

A Pan-Canadian Framework

for the Assessment and Recognition of Foreign Qualifications

FORUM OF LABOUR MARKET MINISTERS



Forum of Labour Market Ministers (FLMM)

The FLMM is an intergovernmental forum established to strengthen co-operation and strategic thinking on the labour market priorities of the provinces, territories and Canada. The FLMM is composed of federal-provincial-territorial ministers, deputy ministers and officials with labour market responsibilities.

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TABLE OF CONTENTS

INTRODUCTION

Context.....	1
Foreign Qualification Recognition	1
Barriers to Qualification Recognition.....	1
The Parties to this Framework	2
Labour Mobility and the Pan-Canadian Framework.....	3

PAN-CANADIAN FRAMEWORK

I Purpose of the Framework.....	4
II Principles.....	4
Fairness.....	4
Transparency.....	5
Timeliness.....	5
Consistency.....	5
III Pathways to Recognition in Canada.....	5
IV Pan-Canadian Commitment to Timely Service.....	7
V Desired Outcomes: What We Want to Achieve.....	7
VI Commitment to Collaborative Action	9
VII Reporting to Canadians.....	9
VIII Moving Forward.....	9

ANNEX A

Implementation Strategies	11
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INTRODUCTION

CONTEXT

Governments recognize that a skilled and flexible workforce is key to prosperity in today's changing economy. Immigrants and other internationally-trained workers continue to play a vital role in sustaining Canada's economic strength and high quality of life.

In addition to weathering the current economic storm, Governments must take action to ensure that the Canadian economy remains on a competitive and prosperous footing over the long-term.

In light of the increasing global competition for talent, an immigration system that attracts the best and brightest from around the world positions Canada to address current and future skills shortages. The demographic changes facing Canada's labour market in the coming decades also points to an important contributing role for immigration.

Achieving Canada's economic potential requires that immigrants are able to use to the fullest their skills and experience within the Canadian labour market.

FOREIGN QUALIFICATION RECOGNITION

Governments must take concerted action on the assessment and recognition of foreign qualifications in order to create an environment where immigrants are able to apply their talents.

Foreign qualification recognition is the process of verifying that the knowledge, skills, work experience and education obtained in another country is comparable to the standards established for Canadian professionals and tradespersons.

While foreign qualification recognition is an obstacle faced primarily by immigrants, many Canadians also seek education and employment abroad. All foreign trained individuals, whether Canadian or foreign-born, may encounter issues related to the recognition of

their academic credentials, occupational certifications and work experience upon their return. Given the additional challenges and barriers newcomers may face, this Framework focuses on immigrant labour market integration, although all individuals with international qualifications will also benefit.

There are a multitude of players involved in the assessment and recognition of foreign qualifications. There are nearly 500 professional regulatory authorities and numerous credential assessment bodies in Canada, as well as hundreds of post-secondary and vocational institutions and countless numbers of employers, immigrant serving agencies, and most importantly, immigrants and other internationally-trained workers.

For occupations where no certification or license is required to practice, it is generally the employer's responsibility to determine whether a potential worker possesses the appropriate qualifications, training or experience. While qualification recognition issues certainly exist within this domain, Governments have agreed to place an initial focus on qualification recognition issues related to regulated occupations.

Significant progress has already been made by these stakeholders to ensure that the necessary information, processes, standards and resources are in place to improve the assessment and recognition of foreign qualifications.

BARRIERS TO QUALIFICATION RECOGNITION

Many immigrants continue to encounter barriers to the recognition of their skills, education and experience, despite the numerous efforts currently underway both within and across jurisdictions. The reality for many immigrants is that they are faced with a complex and often frustrating system.

Canadian occupational regulatory systems were designed to respond to Canadian-educated applicants. Over time, some flexibility has been developed to accommodate applicants from education systems

similar to those in Canada, but challenges remain in responding to more diverse education systems and occupational standards.

Immigrants often have difficulty obtaining reliable information on regulatory requirements, registration processes and workplace expectations prior to emigrating. Consequently, many immigrants needlessly lose valuable time navigating the system after their arrival.

Assessment processes for certification may not be sufficiently flexible to adequately allow immigrants to demonstrate their qualifications. For those who do not fully meet requirements for licensure, opportunities to gain the missing complement of skills are limited. Immigrants frequently settle into work that is below their capabilities as a result of not being able to access information or the supports necessary to move into work better suited to their qualifications and experience.

