

Record No. 5300-14-002

## **INVESTIGATIVE MONITORING REPORT**

(RAPPORT DE VÉRIFICATION PARTICULIÈRE)

### **SUBJECT MONITORED:**

MECHANISM FOR THE RECOGNITION OF EQUIVALENCE APPLIED TO HOLDERS OF AN  
ENGINEERING DIPLOMA FROM OUTSIDE CANADA DEEMED NOT TO BE EQUIVALENT  
OR A DEGREE IN TECHNOLOGY OR PURE OR APPLIED SCIENCES

### **PROFESSIONAL ORDER TARGETED:**

ORDRE DES INGÉNIEURS DU QUÉBEC

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*ADMINISTRATIVE TRANSLATION OF THE ORIGINAL FRENCH VERSION*



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**ABBREVIATIONS**

APEGA	Association of Professional Engineers, Geologists and Geophysicists of Alberta
APEGBC	Association of Professional Engineers and Geoscientists of British Columbia
APEGM	Association of Professional Engineers and Geoscientists of the Province of Manitoba
APEGNB	Association of Professional Engineers and Geoscientists of New Brunswick
APEGS	Association of Professional Engineers & Geoscientists of Saskatchewan
APEY	Association of Professional Engineers of Yukon
CCPE	Canadian Council of Professional Engineers
CEAB	Canadian Engineering Accreditation Board
Cégep	Collège d'enseignement général et professionnel (general and vocational college)
ILO	International Labour Organization
MIDI	Ministère de l'Immigration, de la Diversité et de l'Inclusion (Ministry of Immigration of Québec)
NAPEG	Northwest Territories Association of Professional Engineers and Geoscientists
PEO	Professional Engineers Ontario
RPLC	Recognition of Prior Learning and Competencies



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## 1 Introduction

On October 16, 2014, the Commissioner for Complaints concerning the Recognition of Professional Competence (Commissioner) launched an investigative monitoring, with the Ordre des ingénieurs du Québec (Order), of the mechanism for the recognition of equivalence of diplomas and training.

The monitoring focuses more particularly on the application of this mechanism for permit (license) applications from applicants having an engineering diploma from a country without an agreement<sup>1</sup> or having a non-engineering diploma. The monitoring concerns applicants seeking recognition of equivalence of training who hold:

- an undergraduate degree in technology, in pure or applied sciences, or in engineering, the level of which is at least equivalent to a Québec bachelor's degree, consisting of at least 16 years of schooling;<sup>2</sup> or
- an undergraduate degree in engineering issued under a program whose content or duration does not correspond to that of a program [TRANSLATION] "leading to the diplomas of the same countries appearing on the list of foreign engineering institutions" of the Canadian Council of Professional Engineers (CCPE).<sup>3</sup>

These applicants are classified in Category 4 of the new policy for assessing applicants for an engineer's permit, adopted in October 2012 and in force in January 2013. The policy has three other categories (see Table 3, p. 5).

The former policy, when adopted in 2000, then again in 2002 after having been revised, had seven classification categories (see Table 1, p. 4). When it was once again revised in 2010, it had four categories (see Table 2, p. 5).

## 2 Legislative Framework

The office of the Commissioner carried out the monitoring on the basis of, among other things, the law creating the office of the Commissioner and its parameters, which appear in sections 16.9 to 16.21 of the *Professional Code*.<sup>4</sup> This is the Commissioner's second function: to monitor the operation of the mechanisms for the recognition of professional competence (subparagraph 2 of section 16.10 of the Code).

In exercising that function, the Commissioner may conduct an inquiry. After monitoring has been completed, the Commissioner issues conclusions and may make recommendations or take some actions.

No statements made or documents provided as part of a monitoring process may be used before a court or other judicial body. Similarly, nothing in the monitoring record, including the conclusions and recommendations, may be construed as a statement or recognition of misconduct possibly establishing civil liability. These rules apply to this document.

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<sup>1</sup> Examples of agreements: the *Mutual Recognition Agreement on Professional Qualifications* signed between the Ordre des ingénieurs du Québec and the Commission des titres d'ingénieur de France, the *Washington Accord* or an agreement between the Order and a body located outside Canada targeted by a reciprocity agreement. See: [www.oiq.qc.ca/en/lam/applicant/OBTAININGPERMIT/ACCORD/Pages/profile.aspx](http://www.oiq.qc.ca/en/lam/applicant/OBTAININGPERMIT/ACCORD/Pages/profile.aspx) (consulted April 2, 2015).

<sup>2</sup> In Québec, a bachelor's degree in engineering that meets permit requirements is a four-year program. An engineering diploma is thus obtained after 17 years of schooling. Elsewhere in Canada, it is obtained after 16 years.

<sup>3</sup> Ordre des ingénieurs du Québec (2012). *Politique d'évaluation des candidats au permis d'ingénieur – équivalence de diplôme et de formation*, October 19, p. 6.

<sup>4</sup> CQLR, chapter C-26.

### 3 Investigative Monitoring

#### 3.1 Objectives

As part of his monitoring function, the Commissioner conducts inquiries into specific issues relative to various aspects, whether legal, regulatory, procedural, methodological, administrative, etc., of the operation of recognition mechanisms.

During an inquiry, the Commissioner examines the roles, actions and conduct of the organizations and individuals involved in the operation of the mechanisms concerned. Monitoring in the form of a specific inquiry allows for problems with the mechanisms for the recognition of professional competence to be diagnosed and any improvements to be proposed.

Within the limits of this monitoring, the Commissioner wants to identify the problems generated by the Order's new policy, adopted in October 2012 and implemented in early 2013. This is, as we mentioned, the policy for assessing applicants for the engineer's permit, which covers the processing of applications for recognition of the equivalence of diplomas and training. The purpose of the monitoring is two-fold:

- 1) to understand the changes made to the new policy and their justification, mainly regarding the assignment of 11 examinations for all Category 4 applicants;
- 2) to analyze the repercussions that these changes may have on applicants.

#### 3.2 Context

##### 3.2.1 Triggers

In 2013-2014, the office of the Commissioner received complaints from persons wanting to obtain recognition of equivalence of diplomas or training for the issuance of a permit by the Order. These complaints specifically concerned the processing of permit applications and the assignment of admission examinations.

The complaints were filed by graduates in technology or in pure or applied sciences, and by others holding an engineering diploma assessed by the Order as not equivalent to a Québec bachelor's degree in engineering. They were diplomas:

- obtained in countries having no agreement concluded between the Order and organizations able to accredit engineering programs of study;
- not appearing on the CCPE's List of Foreign Educational Institutions and Professional Qualifications.

These persons' applications for an engineering permit were thus processed according to Category 4 of the Order's assessment policy which systematically assigns 11 examinations to obtain a recognition of equivalence, that is, 7 examinations concerning one of the 18 fields of engineering (group A—engineering science mandatory) and four continuing education examinations.<sup>5</sup>

The reasons for the complaints directly concern the Order's new assessment policy with regard to applicants classified in Category 4, particularly the Order's assessment criteria and the systematic assignment of 11 examinations.

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<sup>5</sup> The admission examinations schedule of the Order is available at: [www.oiq.qc.ca/Documents/DAP/admission/Horaires\\_des\\_examens\\_bil.pdf](http://www.oiq.qc.ca/Documents/DAP/admission/Horaires_des_examens_bil.pdf) (consulted April 28, 2015).

Those with complaints are all the more dissatisfied because, under the old policy, fewer examinations may have been required for this category, depending on the training and professional experience (postgraduate studies and work experience)<sup>6</sup> of each applicant or depending on the training (postgraduate studies).<sup>7</sup> However, since the Order changed its assessment policy, Category 4 applicants can no longer claim knowledge, skills or competencies acquired so as to be granted an exemption from examinations, unlike applicants classified in the other three categories.

Thus, according to the policy on assessment standards of applicants for admission, revised in 2002 and in force until 2010, Category 4 applicants could obtain recognition for prior learning. For example, a person holding a Master's or doctoral degree in pure or applied sciences, without undergraduate training in engineering, who demonstrated at least 10 years of experience in applied sciences could apply and, depending on the scope and significance of his or her accomplishments, be invited to an interview instead of examinations.<sup>8</sup> According to the Order, this was fairly rare. But between one person who has an exceptional file and the others whose knowledge, skill or competencies acquired during their studies or since their diploma was issued the Order does not recognize, there is a significant discrepancy in the processing of applications.

An analysis of complaints revealed issues in the approach used to assess applicants whose profile placed them in Category 4, notwithstanding the person's situation or professional background. These complaints raise questions of principle that may affect all applicants whose files were or will be processed according to the criteria specific to Category 4 of the Order's new policy.

The main issue lies in the assessment of files, in terms of recognizing prior learning. Other issues concern recourse to the assignment of examinations for the purpose of training equivalence and standardization of assignments for applicants, yet these applicants, who have different profiles in terms of training and work experience, are nonetheless classified in the same category.

### 3.2.2 Investigating Strategy

In addition to reviewing complaints, our sources consist of interviews conducted with representatives of the Order.

We also examined the laws and regulations respecting the Order and the Québec professional system, the website of the Order and of other regulatory bodies of the engineering profession in Canada, which we contacted by email for clarifications. (See Appendix I)

Lastly, we consulted other documents that the Order had given us, including minutes, fee schedules and assessment grids for applicants applying for an engineering permit, the new version of the policy and the assessment grids of the former one concerning equivalence of diplomas and of training, statistics from the Order, etc. (See Appendix II)

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<sup>6</sup> Ordre des ingénieurs du Québec (May 2002). *Normes d'évaluation des candidats à l'admission*. Adopted by the Bureau (Board of Directors) on June 15, 2000, amended on March 26, 2002, p. 4.

<sup>7</sup> Ordre des ingénieurs du Québec (October 2010). *Cheminement pour obtenir le permis d'ingénieur au Québec*. 3rd edition, pp. 5 and 6. (See Table 2)

<sup>8</sup> Ordre des ingénieurs du Québec (May 2002), *op. cit.*, p. 4.

## 4 Issues

### 4.1 Changes to the Categories in the Policy for Equivalence of Diplomas and Training

#### 4.1.1 Different Versions of the Former Policy (2000, 2002 and 2010)

The table below lists the categories of the former policy, adopted in June 2000 and revised in 2002.

**Table 1** The categories of the former policy (2002 edition)

<b>Category 1</b>	Holders of undergraduate degrees in engineering referred to in section 10 of the <i>Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des ingénieurs du Québec</i> .
<b>Category 2</b>	Holders of undergraduate degrees in engineering that appear on the "List of Foreign Engineering Educational Institutions and Professional Qualifications" of the Canadian Council of Professional Engineers (CCPE).
<b>Category 3</b>	Holders of undergraduate degrees in engineering other than those of categories 1, 2 and 4.
<b>Category 4</b>	Holders of undergraduate degrees in technology, or pure or applied sciences. Also included in this category are holders of diplomas issued at the end of programs that do not meet the same standards with respect to content or duration as the programs leading to the diplomas obtained in the same country appearing on the CCPE's list of foreign institutions.
<b>Category 5</b>	Holders of an undergraduate engineering degree identified as a Category 2 or 3 and having a minimum of five years of pertinent experience in applied sciences.
<b>Category 6</b>	Holders of an undergraduate engineering degree identified as a Category 2 or 3 and having a doctoral degree in applied sciences from a well-reputed institution as well as a minimum of five years of experience in applied sciences.
<b>Category 7</b>	Holders of Master's or doctoral degrees in pure or applied sciences, not having any undergraduate training in engineering but able to demonstrate at least 10 years of pertinent experience in applied sciences. This category includes engineering diplomas deemed not to be equivalent to a Québec diploma.

