



Department of Labour, Skills and Immigration

LABOUR MOBILITY

CHAPTER 7

CANADIAN FREE TRADE AGREEMENT (CFTA)

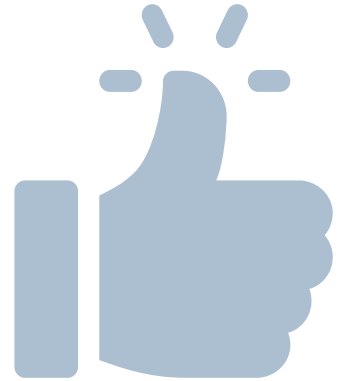
CFTA Reminders/Obligations/Issues/Labour Mobility

My Role as the Labour Mobility Coordinator (LMC)

Every province and territory have a Labour Mobility Coordinator.

The role of the Labour Mobility Coordinator is to support the implementation and ongoing adherence to the Labour Mobility provisions of the CFTA (Chapter 7) within their province or territory.

Essentially, I strive to make compliance as straightforward as possible for regulatory bodies through support and communication.





LMC Role in Facilitating Compliance

Facilitating LOEs (to/from Nova Scotia): If you need to establish an LOE, I can assist.

If an LOE is being established outside or against Nova Scotia, I will ensure you have the opportunity to comment.

Facilitating Required Formal “Notice of Proposed New or Revised Standards” (from/to Nova Scotia).

If you are making changes, we must inform all other provinces and allow time for comments or disputes.

If non-NS regulatory bodies are making changes impacting Nova Scotia, we must be given the opportunity to comment or dispute.

LMC Role in Monitoring and Liaison Responsibilities



Monitoring Compliance

Monitor compliance with the CFTA, including through FRPA reviews.



Liaison Role

I act as a liaison between regulatory bodies and applicants with complaints, and between regulatory bodies concerning potential non-compliance and resolutions.



Initiating Compliance Processes

If unresolved compliance issues arise, I initiate the appropriate compliance processes.

Importance of CFTA Compliance in Nova Scotia

Why is compliance with **CFTA Chapter 7** so Important for Nova Scotia?

First, it is about economic growth, by making it easier for skilled professionals to move to Nova Scotia, we can fuel our economic development and address skills shortages.

Next, it facilitates labour market efficiency, by ensuring qualified individuals can work without unnecessary barriers, making our Labour market more responsive and dynamic.



CFTA Compliance: A Legal Obligation

Compliance with the CFTA is not optional; it is the law

The CFTA compels the NS government to comply (specifies up to a \$2M fine for non-compliance).

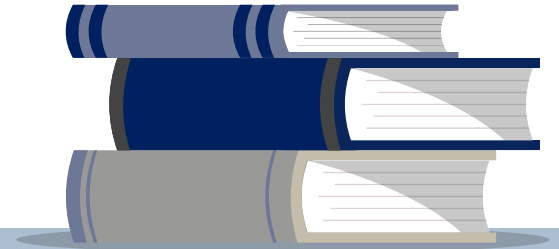
The CFTA-IA compels regulatory bodies to comply (subject to cost recovery and administrative penalties).



No Lawful Reason for Non-Compliance with CFTA

The CFTA-IA stipulates that in the event of any legislative conflict, the CFTA-IA prevails, which requires compliance with the CFTA.

There are established provisions for “**Exceptions to Labour Mobility**” to satisfy one or more “**Legitimate Objectives**” such as **public safety, consumer protection,** or **environment** etc.





What Does Compliance Mean?

Compliance with the CFTA requires certificate-to-certificate recognition except and unless there is a NS government approved “Legitimate Objective Exception” (LOE) in Place.

Regulatory bodies can only require items from CFTA applicants that are explicitly permitted under the CFTA. If is not on the list, it cannot be required. Furthermore, requirements must not be more *“onerous”* than those imposed on Nova Scotia applicants.



Permissible Requirements for CFTA Applicants

As outlined in the CFTA and FRPA review template, the permissible requirements (under certain conditions) for CFTA applicants are:

- ✓ Application form
- ✓ Proof of current licensure
- ✓ Evidence that the license is in good standing
- ✓ Approved “Legitimate Objective Exception” (LOE) measures
- ✓ Application or processing fee
- ✓ Insurance or malpractice coverage
- ✓ The requirement to post a bond
- ✓ Criminal background check
- ✓ Evidence of good character
- ✓ demonstrated knowledge of measures specific to NS (eg. jurisprudence exam)
- ✓ demonstrated proficiency in either English or French

...if it's not on the list, it can not be required.



Consequences of Non-Compliance



Economic Impact

Non-compliance could lead to a loss of economic opportunities for Nova Scotia. Skilled workers may choose to relocate to provinces with simpler processes, resulting in a talent drain and skills shortages.



Legal and Financial Implications

Non-compliance can result in legal challenges or disputes between provinces, leading to costly litigation or penalties. This not only strains financial resources but also harms interprovincial relationships.



Reputational Damage

Non-compliance may damage Nova Scotia's reputation as an open and welcoming province for skilled professionals.

An Update on April 2024 Labour Mobility Consultations



Objective:

To gather insights from stakeholders on barriers to labour mobility.

Identify challenges and opportunities related to certifying and licensing individuals from other Canadian jurisdictions.

Develop recommendations for legislative, regulatory, and policy changes to enhance labour mobility in Nova Scotia.

An Update on April 2024 Labour Mobility Consultations

Status of the Report

The consultation report is still under review and making the rounds for feedback and final adjustments.

What We Learned:

Licensing: Some participants noted that the process of transferring or obtaining professional licenses could be further streamlined in some case. There were suggestions for exploring a more standardized national licensing approach.



Please reach out directly to:

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Thank
 **you**


NOVA SCOTIA