Regulatory authorities may have neither sufficient financial nor human resources to address the complexities posed by assessment and recognition of foreign qualifications. This is particularly the case for smaller organizations that often rely on a limited dues-based operating income. The development of formalized processes to assess foreign qualifications is currently outside of the reach of many regulatory authorities.

Even after registration or certification requirements are met, immigrants may find that moving into the workforce poses additional challenges, and that few resources are available to either employers or workers to assist with the adjustment process.

Specific barriers to qualification recognition vary across both occupations and jurisdictions, and are highly dependent on background and experience of the individual applicant.

The *Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications* describes the ideal steps and processes that governments aspire to build

in order to address the current gaps to successful immigrant labour market integration.

THE PARTIES TO THIS FRAMEWORK

Initiating joint work among jurisdictions to develop and implement the Pan-Canadian Framework is a critical step for Canada in addressing these national challenges. The Framework provides a shared vision, guiding principles, and desired outcomes for improving the assessment and recognition of foreign qualifications in regulated occupations in Canada.

This Framework represents a joint commitment by federal, provincial and territorial governments to work together to improve the foreign qualification assessment and recognition systems in Canada. This Framework complements and coordinates the efforts of governments and their foreign qualification recognition partners, as well as being a reference point for individual federal, provincial and territorial strategies.

Qualification recognition for regulated occupations is mainly a provincial and territorial responsibility that has often been delegated in legislation to professional regulatory authorities. A number of jurisdictions have introduced *Fair Access* legislation that regulates the registration practices of these authorities.

Regulatory authorities, in each jurisdiction, have the primary responsibility for establishing occupational standards that ensure public, consumer and environmental protection. Regulatory authorities are responsible for assessing the skills and credentials of applicants against those standards in order to certify, register, and license qualified applicants in regulated occupations.

The right of each province and territory to adopt occupational standards at levels they consider appropriate has been accompanied by the introduction of a range of assessment tools, certification and qualifications requirements, which may vary across jurisdictions.

In addition to the central role played by regulatory authorities, numerous other individuals and organizations, including various government departments, post secondary and vocational institutions, immigrant settlement agencies and employers, are meaningfully involved in the various steps associated with the assessment and recognition of foreign qualifications. Collaboration and coordination between these many stakeholders is necessary to further reduce duplication and to continue to make system-wide enhancements.

LABOUR MOBILITY AND THE PAN-CANADIAN FRAMEWORK

Through the Agreement on Internal Trade, federal, provincial and territorial governments agreed to eliminate inter-provincial barriers to the free movement of workers, goods, services and investments.

In early 2009, all governments approved amendments to Chapter 7 of the Agreement to achieve full labour mobility for workers in regulated professions and regulated trades.

The Chapter now requires that a certified worker in one province or territory who wishes to relocate to another province or territory to work shall, upon application, be certified for that occupation by the destination province or territory, unless an additional pre-defined allowable certification requirement or limitation is imposed, or unless a province or territory has noted the need for an exception as necessary to achieve public, consumer or environmental protection.

Building upon these advances, governments recognize that we are collectively faced with both the opportunity and the need for moving forward in a concerted way on issues of foreign qualification recognition.

The Agreement encourages the adoption of occupational standards based on common interprovincial standards, where it is possible and practical to do so. Governments have agreed that there can be different pathways for a worker to acquire and demonstrate the necessary skills, knowledge and abilities required for certification in a regulated occupation. Differences may therefore exist between jurisdictions in terms of the assessment processes and criteria that determine whether or not foreign qualifications will be recognized. However, recognition of foreign qualifications in one jurisdiction requires that other jurisdictions accept that licensing decision. Once an internationally-trained individual is certified by a province or territory, he or she cannot be treated any differently for certification purposes than a domestically-trained worker.

THE PAN-CANADIAN FRAMEWORK

I. PURPOSE OF THE FRAMEWORK

The purpose of the *Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications* 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.

While the Framework is not a legal document, it is a public commitment that marks an historic step towards realizing a principles-based vision for improving qualification assessment and recognition practices, with a priority placed on regulated occupations.

Provinces, territories, and the Government of Canada will work together to create positive change for immigrants in Canada. Immigrants looking to enter regulated occupations in Canada will receive clear information as early as possible in the immigration process, fair treatment during the assessment process and prompt communication of recognition decisions. Supports will also be extended to both individuals and employers to help to enable immigrants' participation in the workforce.

Collaboration among governments and between governments and regulatory authorities on assessment and recognition processes will be strengthened, with the goal of ensuring a coherent system for determining recognition of qualifications for specific occupations.

