

ACTION PLAN -YEAR 3 PROGRESS UPDATE

**DEPARTMENT OF LABOUR SKILLS AND IMMIGRATION
TECHNICAL SAFETY DIVISION: POWER ENGINEERS**

Summary:

This Year 3 Progress Report shows that the 13 areas of non-compliance, as originally identified in the [April 2021 FRPA review report](#), remain outstanding / non-compliant. The next full FRPA Review report is due on January 30, 2025. Full compliance is expected to be demonstrated at that time.

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES					
	Action Plan Deadline	Action Plan Progress Update 1	Action Plan Progress Update 2	Action Plan Progress Update 3	Next Full FRPA Review:
Due Date	2021-04-08	2022-04-28	2023-04-28	2024-04-28	2025-01-30
Actual Completed Date	2021-04-12	2022-04-28	2023-05-02	2024-04-30	

ACTION PLAN:

ACTION PLAN – AREA #1:	Response to FRPA Review Questions #1 and 2:
FRPA SECTIONS:	Sections 6, 7(a), (c), 9(a), 16(3)(a), (b) and (g)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications - ensure that information regarding registration requirements and how requirements are to be met is clear and easily accessible in the public domain through print and electronic media.
REGULATOR ACTION PLAN:	<p>The Technical Safety Division (the ‘Division’) will review and update the current qualifications, processes, and required documents for an applicant to obtain a Certificate of Qualification (certificate) and/or a Power Engineer license (license) as required by the Technical Safety Act (the ‘Act’) and Power Engineers Regulations (the ‘Regulations’).</p> <p>An application form with clear instructions for obtaining a certificate and/or license and a complete list of all requirements and documents an applicant must submit for each certificate and license type (Power Engineer Classes 1, 2, 3 and 4, Refrigeration Plant Operator Classes 1 and 2, Compressor plant Operator and Unfired Boiler Plant Operator) will be explained clearly and in plain language in the public domain for an applicant or other interested party on the Labour and Advanced Education (LAE) Technical Safety website, downloadable PDF, and printed hard copy, and in any other manner that ensures transparency, objectivity, impartiality, and procedural fairness as required by the Fair Registration and Practices Act (FRPA).</p> <p>The current Technical Safety Power Engineering Section contact information will also be made available in the public domain so that applicants and other interested parties can contact the office for assistance. An informational update will be sent to Technical Safety Power Engineering stakeholders to inform them of the updates.</p> <p>As part of the LAE Trade Regulation Framework, the responsibility for issuing the certificate of qualification is to be transferred from Technical Safety to the Nova Scotia Apprenticeship Agency. Stakeholders will be kept proactively informed and updated of this new alignment and its progress. Power Engineer licensing responsibilities will be retained by Technical Safety.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners including Service NS and NSAA to ensure that all information in the public domain is clear, accurate, and consistent.</p>
INTENDED COMPLETION DATE:	September 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	<p>The Power Engineering Provincial Certification and Licensing Guide (the ‘Guide’) for applicants seeking any class of power engineering certificate of qualification (certificate) and/or any class of power engineering license (license) has been drafted by the Technical Safety Division and is undergoing a plain language review and edit before being posted online in the summer of 2022. The requirements for an applicant to receive a certification and license under the <i>Technical Safety Act</i> (the ‘Act’) and Power Engineers Regulations will appear on the Province of Nova Scotia Power Engineers webpage, in the downloadable PDF Guide*, and on the Nova Scotia Apprenticeship Agency (NSAA) website. The Guide provides clear instructions to an applicant on the documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, fees (including no fee), and timelines. The Guide clearly identifies Divisional contacts, education, training and experience requirements, and decisions timelines, including those for an internal review and/or appeal. The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Power Engineers webpage. It is expected this information will be in the public domain in the summer of 2022. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Year 2: Action Plan update. Due: 2023-04-28	Release of the updated Technical Safety Power Engineering certification and licensing webpage planned for summer 2023. The Guide described in Update 1 will be posted and available in the public digital domain in 2023. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Guide undergoing final review and edits. Will be posted on provincial Technical Safety Power Engineering website in 2024.

