



Division of Institutional and Industrial Education

OPERATIONAL PROCEDURE

Topic: Designation of Occupations

Provincial Apprenticeship and Certification Board (PACB)

Related Policy: PACB Policy # 13(B)

Procedure No.: 13PR-A

Effective Date: December 8, 2009

PROCEDURE

The purpose of this procedure is to assist in the preparation of an application, or request, for designation of a trade (optional certification, compulsory certification, provincial designation) by industry. It will also serve as a guideline for processing by those involved in the application, review and designation of a trade under the *Apprenticeship and Certification Act* (1999).

The Provincial Apprenticeship and Certification Board, through legislative authority, shall determine whether an occupation is appropriate for certification and if so, shall designate that occupation.

The Division herein refers to the Division of Institutional and Industrial Education. The Board or PACB herein refers to the Provincial Apprenticeship and Certification Board.

DESIGNATED OCCUPATION

A designated occupation is an occupation that has been approved by the Provincial Apprenticeship and Certification Board on the recommendation of the specific industry and the Director of Apprenticeship for apprenticeship training and/or certification. Designated occupations have established competencies. When an individual demonstrates the standards of competence, they receive a Certificate of Qualification. All registered apprentices and trade qualifiers who have satisfactorily completed the requirements for apprenticeship or trade qualification, and who have passed the required examination(s) and paid prescribed fees, will be issued a Certificate of Qualification signed by the Minister of Education and Director of Apprenticeship.

APPLICANT

Any representative group or association within a trade can make a request for designation of the trade. Completion and submission of an application to the Board is the first step. Staff of the Division of Institutional and Industrial Education are available to guide applicants through the process.

APPLICATION PROCESS

1. Determine if there is support within your industry for the proposed designation.
2. Application must come from industry.
3. Prepare a letter applying for designation (Optional, Compulsory Certification or Provincial). Detailed supporting documentation must be attached, using the criteria and guidelines outlined in this procedure document.
4. Contact the Manager, Standards and Curriculum, IIE Division at 709-466-3977 for more information and assistance or visit <http://www.gov.nl.ca/app>.
5. Send the completed letter and application to:

Director, Institutional and Industrial Education
Department of Education
P.O. Box 8700
Confederation Building
St. John's, NL A1B 4J6

REVIEW OF APPLICATIONS

1. An application is an attempt to collect information that will assist the PACB in the review of a request for designation of a trade. Applications for designation and their supporting documentation will be reviewed for completeness. The applicant will be contacted as soon as possible concerning any additional information needed or matters requiring clarification.
2. Applications and their supporting documentation will be reviewed first by the Department of Education, IIE Division. The Manager of Standards and Curriculum shall review the application to determine if all the required information is included. If the application is incomplete, it will be returned to the applicant group for revision.
3. The full information package will be submitted to the Director for consideration prior to presentation to the PACB. The Director will determine if additional consultation is necessary with other government departments or other provinces..

As well, a determination will be made regarding requirement of additional stakeholder consultation.

4. The Board will give full consideration to the submission and make a decision on the designation of the trade.
 - a. If the PACB recommends approval of the application and the trade is designated:
 - i. The Director will be directed to inform the applicant in writing of the decision.
 - ii. The Director will request the Manager of Standards and Curriculum to develop a Plan of Training (POT).
 - iii. The Director will request the Manager of Industrial Training to initiate the process of setting up credential assessment for existing uncertified journeypersons or apprentices.
 - b. If PACB rejects the application:
 - i. The Director will be directed to inform the applicant in writing of the decision.
 - ii. Applicants may reapply for designation after a period of twelve (12) months.

CATEGORIES

Interprovincial Trades:	Trades that offer an ‘interprovincial’, or ‘Red Seal’ endorsement, permitting the holder to move and work in other provinces/territories without having to write any further examinations.
Provincial Trades:	Non-Red Seal trades designated provincially for training and/or certification where local needs dictate.
Compulsory Certification:	To work in a compulsory certification trade a person must either hold a trade certificate or be a registered apprentice in the trade. An employer wishing to hire persons to work in the trade must hire only certified journeypersons in that trade or individuals who are registered apprentices in the trade. Trades designated as compulsory certification usually involve work where public and worker safety could be at risk.
Optional Certification:	An individual is permitted to work in an optional certification trade if he or she has the skills and knowledge expected of a certified journeyperson in the trade. There is no requirement to hold a certificate in the trade.

Training and Certification: Both training and certification are provided in Newfoundland and Labrador for these trades.