**Source:** Ordre des ingénieurs du Québec (May 2002). *Normes d'évaluation des candidats à l'admission*. Adopted by the Bureau (Board of Directors) on June 15, 2000, amended on March 26, 2002, pp. 1 to 5.

Before the adoption of the new policy in 2012, the former policy was revised one last time in 2010 (see Table 2 on the next page). Of note, the current four categories of the new policy are defined therein, although they are distributed differently.

As well, the term "category" was replaced by "diploma".

Of note is the fact that, for Category 4 (non-equivalent or non-engineering diploma), the plan, prior to 2012, was for the Committee of Examiners<sup>9</sup> to take into account undergraduate and postgraduate university course content before assigning the number of examinations. In other words, an applicant could be granted an exemption from one or more examinations.

<sup>9</sup> The Committee is responsible "for reviewing admissions applications from applicants whose diplomas are not recognized by the government as diplomas that qualify for an engineer's permit". [www.oig.qc.ca/en/aboutOIQ/committees/Pages/examiners.aspx](http://www.oig.qc.ca/en/aboutOIQ/committees/Pages/examiners.aspx) (consulted March 20, 2015).

**Table 2** The categories of the former policy (2010 edition)

<b>Recognized Québec diploma</b>	Québec bachelor degrees in engineering recognized by the government as meeting the requirements for the permit issued by the Ordre des ingénieurs du Québec. The holder of a diploma recognized by the government is declared eligible for admission to the Order. <sup>10</sup>
<b>Accredited Québec diploma</b>	Certain Québec bachelor degrees are accredited by the Canadian Engineering Accreditation Board (CEAB – Engineers Canada <sup>11</sup> ), but are not yet added to the regulation respecting diplomas. Their holders can nonetheless obtain an equivalence of training, generally without having to pass any admission examinations. <sup>12</sup>
<b>Equivalent diploma</b>	University undergraduate degree in engineering issued by a Canadian university at the end of a program of studies accredited by the CEAB or at the end of a program of studies accredited by an organization outside Canada whose standards and procedures of accreditation respect those of Engineers Canada. <sup>13</sup>
<b>Other diplomas</b>	<p>Holders of a diploma certifying training in engineering whose level and content are, in the opinion of the Order, comparable to those of a recognized Québec bachelor degree may obtain an equivalence of training.<sup>14</sup></p> <p>Holders of a diploma accrediting training in engineering whose level or content is not deemed equivalent to that of a recognized Québec bachelor's degree and the holder of an undergraduate degree in technology, or pure or applied sciences, of a level at least equivalent to a Québec bachelor's degree, where conditions so allow, may also obtain an equivalence of training.<sup>15</sup></p>

**Source:** Ordre des ingénieurs du Québec (October 2010). *Cheminement pour obtenir le permis d'ingénieur au Québec*. 3rd edition, pp. 4, 5 and 6.

#### 4.1.2 Current Version of the New Policy (2012)

Table 3 presents the four categories of the new policy bringing together all applicants having university training who submit a permit application. Without going into the details, it should be noted that the subcategories within categories 1, 2 and 3 establish the criteria for determining the number of examinations based, for example, on the number of years since graduation, work experience, a postgraduate degree in a discipline related to an undergraduate degree from a Canadian or foreign university, etc.

**Table 3** The categories of the new policy (2012 edition)

<b>Category 1</b>	Holders of an undergraduate degree in engineering obtained at the end of a program accredited by the CEAB or by an organization outside Canada subject to a reciprocity agreement. Category 1 has 4 subcategories.
<b>Category 2</b>	Holders of an undergraduate degree in engineering that appears on the CCPE's List of Foreign Engineering Educational Institutions and Professional Qualifications. Category 2 has 15 subcategories.
<b>Category 3</b>	Holders of an undergraduate degree in engineering other than those of categories 1, 2 and 4. Category 3 has 15 subcategories.
<b>Category 4</b>	Holders of an undergraduate degree in technology, pure or applied sciences, or in engineering, whose level is deemed at least equivalent to a Québec bachelor's degree (a minimum of 16 years of schooling, including three years of university studies). Also included are the holders of an engineering diploma whose level, content or duration are deemed not to be equivalent to those of a Québec bachelor's degree.

**Source:** Ordre des ingénieurs du Québec (2012). *Politique d'évaluation des candidats au permis d'ingénieur – équivalence de diplôme et de formation*, October 19, pp. 3, 5 and 6.

Concerning Category 1, two agreements recognize that the accreditation systems used to evaluate the programs leading to an engineering diploma are substantially equivalent.<sup>16</sup>

<sup>10</sup> Corresponds to Category 1 of the new policy.

<sup>11</sup> Engineers Canada is the national organization of the 12 engineering regulators that license members of the profession. It is also the commercial name used by the Canadian Council of Professional Engineers (CCPE). [www.engineerscanada.ca/sites/default/files/news/pam\\_e\\_awards\\_call\\_2013\\_en.pdf](http://www.engineerscanada.ca/sites/default/files/news/pam_e_awards_call_2013_en.pdf) (consulted April 29, 2015).

<sup>12</sup> Corresponds to Category 1 of the new policy, since the programs are now accredited.

<sup>13</sup> Corresponds to Category 1 of the new policy.

<sup>14</sup> Corresponds to categories 2 and 3 of the new policy.

<sup>15</sup> Corresponds to Category 4 of the new policy.

<sup>16</sup> Substantial equivalence "implies reasonable confidence that the graduates possess the academic competencies needed to begin professional practice at the entry level". Source: Canadian Engineering Accreditation Board (2014). *Accreditation Criteria and Procedures*. Ottawa: Engineers Canada, p. 40.

In 1980, the Engineers Canada Accreditation Board signed an initial mutual recognition agreement with the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (United States). In 1989, representatives of the engineering organizations of six countries signed the agreement entitled *Recognition of Equivalency of Engineering Education Courses/Programs Leading to the Accredited Engineering Degree* (Washington Accord). In 2014, there were 17 signatory countries.<sup>17</sup>

Substantial equivalence also concerns Category 2 which targets applicants whose diploma in engineering appears on the CCPE's list of foreign institutions. Other such institutions can request that a program be recognized as being substantially equivalent, even if they are not a signatory to any agreement or are not on the CCPE's list. It should be explained that a "Substantial Equivalency evaluation will follow policies and procedures similar to those used for accreditation".<sup>18</sup> In addition, for a program to receive a substantial equivalence evaluation, it "must meet already accepted standards in multilateral forums, such as a minimum number of 16 years of schooling prior to the granting of an undergraduate level or equivalent diploma".<sup>19</sup>

#### 4.1.3 Level or Content of Studies

As indicated in Table 3, Category 4 of the new policy includes people who have an engineering diploma [TRANSLATION] "whose level is at least equivalent to a Québec bachelor's degree, which requires a minimum of 16 years of schooling, including three years of university studies". It should be recalled that an engineering diploma in Québec is obtained after 17 years of schooling, including four years of university study.

The Order assigns 11 examinations to applicants in Category 4 because it considers that they have one year less of schooling. Yet their diploma was obtained after at least 16 years of schooling, the standard set out in the Order's policy, which reflects Canadian and international standards. There is some confusion in terms of a Québec undergraduate degree in engineering obtained after 17 years of schooling and what is written in the policy, aligned with standards outside of Québec.

Elsewhere in Canada, an engineering diploma is awarded after 16 years of schooling. The Order's argument that anyone in Category 4 would be lacking one year of studies appears contradictory, since [TRANSLATION] "the permit to practice the profession of engineer issued in another Canadian province or Canadian territory" [TRANSLATION] "meets the permit requirements of the Order".<sup>20</sup> Yet again, one year of studies would be missing since in Québec, there is an additional year of schooling because of college-level studies (cégep).<sup>21</sup>

In addition, a person holding a Québec Secondary V diploma (high school), obtained after 11 years of schooling, can register in a civil engineering program at the University of Ottawa. Though he or she will need "to take a make-up course in functions and/or calculus and vectors at the University either the summer before or during (his) first session",<sup>22</sup> 16 years will be needed, theoretically less, that is, 15 years or 15½ years to obtain a diploma. Someone having completed his or her secondary school (high school) elsewhere in Canada and wanting to study civil engineering at Université Laval would, in particular, need to have previously completed one year of university studies (among others, courses in mathematics, physics, chemistry and biology) or one qualifying year in science.<sup>23</sup> This

<sup>17</sup> Canadian Engineering Accreditation Board (2014), *op. cit.*, p. 43.

<sup>18</sup> *Idem*, p. 91.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Règlement sur les autorisations légales d'exercer la profession d'ingénieur hors du Québec qui donnent ouverture au permis de l'Ordre des ingénieurs du Québec* (CQLR, chapitre I-9, r. 3).

<sup>21</sup> Collège d'enseignement général et professionnel (general and vocational college).

<sup>22</sup> [www.registrar.uottawa.ca/Default.aspx?tabid=4538](http://www.registrar.uottawa.ca/Default.aspx?tabid=4538) (consulted August 25, 2015)

<sup>23</sup> [www.fsg.ulaval.ca/programmes-detudes/programmes/?no\\_cache=1&tx\\_ulavaloffreetude\\_offreetude%5BcodeProgramme%5D=B-GCI&tx\\_ulavaloffreetude\\_offreetude%5BcodeMajeure%5D=GCI&tx\\_ulavaloffreetude\\_offreetude%5Baction%5D=show&tx\\_ulavaloffreetude\\_offreetude%5Bcontroller%5D=OffreProgramme&cHash=38f157a8bb0780122e9399b094fc9619#conditions](http://www.fsg.ulaval.ca/programmes-detudes/programmes/?no_cache=1&tx_ulavaloffreetude_offreetude%5BcodeProgramme%5D=B-GCI&tx_ulavaloffreetude_offreetude%5BcodeMajeure%5D=GCI&tx_ulavaloffreetude_offreetude%5Baction%5D=show&tx_ulavaloffreetude_offreetude%5Bcontroller%5D=OffreProgramme&cHash=38f157a8bb0780122e9399b094fc9619#conditions) (consulted August 25, 2015)

means that the person will have studied for 17 years instead of the 16 that he or she would have studied elsewhere in Canada.

To add to the confusion, the Order's policy also states that:

[TRANSLATION]

The Order assigns an examinations training program to the applicant whose diploma (Category 4) testifies either to training in *engineering whose level and content does not correspond*, in the opinion of the Order, to that of a recognized Québec bachelor of engineering degree, or to undergraduate training in pure or applied sciences, or in technology, whose level is at least equivalent to a Québec bachelor's degree.<sup>24</sup>

So we are no longer talking, in the new policy, about a level equivalent to a Québec bachelor's degree, as we indicated at the beginning of this point, but a level and content that are not. It would be somewhat incomprehensible for the Order to systematically assign 11 examinations to applicants who have an engineering diploma whose level would be at least equivalent to a Québec bachelor's degree, which requires a minimum of 16 years of schooling, including three years of university study, as it would do for those applicants who have a lower level of training.