ACTION PLAN – AREA #2:	Response to FRPA Review Question #3:
FRPA SECTIONS:	Sections 6, 7(a), (c), 9(a), 16(a), (b) and (g)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information regarding registration requirements and how requirements are to be met by applicants who received their qualifications outside of Canada is clear and easily accessible in the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications
REGULATOR ACTION PLAN:	<p>Where the Act and Regulations stipulate that the certification and/or licensing process may be different for international applicants, the Division will clearly identify and explain the difference(s) for the applicant in the public domain. Where equivalencies for stated provincial or Canadian requirements may be accepted by the Chief Power Engineer Inspector, criteria and examples of international equivalencies will be provided as well as the contact information for the Division where the applicant can seek further clarification on the accepted international equivalencies.</p> <p>In situations where a prior learning assessment of an international applicant may be required by the Regulations, the process, timing, and requirements for obtaining an assessment as part of the application process will be clearly explained in the public domain.</p> <p>The explanation for international applicants will include, but not necessarily be limited to, the documents the applicant would need to submit for consideration of equivalency and assessment of prior learning.</p> <p>Should verbal, written, or reading translation services be required by an applicant, the Division will provide information on how to access to the services to facilitate the international application process for applicants who received their previous qualifications outside of Canada. Instructions will be made available in the public domain so that, where possible, an applicant may be able to initiate the process before arriving in Nova Scotia.</p> <p>The Technical Safety Power Engineering website and printed materials will be updated so that the instructions, requirements, processes, and supports are available to the applicant in the public domain and coordinated with other government departments or agencies that may be involved in the certification and licensing processes.</p>
INTENDED COMPLETION DATE:	September 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	Technical Safety has identified a recognized third party to assess and verify an applicant's credentials, including educational and professional training equivalencies received outside Canada. By engaging the third-party service provider, Technical Safety will ensure that information regarding registration requirements, including complete documentation, for international applicants is clear and easily accessible in the public (digital) domain and assessed/verified in a timely manner. The Guide and webpage are being updated to make application information publicly available to international applicants and those who achieved their qualifications outside of Canada. An application form and guide for international applicants is under development.
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Year 2: Action Plan update. Due: 2023-04-28	When released in 2023, the updated power engineering webpage will include all required information, including notice that applicants from outside Canada may need to complete a prior learning assessment if they do not meet the education requirements. International applicants may also need to have their credentials verified by an evaluation agency. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #3:	Response to FRPA Review Question #4:
FRPA SECTIONS:	Sections 3, 6, 7(a), (c), 9(a), 16(a), (b) and (g)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about registration requirements and how requirements are to be met by applicants who received their qualification outside NS but within Canada is clear and easily accessible in the public domain through print and electronic media. - ensure that information about registration requirements and how requirements are to be met by applicants registered in another Canadian jurisdiction are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications
REGULATOR ACTION PLAN:	<p>The registration/application requirements in the Act and Regulations for individuals who are registered in another Canadian province/territory will be reviewed against the Canadian Free Trade Agreement (CFTA) to ensure they are aligned and compliant. The division will develop a process for out-of-province applicants and any necessary regulatory amendments will be made.</p> <p>Any differences in the requirements for out-of-province (OOP) applicants will be clearly explained by province or territory for the affected applicant in the public domain. Where there are no differences, this will also be clearly stated.</p> <p>For OOP applicants where differences may exist, the application process and forms, qualification requirements, and required documents will be clearly explained in the public domain.</p> <p>Compliance with the CFTA is required by NS Technical Safety for the OOP applicant and their educational, qualification and/or practical experience equivalencies. Under the CFTA a license and/or certification should be granted based on the applicant’s current certification, without requirement for additional material assessment, training, or experience This will be clearly explained in plain language in the public domain. The Division will provide the CFTA information in a clear and understandable form to applicants who have received their qualifications in another jurisdiction in Canada, including those who are already registered in another jurisdiction. Instructions will be made available in the public domain so that, where possible, an applicant may be able to initiate the process before arriving in Nova Scotia.</p> <p>The Technical Safety Power Engineering website and printed materials will be updated so that the requirements, processes, and supports are available to the OOP applicant in the public domain and coordinated with other government departments or agencies that may be involved in the certification and licensing processes for OOP applicants.</p>
INTENDED COMPLETION DATE:	September 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	<p>The Nova Scotia Technical Safety webpage and downloadable Guide will be updated to fully and clearly inform applicants who received their qualifications from another Canadian province or territory. The Guide provides clear instructions to an out-of-province applicant on all documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, and timelines. The Guide clearly identifies Divisional contacts and resources, education, training, and licensing/certification/qualification equivalencies for out-of-province applicants in accordance with the Canadian Free Trade Agreement, relevant existing labour mobility agreements, and timelines including those for an internal review and/or appeal of a decision.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, Guide, and forms on the existing power engineering webpage. It is expected this information will be in the public digital domain in summer 2022.</p>

FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	The certification and licensing webpage is being updated with information for out of province applicants who wish to transfer their credentials from another Canadian jurisdiction, provided they have a certification and/or licence that is equivalent to the classification level the applicant is seeking in Nova Scotia. The web page and Guide will explain that the applicant may need to have their credentials recognized and provide documentation issued by the originating Canadian jurisdiction. Downloadable application(s) will be available on the webpage. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #4:	Response to FRPA Review Question #5:
FRPA SECTIONS:	Sections 7(f), 16(3)(d)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - ensure that information setting out any fees for registration is clear and easily accessible in the public domain through print and electronic media.
REGULATOR ACTION PLAN:	Changes to the updated application form and digital/print information in the public domain will include fees for each type or license and/or certification as per the Regulations and Technical Safety Fee Regulations. The explanation for applicants will include the applicable fees, a breakdown of how the fees apply, and payment options. This explanation will be available in the public domain (i.e. website).
INTENDED COMPLETION DATE:	September 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	The Division is working with Communications Nova Scotia to update all power engineering certification and licensing fees defined in the Technical Safety Fee Regulations in the Guide, application forms and on the existing Power Engineering webpage(s). This includes service(s) for which there is no fee and all options for payment. It is expected this information will be in the public digital domain in summer 2022.
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	The Guide and webpage will be released in 2023 and will include the current information regarding application and registration fees. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #5:	Response to FRPA Review Question #6:
FRPA SECTIONS:	Sections 9(b), 16(3)(c)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows:

	<ul style="list-style-type: none"> - document guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control
REGULATOR ACTION PLAN:	<p>The Division will develop a process to accept alternative information when the required documents cannot be obtained by the applicant and submitted with the application for reasons beyond the applicant's control. i.e. a sworn or notarized statement in lieu of original required document from a training facility that has since closed.</p> <p>A detailed and clear list of required original or authenticated documents will be available to applicants digitally or in print in the public domain along with acceptable forms of alternative information when the required documents cannot be provided (high school diploma, technical training certificate, etc.)</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners to ensure that all information regarding document requirements and acceptable alternatives is in the public domain and is clear, accurate, and consistent.</p>
INTENDED COMPLETION DATE:	November 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	<p>The Guide clearly identifies acceptable alternative document(s) when the original(s) cannot be produced. Successful certification and licensing application is supported by a checklist based on the regulatory requirements outlined in the Guide. The webpage and Guide will also instruct an applicant to contact the Division by phone or email with any questions regarding acceptable alternatives. As inquiries are received, the Division may create and update an FAQ section to assist applicants as needed.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Technical Safety Power Engineering webpage. It is expected this information will be in the public digital domain in summer 2022.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	The power engineering webpage is being updated with current application requirements, instructions, and processes for: certificate and license classification levels; application processes; endorsements; training providers; recognition of international credentials; transfer of qualification; application review process; expired license appeal; fees; license renewal, and address change with contact information for the LSI Safety Branch. PDF forms and documentation requirements will be able to be downloaded from the webpage where application process(es) require(s). The Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in 2023. The Guide will include a section detailing alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #6:	Response to FRPA Review Question #7:
FRPA SECTIONS:	Sections 7(e), 16(3)(k)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about any support provided to applicants during the registration process is clear and easily accessible in the public domain through print and electronic media.
REGULATOR ACTION PLAN:	Work is underway to produce a guidance document which will help explain the application process, form and the information that needs to be provided in the appropriate section of the form(s).

