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Tuesday 21 November 2006

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Mardi 21 novembre 2006

**Standing committee on
regulations and private bills**

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

Fair Access to Regulated
Professions Act, 2006

Loi de 2006 sur l'accès équitable
aux professions réglementées

Chair: Andrea Horwath
Clerk: Susan Sourial

Présidente : Andrea Horwath
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Tuesday 21 November 2006

Mardi 21 novembre 2006

The committee met at 1815 in committee room 1.

**FAIR ACCESS TO REGULATED
PROFESSIONS ACT, 2006
LOI DE 2006 SUR L'ACCÈS ÉQUITABLE
AUX PROFESSIONS RÉGLEMENTÉES**

Consideration of Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions /
Projet de loi 124, Loi prévoyant des pratiques d'inscription équitables dans les professions réglementées de l'Ontario.

The Chair (Ms. Andrea Horwath): Good evening, everyone. The standing committee on regulations and private bills is called to order. We're here today to continue the public hearings on Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions.

As members of the public will know, the members of the Legislature were called to business in the House, so we're running a little bit behind time. But thank you all for coming here tonight to put your voice on the record.

Members, for your information, your packages include research materials that were requested at our last meeting. I want to thank the research library staff for bringing those materials to us. I'm going to start off the public hearings immediately.

Mr. Peter Tabuns (Toronto–Danforth): Can I just ask if the research material could be circulated to us on an electronic basis?

The Chair: It has been already, apparently.

Mr. Tabuns: For some reason, I haven't been getting them, and I realized that with the last round as well. There must be an error in my e-mail address. Anyway, if that could be sent to me, that would be great.

The Chair: We'll ask the clerks to make sure that they get the right address and follow up with that.

Mr. Tabuns: Thank you.

The Chair: As occurred last time, there are representatives from the media here who might want to take a few flash photos. So I'm just asking all members whether it's all right to have some media people take photos with cameras. Is there a problem with that?

Mr. Frank Klees (Oak Ridges): As long as they give us equal time.

The Chair: Exactly.

Mr. Dave Levac (Brant): As long as they get my good side, Madam Chair.

The Chair: That might be difficult. I'm only kidding you, Mr. Levac. I apologize. I take that back. I expunge that from the record.

For members of the media who are here, if they can just be aware that we don't want to have the proceedings interrupted. So you're free to take pictures, and I thank the members for that acquiescence.

**INSTITUTE OF CHARTERED
ACCOUNTANTS OF BANGLADESH,
NORTH AMERICAN CHAPTER**

The Chair: Our first presenter is the Institute of Chartered Accounts of Bangladesh, North American Chapter. Abdul Wahid, the chairman, is on our list. Welcome, sir. The process is that you come to the end of the table to any chair that you favour. Make yourself comfortable. As you get seated, just introduce yourself for the record and then begin your presentation. You have 10 minutes to make your presentation. At the end, if you leave some time within that 10 minutes, members of the committee will have an opportunity to ask questions of you. Please begin when you're ready.

Mr. Abdul Wahid: Thank you so much, Madam Chair. Good evening, ladies and gentlemen. My name is Abdul Wahid. By profession, I am a chartered accountant from Bangladesh, with a CPA from Illinois, USA. When I came to Canada in 1999, I lost my CA designation; however, thanks to the CGA institute, I have managed to get one. I am the chairman of the Institute of Chartered Accountants of Bangladesh, North American Chapter, and secretary of the Bangladeshi-Canadian Political Action Committee, BPAC.

The Institute of Chartered Accountants of Bangladesh, North American Chapter, is a non-profit organization formed in 2002. The main objective is to look after the welfare and professional development of the members of the Institute of Chartered Accountants of Bangladesh, ICAB, who are living in North America.

BPAC is a non-profit, non-partisan political podium for Bangladeshi-Canadians formed in 2003. Its main objectives are to enhance political awareness, to promote participation of Bangladeshi-Canadians in the Canadian mainstream political system, and to address the concerns

of Bangladeshi-Canadians at all levels of government and organizations.

We'd like to share some of the difficulties we face with the Canadian Institute of Chartered Accountants, CICA, regarding the reciprocity recognition of ICAB.

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In July 2003, we made a full-day appointment with CICA senior management to brief them about the education and professional standard maintained by ICAB. The then president of the Institute of Chartered Accountants of Bangladesh flew from Bangladesh to join this meeting, along with the executive members of the ICAB North American chapter. We made a PowerPoint presentation and went over the academic curriculum followed by ICAB and all other professional development activities conducted by ICAB. We also provided them with the hard copy of the entire syllabus and some of the journals and publications of ICAB.

In September 2003, we were told to submit a formal application for reciprocity recognition. The Institute of Chartered Accountants of Bangladesh formally submitted the application in September 2003. In July 2004, we made another appointment with the CICA to follow up on our application. In this meeting, the president of ICAB again came to Toronto to join the meeting, along with the North American chapter executive committee, and we managed to clear all the questions and concerns raised by the CICA regarding our application. After the meeting, we were told that our application would be submitted to the International Qualifications Appraisal Board, IQAB, for evaluation.

In 2005, on inquiry, we were told that the International Qualifications Appraisal Board cleared our application and that it would be submitted for CICA provincial approval. Up to now, we have not received the result of our application and are patiently waiting for the result, but we don't know how long it will take. This is greatly frustrating our members, who have nowhere to go. As a professional body, we are facing many difficulties, so you can understand what kind of hardship a foreign-qualified individual is going to have in the assessment of their credentials.

We'd like to mention another issue here, that CICA is not consistent in the assessment of foreign qualifications. In some cases they're evaluating on the basis of an education standard and in some cases on the basis of residency, which we feel is unfair. An example is as follows: If a person becomes a certified public accountant, a CPA, in the USA before becoming a Canadian resident, he or she will be exempted from the education and examination requirements for the CA qualification program in Ontario. He or she will only be required to take the CA reciprocity examination, the CARE. But if a Canadian resident passes the same CPA exam, they will not be given the opportunity to write the CARE to become a CA in Ontario. We feel this is a double standard and does not make any sense.

There are more than 55,000 Bangladeshis living in the GTA. Bangladeshi newcomers face many barriers. These include cultural integration into Canadian society, un-

employment, underemployment, poverty, isolation, family violence and family disintegration. Newcomers who have no or limited Canadian education, skills or training are most susceptible to unemployment and underemployment, and are often compelled to accept low-paying jobs or just those with minimum wage and are barely able to survive in this country.

The long process of licensing and certification and the cost involved in the process is a big hindrance in pursuing their career-oriented goals. Lack of Canadian work experience also stands as a serious obstacle for many highly qualified and skilled Bangladeshis when trying to get a job in their preferred profession that matches their qualification, skills and experience.

On April 13, 2004, the president of BPAC wrote a letter to the Minister of Training, Colleges and Universities regarding recognition of foreign-trained professionals. Dr. Kuldip Kular, MPP, and Mr. Michael Prue, MPP, supported our letter. Copies of our letter and the support letters of the respective MPPs are enclosed for your reference.

We'd like to thank the Liberal government for bringing this important, overdue Bill 124, An Act to provide for fair registration practices in Ontario's regulated professions. Although we are supportive of this bill, upon closer analysis of the bill we strongly feel that the following changes need to be incorporated for the further improvement of this landmark piece of legislation.

(1) Fairness commissioner: Under subsection 12(1) of the bill, "The Lieutenant Governor in Council may appoint an individual to act as the fair registration practices commissioner." This individual will be known as the fairness commissioner.

With a view to make this position more independent and politically unbiased, subsection 12(1) should be amended to read, "The Lieutenant Governor in Council may appoint an individual to act as the fair registration practices commissioner and he/she will report to the Legislature."

(2) Create an independent regulatory appeal tribunal: Subsection 8(1) of the bill provides an internal review or appeal read as, "A regulated profession shall provide an internal review of or appeal from its registration decisions within a reasonable time."

We believe that every individual should have the right to appeal against the registration decision if he/she is not satisfied with the decision. If we see the current complicated, protective policy adopted by the different self-regulated bodies, it is not possible to get a fair judgment from the internal review appeal. An appeal is generally a more meticulous and transparent process and should be carried out by the independent appeal body. An independent appeal body is more transparent, accountable and also provides an appearance of fairness to the public. Since there is an appeal system which exists in the health profession, the same type of facility should be extended to other professions.

It would be more helpful if the ground of appeal is set in the bill, such as reasonable apprehension of bias, procedural errors or errors of law etc.

The Chair: You have one minute left.

Mr. Wahid: (3) Legal representation or support: Under the bill there is a proposal of establishment of information or access centre for individuals seeking information about the registration process as well as conducting research. But there is no provision in the bill for legal support, which is one of the most important issues. Foreign-qualified individuals do not have enough expertise to depend on themselves in the appeal process, nor have the means to pay for legal costs. Hence it is important to make provision in the bill to provide legal assistance whenever necessary.

(4) Fair registration practices code: The bill sets out a process where the self-regulated professions will be required to report on their registration practices and will be subject to audit. Beyond this general language about the practices that are “transparent, objective, impartial and fair,” there are further details about what practices would meet these standards. We recommend that a fair registration practice code should be included in the bill to set out consistent and fair elements of a registration practice. Many of these elements, including published criteria, reasonable fee and alternative means of providing credentials, are set out in the Thomson report.

The Chair: I’m sorry, but your 10 minutes has run out. The good thing is that the remainder of your recommendations are here in paper format. Unfortunately, there’s no time for questions to be asked, but I know that the committee very much appreciates your thoughtful presentation. Thank you for coming and speaking to us this evening.

ONTARIO ASSOCIATION OF CERTIFIED ENGINEERING TECHNICIANS AND TECHNOLOGISTS

The Chair: If I could now ask for the Ontario Association of Certified Engineering Technicians and Technologists to take a seat at the end of the table. As you take your seats, please introduce yourselves so that we can get your names on Hansard. Begin your presentation. Similar to the last presentation, I’ll warn you when we’re down to a minute left in your presentation. If you do leave time at the end, we’ll be able to ask questions from the committee’s perspective. So welcome, and please go ahead.

Mr. Gene Stodolak: Thank you very much. Good evening, Madam Chair and committee members. My name is Gene Stodolak, and I’m the president of the Ontario Association of Certified Engineering Technicians and Technologists, the acronym known as OACETT. To my immediate right is David Tsang, president-elect, and to my immediate left is Mr. Pasha Mohammed, a member of our board of directors. The three of us are volunteers elected by the membership. To my far right is David Thomson, the executive director of OACETT. I would also like to mention two of our past presidents who have joined us today, sitting in the audience, comprising our government relations committee. Perhaps I could ask

them to stand. It’s Mr. Angelo Innocente, from the Kitchener-Waterloo area, and Mr. Robin Dunn, from Meaford. I’d also like to introduce Ms. Sharon Leonard, our director of professional services.

1830

OACETT and its 23,000 members are pleased to have the opportunity to participate in these public hearings into Bill 124. We have made a formal submission and I’d like to take a few minutes to provide you with some of the details and its highlights.

Our members enjoy clean, challenging, well-paying careers. As certified engineering and applied science technicians and technologists, graduates of our community colleges and increasingly internationally trained professionals, we work in 14 disciplines in a range of industries, including manufacturing, electrical power generation and distribution, resources, engineering consulting, military and municipal sectors. I’d also like to add that many of our members own and operate their own very successful businesses.

Operating under provincial legislation, we certify, based on academics, work experience and professional ethics. Our certification designations—CET, A.Sc.T. and C.Tech—are widely recognized and supported in the marketplace. Employers recognize the value of certification and often make it an employment requirement.

Celebrating our 50th anniversary next year, we take pride in considering ourselves to be the solutions people, working in concert with government, businesses and colleges to enhance public safety and advance the professional recognition of our members.

More specifically, OACETT’s role in helping internationally trained professionals includes, but is not limited to, the following—and I refer you to page 2 of our submission that details a more exhaustive list.

Forty per cent of our governance structure is comprised of women and internationally trained professionals. We not only talk the talk but we also walk the talk.

Certification highlights to employers that an internationally trained professional has the academic qualifications, work experience and professional ethics comparable to a graduate of an Ontario college.

Investing heavily in the updating of our foreign-trained qualifications database to ensure fair and accurate assessment of qualifications is definitely a priority for us. We have a two-year work experience requirement for certification. We accept one year of international experience and will further reduce the one-year Canadian work experience requirement if the internationally trained professional takes, for example, a building code course.

We are taking a serious look at further addressing the Canadian work experience requirement for internationally trained professionals to become certified with our association. We are also developing proposals to start the certification process before the internationally trained professional arrives in Ontario to take up residence.

Not an insignificant point, but our affinity partner has agreed to accept proof of the safe driving record of an internationally trained professional in their home country as comparable to Canadian experience, and they benefit from lower auto insurance rates.

We've also negotiated, with the PEO and the OAA, business models that will allow qualified OACETT members, including internationally trained professionals, to obtain limited engineering and architectural licences. Indeed, we believe and endorse that many foreign-trained professional engineers also are seeking OACETT certification.

We strongly support this legislation without qualification. It is, in the public interest, the right thing to do and, on balance, progressive legislation. The essential elements of the legislation are supportable and will break down barriers that prevent our newcomers from working in their chosen fields.

We would caution against either strengthening or weakening the provisions of this draft legislation. We believe the legislative delegation for professional self-regulating and/or certifying by and large works effectively to safeguard public safety and promote the economic development of our economy.

We further believe that the legislation provides for sufficient checks and balances, including public scrutiny, to ensure that licensing and certification requirements remain the responsibility of the professions.

Additionally, while we support and commend the government for such complementary initiatives as bridge training programs and direct financial assistance to help newcomers adjust and find gainful employment in their chosen fields, we caution against excessive expenditures. From our direct experience, bridge training programs are expensive and we are all going through a learning curve to find the business models that work most effectively.

In the interest of time, the rest of our formal submission outlines longer-term policy initiatives that must be undertaken, in our opinion, to further reduce barriers.

If I may, I'd like to highlight one example drawn from a recent forum sponsored by OACETT in which the Honourable Mike Colle met with senior representatives from Mohawk College, major employers, politicians, settlement groups and OACETT in Hamilton: "Public and employer awareness, acceptance and embracing of the need for social and economic integration of newcomers are everyone's responsibility." In my opinion, the skill shortages facing this province and country, the ability of newcomers to bring diversity and productivity improvements to our communities and the passage of this legislation will accelerate that integration.