Regardless, where an engineering diploma has been obtained after 16 years of schooling, the Order, in principle, should not look at the duration of studies but rather the content. However, it would not request comparative evaluations of studies to establish a comparison with the educational benchmarks of Québec. Yet the ministère de l'Immigration, de la Diversité et de l'Inclusion (MIDI) has the expertise to carry out these evaluations, at the request of permit applicants. The Order conducts its own evaluations and is able to do so. In the case of applicants in Category 4, it then says that it examines the content of studies using only their transcripts. Is that sufficient information with which to make a decision? How does its method for determining the Québec educational benchmark for a foreign diploma measure up? As well, in the overall process for determining equivalence, why are not other factors, for example, course description, work experience or other training, taken into account?

All in all, whether it is a matter of duration or content of studies, the text of the policy remains confusing. This confusion must be cleared up, especially since it is difficult to understand why all Category 4 applicants, who nevertheless have different profiles, cannot, on the basis of their prior learning, benefit from any recognition of equivalence, unlike applicants in the other categories.

## **4.2 Reasons Behind the Adoption of a New Policy Respecting Equivalence of Diplomas and Training**

### *4.2.1. Application Processing Times*

The Order felt that the standards of assessment for Category 4 applicants under the former policy were less favourable to them, given the delays in processing files and the higher permit application costs. It is these factors that may have, at least in part, prompted the Committee of Examiners to review the former policy. According to section 4 of the *Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des ingénieurs du Québec*<sup>25</sup> (Regulation), the Committee must study applications for equivalence of diplomas and training and submit a notice and recommendations to the Board of Directors.

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<sup>24</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, pp. 16 and 17. Our emphasis.

<sup>25</sup> CQLR, chapter I-9, r. 10.

The Order states that, under the former policy, it could take over two years to process an application, when counting the time it takes applicants to gather all the required documents. Under the new policy, files are processed within six to eight weeks, once the Order has received all the necessary documents.<sup>26</sup> Applicants have one year to submit all documents, after having applied for a permit. Once the year has lapsed, files that are incomplete are closed. Applicants may request that their file be reactivated when able to provide the missing documents, but administrative charges may apply.<sup>27</sup>

#### 4.2.2. Course Description

Another of the Order's arguments is that the former policy was unfair toward applicants who were unable to provide official descriptions of the courses that they had taken. Clearly, applicants who were unable to obtain such descriptions from their university were disadvantaged if their application was automatically rejected. But what is the present situation for those who would be able to provide the course descriptions to validate recognition of a certain equivalence, with the Order affirming that such descriptions are no longer requested from anyone classified in Category 4?

The Order claims that since course descriptions are no longer required, applicants are not disadvantaged. On the contrary, they are disadvantaged in comparison with the criteria of the former policy, given that they are now routinely assigned 11 examinations, without any analysis being conducted of the content of the courses taken. Such an analysis is, however, needed to determine whether a diploma may be considered equivalent, even in the apparent absence of an equivalent number of years of schooling. At the very least, it may make it possible to reduce the number of examinations and determine the relevant examination subjects, based on the applicants' profiles. Since the Order no longer tries to verify what applicants have acquired through the course of their studies, let alone after, in the form of pertinent work experience, internships or training, such an analysis is now impossible.

Has one inequity been created in an attempt to resolve another?

#### 4.2.3 Increase in the Number of Eligible Applications?

The Order seems to consider that this new approach may enable more people to apply for permits. Under the former policy, the number of examinations assigned in mandatory engineering science and specialization could not exceed nine, otherwise the permit application would be rejected. When four continuing education examinations were added, the maximum number of examinations reached 13. This was another element that the Order used to justify the revision of its policy.

However, there is no evidence that more people will apply for permits in the coming years, even if, according to the Order, the number of applications went from 11 in 2011-2012 to 15 in 2012-2013, 19 in 2013-2014 and 39 in 2014-2015.<sup>28</sup> However, in 2010-2011, there were 23 applications.<sup>29</sup> The number of applications could thus drop, because the increase may be explained by other factors coming into play.

As the following table shows, from 2008-2009 to 2014-2015, on average, close to 81% of permit applications in Category 4 reviewed by the Order (during those years) were submitted by persons who obtained their diploma outside Canada.<sup>30</sup> Note that an

<sup>26</sup> See section 2 of the Regulation.

<sup>27</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 5.

<sup>28</sup> Ordre des ingénieurs du Québec (2015). *Tableau de bord 2015-2016*. Direction des affaires professionnelles (most recent revision: 2015-05-31).

<sup>29</sup> Ordre des ingénieurs du Québec (2014). *Tableau de bord 2014-2015*. Direction des affaires professionnelles (most recent revision: 2014-09-30).

<sup>30</sup> 1.2% of permit applications by Category 4 applicants analyzed during these years by the Order were submitted by persons holding a Québec engineering diploma, 16.8% by persons holding a Québec non-engineering diploma and 1.7% by persons holding a non-engineering diploma from another Canadian province.

application was not necessarily analyzed the year it was submitted, notably because some documents were missing or because of the volume of applications that had to be processed for all the categories.

**Table 4** Distribution of Category 4 applicants whose permit application was the subject of a decision, according to the type of diploma

Period	Québec diploma		Canadian diploma		Diploma outside Canada		Partial total		General total	% Outside Canada
	Eng.	Non-eng.	Eng.	Non-eng.	Eng.	Non-eng.	Eng.	Non-eng.		
Former policy										
2008-2009	0	8	0	2	16	14	16	24	40	75%
2009-2010	2	8	0	1	19	36	21	45	66	83.3%
2010-2011	1	15	0	1	30	31	31	47	78	78.2%
2011-2012	0	6	0	0	18	18	18	24	42	85.7%
Transition between former and new policies										
2012-2013	0	9	0	0	11	30	11	39	50	82%
New policy										
2013-2014	1	12	0	2	22	32	23	46	69	78.3%
2014-2015	2	5	0	0	16	20	18	25	43	83.7%

**Source of data:** Ordre des ingénieurs du Québec (April and August 2015)

Understandably, persons whose applications were rejected under the former policy, when more than 13 examinations were assigned to them, would no longer be rejected under the new policy because they could still try to qualify. But in what way would the applicants who had to write fewer than 11 examinations now be benefitting? Is that fair for all applicants in that category? Once again, in trying to eliminate one inequity, has another been created?

Still, the Order states that its new policy:

[TRANSLATION]

[...] is an information tool. The Committee of Examiners may recommend to the Board of Directors that it assigns more or fewer examinations than the general prescription of examinations provided for in this policy when the Committee determines that the file presented by the applicant so warrants.<sup>31</sup>

Obviously, the Order excludes this possibility for applicants in Category 4, unlike the other three categories. Doubtless, there are ways to verify the nature and content of the courses taken and thus assign fewer than 11 examinations to applicants in Category 4. If the Order saw this as a very cumbersome process for the applicants, it appears to have resolved the problem by assuming that all applicants in Category 4 have deficiencies to be filled, regardless of the years of pertinent work experience that they have and regardless, also, of the postgraduate degree in engineering that they have earned, particularly one in Québec. In short, we are led to believe that all applicants are seen as having identical profiles, once the Order deems that they are lacking one year of schooling.

The present monitoring thus raised questions on the following aspects of the Order's new policy:

1. Compliance framework for the recognition of equivalence of diplomas and training within the professional system
2. Effects of the new policy on applicants classified in Category 4
3. Sole means of recognizing an equivalence of training
4. Role of the Committee of Examiners

<sup>31</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 1.

5. Consideration of the principles and good practices with respect to recognition of competencies
6. Canadian comparison

## 5 Analysis

### 5.1 Compliance Framework for the Recognition of Equivalence of Diplomas and Training within the Professional System

In light of the review of complaints, the office of the Commissioner has specifically asked whether the Regulation was properly drafted and interpreted, mainly with regard to the concept of recognition of equivalence within the professional system.

The Regulation provides, in section 5, that the Committee of Examiners, when processing a request for an equivalency, may make one of the following recommendations to the Order's Board of Directors:

1. grant equivalence with respect to the candidate's diploma or training;
2. indicate which examinations the candidate must pass or which courses the candidate must pass in order to obtain equivalence;
3. refuse to grant equivalence for the reasons expressed in its notice.

In section 9 of the Regulation, it is stipulated that the *equivalence of diploma* is granted when done so "by a Canadian university at the end of a program of studies accredited by [the CCPE]" or "at the end of a program of studies recognized by an organization outside Canada [ . . . ] that has concluded a mutual recognition agreement with the Order". This concerns people classified in Category 1 of the policy. Note that this wording involves a third-party decision, that is, accreditation by the CEAB or another organization, rather than a statement or reference to real standards for equivalence of diplomas, as is generally the case within the Québec professional system.

With regard to sections 11 and 12 of the Regulation, which would correspond to categories 2, 3 and 4 of the policy, these sections seek to specify the standards to be met so that an applicant may benefit from an *equivalence of training*. The latter must have:

- an undergraduate degree following at least three years' study in technology, or in pure or applied sciences; or
- an engineering diploma which does not meet the standards specified in section 9 and is not deemed to be equivalent; in such case, applicants must show that they have knowledge and expertise equivalent to that acquired by holders of a diploma recognized as meeting permit requirements. (Section 11 of the Regulation)

The Regulation provides that applicants must and can demonstrate to the Committee of Examiners that the nature, content and quality of courses taken and the number of years of schooling and their work experience justify an equivalence of training (section 12 of the Regulation). To this can be added participation in other types of training or continuing education), as specified in subparagraph (7) of section 2.

However, the Order seems to interpret the Regulation differently. With the adoption of the new policy in 2012, applicants classified in Category 4 can no longer show the Committee of Examiners that they possess knowledge and expertise equivalent to that acquired by the holder of a diploma recognized as meeting permit requirements, if the applicant holds a diploma listed in section 11 of the Regulation, notably in engineering. The only way to obtain an equivalence of training is to pass 11 examinations. Yet applicants classified in categories 2 and 3, as well, hold an engineering degree that is not recognized as equivalent, pursuant to section 9. Indeed, their diploma is not granted by a Canadian university at the end of a program of studies accredited by the CCPE nor at the end of a program of studies accredited by an organization outside Canada. Nonetheless, applicants

classified in categories 2 and 3 can endeavour to show the Committee of Examiners, through diverse means and sources, that they possess knowledge and expertise equivalent to that acquired by holders of a diploma recognized as meeting permit requirements. Why do the applicants in Category 4 not have this opportunity?

Lastly, the Regulation does indeed provide for the assignment of examinations to measure an equivalence of training. However, there is nothing that indicates that 11 examinations must be assigned, and done so systematically, or that examinations are to be the only means used to recognize an equivalence of training. Consequently, why is it that the Order appears not to have taken any steps to offer applicants the option of taking courses rather than writing examinations? This choice is provided for in subparagraph 2 of section 5 of the Regulation, as we have seen above, and is even referred to by the Order on page 2 of its new policy.