	Contact information for the Registrar and Chief Inspector will be provided for the client to reach out to for advice if necessary.
INTENDED COMPLETION DATE:	December 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	The updated power engineering webpage and downloadable Guide will clearly provide an applicant with the direction, support, and access to additional resources during the application process. The webpage and Guide will instruct applicant to contact the Division by phone or email with any questions regarding the application process and to access to any necessary support, including translation services and access to other government departments including the Apprenticeship Agency. As repeat inquiries are received, the Division may create and update an FAQ section to proactively inform and assist applicants.
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	Release of Guide and webpage delayed to 2023. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #7:	Response to FRPA Review Questions #8 and 9:
FRPA SECTIONS:	Sections 16(3)(h)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a description of the accommodation practices for applicants which includes: <ul style="list-style-type: none"> - how to request an accommodation - guidelines regarding types of accommodations - ensure that practices are adaptable if a new situation arises
REGULATOR ACTION PLAN:	<p>The Division will develop a policy on how to support an applicant during the application process who may have a physical or mental disability and requires an accommodation when applying for a Power Engineer certification or license. The accommodation policy will also be monitored and adaptable should a new situation arise.</p> <p>Based on existing government policies, the Division’s adaptable policy will ensure clearly explained, fair, and impartial application processes for all applicants, which will be made available to all applicants in the public domain.</p> <p>Applicants who may require an accommodation will be provided access to contact information and instructions for requesting an accommodation in digital, print, and any other format (audio) the applicant may require.</p>
INTENDED COMPLETION DATE:	April 1, 2022
Year 1: Action Plan update. Due: 2022-04-28	<p>The Technical Safety Division is identifying existing government policy on accessibility support for an applicant who may have a physical or mental disability and who requires an accommodation when applying for a certification or license.</p> <p>The Technical Safety Division is committed to ensuring that its public registration information including accommodation requests and guidelines, application requirements, and public services are developed, maintained, and adapted as required by the Provincial Accessibility Act, and the Accessibility Directorate’s Access by Design 2030: Achieving an Accessible Nova Scotia</p>
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Year 2: Action Plan update. Due: 2023-04-28	Delayed to 2024-02-01. Divisional policy will be finalized and guidelines to be posted with a description of the accommodation practices for applicants, including how to request an accommodation and type. Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in 2023. Guide will be drafted, posted and maintained to ensure accessibility and inclusivity for applicants by providing information on accommodation practices and access to resources and supports for applicants.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #8:	Response to FRPA Review Questions #10 and 11:
FRPA SECTIONS:	Sections 7(a), (d), 16(3)(b) and (i)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document all criteria that are used to assess whether requirements for certification have been met - ensure that information is clear and easily accessible in the public domain through print and electronic media.
REGULATOR ACTION PLAN:	<p>A complete list of the requirements for an application defined by the Act and Regulations will be transparently provided by the Division for individuals applying for Power Engineer certification and licensing including, but not limited to completed training programs, exam marks, and work experience requirements.</p> <p>Made available in the public domain in digital and print form, how the regulatory requirements must be met will be clearly explained to the applicant. This will include but will not be limited to; educational requirements; practical experience requirements; professional training program providers, locations, syllabuses, and exam schedules; passing grades required for certification exams stated in the Regulations.</p> <p>Elements of the applicant process such as prior learning assessments and other criteria will be clearly explained for applicants. All eligibility assessment criteria will be transparently available to applicants in the public domain, both digitally on the website, by e-mail upon request, and in print.</p> <p>In situations where a third-party, or contractor, is used for exam marking or other applicant assessments, applicants will be informed of their role in the process. The Division will also ensure that formal agreements are in place with all third-party assessors to ensure that fair assessment practices are being upheld.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government and industry partners to ensure that all information regarding process requirements is in the public domain and is transparent, accurate, and consistent.</p>
INTENDED COMPLETION DATE:	September 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	<p>The Guide for applicants seeking a power engineer certificate or license has been drafted and is undergoing a plain language review and edit before being posted online in summer 2022. The requirements for an applicant to receive a license under the Act and Regulations will appear on the Power Engineering webpage and in the downloadable PDF Guide*, which provides clear instructions to an applicant on the documentation that must accompany a complete application, including proof of education, training and documented experience, an outline of the application process, fees (including no fee), and timelines. The Guide clearly identifies Divisional contacts and education, training, certification, and experience requirements, and timelines including those for an internal review and/or appeal of a decision. The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Power Engineering webpage. It is expected this information will be in the public domain in summer 2022. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>

FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	The webpage is being updated with current application requirements, instructions, and processes for: certificate and license classification levels; application processes; endorsements; training providers; recognition of international credentials; transfer of qualification; application review process; expired license appeal; fees; license renewal, and address change with contact information for the LSI Safety Branch. PDF forms and documentation requirements will be downloadable from the webpage where application process(es) require(s). The Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in 2023. In progress.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #9:	Response to FRPA Review Questions #14 and 15:
FRPA SECTIONS:	Sections 7(a), 10(1)(2)(4) and 16(3)(m)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a clearly defined process for an internal review of the registration decision which includes: <ul style="list-style-type: none"> - procedures - timeframes - opportunities the applicant has to provide new information and to make submissions in support of their position (e.g. documented evidence, hearing, etc.) - ensure that information on the internal review process is clear and easily accessible in the public domain through print and electronic media - document the timeline and process by which an applicant who has been denied registration is informed about the procedures and time frames for the internal review.
REGULATOR ACTION PLAN:	<p>The Division will establish a process for internal review of a decision by the Administrator as defined and outlined in the Act.</p> <p>The criteria for requesting a review, the definition of an “aggrieved person” pursuant to the Act and eligible to request an internal review by the Administrator, the internal review process; forms of reviews available to the Administrator, and outcomes will be clearly explained and made available in the public domain on the Division website and in print.</p> <p>All aspects and rules that apply to an internal review defined in the Regulation will be clearly stated in plain language in the public domain. Information will be provided in the public domain that clarifies the Utility and Review Board (UARB) is the external appeal board established under the Act and the reasons for which a review or appeal may proceed externally to the UARB.</p> <p>The documented process will include how an individual may seek a review of a decision related to their application for a certificate or license, and the steps they must follow. This information will be transparently available on the Divisional website and included in any decision letter issued by the Chief Inspector. The communicated process will include the deadline for the applicant to seek a review, time allotted for the review to be undertaken, opportunities to present new information and make submissions, and how and when the review decision will be communicated to the applicant. The documented process will also include timeframes for internal reviews and responses to the applicant where a registration or application was denied.</p>
INTENDED COMPLETION DATE:	January 1, 2022
Year 1: Action Plan update. Due: 2022-04-28	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training is being delivered for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Power Engineering webpage and in the Guide
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Year 2: Action Plan update. Due: 2023-04-28	Delayed to 2023. Interim Divisional guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Internal review policies and guidelines continue to be under development.

