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Ontario's Teaching Regulator  
L'organisme de réglementation  
de l'enseignement en Ontario

October 20, 2022

Greg Meredith  
Deputy Minister  
Ministry of Labour, Immigration, Training and Skills Development (MLTSD)  
400 University Ave., 4th Floor  
Toronto, ON M7A 1T7

Dear Deputy Minister Meredith,

**Re: *Fair Access to Regulated Professions and Compulsory Trades Act* – Request for Regulatory Proposal Input**

We are writing regarding the request to provide comments on the proposal to amend Ontario Regulation 261/22 under the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006 (FARPACKTA)*. Please find below a few clarification questions from the Ontario College of Teachers on the proposed regulation:

1. In the summary of the proposal, what is meant by “accommodate certain circumstances”?
2. There are three prescribed timelines. Does the exemption apply to all of them? Or at each individual stage?
3. Does the exemption apply on a case-by-case basis, by class of applicants, or for the profession as a whole? The College requests that the exemption be allowed for the entire profession as applying for exemptions on a case-by-case basis or by applicant type would be operationally unfeasible.
4. What is the expectation with respect to the appropriate supporting documentation and/or form required by the OFC? Would a written letter to the OFC suffice or is a lengthy report with statistical data including detailed projections required?
5. Would there be any caps on time limits for the exemption noting that the College has asked for a 5- year exemption period to come into compliance with the new requirements.
6. Are there any timelines by which the regulator is required to make the request for an exemption? Can the exemption be applied retroactively from the time of request to the approval stage?
7. When can regulators expect a decision after the application for an exemption is made?

8. What are the criteria that the Fairness Commissioner will use to make his recommendation to the Minister, and how do these criteria differ from the Minister's own set of criteria?
9. The proposal includes a statement that the Commissioner can look at "other relevant information" in assessing whether to grant the exemption. Is this statement meant to cover other information provided by the regulator or something else?
10. Will all regulators be assessed in the same way or will they be assessed on the basis of the regulator's specific circumstances (e.g., volume, labour shortage, etc.)?
11. What type of conditions could the Minister apply to the regulator?
12. Can the regulator appeal the Fairness Commissioner or Minister's decision?
13. Is there an opportunity for the regulator to present its case to the Fairness Commissioner/Minister (through an oral presentation or otherwise)?

We thank you in advance for considering our questions and recommendations and would be happy to discuss further.

Sincerely,



Diana Miles  
Chair of Council



Chantal Belisle, OCT  
Interim Registrar and Chief Executive Officer

cc: Nancy Naylor, Deputy Minister of Education  
Irwin Glasberg, Ontario Fairness Commissioner