Given the situation, we have concluded that applications from applicants in Category 4 are not processed in respect of the compliance framework for the recognition of equivalence of diplomas and training within the professional system.

## **5.2 Effects of the New Policy on Applicants Classified in Category 4**

### *5.2.1 Lower or Higher Costs, Depending on the Perspective*

When comparing the fee schedule in effect from April 1, 2011 to March 31, 2012 and that of April 1, 2015 to March 31, 2016, by way of indication, the fee for a permit application dropped 64% (\$3418 to \$1236).<sup>32</sup> The registration fee for an examination of the Order has, in turn, increased 13.5% (\$273 to \$310). The same fee applies to rewrite an examination in the case of a fail.

For applicants who had to write 13 examinations, which was the maximum that could be required when the former policy was in effect, the costs were higher (\$6967) than for those who have to write 11 examinations under the new policy (\$4646) (permit application fees included).

In 2011-2012, when four examinations were required, the cost was very similar to that of today for writing 11 examinations. When five or more examinations were needed, the cost was higher (\$137 more) and continued to increase with each additional examination.

However, in the context of the former policy, the number of examinations could be fewer than is the case today. Not everyone in Category 4 would have had 13 examinations to pass; others had fewer than 11 and still others whose file was exceptional might not have had any because an interview could give access to the permit, though, according to the Order, such cases were rare. For example, in 2009-2010, a person holding a non-engineering diploma obtained outside Canada could have been issued his or her engineer's permit (regular) following an interview; before, applicants had to write the Order's professional examination.<sup>33</sup> Applicants who had fewer than 11 examinations to pass under the former policy could complete them more quickly and thereby minimize the indirect costs associated with the requirement.

Table 5 illustrates this situation, in part, as the average number of examinations was below 11. However, in 2012-2013, the average number was approaching 11 for holders of non-

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<sup>32</sup> Amounts have been rounded off.

<sup>33</sup> The examination is a general supplementary condition for issuance of the regular permit. The three-hour examination is designed to verify knowledge of Québec's legislation respecting the professions, professional practice principles and legal aspects that are considered essential to practise the profession. [www.oiq.qc.ca/en/lam/applicant/obtainingPermit/diplomasFrance/Pages/professionalexam.aspx](http://www.oiq.qc.ca/en/lam/applicant/obtainingPermit/diplomasFrance/Pages/professionalexam.aspx) (consulted June 10, 2015).

engineering diplomas from outside Canada because of the implementation of the new policy in early 2013.

**Table 5** Average number of examinations assigned to Category 4 applicants, according to the type of diploma

Period	Québec diploma		Canadian diploma		Diploma outside Canada	
	Engineering	Non-engineering	Engineering	Non-engineering	Engineering	Non-engineering
Former policy						
2008-2009	– <sup>34</sup>	8.7	–	9	7.3	6.1
2009-2010	4 <sup>35</sup>	9.5	–	9	7.4	8.6
2010-2011	8 <sup>36</sup>	5.3	–	6	8.2	7.8
2011-2012	–	5	–	–	6.1	7.4
Transition between former and new policies						
2012-2013	–	7.5	–	–	7.9	10.3
New policy						
2013-2014	11 <sup>37</sup>	10.7	–	11	10.9	10.9
2014-2015	11 <sup>38</sup>	8.8	–	–	10.4	10.5

**Source of data:** Ordre des ingénieurs du Québec (April and August 2015)

All diplomas combined, the median number of examinations assigned (files that were not rejected)<sup>39</sup> was seven in 2008-2009, nine in 2009-2010, eight in 2010-2011, seven in 2011-2012, and 11 in 2012-2013, 2013-2014 and 2014-2015. In 2013-2014 and 2014-2015, no applications were rejected. The Order seems to be accepting all applications and assigning 11 examinations to everyone indiscriminately, in line with the logic of the new policy.

Starting in early 2013, the effects of the new policy on the number of examinations can be seen. From the time when 50% of the applicants were assigned seven or fewer examinations under the former policy, for many, it was not to their advantage to have their request processed according to the new policy's criteria, especially when considering the timeframes for writing all the examinations.

Did we not create an inequity for a number of applicants in wanting to treat everyone the same?

### 5.2.2 Shorter or Longer Timeframes, Depending on the Perspective

The examinations are offered twice a year, "during the first fifteen days in May and November".<sup>40</sup> Up to three examinations can be written per session. However, that is understandably not necessarily possible for everyone. Imagine the financial constraints that can confront newly arrived immigrants in Québec, notably because of difficulties finding a first job or one that matches their competencies. It should be remembered that each examination costs \$310 and requires preparation time.

It would take an applicant 5½ years to complete the 11 examinations at a rate of two per year, which is the maximum allowed under the Order's new policy,<sup>41</sup> and a bit less than two years at a rate of six examinations per year. Overall, it can be said that, in terms of years, it could be equivalent to the same amount of time that it takes to do a bachelor's

<sup>34</sup> The en dash indicates that there was no application for equivalence which is why there was no examination.

<sup>35</sup> The examinations were assigned because the study program had not yet been accredited by the CEAB.

<sup>36</sup> *Idem*.

<sup>37</sup> This concerned one applicant.

<sup>38</sup> This concerned two applicants.

<sup>39</sup> When the Order sends a rejection notification to an applicant it is because the Order would have likely had to assign the applicant 14 or more examinations. That number of examinations is seen by the Order as an indication that the applicant's profile is too far from the profession of engineer and that the likelihood of writing and passing so many examinations is unrealistic, in comparison with a three-year diploma in engineering. For this reason, rejections cannot be taken into account in the data analysis.

<sup>40</sup> [www.oiq.qc.ca/en/lam/applicant/exam-admission/Pages/Examination-procedures.aspx](http://www.oiq.qc.ca/en/lam/applicant/exam-admission/Pages/Examination-procedures.aspx) (consulted April 28, 2015).

<sup>41</sup> [TRANSLATION] "The time given to each applicant to write and pass the examinations assigned is established in the following way: one exam session is granted for each examination assigned. If the applicant has only one examination to write, the time accorded is two consecutive exam sessions." Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 17.

degree in engineering at a Québec university, though the efforts involved are admittedly not the same. That said, applicants have, in principle, already invested efforts in obtaining a relevant diploma, though it is not one that the Order deems fully equivalent to a Québec diploma.

Since the adoption of the new policy, the investment, time-wise, is "more costly" because of the longer timeframes, when the situation of applicants who now must pass 11 examinations is compared with that of applicants with a similar profile and who had fewer than 11 such examinations under the former policy. Consequently, the number of examinations and the number of years to pass them increases the risk of applicants abandoning the process, from a socioprofessional perspective, especially when they delay a person's entry into the labour market.

In addition, under the Order's policy:

[TRANSLATION]

When an applicant has failed assigned examinations, the Committee of Examiners may review its earlier decision and recommend to the Board of Directors that the applicant be required to write supplementary examinations. The board may also make any other decision, for example, require that the applicant write only one examination per exam session.<sup>42</sup>

In other words, an applicant could quickly be blocked, eliminated or see the number of assigned examinations increased.

It should be remembered that the Order has the obligation and the means to recognize the prior learning and competencies of applicants in Category 4 of its policy and thus, depending on the case, to shorten the timeframes imposed on these applicants to obtain their permit. Choosing a long and expensive formula for applicants does not seem reasonable.

### 5.2.3 Possible Exclusionary Effect

It undoubtedly requires a great deal of time and effort to be able to pass the 11 assigned examinations, especially since the applicants completed their studies in an educational system different from that of Québec. This may also be true for a person who completed his or her engineering studies in Québec 25 years ago and who practised the profession during those years. He or she may have difficulty passing 11 examinations today, for the simple reason that the ways of teaching a given material and of assessing learning have changed.

Tables 6 and 7 present the dropout rate associated with the examination. Since nearly 81% of Category 4 applications for permits were filed by people who earned their diploma outside Canada, we are reporting on this type of diploma only. From 2008-2009 to 2011-2012, the dropout rate could vary from 61% to 68% for engineering graduates, and from 46% to 55% for non-engineering graduates, because some files were still open when the Order sent us the data. For 2012-2013, the final result will probably not be known before 2018, and not before 2019 and 2020 for the years 2013-2014 and 2014-2015, respectively.

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<sup>42</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 19.

**Table 6** Dropout rate of permit applicants having an engineering diploma obtained outside Canada (diplomas deemed by the Order as being non-equivalent to a Québec diploma)

Period	Number of files	Files rejected	Files accepted with conditions	Cause abandoned/closed		Permits issued		File still open	Dropout rate
				Time	3 fails	Junior eng.	Eng.		
Former policy									
2008-2009	16	3	13	10	0	0	3	0	76.9%
2009-2010	19	5	14	7	0	3	2	2	50% <sup>43</sup>
2010-2011	30	7	23	12	1	6	4	0	56.5%
2011-2012	18	3	15	9	0	4	0	2	60% <sup>44</sup>
Transition between former and new policies									
2012-2013	11	2	9	2	0	3	0	4	— <sup>45</sup>
New policy									
2013-2014	22	0	22	1	0	0	0	21	—
2014-2015	16	0	16	0	0	1	0	15	—

**Source of data:** Ordre des ingénieurs du Québec (April and August 2015)

Note that the dropout rate may be due to failure to respect the timeframe during which the examinations must be completed or, more rarely, because of three failures for the same examination. This rate is the proportion of the number of files abandoned by the applicant or closed by the Order in relation to the number of files accepted and for which examinations were assigned.

**Table 7** Dropout rate of permit applicants having a non-engineering diploma obtained outside Canada

Period	Number of files submitted	Files rejected	Files accepted with conditions	Cause abandoned/closed		Permit issued		Files still open	Dropout rate
				Time	3 fails	Junior eng.	Eng.		
Former policy									
2008-2009	14	5	9	2	1	3	2	1	33.3% <sup>46</sup>
2009-2010	36	10	26	19 <sup>47</sup>	0	4	2	1	73.1%
2010-2011	31	5	26	6	0	14	3	3	23.1% <sup>48</sup>
2011-2012	18	3	15	8	0	4	1	2	53.3% <sup>49</sup>
Transition between former and new policies									
2012-2013	30	5	25	6	0	1	0	18	— <sup>50</sup>
New policy									
2013-2014	32	0	32	0	0	0	0	32	—
2014-2015	20	0	20	0	0	0	0	20	—

**Source of data:** Ordre des ingénieurs du Québec (April and August 2015)

In 2008-2009 and 2010-2011, surprisingly, the dropout rate was higher among applicants whose training was in engineering, compared to those whose was non-engineering, though four files are still open in their case. Even if these files were closed, their dropout rate would remain lower than that of applicants whose training was in engineering.

The opposite would seem more probable, since a diploma in engineering, although not recognized by the Order as equivalent to a Québec diploma, is nonetheless closer to the latter than is a diploma in technology or pure or applied sciences obtained outside Canada. It should be recalled that the latter is not equivalent, either, to the 17 years of schooling required by the Order, as is the case of the engineering diploma in Québec.