On behalf of OACETT and its 23,000 technology professionals, I would like to thank you for this opportunity. If time permits, if you have any questions, we would be pleased to answer them.

The Chair: Thank you very much. We have about two minutes left. My understanding from our last meeting is that we will begin with the Progressive Conservative Party. Mr. Klees, please go ahead.

Mr. Klees: Thank you very much. I appreciate your presentation and commend you for the initiatives you've taken with regard to this.

I have a question for you. You make reference to the fact that 40% of your existing membership are either women or internationally trained professionals. Is that overall within the membership of your organization or is it strictly within your governance structure? I'm not clear from your presentation.

Mr. Stodolak: I would submit to you that presently, on our executive councils, that comprises 40% of the membership at that table. That's correct.

Mr. Klees: How many of those are internationally trained professionals? What percentage would be—

Mr. Stodolak: Forty per cent of the executive council is that. I guess you're speaking to the number of members who are—

The Chair: You have about one minute.

Mr. Klees: I actually want to clarify. You say "women and/or internationally trained professionals." I'm trying to get a handle on how many of that 40% are in fact internationally trained professionals, both in your governance structures and your overall membership.

Mr. Stodolak: Thirty per cent.

Mr. Klees: Thirty per cent are internationally trained professionals?

Mr. Stodolak: That's correct.

Mr. Klees: Thank you. With regards to the limited scopes of practice, I'm interested in that. You're saying that currently within the profession there are actually special licences granted that are limited in scope. I know we don't have time for a fulsome response here, but could you undertake to provide us with a description of what exactly that means and what kind of work people are able to do who hold that limited-scope licence?

Mr. Stodolak: Absolutely. In engineering, it's called the LET—licensed engineering technologist; in architecture, it's OAAAS—the licensed architectural technologist.

The Chair: Thank you very much, Mr. Stodolak, and thank you, gentlemen, for coming this evening. We appreciate your presentation. Thank you for your insights. If you do have further information, certainly provide it to the clerk and she'll make sure it gets distributed to the members.

MUSLIM COMMUNITY SERVICES

The Chair: Next, we have Muslim Community Services, Najma Iqbal, director of program services. You can sit at the end of the table and make yourself comfortable. As you saw from the other presentations, you'll have a 10-minute opportunity. If you leave any time at the end, the members will have a chance to ask you questions.

Having said that, the bells are ringing. Just so that members know, the bells might be ringing all night long.

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Ms. Deborah Matthews (London North Centre): That's for coming back to the House.

The Chair: That's for coming back to the House? Okay. But when we get back into session, I was notified by the clerk that there's an expectation that we might have some bells tonight. So if you don't mind, I'll inform you that my understanding is that the procedure will be that if the bells are calling us back into the House, we'll continue in committee and give ourselves enough time to get up into the House by the time the vote is called, if that's all right with members, because our interest is in hearing from the community as well. So we'll leave ourselves about 10 minutes during that half-hour time frame if it's a half-hour bell.

Mr. Levac: Can we be notified? Either that, or turn on the TV without sound, if this particular TV has the time clock on it?

The Chair: It will be on.

Mr. Levac: I appreciate that. Quite frankly, I do agree with you. Let's try to get as many deputations uninterrupted as possible.

Mr. Klees: I would suggest that we ignore the bells, we focus on the people who are here. The government has plenty of members out there to carry on the business. We shouldn't interrupt our proceedings at all.

Mr. Levac: Nice try, Frank.

The Chair: Nonetheless, Mr. Klees, I appreciate your contribution in the discussion. Having said that, who knows where we're going to end up in terms of actual bells tonight?

Thank you very much for your patience. We appreciate your joining us. Please introduce yourself for the purposes of the record and begin when you're ready.

Ms. Najma Iqbal: Good evening. My name is Najma Iqbal and I'm from Muslim Community Services. I'm very pleased and I welcome the opportunity to make a presentation to you. Thank you for the opportunity to show our support on behalf of Muslim Community Services for Bill 124, the Fair Access to Regulated Professions Act.

I'm a volunteer board member of Muslim Community Services. We are a multi-service community-based organization out in Peel. We have offices in Brampton and Mississauga. In our 18-year history, we have served over 75,000 clients—not units of service; these are actual clients that we've had the pleasure of serving—and we provide a range of services, including settlement and integration, violence against women crisis intervention support, LINC classes. We have provided employment assistance services, we have seniors and youth programs and a range of services that impact the changing community and face of Peel.

Newcomers choose Canada to start a new life. They bring with them the hopes and aspirations to integrate and settle in this chosen land. They come with the promise and optimism that Canada represents around the world: that of being a fair and open society and a land of opportunity that values our diversity. Nobody will argue with our Canadian values and the desire to attract the best of the best of newcomers to our country. It is a forward-thinking and strategic direction that should position our

province and our country well into the knowledge economy. Dreams are only made possible and come true when put into practise, and then they are realized.

In the past decade, we have seen thousands of newcomers, many of them skilled professionals, arriving in Canada. Mostly, they come to Ontario and then to the GTA. Many of them end up being our clients. It is the basis of their credentials, education and experience that enables a significant majority of them to immigrate to Canada. But the day that they land, their credentials, experience and education don't have the same value.

It is not the message that we want to give here in Ontario to newcomers. We see and hear their plight on a daily basis and their quest to establish themselves, wanting to gain employment in their field. That is their highest priority after finding a place to live.

The stories of how internationally educated professionals are unable to get jobs in their field, are unable to understand the process it takes to get licensed and the expense and time it takes to navigate the system are something that is stifling and debilitating to them and to the practitioners who are providing their support. They lose their dreams and become disillusioned. Many are in survival jobs and are living in poverty. They end up on social assistance and it takes them many, many years to get out of that hole, diminishing the quality of their life and further pushing them away from being part of the profession that they so want and deserve to be in.

This picture may be bleak, but that is the reality that many of the skilled newcomers living here today face. They still have the skills and experience and ability to work in their profession, but they face significant barriers to getting into the field. The stories and examples are endless. Any time you pick up a paper or read another report—we all know that. That's not news to you. I'm sure that you are very familiar with that issue and the plight of our newcomer professionals who are in this predicament. The question is, how are we all going to act, in a more meaningful and concrete way, to change that predicament and this long-standing issue now for these skilled newcomers and not just pay lip service?

Bill 124 is an important factor in breaking down those barriers within a self-regulated system for newcomers in professions. It's historic and has many systemic issues at the front end, and that's important. Using a comprehensive, balanced approach and dealing with the application and administrative practices in regulated professions, ensuring that they are fair, accessible, impartial and transparent, is critical, thus providing solutions to the barriers people face when trying to gain professional recognition and access to their profession. It is an excellent start, and a step in the right direction. Knowledge is power.

The existing entry system into regulated professions is complex, and it's very difficult for individuals to understand the requirements, process and time needed to be successful. Many immigrants end up spending hundreds and thousands of dollars of their life savings preparing for these entrance exams, keeping hope, doing the cre-

dential assessments and so on, only to find out that they are still in limbo and have no idea where they are in terms of the scale or the outcome. They may pass the entrance exams—many of them do—but they're unable to get internships and other supports needed to qualify for the standards that are in place and the Canadian experience that they often require to get certification. It can take many years for skilled immigrants to get out of this stage, diminishing their ability to keep up with the fast-paced, ever-changing labour market.

We cannot afford to waste these skills and abilities in our global economy. We need to utilize these skills and position ourselves in the labour market to grow and remain competitive and not drain the economy of lost opportunities. The diversity and global experience that these skilled workers are bringing are assets and give us a competitive advantage.

Bill 124 does not compromise the existing standards and practices administered by regulated bodies; it only creates a level playing field for all. No one is asking to ease or lower standards. We want a fairer, more open and transparent system of entry into the professions, and we want the entrance criteria in a way that is understood by all. This bill is setting the direction as a baseline for all of the regulated professions. It is a credible effort that is supported by the public and many of the institutions themselves.

MCS hosted a forum back in July with our community partners, including business and funding representatives, and over 400 people attended to show their support for Bill 124 shortly after it was announced in the Legislature. After that, in the fall, we collected 450 petitions signed by individuals showing their support for this bill, which we delivered to the minister. All they want is for this bill to be passed. They need to have something in place for them without any further delay. They are tired of being the bouncing ball for everybody concerned.

Bill 124 is a landmark bill and is long overdue. And it's a welcome change. It is the seed of hope that many skilled immigrants want in order to move forward. The issue has been studied in some shape or form and recommendations have been made, but with very little impact or change with regard to moving forward. As stated, this bill, as written, provides an opportunity to effect change, and I encourage you as members of this committee to become a champion of change and support this bill moving forward.

1850

We cannot allow this to happen by just leaving this on the side and playing with the delays and tactics that can happen that often stifle very progressive thoughts and initiatives that governments take. Bill 124 provides the provincial Legislature and all of its members an opportunity to come together in this term of office and to support this bill becoming law as fast as possible. It is time to act, and you have the power to make it happen. Supporting Bill 124 now is the right thing to do for all parties. We urge you to support Bill 124 as it is written and recommend final passage to the Legislature. It is

critical and important to the lives of skilled immigrants and their families and to the labour market in Ontario.

There are many critics who will say that this bill does not do enough. Maybe so, but there are a whole lot more supporters out there. It may not address all of the recommendations in even the Thomson report. The Thomson report speaks to independent appeals of the registration decisions made by professional regulatory bodies, which are an important element of the process; fairness and accountability that are also only a piece of the puzzle—

The Chair: You have about half a minute.

Ms. Iqbal: —in improving access to professions for internationally educated applicants. The five principles of fairness are embodied in Bill 124, and these elements are covered by the bill. We therefore encourage you to approve the bill. This proposed bill does not contravene any of the processes. As a matter of fact, it endorses them through legislation and that potential.

Given the time, I would like to say that applicants—

The Chair: Thank you. It's the time now. I'm sorry.

Ms. Iqbal: Thank you. I appreciate the opportunity.

The Chair: Yes, Mr. Levac?

Mr. Levac: I understand we don't have a hard copy. Can we ask the deputant to send the copy through the clerk so we can distribute it?

The Chair: Absolutely. Would you be able to send a—

Ms. Iqbal: Yes, I can send it to you. I'm sorry, this is my first time.

The Chair: No, that's absolutely fine. But it would be helpful to members. In case they have any questions, they might be able to get hold of you individually as well.

Ms. Iqbal: Oh, absolutely. We'll send it to you electronically.

The Chair: If you could send it through the clerk, the clerk can make sure all of the committee members have it. That would be very helpful. Thank you very much, and thank you for your presentation.

Mr. Levac: To expedite time, if that happens, can we just ask you to get a hard copy or an e-mail copy for us instead of taking up time to do that?

The Chair: For anybody who doesn't provide one?

Mr. Levac: Anybody who doesn't, yes.

The Chair: Okay. For anyone who hasn't, we'll make sure they do. Thank you very much.

PAKISTANI PROFESSIONALS FORUM, CANADA

The Chair: Next on our agenda is the Pakistani Professionals Forum, Canada. Welcome. If you could make yourself comfortable, state your name and then begin your presentation. You have 10 minutes. If you leave any time within that amount, members will be able to ask you questions. I'll let you know when you have about a minute left. Thanks very much.

Mr. Iqbal Merchant: My name is Iqbal Merchant. I would like to thank you for providing the Pakistani

Professionals Forum an opportunity to present here today on this important initiative. The Pakistani Professionals Forum is an organization of about 1,000 members. It helps professional immigrants from Pakistan to integrate into Canadian society. The majority of our members are accountants, bankers and IT professionals.

I am a member of the management committee of the forum and am responsible for professional accreditation matters. I have been in Canada since 1984 and have been on the management committee since the forum's inception about 10 years ago. I am an associate partner with a Big Four public accounting firm. I have a Canadian CA and a Canadian CMA, so I'm in the mainstream, for which I have much to be thankful. However, my personal experiences and those of other members of the forum do shed some light on the issue at hand. I would like to share these with you.

I arrived in Toronto with a Pakistani CA and a CMA from the UK already under my belt. While still abroad, I had read in the UK CMA magazine that the Canadian CMA institute had offered UK CMAs resident in Canada the local CMA designation if they just applied. On arrival, I was told that it was a one-time offer. In other words, the CMA designation was on sale, and the sale was already over before I got here. Note the arbitrariness of the grant of the designation as opposed to fairness. With no other choice at the time, I had to write six subject exams, or about a year and a half. I cleared my exams, got my CMA and have been a fee-paying member for 20 years, although I don't much use that designation.

More interesting was my pursuit of the CA designation, which was more important to me in my public accounting career. As a CA from Pakistan, I was required to take a university course in law, take the core-knowledge exam, attend the school of accountancy and write its exam, write the uniform final exams, get top-up Canadian work experience and then I would have a CA after maybe three years. It was as if I was a 21-year-old with not quite an undergraduate degree.

I decided to take a shortcut. I spent a month or two preparing for the US CPA exam. Accounting does not change much by country and that was a fair commitment of my time. I passed with honours and was placed in the top 120 out of 72,000 candidates. I now applied for reciprocity on the grounds of being a CPA. I was told that the CA institute would have recognized my CPA only if I had obtained it while a non-resident of Canada, a requirement that was not then, but is now, entrenched in the bylaws. Note that this was another roadblock, not an attempt to do what was right and fair. Fortunately, I was working for my current employer, which was one of the Big Eight public accounting firms as they were at that time. They agreed that this made no sense. A lawyer from a prominent Bay Street law firm was brought in to represent me in front of the appeals committee. I was granted reciprocity and eventually a CA, but I suspect only because my employer spent the money on a big-firm lawyer. Note, no justice and fairness for all, only for the lucky ones like me.

What does all this indicate? One could be forgiven for concluding that there is a systemic bias against the foreign-trained professional, especially one from the developing world. We have all read stories in the newspapers about doctors driving cabs, engineers employed as security guards and the like. I am sure that so have the governing bodies charged with the administration of the regulated professions. However, the law of inertia prevents these bodies from taking any affirmative action to correct the inequities.

Moreover, monopolies have a tendency to protect their turf. The government has given these bodies the monopolistic authority to license professionals. It is therefore the government's responsibility to police these bodies to ensure that the authority is not abused and is used judiciously and fairly in light of Canada's immigration policies.

