opportunity to address qualification gaps in practice Is working with other OT regulators to improve assessment processes Is working with other OT regulators to improve QR processes. Improvements include a profession-specific academic review tool, an education benchmark and a competency assessment tool	Updated, developed and treated forms and information material in plain language Is one of eight regulators currently undergoing a Registration Review Undertook a national review of language policy with the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO). The results are being considered for implementation

11 College of Physicians and Surgeons of Manitoba (CPSM)

Staff	Registered Members	Immigration	Activities
30 FTE	3,456	163 international medical graduates including 58 specialists	Has seen a 15% increase in IEAs since 2008. Top source countries are Egypt, Saudi Arabia and Iran Established the International Medical Graduate Program (IMG) in 2001 with Manitoba Health and the University of Manitoba Faculty of Medicine. In 2007, the IMG program expanded, introducing the assessment-only, International Medical Graduate Assessment for Conditional Licensure (IMGACL) and mentorship program. A one month orientation is now provided to all IMG program participants

12 College of Physiotherapists of Manitoba (CPM)

Staff	Registered Members	Immigration	Activities	With the OMFC
2.4 FTE	950	14 internationally educated physiotherapists	Meets individually with IEPTs to provide information, advice and support about the registration process Welcomes the diversity that IETs bring to the profession and the workplace	Compiled an inventory of gap training programming for IEPTs in Canada Is reviewing and revising communications material for plain language treatment

13 College of Podiatrists of Manitoba (CPM)

Staff	Registered Members	Immigration
0.25 FTE	26	1 internationally educated podiatrist/chiropodist

14 College of Registered Nurses of Manitoba (CRNM)

Staff	Registered Members	Immigration	Activities	With the OMFC
26 FTE	12,905	87 permanent residents who are internationally educated nurses (all nursing designations combined); 196 nurses also arrived as temporary foreign workers during the same period	Is involved in a variety of activities meant to support the effective recognition of IENs Adjusted policies and data collection to manage applications Is working to improve communication of the requirements to applicants Participated in the development and implementation of a Clinical Competency Assessment (part of a multi-jurisdictional project) Participated in the development of the Bridging Program for Internationally Educated Nurses with Red River College Participated in the development of the CELBAN, a national occupation specific language assessment Entry Level Competencies were established collaboratively through the national Jurisdictional Competency Project	Is one of eight regulators currently undergoing a Registration Review

15 The College of Registered Psychiatric Nurses of Manitoba (CRPNM)

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	Staff	Registered Members	Immigration	Activities	With the OMFC		
	3.38 FTE	1,041	87 permanent residents who are internationally educated nurses (all nursing designations combined); 196 nurses also arrived as temporary foreign workers during the same period	Reports having to be flexible and creative in order to meet fairness requirements within their existing human and fiscal resources Is participating in a multi-jurisdictional project to update and complete the competency standard for entry to practice and to develop a competency-based self-assessment tool	Is introducing plain language web pages, registration instructions and updating the Resource Guide for IERPNs Is piloting an applicant tracking system that promotes applicant self service Was supported to participate in a multi-jurisdictional request for federal funding to update the national competency standards		

16 Denturists Association of Manitoba (DAM)

Staff	Registered Members	Immigration	Activities
1 FTE	53	2 internationally educated denturists	Amended its by-laws In response to the Fairness Commissioner and the new legislation Is introducing a new tracking mechanism for applicants Developed an Application for Assessment Prior to Licensure. This quickly and effectively lets IEAs know whether they can or should proceed towards licensure as a Denturist, and the steps involved in proceeding through the system

17 Institute of Chartered Accountants of Manitoba (ICAM)

Staff	Registered Members	Immigration	Activities	With the OMFC	
10.2 FTE	2,835	1,206 internationally educated accountants (all accounting designations combined; no separate NOC codes)	Is a partner in the development of a new bridging program for internationally educated accountants at the Asper School of the The University of Manitoba Is working with the four western Canadian provincial institutes and the CA education delivery body, The CA School of Business (CASB), to develop a more structured means of evaluating experience	Is piloting a Professional Practice Seminar series for internationally educated accountants	

18 Law Society of Manitoba (LSM)

Staff	Registered Members	Immigration	Activities	
40.75 FTE	4,112	20 internationally educated lawyers	Top source countries for IELs are India, U.K. and Australia Established a new internal admissions appeal process, motivated in part by the new fairness legislation and the OMFC	
			Sees admission of foreign trained lawyers to the legal profession as a means to improve access to legal services in some areas of the law and in various communities in Manitoba	
			The National Committee on Accreditation has recently renewed its process and now provides quicker, more transparent assessments	

19 Manitoba Association of Architects (MAA)

Staff	Registered Members	Immigration	Activities
2 FTE	358	54 internationally educated professionals in the field of architecture	Iran, Algeria and Egypt were the top source countries for internationally educated Architects in 2010 Nationally, the architectural profession is in the process of introducing an alternative process for Broadly Experienced Foreign Architects (BEFA) and the creation of a true competency standard A new diploma option is being introduced in architecture through Athabasca University (a distance education program) for IEAs to supplement their training These projects are motivated by the new fairness legislation in Manitoba and Ontario and are supported by federal funding