In fact, even if the Order believes that engineering training is sometimes further from engineering than is training in technology or in pure or applied sciences—this position taken without having any means to examine the content of the training—it would be expected that the dropout rate during all the periods would be lower among applicants whose training is in engineering. Regardless, the dropout rate for the examinations, from

<sup>43</sup> This percentage could increase since two files (14.3%) were still open.

<sup>44</sup> This percentage could increase since two files (13.3%) were still open.

<sup>45</sup> In April 2015, the dropout rate was 22.2%, but it could increase since four files (44.4%) were still open.

<sup>46</sup> This percentage could increase since one file (11.1%) was still open.

<sup>47</sup> Including one file closed at the applicant's request.

<sup>48</sup> This percentage could increase since three files (11.5%) were still open.

<sup>49</sup> This percentage could increase since two files (13.3%) were still open.

<sup>50</sup> In April 2015, the dropout rate was 24%, but it could increase since 18 files (72%) were still open.

April 2008 to March 2012 is worrisome, even potentially dramatic. Presumably it would also concern the cohorts 2012-2013 to 2014-2015. On the one hand, the number of open files is high and, on the other, the Order did not reject any applications.

In addition to the assumption of long delays leading to files being abandoned or closed, there may be the assumption that people manage to find a job with a company that recognizes their competencies without officially considering them as engineers, by hiring them, for example, as project manager. In short, the difference in dropout rates for both types of diplomas is a subject that must be better identified.

Moreover, with the 11 examinations assigned systematically, the burden rests on the applicants, which raises other questions as to the Order's consideration of the principles and good practices respecting equivalence of diplomas and of training (see section 5.5 of this monitoring report).

Beyond the Order's policy changes concerning Category 4, the multiple examinations approach as a means of recognizing an equivalence raises the question of a possible systemic exclusion. Based on the dropout rate, as it is observed and anticipated, this approach appears to seriously affect the feasibility of obtaining recognition of equivalence and the permit, particularly because of the considerable effort required, over a long period.

### 5.3 Sole Means of Recognizing an Equivalence of Training

#### 5.3.1 Qualifying and Confirmatory Examinations

By assigning a fixed number of examinations as the only means of recognizing the equivalence of training, while limiting the means provided for in the Regulation, the Order is not meeting its responsibilities, as imposed by the legislator in that regard. Such an approach results in a loss of rights and alternative solutions, because the Order considers examinations as a way of completing training.

According to the Order, the *qualifying examinations* aim [TRANSLATION] "to fill gaps in the university training and to test the applicant's knowledge".<sup>51</sup> Under the policy, only applicants classified in Category 4 must write qualifying examinations, whereas applicants in the other categories write *confirmatory examinations* which [TRANSLATION] "aim to test the applicant's knowledge".<sup>52</sup> Yet they may be the exact same examinations. For example, an applicant in Category 2 may be assigned three confirmatory examinations from group A (mandatory engineering science), whereas an applicant in Category 4 could have seven qualifying examinations from the same group, in the same discipline and from the same bank of examinations. The two applicants would thus have three identical examinations to write. Why are these examinations qualifying or confirmatory for one person, but not for the other?

It is hard to understand the Order's vision with respect to the examinations and the differentiation between them (qualifying or confirmatory). An examination is primarily a means of monitoring learning or of verifying the level of knowledge and expertise acquired. It is not a learning activity to fill alleged gaps or deficiencies in training, which should be detected when reviewing applicants' permit applications. This assumes that there is an assessment process for determining the equivalence of diplomas and training from applicants' training and experience file. If gaps are identified during the analysis of an application for training equivalence, an examination might be helpful to confirm and delineate them, and then define the training activities required to address the deficiencies. For example, applicants could register for a university course to correct a deficiency, and

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<sup>51</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 17.

<sup>52</sup> *Ibid.*

the successful completion of the course would determine the acquisition of the required competencies.

Applicants required to write 11 examinations could enrol in university courses in Québec to prepare for the examinations.<sup>53</sup> Sometimes the Order suggests to applicants that they do so. However, the courses completed successfully are not recognized by the Order as entitling the applicants to one or more exemptions from examinations. Yet, according to the Order, such was the case before the new policy was adopted, that is, the Committee of Examiners would advise applicants of the possibility of taking courses instead of writing examinations. The Committee first ascertained that the course corresponded with the exam subject. The latter became unnecessary since the successful completion of the courses was considered, logically, as the applicant having acquired the missing knowledge and expertise, and thus the equivalence. It is difficult to understand why this is no longer possible, since it would be to applicants' benefit. In addition, an applicant who successfully completes courses to prepare for the Order's examinations, without the Order recognizing them as equivalent, would be assessed twice on the same subjects.

### 5.3.2 Training Equivalence Standards

While training equivalence standards are not clearly defined in the Regulation, the fact remains that in the Québec professional system, the concept of "training equivalence" means that the knowledge and skills acquired through studies in Québec or elsewhere, or through additional training, internships or work experience, may compensate for deficiencies in initial training or in a non-equivalent diploma.

According to the legal framework of the Québec professional system, if a diploma obtained outside Québec is not equivalent to the diploma recognized as meeting permit requirements, a professional order should normally consider the applicant's training as a whole (training over and above the non-equivalent diploma, including pertinent work experience) to determine equivalence, which is then called "of training". This responsibility lies with all professional orders that are required to deal fairly with applications for equivalence of diploma or training.

In other words, in an equivalence recognition process, the absence of an evaluation indicating the applicant's deficiencies and the sole and systematic recourse to the assignment of examinations might suggest that a regulatory body would not consider the concept of "partial recognition". This involves recognizing an individual's prior learning, identifying any deficiencies and targeting measures to correct them, with a view to completing the individual's competency profile to be able to practise in Québec. Now, it seems that the Order is putting this concept aside, at least for applicants classified in Category 4. Contrary to section 5 of the Regulation, the Order's website indicates that the Committee of Examiners, when processing an application for equivalence from applicants in Category 4, can make only two recommendations to its Board of Directors, either to assign 11 admission (qualifying) examinations or reject the permit application.<sup>54</sup>

It can hardly be said that there are equivalence standards, since everyone in Category 4 must write 11 examinations, regardless of their background. The Order cannot justify such an approach on the grounds that it is complicated, because that is what it did before the new policy was adopted. It cannot claim that it is impossible, especially since all professional orders are required to it. Such are the nature and terms of the mandate that the legislator has entrusted to them. It may be recalled that section 40 of the *Professional Code* requires that the board of directors of an order issue:

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<sup>53</sup> The Order invites applicants to consult bibliographies and copies of previous examinations available on its website.

<sup>54</sup> [www.oig.qc.ca/en/Iam/applicant/obtainingPermit/otherDiplomas/Pages/evaluation.aspx](http://www.oig.qc.ca/en/Iam/applicant/obtainingPermit/otherDiplomas/Pages/evaluation.aspx) (consulted April 15, 2015).

[...] a permit or a specialist's certificate to any person who meets the conditions prescribed by this Code, the Act constituting such order and the regulations made under this Code or the said Act.

As well, paragraph *c* of section 93 of the *Professional Code* stipulates that the board of directors of an order must, by regulation:

[...] prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards for equivalence of the training of a person who does not hold a diploma required for such purposes.

Among the possible avenues of recognition, the Order retains only that of the 11 examinations and applies it systematically. The passing of these examinations is, for the Order, the sole "standard" of equivalence possible for all applicants in Category 4.

#### **5.4 Role of the Committee of Examiners**

The adoption of the new policy appears to have had an impact on the role of the Order's Committee of Examiners, particularly with regard to some of its responsibilities under the former policy. That will be the subject of discussion in this section.

##### *5.4.1 Facilitate Decision Making*

According to the Order's website, the Committee of Examiners consists of at least eight members, but there were 13 at the time of the first interview (November 2014). Its composition is as follows:

[...] Every educational establishment in Québec whose diplomas are recognized by the government may appoint a representative to the Committee, except for the Université du Québec, which may appoint two members: one designated by the École de technologie supérieure, and the other representing all of its other constituent establishments. The other Committee members are appointed by the Executive Committee, to which the Board of Directors has delegated this power, as well as the power to name the Chair.<sup>55</sup>

From the moment that 11 examinations became mandatory for all applicants in Category 4, the Committee's role can be seen to have become and remains secondary, at least for this category, contrary to the situation prior to the adoption of the new policy in 2012. The Committee will only have to determine whether it is a case of Category 4, but will not have to evaluate the file to determine how many examination exemptions could be granted, as was the case under the former policy.

The Committee of Examiners will not assess the content of the studies nor of the work experience of applicants in Category 4, neither to identify any gaps in the undergraduate degree nor to assess whether the postgraduate studies or work experience would serve to fill the initial deficiencies and, thus justify a variable number of examinations, if any, according to the profile.

The Order felt that a new policy was needed because processing applicants in Category 4 was a cumbersome, time-consuming procedure, owing to the difficulty in validating certain documents, for example, course descriptions and transcripts obtained abroad. In fact, some comments gathered appear to confirm such a belief, because the processing of non-engineering applications or applications involving diplomas not equivalent to a Québec diploma with respect to the level, content or duration required a great deal of time and effort. Yet determining the equivalence of diplomas and training is an obligation assumed by all professional orders, and by educational institutions and government entities mandated to determine the recognition of professional qualifications.

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<sup>55</sup> [www.oiq.qc.ca/en/aboutOIQ/committees/Pages/examiners.aspx](http://www.oiq.qc.ca/en/aboutOIQ/committees/Pages/examiners.aspx) (consulted March 20, 2015).

### 5.4.2 Loss of Special Expertise

It is unfortunate that the Order is not maintaining the expertise that it has built in recent years, whereas applicants in the other three categories would be, according to the Order, processed as before. Over time and with the number of different applicants classified in Category 4, the Order would have become more efficient in terms of document authentication and file analysis.

What is more, over the years, the Order had become particularly knowledgeable about different education systems and document authentication with the assistance, among others, of regulatory bodies of the engineering profession in Canada, the MIDI and engineering schools in Québec and Canada. It might even have shared this expertise with other professional orders of Québec, in terms of good practices, or even exemplary practices. It is important to understand that despite the relatively low number of applications (Table 8), it is no longer necessary to validate or to examine course descriptions and transcripts since applicants are now required to pass the 11 examinations.

**Table 8** Comparison between the total number of applications for admission and the number of applications in Category 4 (admission and equivalence)

Period	Applications for admission	Graduates from Québec	Graduates outside Canada <sup>56</sup>	Category 4 applicants	Applications for admission Category 4	Applications for equivalence <sup>57</sup>	Applications for equivalence Category 4
Former policy							
2010-2011	3,295	67.8%	29.4%	23	0.69%	1,483	1.55%
2011-2012	3,393	66.7%	30%	11	0.32%	1,178	0.93%
Transition from former to new policies							
2012-2013	3,152	63.7%	34.4%	15	0.47%	1,084	1.38%
New policy							
2013-2014	3,014	79.5%	21.5%	19	0.63%	1,084	1.75%
2014-2015	3,246	74.2%	21.4%	39	1.2%	742	5.25%

**Source of data:** Annual reports 2010-2011 to 2014-2015 and the Order.

Up to now, the situation suggests that the Order has facilitated its task by assigning 11 examinations to all applicants in Category 4, though there are not many permit applications in this category, compared with the other three categories, as we just noted.

