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# Foreign-Trained Immigrants and Access to Regulated Trades and Professions

Summary of Recommendations of the *Groupe de travail  
sur l'accès aux professions et métiers réglementés*

February 2005

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## **THE MANDATE OF THE *GROUPE DE TRAVAIL***

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The mandate of the *Groupe de travail sur l'accès aux professions et métiers réglementés* (Task Force on Access to Regulated Trades and Professions) was to outline the difficulties involved in recognizing competencies and training, and to propose solutions to eliminate some of these problems. In order to fulfill this mandate, it consulted the people of Québec and those affected by the question of prior learning assessment and recognition. The opinions of the people and groups involved in this consultation have fostered a better understanding of the question and a discussion of possible solutions.

The *Groupe de travail* carried out a thorough examination of the obstacles encountered by foreign-trained immigrants seeking recognition of their training and experience by regulatory bodies. These individuals were given the opportunity to share the difficulties they encountered in gaining access to regulated trades and professions. Consultations also brought to light the constraints faced by regulatory bodies and other concerned stakeholders, in particular teaching institutions, in prior learning assessment and recognition for those trained abroad.

The *Groupe de travail* has used its findings to put forward realistic solutions for facilitating access to regulated trades and professions. This will encourage swifter professional integration of immigrants, without undermining the principle of the protection of the public, which must continue to guide regulatory bodies. The *Groupe de travail* invites all concerned to work together to implement the recommendations chosen for implementation.

It should be noted that the study dealt only with those trades and professions under the jurisdiction of the laws and regulations of Québec. Other regulated trades and professions falling within the scope of the federal government—for example, in maritime and air transport—were not included.

# MEMBERS OF THE *GROUPE DE TRAVAIL*<sup>1</sup>

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## **Chair: Diane Legault**

- Member for Chambly
- Parliamentary Assistant to the Minister for Relations with the Citizens and Immigration
- Member, Committee on Culture
- Member, Delegation of the National Assembly for Relations with Europe
- Member, Québec Section, Ontario-Québec Parliamentary Association

## **Yvan Bordeleau**

- Member for Acadie
- Parliamentary Assistant to the Deputy Premier, Minister of International Relations, and Minister Responsible for Francophonie
- Member, Committee on Institutions
- Member, Committee on Education
- Session Chair
- Vice President, Québec Section, Political Committee of Assemblée parlementaire de la Francophonie
- Member, Delegation of the National Assembly for Relations with Europe

## **Laurent Lessard**

- Member for Frontenac
- Parliamentary Assistant to the Minister of Municipal Affairs, Sports and Recreation
- Member, Committee on Planning and the Public Domain
- Member, Committee on Public Administration
- Member, Québec Section, Parliamentary Confederation of the Americas
- Member, Québec Section, Commonwealth Parliamentary Association

## **Éric R. Mercier**

- Member for Charlesbourg
- Member, Committee on Culture
- Member, Committee on Education
- Member, Office of the National Assembly
- Member, Delegation of the National Assembly for Relations with Europe
- Member, Québec Section, Parliamentary Confederation of the Americas
- Member, Québec Section, Commonwealth Parliamentary Association
- Session Chair

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<sup>1</sup> The positions listed for the members of the *Groupe de travail* in this section are the positions they occupied at the time of their appointment to the *Groupe de travail*.

## CONSULTATION PROCESS

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To initiate discussion, a consultation document was prepared by the *Groupe de travail* and distributed in September 2004 to nearly 1,500 affected organizations: regulatory bodies, teaching institutions, immigrant's aid organizations, professional associations, and representatives of employers and unions. These stakeholders were asked to submit reports to the *Groupe de travail*.

Forty-seven briefs were duly submitted to the *Groupe de travail*. These high quality reports, from various kinds of organizations, contained a range of opinions and shed new light on the questions under scrutiny by the *Groupe de travail*. In particular, the reports outlined the issues and constraints involved in prior learning assessment and recognition, as well as tools or projects developed to remove certain obstacles and explore various solutions.

The people of Québec were also invited to send the *Groupe de travail* their personal experiences, comments, or suggestions, and some fifty individuals responded. A few submissions were even received from abroad. As a whole, and with the help of concrete cases, they illustrate the extent of the difficulties faced by newcomers wishing to practice a regulated trade or profession in Québec.

The *Groupe de travail* also met with some thirty concerned organizations. These constructive meetings provided an opportunity to discuss the issues raised by the recognition of skills and credentials acquired abroad, and to determine the best course of action to follow.

The members of the *Groupe de travail* wish to thank all those who took part in the consultation. Their valuable contribution was crucial to the process.