The obstacles an immigrant faces in obtaining local registration are varied and thus require various solutions. What is often required is just out-of-the-box thinking. For instance, the CA institute grants reciprocity to professionals from Japan and Belgium, which may benefit 10 accountants from these countries in any given year. Those who do not qualify for reciprocity include India, Pakistan, Bangladesh, Sri Lanka and the Philippines, which are the source of maybe 90% of all accounting professionals who immigrate to Canada and probably number in the thousands. It is as if a country with one billion people and a few more with hundreds of millions do not know their accounting—a ridiculous proposition that could not be justified with a straight face.

In fact, the whole reciprocity approach is outdated in these days of global mobility. It is unreasonable to attempt to assess the equivalency of designations from 50 or more countries from which Canada might get immigrants in any given year. We could adopt the US approach, which is to allow nearly all foreign professionals to write the demanding final CPA exam. After all, what else could so conclusively establish the competency of the foreign professional as being successful at the same final qualifying exam that the domestic students write? It is not often that I would recommend following the US, but they have got this one right.

Canada probably attracts the highest number of legal immigrants, at about 250,000 per year. Non-recognition of foreign-earned credentials however often results in the selected immigrants going back and only coming back a few times a year to visit family that has been left behind. This practice is so common that a name has been coined for areas with such a concentration of families, "begum pura," which loosely translates to a "women's colony." Thus, all Canada gets out of such immigrants are consumers rather than use of the valuable resource which was the basis of the granting of the immigrant visa.

Moreover, it gives Canada a bad reputation as a country which does not have any need for the skills that other countries cherish and thus dilutes our future immigrant pool. Helping immigrants realize their economic potential is thus in the interest of not only the immigrant, but also in the interest of Canada and Ontario.

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So where do we go from here? It is generally realized that the regulated professions have not responded to the realities on the ground. We have a severe shortage of physicians, yet do not see foreign medical graduates filling up the void. A visit to hospitals in the UK or US will reveal disproportionately large numbers of doctors from India and Pakistan, way over their numbers in the general population. In fact, I have a brother, his wife and a nephew, all medical graduates from Pakistan, successfully established as physicians in the US. Why did Canada not benefit from their education, obtained at the cost of hundreds of thousands of dollars borne by a foreign government, especially when we have such great need? The reason is that we have let the governing bodies carry on in their merry way, doing nothing for and, as a consequence, hindering the integration of foreign-trained professionals in the regulated professions.

The introduction of Bill 124 is a positive step and has raised the hopes and aspirations of the foreign-trained professionals. To live up to these aspirations, however, the act needs to be effective. Given the inability of the governing bodies of the professions to achieve any significant fairness so far, the act requires teeth to enforce fairness, if necessary. The following amendments are necessary to give the bill a fighting chance at success in achieving its objectives:

(1) The fairness commissioner is key to making this act effective. An ineffective commissioner will result in no change, only more legislation and more bureaucracy, something we could live without. To ensure accountability and effectiveness, the commissioner should be appointed by the Legislature. The commissioner should report annually to the Legislature on the impact of the legislation on the employment of internationally educated professionals and the success rate of such professionals applying for certification.

The Chair: You have a minute left.

Mr. Merchant: The minister should have power to eliminate unfair registration practices on recommendation by the commissioner.

(2) Establishing of independent regulatory appeal tribunals to hear appeals to rejection is also necessary. The aim here would not be to encourage appeals but to make the accounting bodies more objective in the internal reviews.

(3) They should also name the existing regulated professions in the act, with the power to add more, so that none are left out in the regulations based on undue influence.

It is time for action now. It is time to put the foot down. We should make this meaningful legislation. We should make this effective legislation, not just lip service. We should not let the entrenched interests derail this initiative. We should not let this opportunity pass.

It is fitting that Ontario leads the way on this initiative. I hope that the effects of this legislation will make Ontarians proud and show others the way.

I thank you for your time.

The Chair: That was excellent. We appreciate your comments. If you have a written format that you can provide to the clerk, it will be circulated among the members. Thank you for bringing your comments to the table.

CHINESE PROFESSIONALS ASSOCIATION OF CANADA

The Chair: Next, we have the Chinese Professionals Association of Canada. If we have members of that organization, please sit at the back chairs and make yourself comfortable. Introduce yourself and begin your presentation. If you leave any time at the end, members will ask you questions. So welcome and thanks for coming.

Mr. Thomas Qu: Good evening, Madam Chair and all the respected committee members, staff and ladies and gentlemen in the back. First, I'd like to say thank you for this opportunity to speak on behalf of the Chinese Professionals Association of Canada, who firmly support the prompt passage of Bill 124 in Ontario.

As an organization with over 23,000 immigrant professionals, the majority of them in the GTA, CPAC has ample first-hand knowledge of the barriers encountered by our members to access their professions. For tonight, I'd like to share with you actual stories of three CPAC members, with the presence of CPAC president Howard Shen, who's in the back, and several board and staff members.

The Chair: Can I just interrupt you. Are you Mr. Thomas Qu?

Mr. Qu: Thomas Qu, yes.

The Chair: Okay. Go ahead.

Mr. Qu: The first story is about Frank, a senior civil engineer in China. Frank came to Canada in 2003. He had over 10 years' experience, working on large-scale and high-profile projects. His credentials also included a master's degree in management. He landed his first job in Canada with a construction company. For better career opportunities, Frank applied for his professional engineering licence.

Frank thoroughly researched and gathered all the available information on the PEO application process and the requirements from the Internet and from other professionals who had previously obtained their licences. For over two years, he also put in a lot of effort to upgrade his language skills, prepared all the materials and walked into the interview room with great confidence. To his dismay, Frank quickly discovered that his university education and his international experience could not be properly assessed by his interviewers. Only four out of 14 of the courses Frank took in China were actually accepted. He was advised that he had to redo two thirds of the Canadian undergrad university program in order to satisfy the PEO education requirement within a two-year time frame.

Frank absolutely believes that, despite his university studies and experience abroad, he was denied fair access

to his profession. Ladies and gentlemen, I ask you, is that fair to Frank?

The second story is about Andy. As a leading researcher and practitioner in cardiology, Andy belonged to the cream of medical professionals in China before he came to Canada in 1997. In the 20-plus years of his career, he held significant positions as resident specialist, lead scientist, and professor and researcher in universities. He received his doctor of medicine and master of medicine degrees from China and his Ph.D. from North Dakota State University. He has authored numerous publications, both in China and North America. He has been widely consulted as a leading expert by doctors, specialists and researchers in North America. He has also developed superb communications and language skills. Andy has passed all the required exams in Ontario—all of them.

But for over six years, Andy has been denied a resident doctor position, which is the final hurdle on his way to becoming a fully licensed medical doctor in Canada. There are simply not enough positions available for internationally trained doctors, as only one in 100 internationally trained doctors will be able to get a residency opportunity while every fresh student from Canadian medical schools is guaranteed a residency opportunity.

Such a quota system effectively bars the majority of medical professionals from overseas from being licensed in Ontario. A new graduate cannot and would not bring to the profession the skills and specialist knowledge that an already trained and experienced doctor like Andy can. Andy is with us here tonight. He's already in his late 40s, as you can tell from the white hair.

Ladies and gentlemen, I ask you again, is that fair to Andy? Is that fair to the thousands of patients in Ontario who have been waiting an excessive time? Some of them cannot even get a family doctor.

The third story is about Vincent. Vincent was a fellow of the UK's Institute of Chartered Accountants in England and Wales, the world-renowned institution, before he came to Canada in 1979 with 15 years' experience in auditing foreign subsidiaries of major UK, US and Canadian multinational corporations. However, it did not take Vincent too long before his dream was completely shattered when applying for jobs in Canada, because he was told, "You cannot call yourself a chartered accountant in Canada," and "You do not have Canadian experience."

Vincent felt robbed of his dignity as a professional and humiliated as a person. He firmly believes that his education, training and experience met or exceeded the requirement for being certified as a professional in Canada. Instead of being recognized as a professional, Vincent was reduced, by virtue of unfair rules, to a non-professional status, not commensurate with his skills and abilities.

Ladies and gentlemen, I ask you one more time: Was Vincent treated fairly here in Ontario?

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On a special and positive note, we applaud the supportive stand of the Institute of Chartered Accountants of

Ontario today on Bill 124. The fact that ICAO supports this initiative confirms the need to remove the barriers in the licensing process for internationally trained professionals and the need for Bill 124 in Ontario. Thank you, ICAO and all other organizations, regulatory bodies and individuals who understand the need for and the urgency of this bill.

In closing, ladies and gentlemen, these stories have just illustrated to you the need for more transparency in the licensing process, the need for a comprehensive, one-stop information centre, and the need for establishing a fair and accessible appeal mechanism; in short, the need for Bill 124. Ontario needs this bill, not tomorrow, not next year; we need it today. Thank you.

The Chair: Thank you. You've left just over a minute, so our next opportunity for questions is Mr. Tabuns. Please go ahead.

Mr. Tabuns: Mr. Qu, thank you for that presentation. It was quite powerful.

One of the things you spoke about in the recommendations was the need for an independent appeals body, something that Judge Thomson recommended. Would your organization support an independent appeals tribunal for all professions that would be covered by this act?

Mr. Qu: Well, I know there are a lot of things that can be done and a lot of considerations like people already raised during this consultation process. But I believe what is inside Bill 124 today is a practical and also a balanced approach. So I think the current—I believe we already have the commissioner inside this bill, right? That will probably have a similar function to what you propose. I don't know if that may help to answer your question.

Mr. Tabuns: It does. I should just note that the fairness commissioner can't have any access to individual cases. He actually can't correct errors. The independent tribunal that Judge Thomson talked about gave a range of appeal to those professionals who were not just in the health care area, where there will be an independent tribunal, but applied it to engineers, chartered accountants etc.

Mr. Qu: But again, I said the word "balance," right? Because the existing 34 regulatory bodies already have a certain way of doing things as well. So I said if the government has the capability to provide some kind of oversight and also has an office if people have some kind of complaint or appeal to bring to the commissioner's attention, I think that would be a good start for today.

The Chair: Thank you very much. The time is up. I appreciate your presentation, and thank you for coming in this evening to speak to us.

LAW SOCIETY OF UPPER CANADA

The Chair: Our next presenter is the Law Society of Upper Canada. If you would please take a seat at the end of the table. I'm sure you're no stranger to this process. Welcome. Introduce yourselves if you can, please, for the

record. You have 10 minutes, and if there are questions at the end and you leave enough time, we'll be rotating to the government side. Please go ahead when you're comfortable.

Mr. Malcolm Heins: Thank you. We appreciate this opportunity to address the standing committee on Bill 124. I am Malcolm Heins, and I'm chief executive officer of the law society. With me are Sophia Sperdakos, policy counsel, and Sheena Weir, manager of government relations.

The legal profession has been a self-regulating profession since the establishment of the law society in 1797. The law society was the first institution of its kind created under statute in this province and is one of the oldest continuously operating professional organizations in North America.

Our mandate is to regulate the practice of law and the provision of legal services in the public interest. The Ontario government has a long history of reposing trust in the law society to fill this public interest mandate. It has continued to do so in the recent amendments to the Law Society Act, which were incorporated in what was then known as Bill 14, which was just passed by the Legislature.

In these recent amendments, the law society's public mission and the principles and duties that frame its work are clearly articulated. I've given you in my presentation the sections, section 4.1 and section 4.2, in the Law Society Act. You'll see there that the law society's function is "to ensure that all persons who practise law in Ontario or provide legal services in Ontario meet standards of learning, professional competence and professional conduct that are appropriate for the legal services they provide"—this is our public protection mandate—and that any standards we set for learning, competence and professional conduct are suitable for the provision of the service that's being provided.

In section 4.2, you'll see that we have "a duty to maintain and advance the cause of justice and the rule of law." We have a duty "to facilitate access to justice for the people of Ontario." We have "a duty to protect the public interest." We have "a duty to act in a timely, open and efficient manner." And we are to set "standards of learning, professional competence and professional conduct for licensees and restrictions on who may provide particular legal services should be proportionate to the significance of the regulatory objectives sought to be realized," or, in other words, the services that are being provided by that particular professional to the members of the public.

These provisions make clear that our primary obligation to the Ontario public is to ensure competence and high standards of learning and professional conduct among those who practise law and provide legal services. They speak to the duties of the law society and the requirement that it carry out its functions openly, fairly and transparently.

It is vital to the implementation and maintenance of the rule of law in a free and democratic society that those

who provide legal services and practise law are in a position to provide independent representation to the members of the public. To perform this role effectively, they have to be free from inappropriate influence of or interference from the state or other bodies. Self-regulation operates to minimize such influences and interference.

The Law Society Act, in our submission, achieves a careful and important balance between stating the duties and responsibilities that must accompany self-regulation and minimizing any direct or indirect intrusion or supervision by government. It is our submission that this approach is the correct one and should be reflected in how Bill 124 applies to the law society.

One of the hallmarks of the legal profession's self-regulation is the authority to set and administer standards for admission. This aspect of self-regulation recognizes that the profession itself is in the best position to ensure that all candidates for admission meet the necessary and substantive good character requirements. The Law Society Act and bylaws contain an open and transparent, objective and fair process that candidates for admission and the law society itself must follow. If you look at the processes that are already in the Law Society Act and compare them to those envisaged in Bill 124, you will see that all of the items envisaged in 124, and more, are already articulated in the Law Society Act. At page 5 of the presentation, I've actually set those out for you.

The law society is committed to a diverse legal profession that meets the needs of a diverse Ontario public. It's important to us that qualified candidates from diverse communities and backgrounds, including internationally trained professionals, are admitted to the profession. Candidates for admission to the Ontario bar in fact reflect the diverse demographic makeup of Ontario. For instance, if you look at our candidates for admission in 2006, 19% were visible minorities or racialized, 4.3% were francophone and 1.5% from the aboriginal community. This reflects the general Ontario population, where we see 19% visible minorities, 4.3% francophone and 1.6% aboriginal.

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The law society's admission and other processes protect the residents of Ontario—its first priority—and at the same time are open and fair to all candidates for admission.