Certification Only: Training is not currently provided in Newfoundland and Labrador for these trades, however, the Department does provide certification examinations.

DESIGNATED OCCUPATIONS

A list of all Designated Trades in Newfoundland and Labrador is provided online at the following website <http://www.ed.gov.nl.ca/app/trades.html>

REVIEW CRITERIA

ALL TRADES

When the Division and the PACB review applications for designation of a trade, it will consider:

1. The extent of industry support for the proposed designation;
2. The need for apprenticeship training in the proposed trade (combination of work experience and formal training), *and the following, as applicable:*
3. The range of skills and extent of technical knowledge required to work in the proposed trade and industry's desire to train for or recognize these skills and knowledge.
4. Whether the proposed trade would provide for a viable career.
5. The degree to which the skills and technical knowledge required for the proposed trade overlap with those required for existing trades, including the potential for duplication of existing training or certification in any other occupation.
6. Whether the designation of the proposed trade would require further authorization or approval by other government departments or agencies.
7. The impact the proposed designation would have in Newfoundland and Labrador and other provinces and territories.
8. Whether the estimated annual number of new apprentices entering the proposed trade could sustain a viable training program.

COMPULSORY CERTIFICATION TRADES

When the Division and the PACB review an application for designation as a compulsory certification trade, it will consider, in addition to the criteria for the designation of all trades, *all* the following:

1. The degree of risk of harm to workers from the improper application of the materials and methodology of the proposed trade.
2. The degree of risk of harm to the public from:
 - i. the improper application of the materials and methodology of the proposed trade.
 - ii. the activity or product produced by the proposed trade.
3. The demonstrated need for proven competency to perform the work of the proposed trade due to the presence or use of any or all of the following:
 - i. dangerous substances.
 - ii. dangerous or destructive equipment.
 - iii. dangerous techniques or practices.
4. The extent of industry support for the proposed compulsory certification designation.

PROVINCIALY DESIGNATED TRADE

When the Division of Institutional and Industrial Education and the PACB review applications for Provincial designation as an occupation, it will consider:

1. The extent of industry support for provincially recognized standards of competency.
2. Whether provincially recognized standards of competency result in a demonstrated benefit to workers and the Newfoundland and Labrador workforce.
3. The range of skills and knowledge required to be competent in the occupation.
4. The degree to which the tasks of the occupation overlap with the tasks of any existing designated trade or occupation.
5. The impact the designation would have in Newfoundland and Labrador and other provinces and territories.
6. Whether the proposed designated occupation would provide for a viable career.

Role of Industry:

- Request designation of trade
- Participate on provincial Trade Advisory Committees appointed by the Board
- Identify training/curriculum standards, requirements for certification, course outlines and assessment process (through the provincial trade advisory committees and PACB).
- Recognize holders of trade certificates

Approved by: _____

Date: _____

Reviewed: _____

Criteria Guidelines

OPTIONAL CERTIFICATION

When preparing an application for designation, include in addition to the information provided under the criteria for the designation of all trades, the following information.

1. The extent of industry support for the proposed designation.

- a) Describe the composition of the industry, including, but not limited to, the various sectors that make up the industry, names of employers and employee associations.
- b) Provide a list of individuals and companies/associations involved in the development of the application. Include the group or sector they represent.
- c) Indicate to what extent all sectors, groups, associations, employers and employees within the industry support the application. Describe the process used to determine industry support and provide a report of the results.

2. The need for apprenticeship training in the proposed trade (combination of work experience and formal training).

- a) Indicate if there are existing programs of study or training programs in the proposed trade in Newfoundland and Labrador, the scope of the programs, and why the programs do not meet industry's requirements.
- b) Indicate how workers in the proposed trade currently receive training.

And the following, as applicable:

1. The range of skills and extent of technical knowledge required to work in the proposed trade and industry's desire to train for or recognize these skills and knowledge.

- a. Describe the skills and knowledge required to perform the main functions of the proposed trade.
- b. Describe how the training standards will be (i) measured and (ii) kept current.
- c. Indicate the entry level educational requirements for the proposed trade.
- d. Provide a description of the technical knowledge, type and scope of training required to perform the task of the trade.
- e. Indicate the estimated length of technical and on-the-job training required.

2. Whether the proposed trade would provide for a viable career.

- a. Indicate historical employment rates of workers in the proposed trade and projections for the future. Include seasonal fluctuations, if applicable.