20 Manitoba Association of Optometrists (MAO)

Staff	Registered Members	Immigration	Activities	With the OMFC
1.6 FTE	129	3 internationally educated	Provides IEOs with individual attention, information and advice	Staff has benefited from cultural diversity training
		optometrists	Instituted a new Mentoring Program for IEOs	Is updating its communications materials in plain language

21 Manitoba Association of Registered Respiratory Therapists (MARRT)

Staff	Registered Members	Volunteers	Immigration	Activities
0.25	252	10	3 internationally educated	Has established a part time paid
FTE			respiratory therapists	registrar position

22 The Manitoba Chiropractors Association (MCA)

Staff	Registered Members	Immigration	Activities
3 FTE	256	1 internationally educated chiropractor	Increased the exam frequency to allow an individual to complete the registration process in less than a year Put new criteria and protocols in place to recognize and value the experience of IEAs coming from regulated and unregulated environments

23 Manitoba Dental Association (MDA)

Staff	Registered Members	Immigration	Activities	With the OMFC
5.7 FTE	1,788	34 internationally educated dentists and dental assistants	Is working to ensure that paths for registration and licensure do not restrict qualified individuals from practicing the profession	Participated in several OMFC workshops and undergone an internal review to ensure fair practice
			Nationally, a new equivalency process for IEDs has been implemented	Has reviewed its online registration information for plain language and a new description of the registration pathway is available. Better communication and information will result for IEDs

24 Manitoba Institute of Agrologists (MIA)

Staff	Registered Members	Immigration	Activities	With the OMFC
1.5 FTE	613	34 people with international education with specialty in agrology	Is in the process of significant change, working to align its practices and procedures with the requirements of the Fair Practices legislation Provides information sessions for IEAs	Is re-working its website and brochures in plain language Is piloting an applicant tracking system that promotes applicant self service Is a partner in the Internationally Educated Agrologists Program at the University of Manitoba

25 Manitoba Naturopathic Association (MNA)

Staff	Staff Registered Members Immigration		Activities	
0.25 FTE	24	0 internationally educated naturopaths	Is working with the Canadian Association of Naturopathic Doctors (CAND) and other provincial regulators to create a national competency assessment	

26 Manitoba Pharmaceutical Association (MPhA)

Staff	Registered Members	Immigration	Activities
8 FTE	1,607	87 people with international education in pharmacy including 39 pharmacists	Introduced a manual IEA tracking form Staff assist IEAs in exam preparation

27 Manitoba Speech and Hearing Association (MSHA)

Staff	Registered Members	Immigration	Activities
2 FTE	434	0 audiologists or speech language pathologists	The Fairness Commissioner and legislation has motivated the Board to develop creative solutions in the assessment of IEA credentials and abilities

28 Manitoba Veterinary Medical Association (MVMA)

Staff	Registered Members	Immigration
3.75 FTE	368	15 internationally educated veterinarians

29 Opticians of Manitoba (OOM)

Staff	Registered Members	Immigration	Activities with the OMFC
0.9 FTE	310	2 internationally educated opticians	Has participated in every OMFC organized meeting and event In response to the Fairness Commissioner and legislation, is using plain language to improve its registration information, application documents and information about the national assessment process

30 Psychological Association of Manitoba (PAM)

Staff	Registered Members	Immigration	Activities
0.5 FTE	255	8 internationally educated psychologists	Reports that its engagement with the OMFC has helped raise awareness of issues surrounding the fair consideration of IEAs Added more information to its website to help IEAs better understand the assessment process

31 Society of Management Accountants of Manitoba (CMA) (SMAM)

Staff	Registered Members	Immigration	Activities	With the OMFC
7.7 FTE	1,625	1,206 internationally educated accountants (all accounting designations combined; no separate NOC codes)	Reports that the information provided through OMFC meetings and workshops has created greater awareness of the issues faced by IEAs Developed short aptitude tests related to required pre-requisite courses. IEAs have the opportunity to write a one-hour, multiple-choice test for one or both topics Is a partner in the development of a new bridging program for internationally educated accountants at the Asper School of the University of Manitoba	Is involved in piloting a Professional Practice Seminar series for internationally educated accountants

Government Regulated Professions

1 Manitoba Education - Professional Certification and Student Records Unit (PCSRU)

Staff	Registered Members	CIC Arrivals	Activities	With the OMFC
13 FTE	15,000 - 15,500	197 internationally educated secondary and elementary school teachers	Reports that assessing international academic credentials can be a challenge IETs can get provisional certification that allows them to teach while completing academic requirements for permanent certification (since 2003)	Is one of eight regulators currently undergoing a Registration Review

2 Manitoba Family Services (MFS) - Childcare Office

Staff	Registered Members	CIC Arrivals
2.5 FTE	2,397 (ECE II and III)	52 internationally educated early childhood educators

3 Apprenticeship Manitoba

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Staff	Registered Members	CIC Arrivals	Activities	With the OMFC	
30 FT	E 8,128	3,033 internationally trained tradespeople	The pilot project Workplace Integration of Skilled Newcomers in the Trades (WISNIT) prepares internationally trained tradespeople for the certification requirements in designated skilled trades. WISNIT has capacity for 40 newcomers The Apprenticeship Workplace Essential Skills Training Centre (aWEST) provides exam preparation support and upgrading opportunities for skilled trades people The Manitoba Apprenticeship Certification Board has made the participation of new Canadians in the Apprenticeship system an area of focus for 2011-12	Is one of eight regulators currently undergoing a Registration Review	

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