This commitment goes beyond admission to practice. The law society's equity adviser in charge of equity initiatives, Josée Bouchard, and her department are responsible for furthering the law society's equity policies and assisting departments within the law society to advance and support equity and aboriginal issues. We develop and provide education and outreach programs to promote equity and diversity in law firms and legal organizations and also in the community at large, particularly the new Canadian community; we're involved with them. We actively encourage students from diverse communities to consider careers in law; we're in the high schools. We provide mentoring opportunities to candidates for admission and recent calls to the bar, including internation-

ally trained lawyers, and we also undertake research and consultations with diverse legal communities and legal stakeholders to promote equity and diversity.

In the comments we made throughout the government's consultation process leading up to the introduction of Bill 124, the law society expressed serious concern about the imposition of an external supervisory authority over the law society's processes. We indicated that it would encroach on the principles of independence and self-regulation, constitutionally protected features of the justice system. While we appreciate and support the government's decision not to implement the Thomson report's recommendations respecting an omnibus appeal tribunal, we are still concerned that certain features of Bill 124 encroach on the principles of independence and self-regulation currently embodied in our regulatory model. These areas of concern include the mandatory audits and reviews of law society processes; the general one-size-fits-all treatment of the professions; and the excessive nature of the fines under the bill, which would have the potential to intimidate regulated professions from applying legitimate objectives of competency.

Given that the law society's own legislation already clearly articulates the society's duty to meet the same objectives as provided in Bill 124—open, fair and transparent processes—and given the importance of ensuring that legislation in Ontario not have the unintended effect of undermining independence and self-regulation, it is the society's submission that the bill be amended to exempt the law society.

Section 13 of the bill gives discretion to the fairness commissioner to create different classes of regulated professions. A class may consist of one regulated profession, and the regulation may impose different requirements, conditions or restrictions on or in respect of any class.

The Chair: You have one minute left.

Mr. Heins: While this provision recognizes the importance of looking at each profession individually and tailoring the requirements to meet individual mandates, it is nonetheless only discretionary in nature.

I want to close by also commenting on the transparency in due process provisions in the bill. Part VII of the act authorizes the fairness commissioner to make orders against the professions. In the law society's submission, the provisions in this part give overly broad powers to the fairness commissioner without ensuring that the process he or she follows is fair and transparent. Section 27 specifically provides that the Statutory Powers Procedure Act does not apply to the fairness commissioner. It would be our submission that either the Statutory Powers Procedure Act should apply to this process or, alternatively, that there be provisions in the bill setting out the procedural fairness rules that will be followed by the commissioner when exercising his or her jurisdiction.

The Chair: I'm sorry. Your time is completed.

Mr. Heins: Let me just close by saying that we think it's important that this bill be passed. We think it's a good piece of legislation, but we have those individual misgivings with respect to it. Thank you.

The Chair: Thank you very much, and thank you for the written submission. We appreciate your comments and appreciate your coming to speak to us this evening.

AHMAD CAMERON

The Chair: Our next presenter is Dr. Ahmad Cameron. Please take your seat at the end of the table. Again, you have a 10-minute time frame. Should you leave any time after the presentation, the government will have an opportunity to ask you some questions. Please introduce yourself for the purposes of our records, and begin your presentation.

Dr. Ahmad Cameron: Good evening, ladies and gentlemen, Chair, and audience at the back. Thanks for giving me the opportunity to speak on this. Let me introduce myself. I am Ahmad Cameron. I come from Brampton. I finally arrived in Canada in July 2001. Earlier, I arrived in January 1999. I didn't get the job, so I moved over the US.

I represent OACETT as a member, whose members have been here earlier. I also represent my AMU Alumni Association, Canada. I also represent IIT Alumni, Canada, and I am a certified e-commerce consultant from the US.

I hold a bachelor of science in physics, a master's in pure physics, another master's in applied physics and a doctorate in turbine blade vibrations.

I have been a recipient of junior research and senior research fellowships based on all-India competitions. I have been a recipient of the young scientist scheme project for my project proposal, awarded by the Ministry of Science and Technology under an all-India competition. I have been the single post-doctoral fellowship holder under mechanical engineering, again in the all-India competition, and the only Indian who represented in the UNESCO-sponsored robotics course at Hungary.

But here comes the next part. After landing in Canada, up till now, made 3,000-plus applications, had less than 10 interviews and was selected in none. I've worked as a labourer, as a driver, as a car cleaner/washer and as an inventory handler for three-plus years at a salary of \$8 to \$12 per hour. However, in the US, I was working for an IBM project at a salary of \$60,000 per annum.

Let me bring to you exactly what I think is a very important aspect of Bill 124, because nobody has indicated this, and I think it is a very important aspect. Ontario is the money basket of Canada. Any loss of Liberal power will seriously affect its funds because the industry funds it, so a loss in Ontario is a loss directly to whosoever is in power. It also has an effect on the federal government.

The next aspect is that the baby boomers are retiring in the next 10 years, so there is an acute shortage of blue-collar skilled labour. Industry requires it. A very fundamental aspect is that all these baby boomers have to be paid pensions. How is the pension coming unless those jobs are filled in by persons like Ahmad Cameron, who holds a doctorate and works as a blue-collar labourer? So that's it. Okay? Let's see what is happening.

This is from Statistics Canada. You can see that between 1980 and 2000, the average earning of an immigrant worker was reduced by 7% whereas the Canadian-born increased by 7%: a differential of 14%. Interestingly, the problems faced by recent immigrants appear to affect mainly individuals with substantial foreign experience. This from a Statistics Canada report.

What happens? We land here and our qualifications are not recognized. A skills demand is prepared by the Canadian government in collaboration with industry. Canadian embassies evaluate the qualifications and award us a visa. The immigrant spends money and time to get the qualifications re-evaluated. Wow.

The need for qualifications equivalency is the next most important aspect. A number of members have indicated this; I'm also trying to. The experience with the WES organization patronized by the government is horrible, to say the least.

I think my member, one of them, is here. I can share—that's a personal experience from WES, but let me tell you it has one of the most sad.

I would not recommend any private organization, because they do not have those kinds of resources to evaluate globally. They are very limited. Hence, no private sector, but Canadian embassies evaluating the skills and qualifications should be used to prepare an equivalence registry.

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Next: Regulated professional associations are not transparent. A number of my friends have already spoken, and I need not add to that. There are no standardized qualifications assessment procedures because there are a multiplicity—well, that's that. There are no standardized experience evaluation procedures. There are no appeals procedures, we have heard. If they are there at all, one has seen that whosoever applied went through. I've read the papers.

There are no annual figures released for IEPs given licence/certifications, even when—let me tell you, more than 70% of OACETT's members are IEPs. I'm a member of that. When I asked them, they unfortunately would not give it to me. So that's the fairness and openness that's there.

Consequently, there is a need for a fairness commissioner appointed by the Legislature. The fairness commissioner should annually report on the performance of professional organizations under a fair practices code, which is not there. The fairness commissioner oversees adherence to appeals procedures, so there should be an appeals procedure for that.

Let me come to a very, very hard question which each and every immigrant faces here: "Do you have Canadian experience?" You see, I'm a proud son of a journalist and teacher. I have been taught to use the right word: It is organized racism, not systemic discrimination, as some say. It is, honestly, organized racism, because I find that the laws of physics are no different in Canada than in the rest of the world; they are the same.

So I find that the government has failed to perform its responsibility. A skills demand list is based on in-depth

industry and market research by Statistics Canada. The government of Canada circulates the skills demand list to all the embassies. The qualifications and experience of an IEP enable Canadian embassies to assess vis-à-vis the skills required for the Canadian market. On landing, the IEP is left to run from pillar to post. It amounts to falsification and duping.

Required government actions: Establish a repository of equivalence qualifications based on its embassies' feedback from the majority of countries from which IEPs have been migrating. Establish through universities, not through private training shops, bridging and mentoring programs, because we know that these private training shops have political alibis and political patronage. So let's have fairness even in that.

Required government action: Issue an equivalence rating to IEPs for qualifications at the time of stamping the visa. Issue an experience rating at the time of stamping the visa corresponding to the IEP's primary skill set. Provide free mentoring and skills upgrading programs.

Let me now tell you just one example of how much money immigrants are pumping in. This is again from the CIC website. On average, this much money is required to be brought in. A family of three members is required to bring in \$15,563. Assuming 200,000 immigrants come in, divided by three, that means this many family units multiplied by \$15,563 is the amount of money which just straightaway comes in as hard cash. Leave aside the fees, leave aside the subsidized labour at which the person works for more than three-plus years, like Ahmad Cameron—

The Chair: You have about a minute left.

Dr. Cameron: —and that's what it is.

I end by saying thanks a lot. There are supporting slides for this. If you want, you can go through them. Anybody who would like to ask a question, I'll be glad to answer.

The Chair: There's time for a brief question from the government side.

Mr. Khalil Ramal (London-Fanshawe): Thank you very much for your presentation. We agree with you about the needs for immigrants, especially the skilled workers in the province of Ontario. But I think you can join me and agree with us that it is very important to pass this bill in order to break down all the barriers.

Dr. Cameron: I totally agree with you, sir. I am all for this bill, but I would like you to strengthen it. I'm all for the bill, and that's what I've indicated. This bill is at the right time, and I totally endorse the bill that is there, but definitely the bill requires certain added things, which I've indicated.

Any other questions?

Mr. Ramal: Thank you very much.

The Chair: Thank you for coming to speak to us this evening and for your presentation. We appreciate it.

SOUTH ASIAN WOMEN'S CENTRE

The Chair: Our next presentation is from the South Asian Women's Centre, if members of that organization

can join us at the end of the table. Again, you have a 10-minute presentation time frame. Please state your names and begin your presentation. If you leave any time within that 10-minute time frame, there will be some time for questions.

Ms. Kripa Sekhar: Good evening, and thank you for giving me the opportunity to present on behalf of the South Asian Women's Centre. My name is Kripa Sekhar. I'm the executive director at the centre. I have with me here two witnesses—Mr. Prasad Nair, who will speak of his personal experience, and Dr. Anuradha Sinha, who will speak of her personal experience—because I feel it's very important for you to hear from those who have had first-hand experiences as opposed to myself. My own personal experience would take an entire book, but I'm not going to throw that at you right now, maybe some time later.

The South Asian Women's Centre fully supports the passing of this bill. We feel it is long overdue. We feel that the government has taken a very bold step in bringing this bill forward and ensuring that it goes through. I can tell you that we work at the grassroots level with South Asian women and their families, and the stories we hear about why they continue to live in exacerbated poverty are largely due to the fact that their educational qualifications have not been recognized in this country, and they end up as cheap labour or underemployed immigrants.

You may wonder why I've got a gentleman and a woman with me here. South Asian women feel the pain of their partners. The male member of the family, who may be very highly qualified, is unable to find work, and comes home totally depressed. It's a family situation that goes all wrong. Quite often, it's the woman in the situation who then has to bear the brunt of all the abuse, the violence, the depression etc. I want you to look at it in that context—the impact that this has, the whole impact of unemployment and underemployment—because the non-recognition of qualifications has an impact on the entire family. So it flows through.

It's also important to remember that most of the South Asians who come into this country come in with at least one or two degrees and are extremely professionally qualified, and that in fact Ontario is missing out on a real pool of good, solid resources, a global pool of wealth that would enrich this province greatly. I think it is time to end discriminatory practices. It is time to move forward. It is time to ensure that people have a good standard of living in this province, and Ontario is known for that. Canadians are known for being generous people. We honestly hope that you will move forward with this.

I'm now going to hand it over to Dr. Anuradha Sinha for her to tell you her story.

Dr. Anuradha Sinha: I immigrated to Canada from India in February 2002 as an internationally trained professional in the skilled and independent category. Professionally, I'm a research biologist with a Ph.D. degree from India, specializing in the area of cancer research, four years of post-doctoral training from the

McArdle Laboratory for Cancer Research at the medical school of the University of Wisconsin, USA, followed by several years of research experience in various academic research laboratory settings in India. After coming to Canada, I first got my credentials accredited by World Education Services. The Canadian equivalency of my degree has also been given as a Ph.D. from a recognized university back home.

I already knew that the profession of biologist, especially the profession of research biologist, is not a regulated one in Canada. Therefore, I tried my level best to get into a suitable research biologist, experimental biologist or laboratory biologist position, even an entry level position, or a research scientist job in academia here in the universities and the colleges. But from nowhere could I get any positive response. So many explanations were given, like over-qualified; I got to hear "over-qualified for a college-level position." University-level position: "Your experience doesn't match with ours." Fine, I agree with that, but being a scientist and internationally trained, especially from another North American university, USA—there I was offered a post-doctoral research position, totally based on my research experiences, educational background and publications.

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Anyway, after I tried my level best to get any job, I started volunteering as the next step to gain relevant Canadian experience. I have been volunteering for about four years at various organizations of repute here in Toronto, like the Centre for Addiction and Mental Health, the South Asian Women's Centre and the Peel HIV/AIDS network. I could just talk very briefly about my volunteerism at the Centre for Addiction and Mental Health, a teaching hospital affiliated with the University of Toronto, as you all know. At the College Street site of this centre, primarily an academic research site, I volunteered for about two years in the capacity of research assistant in the area of molecular neurobiology and the genetics of schizophrenia disease. I'm glad to let you know also that within those two years of my participation in active and productive benchwork research, I was able to co-author a research publication in the peer-reviewed *Journal of Schizophrenia*, along with three renowned faculty members, professors, of the University of Toronto, in 2005.

However, I don't want to prolong much. This is just one example I gave; there are many, but I don't have time. The bottom line of this whole message is that I'm still without a dream job of my passion, but of course, still with a lot of hopes and dreams. Last but not least, I survive here in this country on the assistance on Ontario Works, social assistance, since I am unemployed, not even underemployed. Thank you.

Mr. Prasad Nair: I would like to thank the honourable members of this committee for giving us an opportunity to make a submission on this important topic. My name is Prasad Nair. I immigrated to Canada in July 2003 with my wife and our four-year-old child. We both have a master's degree in social work and a bachelor's

degree in law from India. Before coming to Canada as skilled immigrants, we were both working in the field of social work.

I would like to use this opportunity to share my personal experience of surprises here in Canada. I came to Canada in summer 2003. The moment I stepped out from the airport, I fell in love with this country. The brisk air just passing me assured me that I had found a good place to live. After initial settlement, we started our job search. We came to know that the social work profession is controlled in Ontario by the Ontario College of Social Workers and Social Service Workers, and that to be recognized and to practise as a social worker, a registration with OCSWSSW is mandatory. The internationally trained social worker's qualification is to be assessed by the Canadian Association of Social Workers as equivalent to the Canadian qualification.