It should be noted that on the Ministère de l'Immigration et des Communautés culturelles (MICC) website, the Web page dealing with the consultation on access to regulated trades and professions was also very much consulted. Between the official launch of the consultation (September 9, 2004) and February 11, 2005, this Web page recorded over 9,700 hits. Moreover, the consultation document entitled *Les personnes immigrantes formées à l'étranger et l'accès aux professions et métiers réglementés* was downloaded over 8,500 times during that same period.

The interest shown in this consultation demonstrates yet again the extent to which urgent action is needed to foster prior learning assessment and recognition of foreign-trained immigrants. The proceeding has in fact begun to bear fruit : following consultation, some stakeholders are examining their practices and attempting to resolve certain difficulties. Moreover, some institutions have taken the opportunity to offer their collaboration to the MICC to implement measures aimed at facilitating access to regulated trades and professions.

The *Groupe de travail* also consulted with an eight-person committee of professionals of immigrant origin who have been through the process of assessment and recognition of prior learning and are now involved in organizations operating within their cultural communities or individuals working within organizations familiar with immigrant professionals. The *Groupe de travail* met twice with the Advisory Committee to gather their observations on the consultation. The first meeting dealt with the contents of the consultation document and the second with the contents of the present report.

# SUMMARY OF RECOMMENDATIONS OF THE *GROUPE DE TRAVAIL*

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## THE NEED FOR PRIOR LEARNING ASSESSMENT AND RECOGNITION

### **Strengthen the advisory role to the Government of Québec played by the Ministère de l'Immigration et des Communautés culturelles on matters pertaining to the integration of immigrants**

In order to ensure the effectiveness of government actions and the optimum use of resources for integrating immigrants, the *Groupe de travail* expresses the hope that the MICC will reassert its crucial mission regarding the social, cultural, linguistic, and economic integration of immigrants, and will reinforce its advisory role in this regard to the Government of Québec. The MICC must also develop a prospective vision of the issues raised by immigration.

This vision should rest notably on mechanisms for monitoring the evolution of recruitment pools and that of known and projected workforce needs. This will give Québec a strategic advantage in terms of its social, economic, and cultural development. It will also allow the MICC to tie its selection activities as closely as possible to the manpower needs of Québec, as outlined in the action plan entitled *Shared Values, Common Interests*.

#### **Proposed Action**

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- Establish protocols for the MICC to play an advisory role to the Government of Québec on the integration of immigrants

### **Elicit the involvement of all participants to promote the professional integration of immigrants**

The *Groupe de travail* realizes that various working committees have been implemented over the years to facilitate prior learning assessment and recognition. However, these have not addressed the matter of overall access to regulated trades and professions. The *Groupe de travail* is also aware that the mandate of the *Équipe de travail sur la reconnaissance des diplômes et des compétences des personnes formées à l'étranger* (Work Team on the Recognition of Credentials and Skills of Persons Trained Abroad) applies only to professions governed by professional corporations.

Consequently, the *Groupe de travail* proposes establishing a permanent committee with a mandate to coordinate the action of government departments and organizations regarding access to regulated trades and professions. To ensure continuity of government action, this

interdepartmental committee should be permanent, and its mandate should embrace the entire range of regulated trades and professions.

This committee should pay close attention to the situations experienced by immigrants and establish ties with cultural communities' organizations and those that assist newcomers. For example, to spur its deliberations, this committee could profit from the intelligence and research of the MICC and its partners mentioned in section 7 of the *Groupe de travail's* report.

### **Proposed Action**

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- Establish a permanent interdepartmental coordination committee bringing together deputy ministers concerned by the question of access to regulated trades and professions, and headed by the MICC. This committee's mandate would be to ensure coherence and continuity of government action on access to regulated trades and professions and follow up on the *Groupe de travail* recommendations chosen for implementation. Through this committee, the MICC could, among other things, play the advisory role mentioned in the above recommendation.

# DIFFICULTIES INVOLVED IN OBTAINING THE AUTHORIZATION TO EXERCISE A REGULATED TRADE OR PROFESSION: ACCESS TO INFORMATION

## **Improve information on regulated trades and professions**

The *Groupe de travail* recommends that complete, accessible, easy-to-understand information adapted to the needs of applicants be available prior to the immigration process so as to facilitate planning by potential immigrants. The MICC website could become a veritable “prior learning assessment and recognition portal” for those trained abroad by offering a wealth of information, either directly through the website or via links to partner groups.