The Framework provides the context and overall vision intended to guide this work in the subsequent implementation phase. The Framework is not a substitute for initiatives already underway, but rather a public expression of the common principles and priorities that governments share.

PAN-CANADIAN VISION

A fair and competitive labour market environment where immigrants have the opportunity to fully use their education, skills and work experience for their benefit and for Canada's collective prosperity.

II. PRINCIPLES

The Pan-Canadian Framework is based on the following guiding principles. These principles shall be interpreted in full respect of the public protection responsibility of regulatory authorities:

FAIRNESS

- The criteria used for determining recognition of qualifications are objective, reasonable and do not exhibit bias.
- The methods used for assessing qualifications are both necessary and sufficient for determining whether occupational standards are met.
- Canadians and internationally-trained applicants will be treated equally with regards to the requirements that must be demonstrated in order to achieve qualification recognition.
- Communication of assessment results involves clear explanation of the rationale for the decision that has been taken.
- Assessment processes are efficient and avoid duplication, particularly where there are multiple assessments required by different parties during the assessment process of an individual applicant.

TRANSPARENCY

- Requirements for applying to a specific occupation, as well as the methods for assessment and criteria for recognition of foreign qualifications, are fully described, easy to understand, and widely accessible to immigrants.
- Where applicable, applicants are informed of all remaining options when full recognition does not initially occur.

TIMELINESS

- The assessment and recognition of foreign qualifications, as well as the communication of assessment decisions, are carried out promptly and efficiently.

CONSISTENCY

- The methods for assessment and criteria used for determining recognition of qualifications for specific regulated occupations are mutually acceptable in each province and territory of Canada so that the results of the assessment processes are mutually recognized.

III. PATHWAYS TO RECOGNITION IN CANADA

The following diagram represents the scope of the Framework as viewed through the eyes of an individual seeking to put their foreign qualifications to use within the Canadian labour market. The Framework spans the steps and processes that individuals face as they move through the system, which is increasingly beginning before an individual's arrival in Canada.

The first step of the pathway calls for consistent and reliable information, self-assessment tools, and other supports, both overseas and in Canada, to equip individuals with a clear understanding of educational and licensing requirements, as well as an orientation to the Canadian workplace.

The next step is for the individual to begin the process of assessment and recognition. The assessment stage typically includes a verification of authenticity of academic credentials and the identification and evaluation of knowledge, credentials, and work experience required for entry into regulated occupations or educational programs. Occupation specific examinations, language testing, and other evaluation activities may also be required as part of the assessment process.

Third-party agencies often conduct qualification assessments for regulated occupations. While some agencies employ strict and codified assessment procedures, others employ varied standards. Disagreement on the value of a credential can dramatically impact an individual's access to a given occupation.

Registration decisions are made by regulatory authorities on the basis of these assessed qualifications.

Once qualifications have been assessed, an applicant should receive a clear decision from the regulatory authority that directs them toward their appropriate pathway. The pathway will depend on the degree to which an applicant's qualifications demonstrate that they have the required knowledge, skills and experience to practice competently in their chosen occupation.

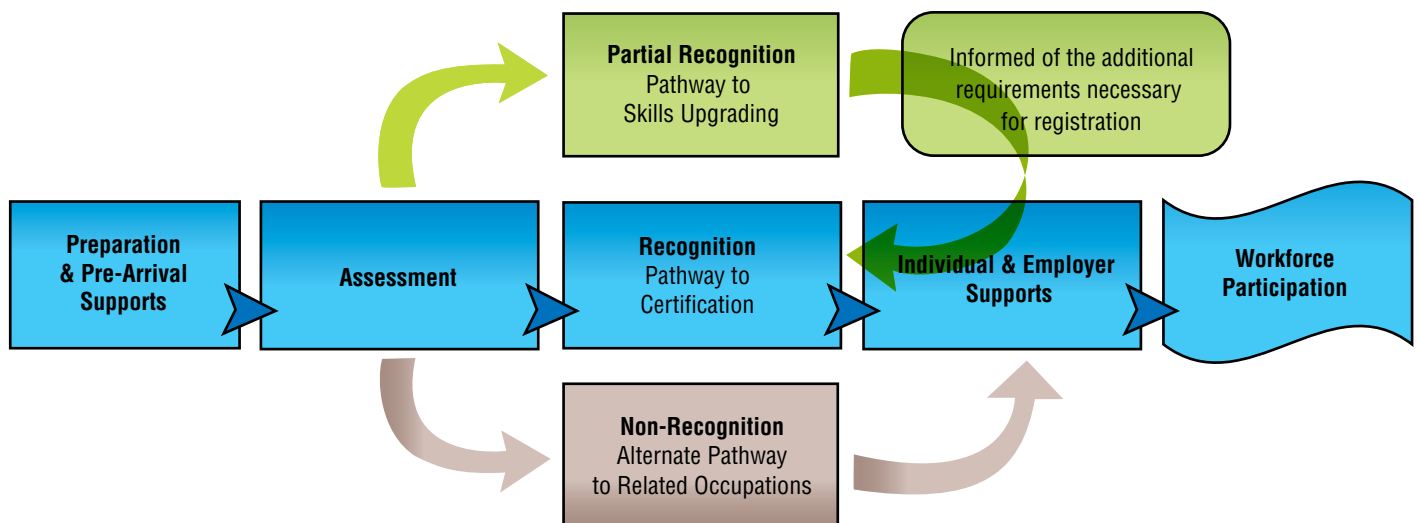
The direct *pathway to certification* is for applicants who fully demonstrate the required qualifications. It involves the regulatory authority for a given occupation registering or licensing the applicant so that they may practice in their chosen occupation.