The Chair: You only have about a minute left.

Mr. Nair: Thank you. So I started my job search. Within a short span, I got 14 interviews. I got selected as a child protection worker with the children's aid society in London, and they asked me to submit the equalization certificate. When I approached OCSW, they denied and rejected my application, saying I don't have equal Canadian qualification. Though I have a master's degree, they're not even granting me a bachelor's degree.

Then what happened? The other surprise is that my wife got equalization; we both studied together. When I inquired what this was, they said, "Each application is assessed separately, so it can happen." So then I said, "Okay, that can happen. Then what about my senior, who studied just before me from my university? My junior also got the accreditation. So what about me?" They denied. There is nothing. They said, "It may be an honest error. I can't turn it around. There is no way."

Agreeing to the terms of fate and destiny, I started working in a factory, through temporary agencies, in night shifts, during the daytime searching for better jobs, babysitting and cursing my decision to immigrate to Canada. I saw engineers, medical professionals, chartered accounts and other esteemed professionals from around the globe sweeping the factory floors and lifting and sorting in our warehouses. And I saw taxicab drivers who were extremely qualified.

On many occasions in the past, we as a family tried several times to commit suicide, but maybe because of our social work background, maybe because of our counselling background, we sorted it out.

I spent all of my life savings here. I borrowed money from the banks. Then I borrowed money from OSAP. I borrowed everything. Then I went to the university bank, and at that time my qualification as a social worker was recognized by the University of Toronto. My qualification as a social worker is recognized by York University. My qualification as a social worker is recognized by WES, but not my professional agency. Good. Then—

The Chair: I'm sorry. I've let you go on for about two minutes more than you should have, so I'm going to have ask you—I think you've given us a very good picture of

the frustrations you have. Unfortunately, because it's such a late night and we're running behind, I'm going to have to say thank you for your presentation. Unfortunately, the time has run out.

Mr. Nair: No problem. Thank you very much.

The Chair: Thank you for coming. We really appreciate your experience.

Mr. Nair: I urge the government members to support this bill and let it pass. Let it be a starting point.

The Chair: Thank you very much. Thank you for your presentation.

CENTRE FOR INFORMATION AND COMMUNITY SERVICES OF ONTARIO

The Chair: Next we have the Centre for Information and Community Services of Ontario. Welcome. Please make yourself comfortable, state your name for the record, and begin your presentation. If there's time at the end, we'll be asking questions. Thank you.

Mr. Danny Mui: The Centre for Information and Community Services of Ontario, CICS, appreciates this opportunity to convey our position on Bill 124 before the members of the standing committee. My name is Danny Mui and I'm the executive director of social services of CICS, a social services agency delivering a wide spectrum of services to immigrants and refugees in the greater Toronto area for over 37 years. Every year we provide services to over 19,000 new immigrants via our eight offices located in the greater Toronto area.

Now, I'm not going to repeat those emotional stories brought forward to the committee by the previous speakers and the clients themselves, but, ladies and gentlemen, what I want to tell you is that, to us, those are not stories. Those are our real-life experiences that we encounter on a daily basis.

CICS is in a strong position in supporting Bill 124. We support the principle of the bill to advance equitable access to regulated professions in Ontario. We are also delighted to see the introduction of the Access Centre for Internationally Trained Individuals, a long-awaited one-stop centre that provides a range of services to internationally trained individuals, employers and social service agencies like CICS.

We noticed that there are sayings that the bill will lower the professional standards of certain professions in the province. I would like to bring the attention of the committee members to the fact that the majority of the internationally trained professionals coming here to Canada are not asking any regulatory bodies to lower their standards. What they need is a mechanism with accountability and transparency to ensure that they will be treated in a fair and equitable manner. Bill 124 has responded to the needs of these immigrants working hard to settle and integrate in Ontario.

Part VI of the bill specifies that a regulated profession is required to provide information about its regulation practices, that said information is to be provided in a timely fashion, and that the regulated profession is to

specify any related fees. Parts VII and VIII also require a regulated profession to ensure that decisions are made within a reasonable time, to provide review or appeal of its decisions within a reasonable time, and to provide opportunity to make submissions with respect to a review or appeal.

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The establishment of a fairness commissioner to assess and oversee auditing and compliance with the legislation ensures that there will be a mechanism with accountability established here in Ontario.

On behalf of CICS, I urge the committee to recommend the bill to the Legislature as written. Introduction of Bill 124 is an ice-breaking move by the government to address the needs of newcomers, especially internationally trained professionals. It may not provide all the answers we need to solve every problem, but it leads the way to create a transparent, objective, impartial and fair registration practice that the immigrant community has been waiting for for years. As an immigrant service provider, we would like to see the recommendations contained in the bill executed in the near future.

Dear committee members, CICS asks for your support of the bill by recommending it for third and final reading. We thank the committee for this opportunity to present our position on this very important legislation.

The Chair: Thank you very much. You've left some time for questions, so because there is a significant amount of time, we'll probably split it into three minutes each.

Mr. Tabuns: Thank you very much for making the presentation today. As you may be aware, Judge Thomson, when he brought forward his report, recommended that independent review tribunals be set up to hear appeals, not just in the health care professions but in the other regulated professions as well. I see that as a very important safeguard for internationally educated professionals and a way, frankly, of bringing discipline to the regulatory bodies. What does your centre feel about that section of the Thomson commission?

Mr. Mui: Under such circumstances, the feeling or the position of the centre is that we need something that is balanced and practical, and we need something that not only new immigrants but all the regulatory bodies as well will accept. As I said, we've been waiting so long for something to happen. It doesn't take away the importance of all the previous recommendations from previous reports and whatever, but Bill 124 is balanced, practical and doable. That's why we suggest that we should support it now, but it doesn't mean that we shouldn't improve the situation on an ongoing basis.

Mr. Tabuns: So you would have no objection to the introduction of independent tribunals?

Mr. Mui: It is not whether I would support the suggestion of such a tribunal; what I'm saying is, as I've heard the law society saying, they do have a way of regulating, but right now you can see Bill 124 as a complementary bill that helps all the regulatory bodies do what they have to do. By introducing an entirely new

mechanism, it will take a longer and longer time. I think the immigrant committee is kind of fed up with waiting. That's why we have the position of supporting this bill.

The Chair: Thank you. Questions from the government?

Mr. Levac: Mr. Mui, thank you very much for your presentation. In an opportunity to say thank you to the other deputants because of the time constraints, I want to thank them as well. In my records, it's evident and quite clear in the deputations, at least today, that except for a few issues and amendments that are being requested, the overall support is a definite yes for Bill 124.

I want to pick up on what Mr. Tabuns is saying. In some cases, I'm getting the impression that it seems that issue is a must for inclusion in the bill for it to be accepted. Am I hearing clearly that you're saying that if it's not included it's not a concern of yours, that those are issues that can be addressed once the bill has been passed? Once the bill is in legislation and we can move forward, this piece of legislation that's being proposed, because it's the first time—and it's about time. This is what the deputants are saying. And you're saying that you're not averse to addressing what Mr. Tabuns is saying, and that is, if there comes another time, another opportunity down the road to tweak the bill, improve the bill and evolve the bill, that's not a problem to you?

Mr. Mui: My response to your concern or question is, if you are referring to the independent tribunal of appeal, what I'm saying from a social service provider's point of view is that we don't know how long it would take for us to establish or to include such independent bodies under certain circumstances. Our point of view is, after reviewing Bill 124, we think this bill is good enough—not the best one—that we would recommend the government pass it and execute the recommendations as soon as possible. Something has to be done now.

The Chair: Thank you for your presentation. We very much appreciate it.

YAN GAO

LIPING GUO

CHENG LIANG HUANG

The Chair: We have three people on the schedule for the next time slot, Yan Gao, Cheng Liang Huang and Lisa Guo. Please join us at the table. Again, introduce yourselves for the record and begin your presentation when you're ready. You have 10 minutes. If you leave any time at the end, members will be able to ask you questions. Welcome, and thank you for coming.

Ms. Yan Gao: Good evening everyone. My name is Yan Gao, and here are Lisa Guo and Sammy Huang. We are here to present ourselves as very ordinary immigrants, but we believe we are good examples of thousands of immigrants, especially in the last 10 years.

Twelve years ago, before I came to Canada, I was in the States and finished my master's degree. Before I went to the United States, I finished my medicine degree in

China. Before we sent the application, we drew a beautiful picture of life in Canada. I don't want to share the same story, like many others, but we have to say that the reality was not as good as the dream picture. It took us three years to register with the PEO for my husband, even though he had a US degree and experience in the US.

My situation was even worse. My alumna told me that even if she passed the qualification exam, with CPSO, which I believe you know, she still had no chance of getting an internship at a hospital. She told me the game is as simple as Catch-22.

More luckily than many other immigrants, I got a job as a community worker at WoodGreen Community Services. Every year, our centre receives more than 5,000 newcomers from different countries who brought their dream just like I had. In the meantime, I've witnessed thousands of them work as general labour, taxi drivers, waiters or waitresses. After many years of doing non-professional-related jobs, it's very difficult for them to go back to their professions. As well, I experienced a number of heartbroken, sad stories that happened to immigrants because of serious depression, keeping a job they don't like, or they feel low self-esteem.

For many years, community workers, groups and agencies have helped and advocated for immigrants to go back to the professions for which they had the education and background. Among many factors, helping them register with a regulated body is one of the biggest factors. This is why, when Bill 124 was brought up—same with every community worker. I'm very glad our government is this brave, to make this progress. I sincerely hope this will become a milestone to all newcomers and immigrants. Hopefully, newcomers won't repeat the sad stories again and again. I hope we are well known in the world for protecting resources, but in the meantime, I hope we don't waste the most valuable resource: people.

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After a close look at the bill, some questions come to me, just like the questions from the audience at the public forum held by different agencies: How can we ensure this is true fairness to access regulated bodies? Do we have any indicators? Do we have any monitoring systems? What is the time frame for doing this? I feel these are very simple questions that come to our mind, and from very common sense. I just feel we need to add something to make it true and practical from the operational side, based on my experience.

Just like before, some speakers mentioned—Mr. Tabuns, you mentioned, and Judge Thomson mentioned—and suggested that one is an independent appeal tribunal. I strongly support that. Based on my daily experience—and I deal with a lot of cases regarding EI, employment insurance, or Ontario Works—there are two different systems. With Ontario Works, whenever we have an appeal case it goes through an internal review, but employment insurance has an independent appeal system, an independent hearing committee from outside of HRDC. From our experience, we feel that if the case

goes to the internal review, usually the reviewer stands for their own case, stands for their own decision. But an independent hearing committee usually stands in the middle to listen to both sides of the story and gives more chance for applicants to state their points. We feel this is fairness.

So I hope the hearing committee works closely with the community members and makes the bill really work for the immigrants and really meaningful.

I pass my turn to Lisa.

The Chair: There are about four minutes left.

Ms. LiPing Guo: Hi, everyone. Good evening. My name is Lisa Guo. I came to Canada in 2002 as an independent immigrant. I don't represent any party, but I just want to say something on the issue which most new immigrants are facing. You see myself as an example. I was a teacher in university in my home country. I have a master's degree in psychology. But in Canada, I find it's almost impossible for me to resume my profession. My qualifications and experience are not accepted here in Canada, and I may have to go back to university to take courses or programs. After that, I don't know how long it will take before I could eventually find a teaching position because I don't have so-called Canadian experience.

Getting new qualifications and Canadian experience takes at least a couple of years, even more, and how many people can support their family during this period? What I have seen is that a lot of people are doing survival jobs. This is a waste to society and to the individual as well. This is definitely not the purpose of an open door to new immigrants.

I'm inspired that government has recognized this issue and is trying to do something. The article provides some guidelines but is not enough. We do need to have equivalency established between international and Ontario standards.

Thank you for listening. The next couple of minutes I give to Mr. Huang.

Mr. Cheng Liang Huang: Good evening, ladies and gentlemen. My name is Samuel. I hope Bill 124 will be more practical, meaningful and effective. This is from my personal experience but not limited to it. I have not gotten a job one and a half years after landing. This is the biggest challenge in my life up to now. None of my friends and former colleagues had thought of such an embarrassing situation.

I graduated from one of the top five universities in China. After graduation, I worked for 16 years in electronics. I had been a technical support engineer at a world-leading telecommunications manufacturer and, later, a senior quality manager at the world's number one semiconductor manufacturer. Besides that, I'm also a Six Sigma black belt, certified by the American Society for Quality. People like me should be quite qualified to be named as a professional engineer. I had never been unemployed, but the fact is that I'm unemployed at this time.

There are both reasonable and unreasonable causes. I believe new immigrants do not get fair rights to access

the job market. For example, it is illegal to practise engineering in Canada without first having obtained a licence from the provincial or territorial association. In the meantime, as I know, to get a licence as a professional engineer in Ontario, one year's professional work experience in Canada is a must. Due to this obvious controversy, access to the job market for professional engineers with international backgrounds is denied.

I also cannot understand why an engineer qualified by the Canadian Council of Professional Engineers cannot be automatically qualified as a professional engineer in Ontario. I also cannot understand why Canadian experience is so important when the economy has already globalized.

In short, I believe that there are barriers for professional engineers with international backgrounds to getting a professional job in Canada. Accordingly, there is a great waste of precious human resources in Canada. It's not a waste for the person only; it's a waste for the whole country.

Nowadays, when my friends ask me for advice on immigration to Canada, I'm not wanting to but I unfortunately have to say, "Don't immigrate to Canada," because all these guys have good opportunities in China.

The Chair: Is that the end of your comments?

Mr. Huang: Yes, that's all.

The Chair: I've given you a little bit of extra time because I know that you each had something to say, but there's no time left for any questions, unfortunately. I apologize for that. Thank you very much for bringing your personal experience to the committee. It means a great deal to us, and we appreciate your comments and your making the effort to come in and share with us.

WORLD EDUCATION SERVICES

The Chair: Next we have World Education Services, Tim Owen. If you want to take a seat at the end of the table, Mr. Owen, and then provide us with your name for the record. You have a 10-minute time frame, and we'll be able to ask questions if you leave us some time at the end. Welcome, and thank you for coming.