### **Proposed Actions**

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- Provide easily accessible information on job prospects via the MICC website
- Translate into English and Spanish the information on regulated trades and professions circulated by the MICC, in particular the fact sheets on professions governed by professional corporations
- Assess, on the basis of the greatest needs (by taking into account, for example, the importance of recruitment pools), whether general information on regulated trades and professions should be made available in languages other than French, English, and Spanish.
- Create information fact sheets for other regulated trades and professions
- Make available information on possible employment venues in fields related to regulated trades and professions that would not necessarily require a permit to practice
- Promote the development of self-assessment tools designed to complement other available means of information

## **Assist candidates in regulated trades and professions**

The *Groupe de travail* recommends that personal support and assistance be available at all stages of the integration process to ensure a thorough understanding of available information and to direct candidates toward suitable services.

The *Groupe de travail* supports the action plan *Shared Values, Common Interests*, which aims to broaden the mandate of the *Service d'information sur les professions réglementées* (Information Service on Regulated Professions) to ensure the availability of its services abroad and for a greater number of regulated trades and professions. This office helps immigrants prepare applications to professional corporations, but is only accessible to immigrants residing in Québec and, for the moment, only deals with professions governed by a professional corporation.

## **Proposed Actions**

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- Offer candidates abroad personalized assistance by using online tools
- Broaden the mandate of the Information Service on Regulated Professions to ensure the availability of its services abroad and for a greater number of regulated trades and professions

### **When promoting immigration and selecting independent candidates, consider the difficulties involved in gaining access to regulated trades and professions**

The *Groupe de travail* recommends that immigration promotion and selection efforts pay greater heed to in-the-field realities in Québec. The difficulties involved in gaining access to regulated trades and professions must be taken into account at all stages of the immigration process, and especially early on in that process.

Moreover, the declarations that the MICC has candidates sign with regard to certain regulated trades and professions should contain more precise information. In this regard, the MICC should model its declarations after those signed by doctors and teachers selected by Québec. These documents should be available in French, English, and Spanish. Signed copies of these declarations should be given to all selected candidates.

## **Proposed Actions**

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- Ensure that the MICC's efforts at promoting immigration to Québec shed fair and realistic light on the difficulties and issues involved in obtaining access to regulated trades and professions
- Consider the requirements of regulatory bodies when selecting immigrants. These requirements could be considered at the training and experience assessment stage by amending certain criteria of the selection grid as well as their weighting
- Amend the declarations that the MICC has candidates sign with regard to certain regulated trades and professions so that they contain more precise information on the conditions for practising these trades and professions



## DIFFICULTIES INVOLVED IN OBTAINING THE AUTHORIZATION TO EXERCISE A REGULATED TRADE OR PROFESSION: PRIOR LEARNING ASSESSMENT AND RECOGNITION

### **Improve the prior learning assessment and recognition process**

The *Groupe de travail* recommends the implementation of various measures to ensure a fairer, more transparent and rapid prior learning assessment and recognition process. These principles of fairness, transparency, and celerity must apply to all regulated trades and professions.

The *Groupe de travail* deems that all regulatory bodies should be obligated to adopt a regulation covering prior learning assessment and recognition. These regulations should specify, among other things, what the requirements are for having skills recognized. In all cases, training, experience and, if necessary, additional conditions, should be the object of standards of equivalence. Moreover, policies adopted by these regulatory bodies should include a commitment to abide by certain processing times with regard to applications for prior learning assessment and recognition.

#### **Proposed Actions**

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- When assessment tools allow and the candidate pool is sufficient, study the possibility of assessing candidates abroad in the principal source countries of immigration
- Ask all regulatory bodies without a regulation respecting training and experience recognition to adopt one

### **Examine the possibility of adopting new rules making it easier to gain the right to practice**

The *Groupe de travail* recommends an examination of the laws, regulations, and practices of regulatory bodies and the adoption, as warranted, of new rules that would eliminate the obstacles limiting access to regulated trades and professions by persons trained abroad.

#### **Proposed Actions**

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- Undertake an examination of the laws, regulations, and practices of regulatory bodies in order to determine if they contain systemic obstacles impeding access to regulated trades and professions by persons trained abroad. This examination must also look at the question of costs and processing times. This exercise should be undertaken by the regulatory bodies themselves, under the supervision of the Office des professions du Québec for professions governed by professional corporations or the supervision of the appropriate government departments for other regulated trades and professions.
- Adopt standards for equivalence of supplemental admission terms and conditions in all cases where the rules of regulatory bodies provide for such terms and conditions to achieve the right to practice
- Adopt standards for equivalence that enable all regulatory bodies to consider, in an equitable manner, a candidate's relevant work experience

## **Simplify the permit issuing process**

The *Groupe de travail* recommends that various means be implemented to simplify the issuing of authorizations to practice a trade or profession. This would serve to reduce both the processing times and costs associated with having credentials and experience recognized, as much for candidates as for the regulatory bodies. These means must apply to all regulated trades and professions.