The *pathway to skills upgrading* is for applicants who must obtain some additional requirements in order to practice in their chosen occupation. This pathway will involve skills upgrading and reassessment should the individual wish to pursue licensure.

The *alternate pathway to related occupations* is for those applicants whose qualifications do not meet the requirements of their occupation, and for whom skills upgrading is not an option. It involves the provision of career planning advice to the individual so that they can most effectively build on their experience in related occupations.

The final destination of each of these pathways is participation in the Canadian workforce at a level that most appropriately reflects an individual's qualifications. Each step of the pathway requires the cooperation of a number of stakeholders and a variety of supports.

PATHWAYS TO RECOGNITION IN CANADA



IV. PAN-CANADIAN COMMITMENT TO TIMELY SERVICE

The assessment and recognition process for qualifications varies greatly across occupations, as each profession or trade has their own requirements for the various steps in the process. The process also depends on the background and particular experience of individuals seeking licensure.

A Pan-Canadian commitment to timely service will be established in collaboration with regulatory authorities and other stakeholders in each jurisdiction. For the purposes of this commitment, the assessment and recognition process begins when an individual presents required documentation to the relevant regulatory authority. This point is typically marked by the payment of fees. The commitment is met when a qualifications recognition decision is communicated to the applicant.

PAN-CANADIAN COMMITMENT TO TIMELY SERVICE

Our goal is that 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.

For certain occupations, the assessment and recognition process is already occurring in months. Governments welcome these best practices, which along with commitments to fair and timely service will help position Canada in the global competition for talent.

There may be cases where it is not appropriate or practical to come to a recognition decision within one year. Exceptions to the one-year commitment will

exist, such as where occupations require an extended practice-based or workplace-based component to their registration process.

The commitment to timeliness is one part of the ongoing process to promote foreign qualification systems that are fair, transparent, timely and consistent across Canada. Governments will work in collaboration with affected stakeholders to map common, occupation-specific, pathways with service standards that reflect all of the principles of the Framework. These may evolve over time as system-wide improvements take effect.

V. DESIRED OUTCOMES: WHAT WE WANT TO ACHIEVE

The following outcomes and benchmarks of success are indicators of the ideal steps and processes that governments aspire to achieve in order to address the current gaps to successful immigrant labour market integration.

PREPARATION AND PRE-ARRIVAL SUPPORTS

As early as possible in the immigration process, immigrants will have access to reliable and accurate information and assessment services.

Benchmarks of Success

- Immigrants are able to make contact with key stakeholders, including the appropriate regulatory authority, prior to their arrival in Canada.
- Immigrants are adequately informed of and prepared for the assessment requirements for registration in their chosen field.
- Improved availability and quality of assessment preparation and other early intervention support tools, including occupation specific self-assessment tools and reference and exam preparation materials.

ASSESSMENT

Methods used for assessing foreign qualifications will be reasonable and objective, and regulatory authorities will share information regarding the approaches they use with their regulatory counterparts in other jurisdictions.

