Issues with Professional Mobility

- Demographic and economic challenges
- Fairness and individual rights
- Accountability of the self-governed regulatory bodies
- Specificity of jurisdictions
MRAs and the Québec Experience

- Internal Trade Agreement (ITA), Canada
- Québec-France Agreement on Mutual Recognition of Qualifications (2008)
- Québec-Ontario Agreement (2009)
- Agreements or mechanisms concerning one profession
  – Ex.: engineers with France

Québec-France Agreement

- Signed in October 2008 by the President of the French Republic and the Prime Minister of Québec
- Structured, supervised, common and mutual process for all regulated professions and trades
Québec-France Agreement (cont’d)

• Conditions of eligibility for individuals under the Agreement

1) **Academic qualifications** obtained from recognized competent authorities in France or Québec

2) **Legal authorization to practise** a profession, in effect and obtained in France or Québec

Québec-France Agreement -
The common and mutual process

1. Overall examination of qualifications
   • By competent authorities in Québec and France (bilateral process)
   • Scope of practice
   • Academic Credentials or other formal training
Québec-France Agreement -
The common and mutual process (cont’d)

2. Comparative assessment and findings
   • Global equivalency, or
   • Substantial differences
     − If differences in scopes of practice is associated with a specific training in one’s jurisdiction
     − If differences in academic credentials and other formal training relate to length and content, those being essential to practise in one’s jurisdiction (difference of length of at least one year)
   • Possible incompatibility

Québec-France Agreement -
The common and mutual process (cont’d)

3. Recognition, with or without conditions
   • If global equivalency
     − No additional training or assessment
   • If substantial differences
     − Standardized and ranked compensation measures
       • 1st Acquired experience
       • 2nd Adaptation program and training, or test
       • 3rd Gap training
Québec-France Agreement
The added value of the process

• Holistic look at a profession in each jurisdiction
  – Scope of practice, content and context of the profession
  – Education and training required for registration
  – The value of experience
• Group recognition instead of individual
• Tackle the real substantial differences instead of the apparent ones
• Threshold for acceptance set and validated by competent public authorities
  – Validation of public interest issues (public protection, economic development)
  – Validation of maintained requirements and differences

Québec-France Agreement
Results and some perspectives

• Signed MRAs
  – Now more than 80 professions, trades and occupations in Québec and France covered by a MRA
• Other similar agreements
• Comprehensive Economic and Trade Agreement (CETA) between Canada and the European Union
  – Under negotiation
  – Significant influence of the Québec-France experience in the mobility and recognition provisions
Potential of MRAs - A Commissioner’s perspective

• Better identify and manage the substantial differences between jurisdictions
  – Build bridges instead of looking at the distant shores
  – Gap training and conditions justified and realistic
  – Transparency
  – Predictability
  – Objectivity
  – Fairness
  – Efficiency

• Foster a structured and respectful dialogue between jurisdictions

Potential of MRAs - A Commissioner’s perspective (cont’d)

• Respect of each jurisdiction’s specificity
  – Culture, traditions and customs
  – Professional regulation model may vary according to:
    • Culture, traditions and customs
    • Local aspects, proximity service delivery setting
    • Purpose and delivery of professional services: serving the public, the economic activities and/or auxiliaries to State functions
    • Vision of State intervention: expectations from the public and the business sector
    • Socio-economic context
  – Avoid the political hurdles
    • Constitutional and else
Potential of MRAs -
A Commissioner’s perspective (cont’d)

- Bring about a fundamental change in the approach to mobility
  - Beyond case-by-case and document evaluation
  - Holistic look at a profession
    - Content
    - Context
    - Regulation
    - System by which the required competencies are developed

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Appendix
The Québec Professional System

• Protecting the public is a State mandate
• Harmonized system for all professions
• Public interest and consumer sensitivity
• One basic model for institutions, procedures and disciplinary complaints mechanism for the public
  – Professional Code, in force since 1974
  – Complementary professions’ specific legislation if needed
  – Similar regulation and mechanisms for the public
  – Now 52 professions (357 000 individuals) regulated under this model
• Under State orientation and supervision
  – Mainly through the Office of the Professions

Appendix
The Québec Professional System (cont’d)

• Degree of autonomy and self regulation
  – Through Professional Orders (regulatory bodies)
  – Role of Professionals in the regulation scheme: specialists running a specialized public entity
  – The Orders can initiate regulation/By-law on important professional matters but, to get the approval, must engage in a dialogue with public authorities about the relevance and the modalities
Appendix
The Québec Professional System (cont’d)

• Cooperation between Professional Orders
  – Through the Québec Interprofessional Council
• Accountability and transparency
  – Check and balance approach
  – Oversight government agency
    • The Office of the Professions with the Commissioner for Complaints
    • Investigation powers
  – Main regulations/By-laws examined then approved by public authorities and made public
  – Annual public reporting on activities
    • Content of the report established by regulation/By-law
    • Report submitted to the National Assembly

Appendix
The Québec Professional System (cont’d)

• Accountability and transparency (cont’d)
  – Presence of representatives of the public on
    • Board of Directors of the Office of the Professions
    • Board of Directors and Executive Committee of Professional Orders
    • Advisory Committee on Investigation Review
    • Disciplinary Council (through a lawyer presiding)
  – Subjected to the Access to information Act
    • For information on public protection related activities
Appendix
The Québec Professional System (cont’d)

• Information on the professional system

  – Office of the Professions du Québec
    (French only)
    www.opq.gouv.qc.ca

  – Québec interprofessional Council
    (French, English, Spanish)
    www.professions-quebec.org