### 5.5 Consideration of the Principles and Good Practices with respect to Recognition of Competencies (Qualifications)

The central issue concerning the systematic assignment of 11 examinations is that of fair practices in recognizing equivalence of training. What we have observed does not appear to comply with the concepts and principles of Québec's professional system. The recognition of professional qualifications is critical to the socio-economic integration of people trained abroad.

An undergraduate degree in engineering accredited by the CEAB or a diploma accredited by an organization outside Canada included in a reciprocity agreement with the Order appear to be the legitimate path for practising the profession. Recognition of an equivalence must also target training in technology or in pure or applied sciences, which include pertinent competencies to support the practice of the profession of engineer, just as could be the case for training in engineering whose level, content or duration of studies does not correspond, according to the Order, to those of a Québec bachelor's degree. The 11 examinations are not an equivalence standard, since they are assigned without taking

<sup>56</sup> Included in 2013-2014 and 2014-2015, the applications made under a mutual recognition arrangement with France (respectively 2.3% and 4.2% of applications).

<sup>57</sup> Recognition of the equivalence of a diploma issued by an academic institution outside Québec: 228 applications in 2014-2015, 322 in 2013-2014, 328 in 2012-2013, 354 in 2011-2012, and 330 in 2010-2011. Recognition of equivalence of training acquired outside Québec for a person not holding a required diploma: 514 applications in 2014-2015, 762 applications in 2013-2014, 756 in 2012-2013, 824 in 2011-2012 and 1,153 in 2010-2011.

into account the content of the applicants' training and without considering their relevant work experience.

The field of competency recognition has led to the development of principles and practices that should be recalled to complete the analysis.

### 5.5.1 Recognition of Prior Learning and Competencies

The principles of the Recognition of Prior Learning and Competencies (RPLC) in Québec should be reflected within the professional system. These principles, as viewed from an individual's perspective (first to third paragraphs) and organizational perspective (fourth to sixth paragraphs) are:

Individuals have a right to social recognition of their prior learning or competencies insofar as they are able to provide evidence that they possess them.

Individuals should not have to relearn in a formal educational setting any learning that they may have already acquired in other contexts or other ways. What is important in the recognition of learning is what a person has learned, not where, when or how it was learned.

Individuals should not be obliged to seek recognition again for competencies or prior learning that have been properly evaluated and certified by an official system.

All systems that recognize prior learning or competencies must be transparent.

Evaluation activities that are carried out for the purpose of recognizing prior learning and competencies must be rigorous, reliable and adapted to the extracurricular and generally experimental nature of learning acquired by an individual.

The legislative and organizational frameworks in various official systems, including education, must create conditions that are conducive to taking into account the basic principles of prior learning recognition.<sup>58</sup>

These principles are in keeping with the *Convention on the recognition of qualifications concerning higher education in the European Region* which, notably, stipulates on page 3 "that a fair recognition of qualifications is a key element of the right to education and a responsible society". This convention was signed by Canada "on November 4, 1997; supported by provincial and territorial governments, with a view to ratification".<sup>59</sup> Among other things, it provides that requests for recognition should be assessed in a fair and timely fashion.<sup>60</sup>

One of the Convention's fundamental principles is that the applicant is responsible for providing the information needed to review his or her file, in good faith. However, another principle is that the professional body is responsible, when the recognition of qualifications must be denied, to demonstrate that the application does not fulfill the requirements because of substantial differences.<sup>61</sup>

These principles correspond with other international instruments, for example, the recommendations of the International Labour Organization (ILO), notably respecting

<sup>58</sup> Ministère de l'Éducation, du Loisir et du Sport (2005). *Recognition of Prior Learning and Competencies in Vocational and Technical Training. General and Technical Frameworks*. Gouvernement du Québec, p. 5. [www.education.gouv.qc.ca/fileadmin/site\\_web/documents/dpse/formation\\_professionnelle/RAC\\_CadreGeneral\\_CadreTechnique\\_DocRef\\_a.pdf](http://www.education.gouv.qc.ca/fileadmin/site_web/documents/dpse/formation_professionnelle/RAC_CadreGeneral_CadreTechnique_DocRef_a.pdf). This framework transposes the principles contained in the Government Policy on Adult Education and Continuing Education and Training. Learning throughout life. See: [www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/RCP/PolitiqueEduAdultFormCont2002.pdf](http://www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/RCP/PolitiqueEduAdultFormCont2002.pdf) (consulted April 28, 2015).

<sup>59</sup> [www.cicic.ca/1398/an-overview-of-the-lisbon-recognition-convention.canada](http://www.cicic.ca/1398/an-overview-of-the-lisbon-recognition-convention.canada) (consulted May 20, 2015).

<sup>60</sup> [www.cicic.ca/1399/the-essence-of-the-lisbon-recognition-convention.canada?](http://www.cicic.ca/1399/the-essence-of-the-lisbon-recognition-convention.canada?) (consulted May 20, 2015).

<sup>61</sup> Article III.3 of the Convention.

migrant workers. They stipulate that when migrant workers are within a territory of a Member of the ILO, of which Canada is a member, they:

[. . .] should enjoy effective equality of opportunity and treatment with nationals of the Member concerned in respect of [. . .] access to vocational training and employment of their own choice on the basis of individual suitability such as training or employment, account being taken of qualifications acquired outside the territory of and in the country of employment.<sup>62</sup>

### 5.5.2 Other Principles

In 2006, all the professional orders of Québec undertook to ensure that their policies and procedures regarding recognition of an equivalence of credentials and training reflect the following six principles:

- equality (e.g. both the evaluation and decision-making processes are free of discrimination of any kind, whether personal or systemic);
- fairness (e.g. when an element of the applicant's profile has been assessed and considered as a credential, the applicant must not be required to submit to another evaluation or have to demonstrate again that he or she complies with the standard);
- objectivity (e.g. applications from immigrants are processed and assessed by individuals who have received appropriate training);
- transparency (e.g. gaps in terms of the applicant's required profile are identified and means for making up the lacking elements—through courses, training periods or other relevant means are suggested to the applicant);
- openness (e.g. call on outside expertise for developing evaluation tools in order to increase reliability and effectiveness);
- periodic review (e.g. regularly review and improve the methods and tools used to assess applications).<sup>63</sup>

It is imperative that these principles be taken into account when processing permit applications. However, we are not convinced that the Order has taken them and the good practices inherent to the recognition of equivalence of diplomas and training fully into consideration.

Assignment of the said training examinations to applicants who have already completed their studies in a given field, at least in part, is contrary to the principles of RPLC, especially since it is a matter of a fixed number of examinations without any exemption and without the applicants' profiles being examined.

### 5.5.3 Fairness and the New Policy

Fairness in the processing of applications for equivalence of diplomas or training is a central principle, particularly because of the demographic changes in Québec and international exchanges that translate into a greater mobility of labour.<sup>64</sup> The

<sup>62</sup> International Labour Organization. *R151 Migrant Workers Recommendation (1975) (No. 151)*. 2004. *Recommendation concerning Migrant Workers*. Adoption: Geneva, 60th ILC session (24 Jun 1975).

<sup>63</sup> Conseil interprofessionnel du Québec (2006). *Principles for the Recognition of Equivalence of Credentials and Training required outside Québec*. Passed by the Members' Meeting of February 10, 18 p. See: [www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/RCP/CIQ\\_PrincipReconnEquiv2006\\_va.pdf](http://www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/RCP/CIQ_PrincipReconnEquiv2006_va.pdf). Note that the office of the Commissioner established principles and good practices in recognition of professional qualifications; see: [www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/PrincipesBonnesPratiques.pdf](http://www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/PrincipesBonnesPratiques.pdf) (consulted April 28, 2015).

<sup>64</sup> Office des professions du Québec – Commissaire aux plaintes en matière de reconnaissance des compétences professionnelles (2014). *Cadre juridique et organisationnel du Bureau du Commissaire*, September 24, p. 12. See: [www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/CadresJuridiqueOrganisationnel.pdf](http://www.opq.gouv.qc.ca/fileadmin/documents/Commissaire/CadresJuridiqueOrganisationnel.pdf) (consulted April 28, 2015).

socioprofessional integration of immigrants depends, among other things, on respecting this principle, or failure to do so. It would appear that this principle, present in the analysis of applications for permits under the former policy and which addressed the cases of Category 4, is no longer considered by the Order.

Fairness must be measured against the profile of each applicant in Category 4, since the profile is different from that of applicants in categories 1, 2 and 3. These categories allow a variable number of examinations to be assigned, depending on the individuals' profiles. The number of examinations assigned to an applicant in Category 4, who has many competencies, if indeed the formula of examinations alone is valid, should, however, be fewer than the number assigned to an applicant in the same category who has fewer competencies.

The question of fairness between categories also arises because only those applicants in Category 4 must pass a fixed number of examinations. The applicants in the three other categories may be assigned from one to four examinations, depending on their profile, but may also be granted an exemption because of a postgraduate degree or pertinent work experience. When required to write examinations, they can choose the examination(s) of their preference. Applicants in Category 4 cannot. Yet, they have done studies in engineering-related fields recognized by the Order, but simply not in the same field, that is, in engineering, though the Order considers that the level, content or duration of studies does not correspond to that of a Québec bachelor's degree.

The Order may consider that it grants fair treatment because it evaluates applicants in the same category in the same way, but equal treatment, even well-intentioned, can have unfair consequences. Applicants in Category 4 are poorly served because they have no opportunity to obtain recognition of their prior learning in order to be granted exemptions from a certain number of examinations.

A few hypothetical scenarios are presented below to illustrate remarks made on fairness.

#### *5.5.4 Hypothetical Scenarios to Compare Categories 1, 2 and 4*

##### Diploma accredited by the CEAB or by a body outside Canada (Category 1)

When an engineering graduate of a Québec or Canadian institution obtained his undergraduate degree less than five years from the time of his permit application, no other examination is required of him. If he obtained it since more than five years, he may be assigned up to three examinations. An exemption may, however, be granted if he demonstrates "that his relevant work experience and training [. . .] have enabled the applicant to acquire the required level of knowledge".<sup>65</sup>

Postgraduate studies in engineering do not in any way constitute an asset in order to be granted an exemption from examinations for graduates in engineering in Québec or in Canada since [TRANSLATION] "all accredited engineering undergraduate programs meet the high training standards required for licensing".<sup>66</sup> Such is also the case for persons who graduated with an undergraduate engineering degree at the end of a program accredited by a body outside Canada covered by a mutual agreement with the Order.

##### Substantially equivalent diploma (Category 2)

Let us now examine the hypothetical case of a person from another country who has an undergraduate engineering degree appearing on the CCPE's List of Foreign Engineering Educational Institutions and Professional Qualifications. These institutions' programs are recognized as being substantially equivalent.

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<sup>65</sup> Ordre des ingénieurs du Québec (2012), *op. cit.*, p. 9. As provided for in the second paragraph of section 10 of the Regulation.

<sup>66</sup> [www.engineerscanada.ca/fr/agrement](http://www.engineerscanada.ca/fr/agrement) (consulted April 16, 2015).