Benchmarks of Success

- Assessment processes and requirements are easily understood and widely accessible to immigrants.
- Assessment processes and methods used for determining the recognition of foreign qualifications are fair, sufficient, and as timely and cost-effective as possible.
- Assessment methods consider foreign skills, experience and education relevant to working in a given occupation in Canada.
- Assessment opportunities are increasingly available prior to an individual's arrival in Canada.
- Information regarding assessment approaches and tools is available online, and opportunities exist for practitioners and other affected stakeholders to share best practices regarding assessments.

RECOGNITION

Recognition-related decisions will be clearly and comprehensively communicated in a timely fashion.

Benchmarks of Success

- Criteria for decision-making concerning recognition are transparent and easily understood.
- Immigrants are adequately informed about reasons for the decision, including the identification of additional requirements for licensure and registration, as well as avenues for internal review and appeals.

- Outcomes of recognition decisions pertaining to foreign qualifications are mutually recognized across provinces and territories, in accordance with the Agreement on Internal Trade.

BRIDGE-TO-LICENSURE

Immigrants are made aware of bridge-to-licensure and registration opportunities so that they may upgrade their qualifications as required for entry-to-practice.

Benchmarks of Success

- Immigrants have access to information regarding the availability of training that responds to the identified gaps in qualifications.
- Immigrants have access to information regarding career alternatives, where skills upgrading is not a viable option.
- Immigrants are able to acquire relevant pieces of upgrading with minimal repetition of previously-acquired training, where appropriate.

WORKFORCE PARTICIPATION

Immigrants and employers are able to access required supports in order to bridge immigrants successfully into the workforce in a timely fashion.

Benchmarks of Success

- Labour market and career guidance information is available to immigrants early and throughout the immigration process.
- Supports for labour market integration are available, such as language upgrading, career advice study preparation, mentorships and internships, and bridging programs.
- Tools and resources are available to employers that will enhance their ability to integrate and retain immigrants, including diversity awareness, workplace receptivity, and workplace retention practices.

- Supports for the development of innovative approaches to promote and facilitate the entry of immigrants into the workforce.

VI. COMMITMENT TO COLLABORATIVE ACTION

Governments are committed to achieving results so that immigrants will have the opportunity to fully use their education, skills and work experience for their benefit and for Canada's collective prosperity.

Governments recognize that improvements to a set of systems as complex as those related to the assessment and recognition of foreign qualifications will take time, resources, and a sustained commitment from a range of key stakeholders. The successful implementation of the Pan-Canadian Framework will require a collaborative, supportive, and respectful environment. Governments commit to promoting this environment through:

Leadership and Coordination

- Successful labour market integration requires a high degree of collaboration between and across stakeholder groups. Governments have a central leadership role in creating and facilitating this setting;

Ongoing Consultation and Engagement

- Stakeholders will be engaged throughout the implementation of the Framework;

Information-Sharing

- Information and best practices will be shared with jurisdictions and stakeholders as openly and to as great a degree as possible;

Continuous Improvement

- Governments and stakeholders will work together to share best practices in order to create a cycle of continuous and ongoing improvement; and

Results-Oriented

- Existing and emerging partnerships between stakeholder groups must focus on results and outcomes.

VII. REPORTING TO CANADIANS

Governments recognize the importance of being accountable to Canadians, and agree that clear reporting that allows the public to track progress towards implementing this Framework will form the basis of accountability under this Framework.

Governments will work with regulatory authorities and other key stakeholders to improve the quality of reporting over time through information and data improvements, research and knowledge development and dissemination, and information sharing on best practices.

Governments agree to report annually on the Pan-Canadian commitments pertaining to this Framework. It is the responsibility of each government to report to their residents on the progress relevant to their unique contexts and programs.

VIII. MOVING FORWARD

Immigrants expect a fair and responsive system so that they can reach their full potential, and have the opportunities and choices they need to build a better quality of life. Employers expect timely access to the skills and experience of immigrants.

Employers and the Canadian public expect that occupational standards and the commitment to public safety are maintained. Governments believe that the objectives of public protection and a fair, transparent and timely foreign qualification recognition system are fully compatible.

In order to realize the vision contained within this Framework, governments and the many stakeholders involved must work in collaboration.

The elements of the Framework will be implemented by a variety of stakeholders at each point along the appropriate pathway. Governments will provide leadership to ensure that each of these steps form a continuous pathway.

This Framework serves as a guide for our shared journey.

ANNEX A – IMPLEMENTATION STRATEGIES

Governments agree to work together and in collaboration with affected stakeholders to apply the principles of the Framework, establish service standards, and to help support the labour market needs of immigrants across Canada.