Mr. Timothy Owen: Thank you for the opportunity to be present here and share with you my perspectives on the proposed act. My name is Timothy Owen. I'm the director of World Education Services, an independent, not-for-profit organization which is recognized and mandated by the province of Ontario to provide international academic credential evaluation services. It provides services to newcomers, but also to the institutions and organizations to which they apply—employers, academic institutions, regulatory bodies—for people who want access to use their credentials in a number of different ways.

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We validate the authenticity of the documents that have been earned outside of Canada and provide a statement of their Canadian equivalency. We also provide a number of services online which allow us to transfer

documents electronically—transfer verified documents and the completed reports—and allow individual users to access the status of their reports online as we're doing them. We've just introduced a preliminary online equivalency which allows people to look up the equivalency of their credentials prior to having a formal report done for them.

We've been operating this service since 2000, and during that time we've assessed the credentials of about 25,000 individuals, about 10% of whom are still residing in their home country. We work very closely with the groups that I mentioned before, the regulatory bodies included, and act as a third-party service for many of them, including about 25 of the regulatory bodies and about 60 of the educational institutions, and hundreds of employers. And if we're not doing direct service for them in that way, we do also share information about practices in documentation and provide training for some of the regulatory bodies that do the assessment of credentials in house.

We do this through a database of information that we've accumulated over our years which contains about 20,000 different precedents of academic documents we've reviewed and data on over 40,000 institutions that issue those documents.

We're a member of the Alliance of Credential Evaluation Services of Canada, which is important for reasons I'll get into. It's a pan-Canadian association of the provincially mandated evaluation services in Alberta, British Columbia, Manitoba, Ontario and Quebec. In three of these provinces, these services actually are part of the provincial government. The purpose of this alliance is to promote fair, credible and standardized methods in assessing foreign credentials. To do so, we adhere to a set of guidelines and good practices which are consistent with international standards developed by UNESCO, and to which Canada has been a signatory, although Canada has not yet ratified the convention that these standards were created at.

These principles, in some ways, reflect the principles in the act. They speak about adequate access to the assessment of credentials for individuals; the provision of standardized, clear, rational and reasonable procedures and criteria for the assessment; clearly articulated time frames; the right to appeal; and reasonable costs. The website of the Canadian Information Centre for International Credentials contains full information on these standards.

In the years that we have been providing services in Ontario, there have been many significant advances and improvements in the way in which regulatory bodies assess international qualifications and register and license people. Through much of the funding provided by the province of Ontario, there have been bridge training programs which have provided new models of assessing, upgrading and supporting individuals to facilitate their licensure. In fact, a consortium of regulatory bodies—you probably have heard from them, or will—the Ontario Regulators for Access, have developed and shared best

practices in recognizing international qualifications and facilitating licensure. The government of Ontario has introduced a report card model to monitor the processes and progress of regulatory bodies. I think all of these steps have had a very positive impact on the ability of new Canadians to become licensed. What Bill 124 does, I believe, is to provide an opportunity to ensure that these changes become part of the permanent landscape and, as such, it is critical.

We know that even with all the positive changes that have occurred in the past, the situation for internationally trained professionals is still not as it should be and needs considerable improvement. Too many individuals don't know where to go, what steps to take, what documents they need to produce, how long it's going to take them to get their credentials assessed or their licensure to take place, how much it will cost, and probably more importantly, even at the end of that process of licensure, they have no idea whether or not they're going to be finding a job in their profession, which is probably in many cases the biggest problem of all. We know that the entry-to-practice requirements across the professions are not consistent. In some cases they're dependent on processes which are not transparent, nor consistently applied. Bill 124, I believe, provides the legal structure to ensure that there are common standards developed, applied and maintained across the board.

The bill will not solve all the problems that internationally trained professionals face; even if the professionals are licensed, they still face barriers in finding employment. More work needs to be done to help employers improve their hiring practices. The announcement earlier today by the Minister of Citizenship and Immigration to fund the Maytree Foundation and the Toronto Region Immigrant Employment Council to undertake work in this area is welcome. I think it will go a long way in building bridges with the employer community, which would be consistent with the principles behind Bill 124. However, the bill is a critical step towards ensuring equity in access, and sends a strong message to everyone that the government is serious about making improvements.

The bill will put into law a set of guidelines that in many ways reflect the internationally accepted guidelines and principles that I referred to earlier. It will promote and ensure transparency, consistency and accountability in the application of existing and new registration practices. It would create a process to review and monitor these practices. It would provide for information services to assist people to find their way through the complex web of eligibility criteria and procedures that lead to licensure.

It is important that the bill does set out a number of principles, principles such as transparency, objectivity, timeliness and rights of appeal. The fairness commissioner, in consultation with regulatory bodies and other stakeholders, should develop the definitions and application of these principles, and put in place standards of service that are attainable and measurable. Presumably

these standards will be included in regulations and administrative guidelines that follow the passing of the act.

I think the proposed access centre also fills an important role in the provision of information and assistance to those wishing to become licensed. As I mentioned earlier, too often individuals do not know where to begin to start the process of registration, a process that can be complex and confusing even for a graduate of Ontario schools.

The functions of the access centre should be carried out in a manner which facilitates the provision of information and assistance to those people who are still residing in their country of origin, so that by the time they have arrived in Ontario, they will have been able to complete as many steps towards registration as possible in their profession.

The access centre should work in collaboration with the many community organizations that already provide general information and referral services, as well as with my own organization, WES, in order to develop a seamless delivery system which begins overseas, so that individuals and families, when they're first planning to move to Ontario, can get the information they require.

To conclude, I'd like to say that I think the bill is very important and should be passed with the consent of all parties. In its implementation, we should recognize and build on the many important and successful pilot initiatives of the recent past. We should ensure that the application of the principles in the proposed act is consistent with existing international and national guidelines for the assessment of international credentials. We should ensure that the proposed access centre coordinates its activities with others doing related work. And we should recognize the continuing need to work with employers so that those who do become licensed are able to find work in their field.

Thank you for your attention.

The Chair: Thank you very much. As there's not even a minute left, I think we'll just ask for the next presenter to come to the table. So thank you for your presentation. I very much appreciate it.

COMMUNITY HOME ASSISTANCE TO SENIORS

The Chair: Our next presenter on the agenda is Community Home Assistance to Seniors, Fatemeh Akdari. Welcome. Thank you for coming. Please take a seat at the end of the table. Again, you'll have a 10-minute time frame for your presentation. Please introduce yourself for the purposes of the record. When you're ready, please begin.

Ms. Fatemeh Akdari: Madam Chair, honourable members of the standing committee, ladies and gentlemen, my name is Fatemeh Akdari. I appreciate the opportunity to appear before this standing committee.

Although I am not a demographer or an economist, all of my personal and professional experience tells me that Bill 124, the Fair Access to Regulated Professions Act,

will be one of the most pivotal developments ever to bear on Ontario's newcomer community. Furthermore, as the minister's statement makes clear, this bill would contribute enormously to the economic and social wellbeing of our province and our country.

Please let me begin with a few words on my personal background and experience. My husband and I came to Canada in the early 1980s—both with degrees in engineering obtained from a prestigious and reputable university in Turkey—in pursuit of a better life. Members of this committee who remember their history will have a sense of the political travail in my native land of Iran that led to my decision to immigrate to Canada.

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In Canada, I could not find work in my field; the obstacles were too many. I did not have Canadian experience, my credentials were not fully recognized and I was instructed to repeat some of the courses I had already finished. The price for each university course was sky-high, and I did not possess the necessary funds to go back and repeat the lessons I had already learned.

For highly trained male immigrants, we know of the proverbial and sad outcome of work delivering pizza. For women, it is often, as it was for me, menial work in a fast-food restaurant. My dreams of a better life were shattered. I have not calculated my financial losses; however, the emotional loss was overwhelming. I felt frustrated, useless and depressed.

Eventually, and with the help of various courses of study in college, I found work in social services. For 17 years, and in several different positions, I have been working closely with Ontario's newcomer communities. From thousands of different stories, I have become intensely aware of the personal, human and societal costs of the problems that Bill 124 promises to address.

Even my current position is instructive, albeit work dealing with senior citizens in newcomer communities in York region. In their native countries, the great majority of individuals I counsel and try to assist had obtained both the highest levels of education and professional careers that brought the satisfaction of significant economic and social contribution to society. Arriving in Canada, these individuals, in various ways, soon discover that the accomplishments of a lifetime count for naught given the lack of recognition of their credentials and their experiences.

For many internationally trained professionals in their fifties or sixties, there is a further element of disappointment and loss—the fact that the same fate has met the children they have sacrificed to raise and educate to the highest levels. Imagine yourself in Canada, trained as a research biologist and now in your late fifties, with no work and generally isolated, living with a son or daughter with higher degrees in computer engineering, but forced to work as a painter. You came to Canada in the hope that whatever the cost to you, life would be better for your children. But now, at best, the hope will have to rest on your grandchildren.

In hearing about such sad matters, some respond with the remark that immigrants should have realistic expect-

tations. There is an element of truth in such a comment. However, that truth is much more complex than meets the eye. Among life's hardest decisions is the decision to emigrate, to pick up everything, to abandon all that is familiar and comfortable and secure. Is it not understandable then, perhaps even vital, that the decision be helped by the expectation, however rosy, of an immediately better future?

What has been too often true to date is that when immigrants present their educational credentials here, and in spite of the fact that these credentials bear the seal of schools established hundreds and hundreds of years ago, they find them being discounted, if not completely disregarded, by Canadian institutions that have been in existence for mere decades.

It is critical, from my point of view, that the approach and system to be put in place by Bill 124 be fully informed as to the true worth of education in other countries. Traditionally, our outlook on such matters has been biased by a strong sense of what I might call local centrism, i.e., the view that our educational system is inherently better than any other country.

Ontario attracts more than 50% of the immigrants to Canada. Although highly educated, these immigrants struggle to have their credentials recognized and struggle to secure meaningful employment in the areas they have been educated in. The process of recognition of their credentials is too long and costly to both them and Ontario. The Conference Board of Canada estimates a hefty \$5-billion loss per year due to the failure of recognizing the skills and credentials of new immigrants. In addition, the Royal Bank of Canada suggests that if all new Canadians were fully employed at their levels of education, there would have been an increase of about \$13 billion per year in personal incomes.

With our low birth rate of approximately 1.5 and the aging baby boomer population, we need immigrants to fill the gap in our labour market. In the year 2011, immigrants will account for 100% of Ontario's net labour force growth.

The Chair: You have about a minute left.

Ms. Akdari: Okay. Bill 124, the Fair Access to Regulated Professions Act, would require that 34—I'm not going to read that part; probably you all know about it.

In conclusion, ladies and gentlemen, in my opinion, Bill 124 is just, fair and long overdue. It will have a profound impact on the lives of many internationally trained professionals. As an internationally trained immigrant, I support this bill in principle and hope that the members of this committee will move this bill forward as quickly as possible to foster a greater equity in our community and country. Thank you.

The Chair: Thank you for your presentation. We really appreciate you coming in tonight. Unfortunately, as you used up all the time, there won't be time for questions, but we do appreciate you coming and sharing your experiences with us this evening.

QUINTE UNITED IMMIGRANT SERVICES

The Chair: Next, we have Quinte United Immigrant Services, Orlando Ferro. Welcome. Please begin your presentation when you're settled. You have about 10 minutes, and if you leave time at the end, members of the committee can ask you questions. So welcome and thanks for coming in.

Mr. Orlando Ferro: Madam Chair, members of the committee, I would like to thank you for the opportunity to appear before the standing committee on regulations and private bills to speak on Bill 124, the Fair Access to Regulated Professions Act.

My name is Orlando Ferro, and I am the executive director of Quinte United Immigrant Services, a non-profit organization serving immigrants in central eastern Ontario for the past 20 years. We have been watching the Bill 124 regulation process with great interest and we strongly support the bill.

As an immigrant myself, I have experienced the same struggles many immigrants face when moving to Ontario: the red tape imposed on immigrants by protectionist professional associations and regulatory bodies, the lack of proper recognition of international credentials, the lack of equitable entry criteria into the profession and the barriers associated with the Canadian experience. I would like to take a few minutes to talk about barriers that immigrants face every single day. Due to confidentiality and client privacy, I will name the individuals in my narrative as John and Jane Doe.

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To start, I would like to talk about John Doe, who, having left a successful medical family practice in England, moved to Canada to join his Canadian wife. Having arrived here, he found out that in order to be able to practise medicine, he would have to wait one year as a resident without being able to work; after that, another year or more as a hospital trainee resident; and consecutively another year under the supervision of a Canadian doctor before he would be considered to apply for the Ontario College of Physicians and Surgeons.

That story had not the happy ending of the fulfilled Canadian dream. John and Jane Doe, after months of frustration, decided to leave Canada and move to England. In the meantime, the city of Belleville, already having a shortage of professionals in the medical field, saw another family doctor retiring.

Another case relates to a prominent engineer from Pakistan with post graduation in Germany. He moved originally to Toronto, and after months trying to obtain his credentials recognized to the level of internationally acceptable training, he moved to Belleville to work in a trade capacity in the fibre optics field under the supervision of a Canadian engineer recently graduated from a Canadian university. Unfortunately, John Doe, the engineer from Pakistan, with post-graduation and a Ph.D. from a European university, did not have the Canadian experience.

The stories are many, and I personally followed up in many of the cases and, distraught, saw their outcomes. I

would not be able to relate all of them in the 10 minutes allowed—not even in 10 hours if I had the time.

Bill 124 addresses most of the issues faced by immigrant professionals, and that is the reason we believe the bill should be made into law without delay. Bill 124 incorporates key recommendations of Judge Thomson's report, which called for a fair registration practices code either in statute or regulation, and for periodic reviews of registration practices by regulators. One of the key components of Bill 124 is to correct the front-end problem of registration by ensuring that the practices are transparent, objective, impartial and fair.

Under the act, a regulated profession would be required to provide information to individuals applying for registration by the regulated profession, including the amount of time the registration process usually takes, requirements for registration and fees. A regulated profession would be required to ensure that it makes registration decisions within a reasonable time. It would also have to provide written responses, written reasons and internal reviews or appeals within a reasonable time. Training would have to be provided to individuals assessing qualifications and making registration decisions or conducting internal reviews or appeals as specified in the act.