The applicant will never have an examination to write if he or she:

- holds a Master's or doctoral degree from a Québec university in the same field of engineering as his or her undergraduate degree; and
- has more than five years of experience in engineering, including at least two recent years.

#### Non-equivalent diploma (Category 4)

For comparison purposes, let us take the case of a person whose undergraduate engineering degree was obtained abroad, without, however, being recognized by the Order as equivalent to the Canadian or Québec diploma. Though classified in Category 4, the applicant could be:

- a holder of a Master's and doctoral degree from a Québec university in the same field of engineering as his or her undergraduate studies;
- working for an engineering firm in Québec for more than the past eight years, though does not have the title of engineer;
- working under the supervision of an engineer.

Since the applicant is classified in Category 4, he or she must pass 11 examinations to obtain the Order's junior engineer's permit. In other words, the applicant's postgraduate studies in engineering in Québec will have no impact on the number of examinations assigned. The same would apply to pertinent work experience. Having such a profile, who would agree to invest possibly seven more years of work (11 qualifying examinations, junior engineer, professional examination, etc.) after having learned that all the knowledge and skills acquired over the past 10 or 15 years are almost useless, since they are not recognized, at least not by the Order?

Again, without questioning the principle of protecting the public, is it possible that some persons trained abroad could find themselves excluded from an order before even beginning the admission process, so numerous do the obstacles appear?

## **5.6 Canadian Comparison**

### *5.6.1 Common Procedure*

In Canada, there are a number of procedures for determining whether persons trained in engineering abroad may obtain their permit, but all the bodies that regulate the profession have a common procedure: the diplomas obtained under a CEAB-accredited program or in the framework of an agreement giving access to the permit.

Since our remarks concern applicants trained abroad whose diploma cannot be processed using the common procedure, we are not considering diplomas that are accredited or substantially equivalent because an agreement exists, although in the latter case, for example, the number of confirmatory examinations can vary, as there may be none.

### *5.6.2 Differing Practices*

In examining the table in Appendix I, it becomes clear that the practices used in matters of recognition of equivalence of diplomas and training across Canada differ.

For one organization that regulates the profession of engineer, if it has doubts about the quality of the engineering diploma presented by a foreign-trained applicant, it will assign at least five confirmatory examinations, but it may assign one or two fewer if the applicant holds a postgraduate degree recognized by it.

By contrast, if the organization doubts that it is truly an engineering diploma, it may assign up to 22 qualifying examinations or courses.

Another organization may assign between 6 and 25 examinations to an applicant who has an engineering diploma that is not comparable to a Canadian diploma or if the applicant has training in science and technology.

Other organizations recognize postgraduate studies as well, a fact that has an impact on the number of examinations for which applicants may be granted exemptions when the studies are in the same field as their undergraduate studies, even if the undergraduate degree is not recognized as equivalent to a Canadian diploma.

With another organization, as soon as it is determined that an applicant would be assessed more than nine examinations, the application is rejected. It is, for example, the case of persons holding a diploma in technology obtained after two or three years of studies or a non-engineering diploma without holding a postsecondary diploma. Whether they are trained in Canada or abroad, applicants may apply for a restrictive or limited permit to practise certain engineering activities, if their training and experience meet the permit requirements.

Other organizations also take into account the number of years of work experience, for example, 5, 7 or 10 years, to determine whether the applicant may be granted exemption from examinations, generally through an interview. These organizations thus examine the applications on a case-by-case basis and the number of examinations is not predetermined; an applicant may be granted an exemption from all examinations.

Another organization may encourage persons trained in engineering abroad to register in a university program specifically designed for them, so that they may acquire the qualifications to obtain their permit. A portion of the program provides a four-month paid internship, and the program can be completed within 12 to 24 months.

The practices are thus not consistent as regards the recognition of equivalence of diplomas and training. The question of homogeneity is not the real crux of the debate nor an imperative here, any more neither fairness of certain procedures in Canada which raise questions on which we will not comment here.

Nevertheless, this overview speaks for itself and leads us to the following observations:

- it appears that no other regulatory body in Canada systematically assigns foreign-trained applicants a fixed number of examinations;
- in the Canadian provinces, applicants who have non-equivalent or non-engineering training are processed fairly and in comparison to applicants having a diploma obtained under an accredited engineering program, at least in part;
- there are equivalence standards that would make it possible to distinguish the level of each applicant's knowledge, skills and competencies, making it possible to assign a given number of examinations that is not predetermined, or not to assign any.

## **5.7 Revision of the 2012 Policy**

During the investigation, the Order told the office of the Commissioner that the Committee of Examiners was considering the revision of its policy in effect at that time. Changes were to focus, in particular, on applicants classified in Category 4 of its policy.

## **6 Conclusions**

The analysis has led us to the following conclusions:

1. The change to the policy for assessing applications for the engineer's permit, adopted in late 2012, specifically targets those classified in Category 4 of the policy. These are applicants who have:

- an engineering diploma that the Order deems not to be equivalent to a Québec bachelor's degree in terms of the level, content or duration; or
  - a diploma in technology or in pure or applied sciences;
2. Most applicants affected by Category 4 of the Order's policy are foreign-trained: on average, over a period of six years, they represented close to 81% of the applications classified in this category;
  3. Before the adoption of the Order's new policy in 2012, applicants in Category 4 could be assigned up to 13 examinations; any more than that, their application was rejected. However, before the Order assigned the number of examinations, it could, in certain cases, take into account applicants' training and professional experience (2002 to 2010 policy) or their training (2010 to 2012 policy);
  4. With the Order's new policy (2012), the Order systematically assigns 11 examinations to everyone in Category 4;
  5. Under the Order's former policy, 50% of applicants were assigned seven or fewer examinations (median in 2008-2009 and 2011-2012). For several, the new policy would have added unjustified examinations and created a situation of inequity;
  6. The systematic assignment of examinations does not constitute a standard of equivalence, but a procedure applied indiscriminately regardless of each applicant's training and professional experience;
  7. An examination is above all a means of confirming learning or verifying the level of acquired knowledge and skills. It is not a learning activity to fill alleged gaps in training;
  8. The standards for equivalence of diplomas as drafted in the *Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des ingénieurs du Québec* call on the decision of a third party, here accredited by the CEAB or another organization, rather than on the statement or reference to actual standards of equivalence, as is generally seen in the Québec professional system;
  9. The regulation respecting the standards for equivalence provides that in assessing all applicants' equivalence of training, the Committee of Examiners must take into account the nature, content and quality of the courses taken, the number of years of schooling and pertinent work experience;
  10. The fact of systematically imposing 11 examinations frees the Committee of Examiners from the responsibility of assessing the equivalence of training of applicants. The latter thus no longer have the opportunity to have their prior learning recognized in order to be granted an exemption from a certain number of examinations;
  11. The notion of equivalence of training for Category 4 of the Order's new policy seems to no longer exist, contrary to the three other categories that benefit from an equivalence of diploma or training that has an impact on the number of assessed examinations;
  12. The Order's approach raises questions with respect to compliance with the concepts, principles and obligations of the recognition of competencies (qualifications) within Québec's professional system and with regard to the international conventions of which Canada is a signatory;
  13. The processing of permit applications from applicants classified in Category 4 appears to be unfair in comparison to that of the three other categories in the Order's new policy. Such appears to be the case even if applicants' profiles are

different, in terms of training and experience, and among applicants within the same Category 4, who also have different profiles;

14. The Order's new policy entails higher costs for applicants who must write 11 examinations, compared to applicants who had fewer than five examinations to pass under the former policy;
15. The Order's new policy entails longer timeframes for applicants compared to what they were when applicants could have had fewer than 11 examinations to pass under the former policy (and, consequently, shorter timeframes);
16. There is a perceived risk of dropout rates increasing with the practice of multiple examinations as a means to recognize an equivalence. The latter could have a systemic effect of exclusion by seriously reducing the feasibility of obtaining a recognition of equivalence and permit;
17. With the exception of Québec, no regulatory body for the engineering profession of Canada appears to systematically assign a fixed number of examinations for foreign-trained applicants;
18. During the investigation, the Order indicated to the office of the Commissioner that the Committee of Examiners was considering a revision of the policy currently in effect.

## 7 Recommendations

THAT the Order carry out, as soon as possible, the revision of its policy for evaluating applicants the engineer's permit, particularly as regards the systematic assignment of 11 examinations for applicants classified in Category 4 of the policy. This revision should make the Order's policy and practices compliant with the regulations in effect as well as with the concepts and principles of the recognition of competencies within the Québec professional system. To do so, the policy should provide that the Order:

- conduct an effective analysis of the files in order to identify and recognize each applicant's skills and knowledge;
- assign, in the event of deficiencies in skills and knowledge, learning activities to fill those gaps, either courses or internships;
- utilize, as part of the mechanism and at the equivalence recognition stage, examinations only:
  - to determine the nature and scope of the applicants' deficiencies in skills and knowledge, with a view to filling them; or
  - if in doubt as to applicants' training and professional experience, in order to confirm their purported skills and knowledge, given their diploma(s) and experience;
- consider that deficiencies with regard to the competencies required are filled when the successful completion of an assigned course or internship is certified by credible evaluations as part of the course or internship;

THAT the Order and the Office des professions du Québec initiate steps to amend the regulation respecting the standards for equivalence of diplomas and training in order to incorporate into it clearly defined standards for equivalence or, as section 94.1 of the *Professional Code* permits, that it refers to the standards developed by an external body.



## APPENDIX I PROCESSING OF APPLICATIONS AND ASSIGNMENT OF EXAMINATIONS BY THE ENGINEERING REGULATORY BODIES OF CANADIAN PROVINCES AND TERRITORIES

Organisation	Description
APEGNB (New Brunswick)	<ul style="list-style-type: none"> <li>▪ When the Association reviews a permit application from an individual whose diploma appears to be in engineering but the Association has little experience with the diploma-granting institution or is uncertain as to its quality, at least five confirmatory exams are required. If the individual holds a Master's degree in science recognized by the Association, the number of exams may be reduced to one or two.</li> <li>▪ When it is a diploma that the Association has already seen a number of times and is confident as to the quality of training, three confirmatory exams will be required. If the same individual has five or more years of engineering experience, an interview may enable him or her to be granted an exemption from the exams.</li> <li>▪ In most cases, applicants who have an engineering degree from a university recognized by the Association, obtained within a program accredited, for example, by the CEAB, do not have any confirmatory exams to write.</li> <li>▪ When the Association is uncertain, after analysis, that a diploma is actually an engineering degree, the applicant may be required to write qualifying exams (up to 22 in certain cases) or take courses to fill the gaps.</li> <li>▪ This same principle is applied to individuals who have an atypical educational path, for example, a diploma in chemistry and a Master's in chemical engineering, each applicant is examined according to his or her profile. The number of exams is not predetermined.<sup>67</sup></li> </ul>
APEGA (Alberta)	<ul style="list-style-type: none"> <li>▪ Graduates from outside Canada who have the equivalent of a Canadian four-year undergraduate degree in engineering may obtain their permit, though in certain cases, technical exams may be assigned. This depends on where the degree was obtained, the date it was obtained and work experience,<sup>68</sup> possibly reducing the number of exams.<sup>69</sup> Work experience supervised by an engineer in a foreign country, where the profession is or is not regulated, may be recognized provided that it encompasses the different types of activities carried out by Canadian engineers or geoscientists.<sup>70</sup></li> <li>▪ All permit applications are examined based on the individual applicant's profile. The number of exams assigned is not predetermined.</li> </ul>
APEGBC (British Columbia)	<ul style="list-style-type: none"> <li>▪ Applicants trained abroad who apply for a permit must demonstrate that they have a diploma equivalent to a four-year Canadian university degree in applied sciences, engineering, geoscience, science or technology.</li> <li>▪ Applicants outside of engineering or holding a non-engineering degree or diploma from a program not recognized by the APEGBC, through an agreement or other mechanisms, must have completed the requirements concerning exams or courses, when applicable.<sup>71</sup></li> <li>▪ They may be granted an exemption from exams if they hold an approved postgraduate degree and an undergraduate degree or they demonstrate that they have applied engineering principles and have the knowledge and competencies equivalent to that of a graduate in the context of an accredited program.</li> <li>▪ Before work experience is recognized, applicants assigned exams or courses must first complete them. There may be exceptions, which are examined on a case-by-case basis. In other words, an applicant may be credited one or more work experiences before having completed the training requirements.<sup>72</sup></li> </ul>

<sup>67</sup> Email from the APEGNB of March 30, 2015.