### **Proposed Actions**

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- Encourage regulatory bodies to conclude agreements with foreign regulatory bodies or teaching institutions. The *Groupe de travail* recommends encouraging regulatory bodies to examine the training in certain countries with a view to standardizing the recognition of equivalent credentials as much as possible.
- Amend regulations so that professional corporations may issue different classes of permits to facilitate the integration of foreign-trained professionals. In particular, the rules could allow for various limited permits or for permits to be issued upon presentation of certain other permits.

## **Offer financial aid to immigrants involved in the process of prior learning assessment and recognition**

The *Groupe de travail* recommends offering immigrants involved in the formal process of prior learning assessment and recognition some form of financial aid. Various ways could be considered to help applicants pay for their tuition fees and living expenses. For example, agreements could be signed with financial institutions to offer preferred interest rates or with private foundations that could offer honour loans. Consideration could also be given to involving employers.

### **Proposed Actions**

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- Approach employers, financial institutions, or private foundations to negotiate agreements under which they would provide some type of financial aid to immigrants involved in the process of prior learning assessment and recognition.

## **Study the possibility of setting up independent mediation protocols**

The *Groupe de travail* recommends studying the possibility of providing applicants who feel wronged by a decision of a regulatory body with access to a form of mediation by an independent entity. For example, the role of the Public Protector could be broadened, or an ombudsperson could be appointed for each profession or occupation governed by a regulatory body.

- Study the possibility of setting up independent mediation entities that would examine complaints regarding prior learning assessment and recognition and play a mediating role with respect to regulatory bodies

## **Improve the *Évaluation comparative des études effectuées hors du Québec***

The *Groupe de travail* recommends continuing the work begun by the MICC on updating the *Évaluation comparative des études effectuées hors du Québec* (Comparative Evaluation for Studies Done Outside Québec). An updated version of this document would more adequately address the needs of applicants, employers, regulatory bodies, and teaching institutions. Moreover, when immigrant applicants require a *Comparative Evaluation*, they should be urged to request one while still abroad.

### **Proposed Actions**

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- Proceed with the revision of the *Evaluation for Studies Done Outside Québec* so that it might better meet the needs of regulatory bodies, employers, and teaching institutions
- Better inform immigrants of the purpose of the *Comparative Assessment of Studies Undertaken Outside Quebec*

# DIFFICULTIES INVOLVED IN OBTAINING THE AUTHORIZATION TO EXERCISE A REGULATED TRADE OR PROFESSION: ACCESS TO BRIDGE TRAINING

## **Provide more opportunities for bridge training**

The *Groupe de travail* recommends providing applicants with more opportunities to upgrade their skills in order to obtain authorization to practice a regulated trade or profession. It is important to keep up efforts to ensure the active implementation of Government Policy on Adult Education and Continuing Education and Training.

### **Proposed Actions**

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- Ensure that government policy on adult education and continuing education is actively implemented, especially where bridge training is concerned
- Entrust the Ministère de l'Éducation with the task of continuing to review its education regulations and the budgetary rules governing teaching institutions to determine if these contain obstacles to immigrant access to the short-term training stipulated by regulatory bodies
- Ensure recurrent financing for bridge training programs that have proven their worth. A contribution by employers could be envisaged.
- Establish partnerships between regulatory bodies and teaching institutions to ensure the development and sufficient availability of training geared to the Québec work environment. For example, the committees on training of individual professional corporations should work in closer cooperation with teaching institutions to ensure that training is more widely available. Regulations governing the committees on training of professional corporations could be broadened to include this goal.
- Examine the possibility of using innovative new ways to enable people to upgrade their skills, for instance by taking advantage of the power of information technology. Employers as well as employment insertion organizations, notably those active in cultural communities, could also play a greater role in occupational upgrading for immigrants.
- Establish partnerships with teaching institutions offering distance education in order to design and offer bridge training courses
- To assist with French language acquisition, particularly the vocabulary specific to a trade or profession, online learning tools could be developed for immigrants to use while still abroad. French fluency self-assessment tools could also be made available online.

## **Promote access to job shadowing, professional immersion, and mentoring**

The *Groupe de travail* recommends promoting access to job shadowing and professional immersion in order to allow those applying for a regulated trade or profession to familiarize themselves with the characteristics and culture of various Québec workplaces.