We are concerned that further delays will continue to compromise opportunities for internationally trained individuals to succeed in the pursuit of the Canadian dream. The bill creates a more equitable opportunity for internationally trained individuals to access their professional fields. This bill could be of some advantage to diminish the lack of professionals in health care throughout the province, alleviating the suffering of the population waiting in long lines to access essential services. This bill would also resolve the labour shortages that afflict many areas in the economy.

The bill includes an access centre that would provide information to a range of individuals and groups and that would conduct research, analyze trends and identify issues related to the purpose of this act.

What is not clear is the relationship between the centre and the commissioner or the ministry, and what would be done with the centre's research and analysis. Quinte United Immigrant Services recommends that the centre should be tied specifically to the commissioner's office or to the Ministry of Citizenship and Immigration to give its work legitimate standing.

In conclusion, Quinte United Immigrant Services believes that Bill 124 overall represents a step forward in correcting inequities and unfair practices faced by internationally trained professionals. The bill is effective. We urge you to support it and to recommend it for third and final reading.

Quinte United Immigrant Services thanks the committee for this opportunity to share our concerns. Our recommendations have been made in the spirit of supporting Bill 124 and not to delay the process to make it into law. Delaying the passage of this bill into law will just give continuation to the frustration among foreign-trained professionals. Thank you.

I would like to get off my script right now and add a few comments. I've been watching this committee tonight and I had the opportunity to see some of the regulating bodies come into this House to expose their concerns on this bill. I'm probably not going to name some of those, but I just have one comment. The Law Society of Upper Canada: I have had experiences with them when I first moved to this country, being a lawyer trained internationally. I had the Florida Bar law economics office. What they said—and I was fuming, and that's why I'm here; I'm sorry, but I really have to say that—about their openness, fairness and transparency, I completely and totally disagree with that.

I just have one more thing to say: If those associations are so progressive, if they are so transparent, so open and so fair, they shouldn't fear this law.

The Chair: Thank you. We have time for a question. We're on the official opposition.

Mr. Klees: Thank you for your forthrightness. You should feel free to name others, if that's what you want to do, because we're here, really, to get to the bottom of why newcomers have such difficulty.

I have a very practical question for you. I'm concerned that this bill is so much lip service and sets expectations that, once again, will let people down. Here's why: It's one thing to get a registration; it is yet another thing to get a job. We heard from someone here tonight who went through all of the registration process and still cannot get a job. So my question to you, with all of the practical experience that you have: If there was one thing that you would see as a practical step that government could do, apart from this access to registration, what would that be?

Mr. Ferro: Basically, there are many barriers that immigrants face when they first arrive in Canada. We have to cross each of those steps one at a time. The first one is to make sure that they have their credentials. Once they have this, they have an edge on the competitiveness that they will find in the marketplace. By crossing this first step, which this bill would provide, the fair access to their credentials, then the second stage would be up to the government to create—I wouldn't even say "to create" an act; you can't create an act to control the labour market—but through an educational process there would be a possibility that employers would be more accepting of newcomers.

I can give you an example of what we're doing in Belleville at this point in time. We tried in many different ways to make sure that the local community would have different ideas on immigration. Belleville is still not as progressive a city as Toronto, and they still have a concept that immigrants come to this country to be on welfare. We tried in many different ways, through educational campaigns, and nothing seemed to be working. Finally, we decided to have a different approach, an economic approach. We partnered with the Royal Bank and we decided to take some of the federal improvement programs or implemented programs, such as the investors, such as entrepreneurial, and start marketing Belleville as a destination in different countries so that those people applying to come to Canada would move in. We did this

presentation to the chamber of commerce, we did this presentation to the local economic groups, and they saw the advantage and the potential that immigrants bring to the economy, the tax base, the generation of more employment. This is one step that maybe the provincial government would also be in agreement with.

The Chair: Thank you very much. The time is up. We appreciate your comments. Thank you for coming to speak with us tonight.

THORNCLIFFE NEIGHBOURHOOD OFFICE

The Chair: Next we have Thorncliffe Neighbourhood Office, Jehad Aliweiwi. If you can please have a seat and state your name for the record. I apologize if I didn't pronounce it properly. You have 10 minutes, and if you leave some time before the 10 minutes are up, members will be able to ask you some questions. So welcome, and thank you for coming.

Mr. Jehad Aliweiwi: Thank you, and I just want to apologize for the unedited version that I handed out. I didn't realize that I needed to make copies, so there might be some mistakes. Please disregard; that's not important.

Thorncliffe Neighbourhood Office appreciates this opportunity to present before the standing committee on regulations and private bills on Bill 124. My name is Jehad Aliweiwi and I am the executive director of Thorncliffe Neighbourhood Office. We are a community-based agency providing various services to residents of Thorncliffe Park and surrounding areas.

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Our neighbourhood has the honour of being the home of more Ph.Ds. than anywhere else in the country. In 2004, the Globe and Mail's Jan Wong did a 10-part series called "Tales from the Towers: Life in Thorncliffe Park." She follows the lives of 10 newcomers and brilliantly and quite sadly chronicles their repeated and failed attempts to get their credentials recognized. They were the taxi driver, the guard and the cashier. All are honourable professions—my father was a taxi driver—but that is not why most of us came to Canada.

These 10 individuals and the 30 women who are currently enrolled in our bridging program to assist them in obtaining equivalency to their early childhood education certificate appreciate this bill and celebrate it.

You have heard, I'm sure, from many on the need to strengthen the bill. I agree that there is room for enhancements. However, I cannot believe that Ontario does not have this act in place to begin with. I can't believe we still have to actually make a case that we need to have these kinds of guidelines in place.

I want to preface my endorsement of this bill by saying that this is the first time in my career that I appear before a committee debating legislation that I am not opposing and I am not anxious about its impact on our communities. I tell you, this is a wonderful change. I am speaking before this committee in full support of this legislation.

I want to congratulate Minister Colle on this significant milestone in the life of immigrants and refugees in this province. This is a step in the right direction to this long-standing form of injustice. It is a creative and corrective process. Dedicating resources to its implementation and having the fairness commissioner's authority to enforce it is bold and hopeful.

That there is a wide and costly shortage in skilled labour in every corner of this province and that there are thousands of qualified and highly trained newcomers driving taxis, guarding malls and waiting tables is a fantastical and colossal failure of public policy at the highest level. This legislation, I believe, provides a frame with resources to move this forward. The absence and/or the absenting of qualified newcomers from the labour market is having a costly impact on the economy and society. Many have stated that throughout the evening. Despite the high percentage of highly educated residents in our community, their participation in the labour market is barely keeping them above the poverty line. In fact, many are not, despite holding full-time jobs.

The Orenstein report, released recently, has painted disturbing pictures of the concentration of poverty among newcomer communities. The existence and persistence of poverty in our communities is due primarily to stubborn barriers to access to suitable employment. The slow and, often, lack of credential recognition is at the heart of the conditions of creating inequality and disparity at every level.

Although previous generations of immigrants were significantly less educated than today's immigrants, they did significantly better and were able to live the Canadian dream much faster. Today's immigrants are well educated, speak several languages and come from urban centres and major cosmopolitan cities like Karachi, Mumbai, Cairo, Dubai, Nairobi and Manila, yet they are fairing miserably in labour market participation. Exclusion from the labour market is not unlike exclusion from proper housing or access to health care and education. It is a form of discrimination, no doubt.

Do not think of the intended target group as a lot that needs help. Please view them as partners in building a stronger economy, safer neighbourhoods and healthier individuals and families.

Few things elate the spirit and lift ones morale more than a job in one's field. I implore you to be part of the process of making the dream of a better life for thousands of new immigrants a reality. I believe the passage of this bill is a first step toward that. I thank for the opportunity of appearing before you this evening.

The Chair: Thank you. We have a few minutes for questions. If we could get a brief question from Mr. Tabuns and then a brief question from the government, we'll stay somewhat on time.

Mr. Tabuns: Thank you very much for the presentation. I appreciate you taking the time to come down and speak to this. One of the things Judge Thomson recommended was independent appeal tribunals for all professions. They exist right now for the medical pro-

fessions but not for the others. Would your office support Judge Thomson's recommendation?

Mr. Aliweiwi: We would definitely, but I think there is a framework provided. I'm hopeful about the fact that there is a fairness commissioner, and I'm hoping that has a bit of teeth to enforce some of the things that are required. I don't disagree with Judge Thomson, but I think this is a different thing. If we had implemented Judge Thomson's recommendation, I don't think we would be here, to begin with.

The Chair: Thank you. Government?

Mr. Ramal: Thank you, Jihad, for your presentation. I think it's very important legislation. It must have impressed you very much in order to change your position from opposition all the time on legislation to support. So then do you see that this legislation, if passed, will eliminate the barriers facing many immigrants from your experience?

Mr. Aliweiwi: This is definitely a tool that will move us in that direction. There is no question there is an absence of any other available opportunity. I think this provides one and we should all welcome it. I definitely welcome it. I've told Minister Colle in the past that I'm not a big fan of government policies. On this particular one I have congratulated him and, I'm the first to say that the government has done something right at last.

Mr. Ramal: Thank you very much.

The Chair: Thank you for coming. We appreciate your comments this evening.

SABA NASIR

The Chair: I'm going to ask our next presenter, Saba Nasir, to come to the table. You will have a 10-minute time frame. If you leave any time at the end, members will have a chance to ask you questions. Welcome, and thank you for coming. Please begin.

Ms. Saba Nasir: Good evening, everybody here. I am pleased to present my personal opinion on a few concerns that I have as an internationally trained individual. To give context to my concerns, I would illustrate with my personal experiences.

My name is Saba Nasir. I came from India three and a half years back. My educational background: psychology honours, masters in social work from the University of Delhi, India, and pursuing a Ph.D. program from the Indian Institute of Technology, Delhi.

With regard to my work experience in India, I have been actively involved in the non-profit sector. Areas of work have been research, policy planning, service delivery in rural development, mental health counselling and urban conflicts. In Canada, in a period of three years I have had four intermittent contract jobs, which I got after one year of intensive volunteer work in the non-profit sector, and subsequent to getting the accreditation from the Canadian Association of Schools of Social Work in Ottawa and the Ontario College of Social Workers and Social Service Workers, I did get my MSW equivalency.

So I was quite fortunate. However, all jobs prior and subsequent to the accreditation and registration have been entry-level designations, such as project assistant, addiction counsellor, service coordinator and crisis counsellor, and in spite of the accreditation and registration and the Canadian experience, I have yet to find a full-time permanent professional position. I have not received even any acknowledgement or interview calls for positions for which I qualify based on my education, skills and experience.

Bill 124 has indeed attempted to respond to the existing concerns pertaining to the registration practices and promises to present elements of transparency, objectivity, impartiality and fairness woven across it. Above all, it needs to be meaningful and effective for those it is intended to serve. The following concerns are important to consider in this regard, namely:

(1) To incorporate within the registration process an element of meaningful utilization of professional expertise/skills/experience of internationally trained individuals while they wait for the accreditation and registration formalities to be completed.

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To illustrate my point, while the internationally educated social work professionals, IESW, program at Ryerson University offers a certificate in Canadian social work practice—all the details are available on the website I have given—it will become more meaningful if this program is integrated within the process of registration, enabling individuals to familiarize themselves with the understanding of the nuances of the social system within which they are now preparing to seek employment and serve while they wait for the accreditation and registration procedures to conclude, instead of relentlessly volunteering in an ambiguous environment—which, by the very fact of being a new immigrant, seems intimidating—for want of a professionally appropriate orientation.

Professional orientation is the responsibility of the regulating body. If it has the duty to regulate, it should take the responsibility to orient. Only then can lapses in practice be judiciously monitored.

Highly educated and experienced individuals are left to experience the indignity of pleading for an often meaningless volunteer experience to illustrate Canadian experience on their resumé. My concern is best illustrated by my favourite example, which is as follows:

How does it help if a professionally trained medical doctor finds herself or himself worthy of being offered only an opportunity to volunteer as a ward assistant to prove his or her calibre as a fully qualified doctor from another country? On what basis is the capability or skills as a physician being assessed and rated if he/she is volunteering as a ward assistant?

A sense of meaningful utilization is the greatest reward a well-trained individual can be offered. Unemployment or underemployment while waiting for accreditation and registration, if addressed by meaningful orientation programs by the regulatory bodies, can

address the stress problem among new immigrants. Public health statistics show how new immigrants arrive with better health status than the average Canadians and how fast they deteriorate below the national average. Logically guessing, the surge in stress is indeed a scientific factor adding to this statistic. Also, the subsequent social costs straining the system—for instance, increasing incidence of domestic abuse and even violent incidents in new immigrants due to rising frustration amidst a feeling of hopelessness due to lack of direction and development in economic life—can be curbed to mutual betterment of all the stakeholders. An immense hidden social cost can be taken care of with meaningful investments in helping integrate them properly, along with accredited qualifications.

Therefore, this particular point is that the bill needs to incorporate within it a stipulation to hold all regulatory bodies responsible for providing orientation to the internationally trained individuals, just as they are mandated to regulate and accredit in order to ensure excellence in service delivery. Only after due orientation can the husk and rice be separated and fairness be truly incorporated within the bill.

(2) Training of the assessors is a very important clause in Bill 124. However, I would want to draw attention to the importance of simultaneous focus on educating prospective employers in different industries—education, health, non-profit sector, banking, hospitality, travel and other business houses, media industry etc. Prospective employers need to change their stereotyped mindsets and develop the capability to assess the potential of internationally trained individuals as prospective employees.

Accreditation and registration is to no avail if the prospective employers are not educated about the immense potential internationally trained individuals might have. I am speaking out of first-hand experience that no registration or accreditation helps, as employers often lack the capability to assess internationally trained individuals or professionals.

The undue emphasis on networking works as the single most crucial obstacle for internationally trained individuals. Indeed, networking seems okay if it is just a minor element of job-seeking, but when it becomes the be-all and end-all for employment opportunities, we are on our way to the acceptance of a complex social problem of unbridled nepotism. Eventually it is likely to lead us into corruptive employment practices in which merit—based on objective and fair assessment of ability, potential, skills, quality and education—will become a casualty. Deterioration in quality of service delivery will be a natural outcome of such practice, with intelligent and deserving minds feeling the unjustified marginalization and adding to the social costs that unjust treatment can lead to, such as mental and physical health issues, domestic violence and anything else that economists and sociologists are capable of defining as social costs.

The eventual loss in profits of organizations too is a natural outcome. Introspection by prospective employers

is a necessary important step towards incorporating transparency, objectivity, impartiality and fairness.