<sup>68</sup> [www.iegatapega.ca/index.php/licenses/pm-overview/pm-license/pm-academic-requirements/pm-eng-academic-requirements](http://www.iegatapega.ca/index.php/licenses/pm-overview/pm-license/pm-academic-requirements/pm-eng-academic-requirements) (consulted March 20, 2015).

<sup>69</sup> [www.iegatapega.ca/index.php/faq/faq-examswaived](http://www.iegatapega.ca/index.php/faq/faq-examswaived) (consulted March 20, 2015).

<sup>70</sup> [www.iegatapega.ca/index.php/licenses/pm-overview/pm-license/pm-experience-requirements](http://www.iegatapega.ca/index.php/licenses/pm-overview/pm-license/pm-experience-requirements) (consulted March 20, 2015).

<sup>71</sup> [www.apeg.bc.ca/Become-a-Member/How-to-Apply/Professional-Membership-and-Licence/Engineer-First-Time-Applying-in-Canada](http://www.apeg.bc.ca/Become-a-Member/How-to-Apply/Professional-Membership-and-Licence/Engineer-First-Time-Applying-in-Canada) (consulted March 19).

<sup>72</sup> [www.apeg.bc.ca/Become-a-Member/Academic-Examinations-and-Syllabi](http://www.apeg.bc.ca/Become-a-Member/Academic-Examinations-and-Syllabi) (consulted March 19).

Organisation	Description
	<ul style="list-style-type: none"> <li>▪ Applicants who have obtained their engineering diploma outside Canada and have more than seven years of experience in their field may be accorded an interview to determine whether they can be exempted from a portion or all of the exams that could be assigned to them.<sup>73</sup></li> <li>▪ Persons who apply for a permit and have a diploma in technology obtained after two or three years of studies or a non-engineering diploma without having a postsecondary diploma and who would be assessed more than nine exams cannot obtain a professional engineer's licence. Whether trained in Canada or abroad, they may apply for a limited licence to practise engineering, if their training and experience meet the permit requirements.<sup>74</sup></li> </ul>
APEGM (Manitoba)	<ul style="list-style-type: none"> <li>▪ Engineering graduates whose foreign university studies are equivalent to four years may have to write evaluation exams, following the review of their permit application. However, instead of exams, they may be: <ul style="list-style-type: none"> <li>• required to take courses;</li> <li>• called to an interview if they have over 10 years of experience as an engineer;</li> <li>• invited to register in a program at the University of Manitoba designed to enable foreign-trained engineers to acquire qualifications needed to obtain their permit;</li> <li>• encouraged to register in a Master's program offered by a faculty of science and engineering, or in a Master's or a doctoral degree in engineering.<sup>75</sup></li> </ul> </li> <li>▪ Applicants must have an engineering degree or the equivalent, regardless of where they are from. A diploma in technology will be considered only if the applicants also hold an engineering degree, for example, a Master's. No more than eight exams may be assigned, with most foreign graduates writing four to six. Applicants trained in a country that is a signatory of the Washington Accord or whose educational institution is included in the agreement with the Commission des Titres d'ingénieur (France) are granted exemptions from exams, as are applicants trained abroad and have a Canadian postgraduate degree.<sup>76</sup></li> </ul>
APEGS (Saskatchewan)	<ul style="list-style-type: none"> <li>▪ When a foreign-trained applicant has submitted an application for a permit, the APEGS confirms whether there is a need for an academic assessment. When such is the case, the APEGS will ask the applicant to complete a self-assessment form.</li> <li>▪ The self-assessment tool enables the person evaluating the application to see how the foreign training compares with CEAB standards. This affords applicants the opportunity to provide the best possible description of the content of each course taken and to show how they compare against the content of courses offered in Canada.<sup>77</sup></li> </ul>
APEY (Yukon)	<ul style="list-style-type: none"> <li>▪ Applicants must have a degree in engineering from an accredited engineering program or equivalent. Depending on their qualifications, including work experience, they may be required to pass exams. The APEGA (Alberta) is mandated by the APEY to process applications.<sup>78</sup></li> </ul>
Engineers Nova Scotia	<ul style="list-style-type: none"> <li>▪ Foreign-trained applicants who have trained in science and technology or a diploma in engineering that is not comparable to a Canadian diploma must register in a general exam program, with the number of exams varying between 6 and 25.</li> <li>▪ Applicants with a bachelor and Master's degrees in engineering may be granted an exemption from exams.</li> <li>▪ Each applicant is assessed on a case-by-case basis. Work experience is not taken into consideration, except where applicants have an engineering diploma comparable to a Canadian diploma and have 10 years of experience, which may result in exams being waived.</li> </ul>

<sup>73</sup> APEGBC Competency Assessment Guide for P.Eng. Applicants, Assessors and Validators. [www.apeg.bc.ca/getmedia/4941f3e7-ef49-4ee3-bd78-646de3657678/APEGBC-Competence-Assessment-Guide.pdf.aspx](http://www.apeg.bc.ca/getmedia/4941f3e7-ef49-4ee3-bd78-646de3657678/APEGBC-Competence-Assessment-Guide.pdf.aspx) (consulted on March 20).

<sup>74</sup> Other than the website, another source is an email from the APEGBC on March 31, 2015.

<sup>75</sup> [www.apegm.mb.ca/AssessmentExams.html](http://www.apegm.mb.ca/AssessmentExams.html) (consulted March 20, 2015).

<sup>76</sup> Email from the APEGM of May 12, 2015.

<sup>77</sup> [www.apegs.ca/Portal/Pages/self-assessment-engineering](http://www.apegs.ca/Portal/Pages/self-assessment-engineering) (consulted March 20, 2015).

<sup>78</sup> [www.apey.yk.ca/application-for-membership.php](http://www.apey.yk.ca/application-for-membership.php) (consulted March 20).

Organisation	Description
	<ul style="list-style-type: none"> <li>▪ Applicants have up to five years to complete the general exam program. However, few applicants have been required to complete the program since most were assigned confirmatory exams, which they have two years to complete.<sup>79</sup></li> </ul>
Engineers PEI (Prince Edward Island)	Applicants whose university studies were carried out under a program not accredited by the CEAB or by the Accreditation Board of Engineering and Technology of the United States could be assigned confirmatory or qualifying examinations appearing on the list of Engineers Canada in order to evaluate their training or program of training. <sup>80</sup>
NAPEG (Northwest Territories)	<ul style="list-style-type: none"> <li>▪ Applicants who are graduates from a university engineering or geoscience program that is not accredited by the Board of Examiners must, before being accepted for registration: <ul style="list-style-type: none"> <li>– pass the exams prepared by the Board;</li> <li>– have at least four years of experience, which the Board deems satisfactory, as an engineer or geoscientist.</li> </ul> </li> <li>▪ Such is also the case for applicants who are not graduates from a university program in engineering or geoscience, except if the applicant has at least six years of experience as an engineer or geoscientist.<sup>81</sup> The APEGA (Alberta) is mandated by the NAPEG for processing applications.<sup>82</sup></li> </ul>
PEGNL (Newfoundland and Labrador)	<ul style="list-style-type: none"> <li>▪ Applicants who hold a four-year bachelor's degree in technology or science (related field) or a pertinent three-year diploma in technology may be assigned a technical exam program: engineering science, specialization and complementary.</li> <li>▪ Applicants who would be assessed more than nine examinations will see their permit application rejected due to inadequate training.<sup>83</sup></li> </ul>
PEO (Ontario)	<ul style="list-style-type: none"> <li>▪ Applicants who have a diploma appearing similar to CEAB-accredited diplomas will have four confirmatory exams to write. Applicants with five or more years of experience may be granted an exemption, following an interview.<sup>84</sup></li> <li>▪ Applicants whose university training is judged by PEO to fall between technology and engineering, or a foreign diploma not recognized under an agreement, they may be assigned up to 18 examinations (basic, technical or complementary exams). They must also submit an engineering thesis. In lieu of exams, applicants may take courses, except for basic studies exams, which are prerequisite for the others. No applicants are granted an exemption from the engineering thesis. Ten years or more engineering work experience may enable applicants to be exempted from some or all of the exams, excluding the basic courses and the essay.<sup>85</sup></li> </ul>

<sup>79</sup> [www.secure.engineersnovascotia.ca/registration/assessment](http://www.secure.engineersnovascotia.ca/registration/assessment) (consulted March 20, 2015) and email from Engineers Nova Scotia of March 23, 2015.

<sup>80</sup> [www.engineerspei.com/node/135](http://www.engineerspei.com/node/135) (consulted March 20).

<sup>81</sup> *Engineering and Geoscientist Professionals Act* (Northwest Territories).

<sup>82</sup> [www.napeg.nt.ca/registration/forms-library](http://www.napeg.nt.ca/registration/forms-library) (consulted March 20).

<sup>83</sup> Email from PEGNL of March 26, 2015.

<sup>84</sup> [www.peo.on.ca/index.php/ci\\_id/2194/la\\_id/1.htm](http://www.peo.on.ca/index.php/ci_id/2194/la_id/1.htm) (consulted March 20).

<sup>85</sup> [www.peo.on.ca/index.php/ci\\_id/2195/la\\_id/1.htm](http://www.peo.on.ca/index.php/ci_id/2195/la_id/1.htm) (consulted March 20).



## **APPENDIX II INVESTIGATIVE METHODOLOGY**

### **Documentation consulted**

- Pertinent legislation and regulations
- Documentation provided by the Order
- Information available on the website of the Order and of other regulatory bodies elsewhere in Canada
- Documentation on the principles and good practices in recognition of competencies

### **Persons met or consulted**

- Ms. Alice Vien-Bélanger, head of permits at the Order
- Ms. Louise Chétrit, acting registration technician for the Order (formerly admission assistant)

### **Investigative activities conducted**

- Document research and analysis
- Discussions with the above-mentioned persons
- Consultation of documents and reports not accessible to the public