The following implementation strategies will guide federal, provincial and territorial government efforts so that the joint commitments and desired outcomes articulated in the Framework are achieved.

These strategies are not substitutes for initiatives and legislative approaches already underway. Rather, they are a guide to collective work and a common reference point for individual federal, provincial and territorial strategies that are made in full recognition of the existing roles and responsibilities of governments and affected stakeholders. These strategies will be implemented in accordance with existing intergovernmental agreements, notably those regarding immigration and the labour market.

Given the varying starting points, as well as differing immigration and labour market priorities, it is recognized that the parties to the Framework will need to determine what actions are required for their own jurisdiction to honour the commitments made in the Framework.

1. ENHANCING PRE-ARRIVAL SUPPORTS

- Pre-arrival assessment tools, on-line and overseas services, and information supports will be upgraded to help immigrants prepare for entry into the Canadian labour market.
- Strategies will be developed for providing prospective immigrants with pre-arrival labour market integration information as early as possible in the immigration process.

- Where feasible and able to be delivered on a practical scale, approaches will be developed that assist immigrants in initiating assessments before arrival.

2. ASSESSMENT AND RECOGNITION

- The institutional capacity of key foreign qualification recognition stakeholders, including regulatory bodies, will be strengthened to assess and recognize foreign qualifications, and implement the principles in the Framework.
- Information resources and tools to support foreign qualification assessment and recognition in the skilled trades will be enhanced.
- Project-based funding will be made available to:
 - enhance collaboration of regulatory bodies and assessors, and to develop processes and tools to improve the assessment and recognition of foreign qualifications across Canada, and
 - improve the consistency and portability of assessment results across Canada.
- The decision making capacity of governments and stakeholders will be enhanced through improvements to data collection and information sharing related to assessment and recognition processes across Canada.

3. ADDRESSING WORKFORCE PARTICIPATION NEEDS

- Supports for immigrant labour market integration will be introduced, enhanced, or expanded according to local and regional labour market conditions and institutional capacity:
 - basic and occupation specific language training
 - bridge-to-work and bridge-to-licensure programs
 - mentorships and internships

- employer engagement
- orientation to working in Canada
- other information resources

4. TARGET OCCUPATIONS

While the principles of the Framework apply to all regulated occupations, the following list of target occupations will be the common focal point for governments' individual and collective actions related to implementing the Framework. This list was established based on analysis of foreign qualification assessment needs.

Jurisdictions are free to supplement this list with additional occupations in response to local labour market conditions and priorities. Over time, additional occupations will be included on the list.

Target occupations for December 31, 2010:

- Architects
- Engineers
- Financial Auditors and Accountants
- Medical Laboratory Technologists
- Occupational Therapists
- Pharmacists
- Physiotherapists
- Registered Nurses

By December 31, 2010, it is expected that these target occupations will have in place the processes and supports necessary to ensure the application of the Framework's principles, including achieving the *Pan-Canadian Commitment to Timely Service*.

Governments will work collaboratively with regulatory authorities and other key stakeholders, to share successful practices, develop capacity-building strategies and implement new models in line with the Framework in order to achieve these commitments.

Over the course of the implementation of the Framework, a list of medium term target occupations will be developed. This list will target a date of

December 31, 2012 for ensuring that the Framework, including the *Pan-Canadian Commitment to Timely Service* is in place, and will include at least the following occupations:

- Dentists
- Engineering Technicians
- Licensed Practical Nurses
- Medical Radiation Technologists
- Physicians
- Teachers (K-12)

Skilled trades are integral to the Framework. Advice will be sought from the Canadian Council of Directors of Apprenticeship on how best to apply the Framework to skilled trade occupations.

Jurisdictions may wish to define additional standards in collaboration with affected stakeholders, as described in the Framework.

5. GOVERNANCE AND ACCOUNTABILITY

Public reporting by governments, in accordance with their unique contexts and programs, will form the basis of accountability under the Framework.

Jurisdictions with *Fair Access* legislation are expected to use the existing reporting obligations of regulatory authorities as the basis for their public reports. Other jurisdictions may require the provision of additional information from regulatory authorities.

These requirements will be developed in conjunction with affected stakeholders, and every effort will be made to minimize the reporting burden on regulatory authorities and other stakeholders.

The implementation of the Framework will continue to be monitored by the Forum of Labour Market Ministers in coordination with Immigration and other affected federal, provincial, and territorial tables. The Forum of Labour Market Ministers will ensure that there is a federal, provincial, and territorial working group in place for ongoing implementation and collaboration.