Therefore, in summary, my second point is that the bill needs to incorporate within it a stipulation to educate the prospective employers.

To be meaningful and effective for anything, it is first to be experienced as meaningful and effective. As an internationally trained individual, I did not experience any sense of effectiveness or accomplishment even after I got myself accredited and registered, due to the absence of the two core issues I have presented today before the committee; namely, meaningful and effective orientation alongside the accreditation and registration process for the aspirants, and mandatory orientation of prospective employers in all sectors of industry.

I thank everybody. I know my note of thanks is right there. I take this opportunity to be greatly appreciative of this step which the government has taken, and I'm hopeful for the concerns to be addressed as well.

The Chair: Thank you very much. We appreciate you coming in this evening and providing your comments.

If Mr. Klees would like to make a brief question, we have a little bit of time, but not very much.

Mr. Klees: I just want to thank you for your presentation. I think you've touched on a matter that I've raised throughout the committee hearings, and that is that it's one thing to get the registration, but there have to be some very practical steps taken that will ensure that people actually get meaningful jobs in the profession for which they are accredited or registered. I appreciate you highlighting that. I hope the government members are listening. People have referred to this bill as a framework. I'm going to be very positive—by nature, I'm a positive person.

Mr. Sergio: So you're going to support it.

Mr. Klees: Yes. Actually, I will, because I'm hopeful that you will also accept some positive amendments that will make this bill much better, and that the government will undertake to do what this person today has told us is so important, that we understand that it's not enough to register someone or to get them the credentials; they have to have access to the profession for which they are accredited.

The Chair: Thank you for your presentation. We appreciate your comments. Unfortunately, we've run out of time, but we do want to thank you for bringing your opinions forward.

METRO TORONTO CHINESE AND SOUTHEAST ASIAN LEGAL CLINIC

The Chair: Next we have the Metro Toronto Chinese and Southeast Asian Legal Clinic, Avvy Go, the clinic director. Welcome. You have 10 minutes for your presentation. If you leave any time at the end, the members will be able to ask you questions. Please go ahead.

Ms. Avvy Go: I know you have heard from individual immigrants with heartbreaking stories about their struggle in Canada. They are the reason why we're here

tonight, so I would urge you to remember their stories when you go through your clause-by-clause review.

To start, I would like to commend the government for introducing Bill 124 in order to address one of the most significant challenges facing many immigrants today, and that is the lack of recognition of their skills and education.

While Bill 124 provides the foundation for addressing the issue of accreditation, missing from the bill, however, are some of the important building blocks that are necessary to make the accreditation process truly fair, open and transparent. So my comments and recommendations are going to focus on some of the key ingredients for creating such a process. I would refer you to my written submissions with an attached list of recommendations. I'm just going to highlight a few here.

First of all, the bill does not give us a list of regulated professions that it will cover. I recognize that the list can evolve over time. However, we do not want to see professions being unnecessarily dropped off the list by successive governments that may not have the same view or support the principles behind the bill. So we are recommending that the government should consult with community stakeholders before establishing the list of regulated professions that will be governed by the bill.

The bill should also provide that the government cannot remove any regulated profession from the list without first consulting with community stakeholders and without it being first recommended by the fairness commissioner.

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The bill provides that a regulated profession has to give the applicant an opportunity to make submissions on an internal review or appeal if the application for a registration is refused. But it is up to the regulated profession itself to choose whether to go with an internal appeal or review, and what format the submission should take. The only exceptions to this rule are the health care professions, which are not governed by this bill but by the Regulated Health Professions Act, RHPA. They have an independent body, the Health Professions Appeal and Review Board. I'm of the view—and I guess I have to state my bias; I am a part-time member of HPARB, but I'm not speaking as a board member tonight. We believe that HPARB provides a model of independent oversight that should be set up for all the other regulated professions. So we believe that the bill should provide all applicants from all the other professions a similar opportunity to appeal negative registration decisions. I guess I have to add that because the bill does not deal with the regulated health professions, the last thing we want to see is the regulated health professions trying to lobby the government to amend their bill to take away the right to appeal to be consistent with this bill. The only way to avoid that is to give everyone the right to appeal. That's our second recommendation, and I guess it's in keeping with some of the suggestions that there should be an independent tribunal set up for this purpose. We support that.

The third issue is around the assessment of qualifications, which is probably the most important compon-

ent of the bill. Yet the provision dealing with this issue is surprisingly lacking in substance. Given the importance of this bill, we believe that there should be more specific requirements established in the legislation itself, and so we believe that it would be a good idea to set up a fair registration practices code within the bill which will address, among other things, the principles governing the assessment of qualifications, specific standards for assessment, so that the law society cannot come and tell you that they have a fair process when in fact they don't.

The bill also deals with the fair registration practices commissioner. There are a number of issues arising from this. First of all, it's not clear to us why the fairness commissioner should be given the power to create different classes of regulated professions with different qualifications, since the principles for registration outlined in the act are already so broad and the commissioner has such a general function to review, audit and monitor compliance. So we need some clarification on that issue.

Secondly, I think that to be effective, the commissioner must have all the powers he or she needs. Part of the way of keeping the commissioner accountable is to make the commissioner report on his or her work in order to ensure accountability and transparency. So we recommend that the commissioner should report annually to the Legislature on the effectiveness of the bill, including the effectiveness of the auditing and reporting mechanisms, and make recommendations on how to improve these mechanisms. The report should also include statistics on success rates of application for registration and certification by each of the regulated professions, as well as by the health professions. The bill limits the power of the commissioner to intervene in individual cases, but it also bars the commissioner from seeking standing in all applications, even when some of the cases may raise systemic issues in the public interest. So we think that in some situations the commissioner should have the right to intervene in appeals.

The bill also creates an access centre for internationally trained professionals, but other than stating what it does, it really doesn't tell us much about what the access centre should do and how much in resources is going to be given to the centre. So we recommend that perhaps one thing that you can consider having the access centre do is assist those who are having trouble with the registration process, to act as an advocate for these individuals. The access centre should also report to the public about its functions, its findings, its information and so on.

These are some of our key recommendations. Again, I want to commend the government for bringing forward Bill 124, but to make this important first step meaningful, I think the government should make sure that the bill will in fact achieve its stated goal. To address one of the questions that was raised earlier, about people getting registered but not getting jobs, I agree that that is an issue. That's why, in our conclusion, we remind the government that what we really need is a comprehensive legal and political strategy, including an employment equity strategy, to bring about real and substantive changes in the long run.

The Chair: Thank you. We have a little bit of time left, so a brief question, starting with Mr. Tabuns, and then the government.

Mr. Tabuns: Thanks for the presentation. The independent review tribunal—could you speak about its importance in ensuring that this act is effective?

Ms. Go: Sure. Speaking from my experience with HPARB, that is a board of independent lay people, meaning that no members of HPARB are members of the profession, so it's truly independent from the profession itself. We hear appeals directly from decisions that were rejected by the various health colleges. It's a very effective way of ensuring that the decisions are fair and that there's procedural fairness granted to the individual. If you only give individuals an internal review, obviously it's done internally, and there's no independent oversight. I guess maybe the only remedy would be going to court to seek a judicial review, which many people cannot afford to do, especially because they can't enter these professions. So it's very important that you just give people outright a right to appeal, and that will truly make the process open and transparent.

The Chair: Mr. Ramal.

Mr. Ramal: Thank you very much for your presentation. It shows you've studied the bill very well. I think your concerns will be taken and addressed, hopefully, in the future. But I want to just ask you a question: Even if we don't change anything in the bill, will you still support it?

Ms. Go: I think it is an important first step. If we have the bill, then we can build on it, right? But I think you might as well get it right the first time.

Mr. Ramal: I agree with you 100%. But even though we will still have a good, progressive bill—

Ms. Go: Right. It is better than nothing.

The Chair: Thank you very much for your comments. We really do appreciate it.

YEE HONG CENTRE FOR GERIATRIC CARE

The Chair: We have our final presenter for the evening, which is the Yee Hong Centre for Geriatric Care, if you would like to join us at the end of the table. Make yourselves comfortable, and please introduce yourselves after you're seated. You have 10 minutes to make a presentation. If you leave some time within that 10 minutes, members will be able to ask you questions. So welcome, and please begin when you're ready.

Dr. Joseph Wong: Thank you very much for this opportunity to address the committee on this very important Bill 124. I am Joseph Wong. I'm the founder and chairman emeritus of the Yee Hong Centre. Next to me is Florence Wong, who's the CEO of the centre.

I just want to give a very brief introduction about myself and why I'm here tonight. I actually got my M.D. from Albert Einstein College of Medicine in the States, so technically speaking, I was also a foreign-trained medical graduate. I'm glad that there were enough resi-

dency and internship positions at the time when I came back to Canada to be able to join the medical service here. The reason why I came back to Canada is not because I was not able to make enough money in the States. As you know, the pasture is greener on the other side. The reason why I wanted to come back to Canada is because Canada offers a more humane system in medical services. So universal health access is what I was looking for, and what I wanted to put myself to work in. After I came back, I worked in university teaching hospitals, and I came across a number of other foreign medical graduates whose qualifications were equally as good as our Canadian graduates. So I really think that some of the biases against foreign medical graduates are quite wrong.

Many people have presented heartbreaking stories about immigrants who were not able to find jobs or go into professions that they were trained for in other countries, but I'm looking at Canada's, and particularly Ontario's, interests. As the population ages, we know that every country has to look for immigrants. In the not-too-distant future, all the countries will be competing for immigrants. As a matter of fact, we know Australia already buried its white Australian policy a long time ago, and the United States, in the past several years, has been talking not about the melting pot but about mosaic, about multiculturalism. Although they are 30 years behind Canada, they are now catching up, and I would say that the rest of the world's countries will probably be competing for immigrants very, very soon—sooner rather than later. So if we in Ontario and Canada have a system that is tailor-made to make sure immigrants find comfort as well as a welcoming system here, I think that Canada would have an edge in attracting skilled immigrants to come to this country. I think this is very important in considering Bill 124, which I believe is a big step ahead of a lot of other countries.

As a health care services provider in the GTA, the Yee Hong centre delivers a continuum of services to seniors of Chinese origin, but also long-term-care services to other communities: South Asians, Japanese and Filipinos. We interact with and employ internationally trained health care professionals on many, many occasions. Of the over 997 staff in our centre, three quarters of them are directly engaged in health care delivery. Among them, close to 100 are registered nurses and around 50 are registered practical nurses, while the rest are engaged in other personal care and support services. In addition, we have over 25 physicians affiliated with the Yee Hong Centre, in our nursing floors and also in our community clinics. There are a great number of health-care-related professionals with Yee Hong. Our experience in working with them, and also in training them, probably would give you some idea of how important this whole field is. If we do not have a good Bill 124 to attract these people, and also to retain and make maximum use of their potential and their talents, we would be losing a lot. Not only they are losing; Ontario is also losing.

I will ask Florence to give some specifics about the Yee Hong centre, our work, our experience with these

people, our training and various things, and also to give you some specific recommendations we have on Bill 124.

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Ms. Florence Wong: As Dr. Wong said, in the past 13 years we've had lots of opportunities to work with immigrants, foreign-trained professionals, either in their capacity as staff of the centre or as volunteers. We are very proud to say that we have over 1,000 volunteers on a regular basis. So we get to know a lot of them. We get to know their frustrations and their need to get back to their own professions. We'd just like to highlight some of them, which has been shared by the other presenters before us.

The frustrations include inconsistency in establishing deemed equivalency of their training and their clinical experience, as well as lack of clarity in gaps being identified: What's the gap? What else do they have to do? Also, there's a lack of appropriate bridging programs so that they can meet the requirements, and a lack of consistency in assessing the language proficiency of these new immigrants.

When we look at the needs of these new immigrants, they need much more than just information. Of course, they need information on how to navigate the system. Moreover, they need a lot of help and assistance in preparing for the test and preparing for the bridging program, as well as hints on how to get jobs and assistance in getting jobs. Also, we can't forget that they are individuals. Apart from being professionals, they are individuals who have needs to help their family adjust to a new country. So lots of emotional and practical support is required.

Based on our understanding of the needs of these new immigrants and new professionals, we have three recommendations to share with the committee. The first recommendation is that we feel that the act should specify the creation of an independent body to assess academic, clinical and work experiences and language proficiency. Prior learning assessment is the most critical element in any kind of professional credentialing and equivalency. It requires dedicated resources to get a good job done and to ensure that the information is reliable. Look at all the training colleges and universities across the world; we really need dedicated resources to ensure that assessment is fair and objective. Rather than relying on individual professional regulated bodies to do this job, we recommend that a more efficient way is to have a centralized system whereby the credentialing could be done by a central body.

Our second recommendation is that the access centres, as currently stipulated in the act, be given more substantial functions than that of information clearing house or points of referral. When you look at new immigrants, they have a lot of needs. They need a lot of assistance, and we have to ensure that the act addresses their comprehensive needs in a comprehensive manner. In the past six years, Yee Hong has been very proud to be a co-founder of CARE—Creating Access to Regulated Employment—for foreign-trained nurses. CARE has been

proven to be a very successful model in helping foreign-trained nurses to get a job in Canada. We believe that the success of CARE in fact talks about how comprehensive services can make a difference, services including getting them to understand the gap and provide bridging programs, provide assistance and provide ongoing mentoring and emotional support, and language support as well.

The Chair: You have about one minute left.

Ms. Wong: Okay. We hope that the government could use the CARE model for other classes of professionals.

Our final recommendation is that the fairness commissioner should be empowered to address both systemic as well as individual injustices. In other words, we hope that there will be an appeal system. Currently, health care professionals have the option of appealing to the Health Professions Appeal and Review Board. I think a similar process should be established for other professionals, through increasing the role of the fairness commissioner.

I would like to thank the committee for this opportunity to present our position.

The Chair: Thank you very much, Ms. Wong. Thank you, Dr. Wong. We appreciate your presentation. Thank you for bringing your comments forward. We've run out of time, unfortunately, but we certainly do appreciate your presentation. Good evening.

Members of committee, we are at the end of our schedule of deputants for the evening. I want to thank all of the witnesses who came to speak to the committee today. I want to thank the members as well for being so attentive.

The committee will stand adjourned as of now. We begin our hearings tomorrow morning again at 9 o'clock. Good night.

The committee adjourned at 2117.

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