### **Proposed Actions**

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- Implement protocols aimed at promoting access to job shadowing and professional immersion in order to allow those applying for a regulated trade or profession to familiarize themselves with the culture of the Québec workplace
- Study the feasibility of offering those awaiting prior learning assessment and recognition jobs in a workplace related to their profession, but requiring no permit to practice, in order to allow them to familiarize themselves with that workplace

## **Promote acquisition of the French language and in particular the technical vocabulary related to the profession**

The *Groupe de travail* stresses the importance for applicants to undertake French language acquisition as early as possible. Fluency in French is essential for immigrants enrolled in bridge training or taking examinations, applying to a professional corporation for a permit to practice, or seeking employment. Particular attention should be paid to the acquisition of the technical and technological language required by the job. Moreover, it is important to ensure that exams administered by the Office québécois de la langue française adequately evaluate whether candidates possess a knowledge of the French language appropriate to the exercise of the profession.

### **Proposed Actions**

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- Continue implementation of the measures in the action plan *Common Interests, Shared Values* that deal with francization.
- Promote collaboration between the professional corporations and the Office québécois de la langue française in order to ensure that the examinations of this body adequately assess whether candidates possess a knowledge of the French language appropriate to the practice of the profession.

## THE CHALLENGES FACING REGULATORY BODIES

### **Support those with a role to play in prior learning assessment and recognition**

The *Groupe de travail* recommends the establishment of partnerships between the MICC, regulatory bodies, and teaching institutions to promote the development of tools for prior learning assessment and recognition and the pooling of expertise in this regard.

#### **Proposed Actions**

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- Support regulatory bodies in their efforts to develop competency assessment tools
- Make information and support services available to employers and teaching institutions to help them with the task of assessing competencies acquired outside Québec
- Establish partnerships between the MICC, regulatory bodies, and teaching institutions to promote the pooling of expertise with regard to the assessment of credentials.
- Continue the production and distribution of *Guides de comparaison des études* (guides for the comparison of academic studies), as provided for in the action plan *Shared Values, Common Interests*

## MONITOR PRIOR LEARNING ASSESSMENT AND RECOGNITION ACTIONS

### **Monitor actions regarding access to regulated trades and professions**

The *Groupe de travail* recommends that prior learning assessment and recognition actions be monitored.

#### **Proposed Actions**

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- Gather the information necessary to analyze the success of the MICC's actions and services. The MICC could notably develop tracking indicators to evaluate progress on prior learning assessment and recognition, and publish the results in its annual report.
- Ask regulatory bodies to include in their annual reports, if they do not already do so, a section specifying actions taken toward facilitating the recognition of credentials and skills acquired abroad, as well as the results obtained. These results should specify the number of applications for recognition received as well as the number of equivalences granted and turned down.

## CONCLUSION

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The integration of newcomers, especially their professional integration, must be a priority for the state. Even as we are experiencing labor shortages in many trades and professions, those trained abroad still face too many difficulties in securing recognition of their education and experience and gaining access to the training they need to make their skills conform with Québec standards.

The *Groupe de travail* cautions that the time to act is now. Immigration is vital to Québec's future growth, but Québec will face ever-increasing competition in attracting qualified immigrants. If obstacles to the recognition of experience and training are not overcome, it will be harder for Québec to attract qualified workers. The prior learning assessment and recognition process, while respecting the principle of the protection of the public, must be as fair, transparent, and expeditious as possible, and these principles of fairness, transparency, and celerity must apply to all regulated trades and professions.

During this consultation, the *Groupe de travail* was able to gauge the difficulties faced by those trained abroad in obtaining the right to practice their regulated trades or professions. In order to surmount these difficulties, and based on the results of its consultation, the *Groupe de travail* has put forward a series of recommendations aimed at lifting certain obstacles for newcomers seeking work. For example, the *Groupe de travail* recommends improving the information conveyed to applicants, simplifying and accelerating the issuing of permits, and promoting access to bridge training, job shadowing, and professional immersion.

The recommendations of the *Groupe de travail* will not materialize without the support of all those concerned by the question of the access to regulated trades and professions. Efforts must be made to promote dialog between regulatory bodies, teaching institutions, employers, reception and integration organizations, professional associations, and government departments. The *Groupe de travail* wishes to stress that prior learning assessment and recognition is a shared responsibility, and that all those involved must help achieve the goal of facilitating access to regulated trades and professions by persons trained abroad.

In working steadily toward this goal, Québec will profit richly from the experience and competencies of the immigrants it welcomes.