ACTION PLAN – AREA #10:	Response to FRPA Review Question #16:
FRPA SECTIONS:	Sections 12 and 16(3)(j)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - develop and document a clearly defined process under which requests for access to records will be considered, including: <ul style="list-style-type: none"> - the process by which an applicant may make a request - any limitations with regards to access - any fees associated with the request
REGULATOR ACTION PLAN:	The Division will develop a clear process for which a request by an applicant for access to their records will be considered and processed. The options available, the request process, timelines, limitations to access, associated fees, and possible outcomes will be made transparently available in the public domain, digitally and in print.
INTENDED COMPLETION DATE:	November 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for access to applicant records consistent with existing Provincial policy. Once finalized, the policy, procedures, timelines, and fees will be clearly outlined in the public domain, including forms on the existing Power Engineering webpage and in the Guide
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	Delayed to 2023. Update to be provided prior to March 2024.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #11:	Response to FRPA Review Questions #17 and 18:
FRPA SECTIONS:	Sections 10(5) and 16(3)(n)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - document the process that is used to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision - include in the description of the internal review process a statement to the effect that no one who acted as a decision maker in a registration decision may act as a decision maker in an internal review of the same decision

REGULATOR ACTION PLAN:	<p>The Act currently does not automatically disqualify the Administrator from conducting the review if they were previously involved in the matter that is the subject of the internal review, provided their involvement is disclosed to the applicant as soon as the Administrator is aware and before the Administrator proceeds with the review.</p> <p>The Review Officer has advised that, to be compliant with the FRPA, regulating bodies (need to) ensure that no one who acted as a decision-maker in respect of (an application) decision may act as a decision-maker in an internal review of the same decision.</p> <p>To preserve the Administrator’s ability to conduct an internal review, an internal policy will be created to ensure the Director, Compliance and Inspections is the most senior person in the Division involved in an application or other matter that could potentially be the subject of a later review and decision by the Administrator.</p>
INTENDED COMPLETION DATE:	November 1, 2021
Year 1: Action Plan update. Due: 2022-04-28	<p>Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training is being delivered for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews.</p> <p>Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Power Engineer webpage and in the Guide.</p>
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	<p>Delayed to 2023. Interim Divisional guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.</p>
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.

Year 3: Action Plan update. Due: 2024-04-28	Internal review policies and guidelines continue to be under development. Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.
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ACTION PLAN – AREA #12:	Response to FRPA Review Question #19:
FRPA SECTIONS:	Sections 10(3)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons - the internal review process describes the timeframe for a decision to be communicated to the applicant
REGULATOR ACTION PLAN:	The Division will develop a process and set timelines for communicating a written internal review decision and supporting reasons to the applicant in accordance with the Act, Regulations, and the FRPA. The process will be made available in the public domain (digital and print) and will clearly state how and when the applicant may submit a review request, the review process, decision to be communicated to the applicant, and associated timeframes.
INTENDED COMPLETION DATE:	April 1, 2022
Year 1: Action Plan update. Due: 2022-04-28	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training is being delivered for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety power engineering webpage and in the Guide
FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	Interim guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons and the timeframe for a decision to be communicated to the applicant. Internal policy and guidelines for applicants being developed in 2023.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Internal review policies and guidelines continue to be under development. Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

ACTION PLAN – AREA #13:	Response to FRPA Review Question #20:
FRPA SECTIONS:	Sections 11, 16(3)(p)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review. - develop a plan and document training provided to individuals who make internal review decisions
REGULATOR ACTION PLAN:	The Division will outline the process and develop/deliver approved internal review/appeal training to the decision-maker(s)/ Administrator.
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-04-28	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training is being delivered for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Power Engineering webpage and in the Guide.

FRPA Review Officer Comments	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Year 2: Action Plan update. Due: 2023-04-28	Delayed to 2023. Interim guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.
FRPA Review Officer Comments (2023-05-03)	As noted by the regulator, this area is a work in progress. Therefore, another update will be required on or before April 28, 2024. Full compliance is expected by that time.
Year 3: Action Plan update. Due: 2024-04-28	Internal review policies and guidelines continue to be under development. Technical Safety power engineering registration web pages being updated in 2024. Guide undergoing final review and edits. Will be posted on provincial Technical Safety power engineering website in 2024.

SIGNATURE OF AUTHORIZED MEMBER OF THE REGULATING BODY:

2024-05-28

X 

Signed by: Jeff Dolan

Name (print): Jeff Dolan, Executive Director, Technical Safety Division, LSI

DATE: 2024-05-28