3. The degree to which the skills and technical knowledge required for the proposed trade overlap with those required for existing trades, including the potential for duplication of existing training or certification in any other occupation.

- a. Is there an overlap between the proposed trade and any existing trade? Explain the overlap, including whether there is an overlap in the training required; the skills and competencies required to perform the work of the trade, and the scope of the trade.
- b. Indicate whether there is any duplication of training or certification between the proposed trade, and any other occupation. Describe the duplication.
- c. Describe the results of any consultation conducted with any other trade or occupation about this application for designation.

4. Whether the designation of the proposed trade would require further authorization or approval by other government departments or agencies.

- a. Indicate whether the designation of the proposed trade would require approval or authorization from any other government department or agency. For example, would it need to be approved or regulated under the *Safety Codes Act*, *Occupational Health and Safety Act*, or *Professional and Occupational Associations Registration Act*.
- b. Indicate whether there has been any discussion with industry or government officials in other provinces or territories with respect to the impact of designation.

5. The impact the proposed designation would have in Newfoundland and Labrador and other provinces and territories.

- a. Indicate the effect the designation of the proposed trade would have on the Newfoundland and Labrador apprenticeship and industry training system and the labour market, including (i) individuals, (ii) employers, and (iii) the general public.
For example would it cause wages to rise? What effect would it have on those people currently working in the trade? Would employers be willing to employ workers who had training and certification in the proposed trade? How would it benefit the general public? Are there any union related issues?
- b. Indicate if the trade is designated or recognized, or if the workers in the proposed trade are certified anywhere else in Canada.
- c. Indicate whether there is a potential for national standards or recognition. Describe.

- 6. Whether the estimated annual number of new apprentices entering the proposed trade could sustain a viable training program.**
 - a. Indicate the approximate annual number of new apprentices that could require training. Describe how this estimate was determined.
 - b. Describe how industry's willingness to support technical training would be demonstrated.

COMPULSORY

When preparing an application for designation as a compulsory certification trade, include, in addition to the information provided under the criteria for the designation of all trades, the following information.

- 1. The degree of risk of harm to workers from the improper application of the materials and methodology of the proposed trade.**
 - a) Indicate the types of situations where worker(s) are injured or put in danger by the materials and methodology of the proposed trade.
 - b) Indicate the frequency and severity of events involving materials, equipment and practices where worker(s) are injured or put in danger.
- 2. The degree of risk of harm to the public from:**
 - a) The improper application of the materials and methodology of the proposed trade.
 - b) The activity or product produced by the proposed trade.
 - c) Indicate the types of situations where persons other than the worker(s) are injured or put in danger by the improper application of the materials or methodology of the proposed trade.
 - d) Indicate the frequency and severity of events involving materials, equipment and practices where persons other than worker(s) are injured or put in danger.
- 3. The demonstrated need for proven competency to perform the work of the proposed trade due to the presence or use of any or all of the following:**
 - a) Dangerous substances.
 - Indicate what substances commonly used in the trade might be considered dangerous and what harm they might cause.
 - Indicate the frequency of instances where injury or health concerns resulted from these substances.
 - b) Dangerous or destructive equipment.
 - Indicate the equipment or tools commonly used in the trade that might be dangerous or destructive and what harm they might cause.
 - Indicate the frequency of instances where injury or health concerns resulted from these equipment or tools.
 - c) Dangerous techniques or practices.

- Indicate the techniques or practices commonly used in the trade that might be dangerous and what harm they might cause.
- Indicate the frequency of instances where injury or health concerns resulted from these practices.

4. The extent of industry support for the proposed compulsory certification designation.

- a) Indicate the reasons provided by those who support the application for compulsory certification.

PROVINCIAL

When preparing an application for a provincial designated occupation, include the following background information in support of the criteria.

1. The extent of industry support for provincially recognized standards of competency

- a) Describe the composition of the industry, including, but not limited to, the various sectors that make up the industry, names of employer and employee associations.
- b) Provide a list of individuals and companies/associations involved in the development of the application. Note the group or sector they represent.
- c) Indicate to what extent industry has been involved in the development of the application. Describe the process used to determine industry support and provide a report of the results.
- d) Describe the extent of opposition to the application and the specific concerns. Describe whether the concerns are related to certification or jurisdiction.
- e) Demonstrate the understanding that training is not a requirement under a designated occupation.
- f) Indicate how industry's willingness to pay the administration and certification costs for the occupation is demonstrated.

2. Whether provincially recognized standards of competency result in a demonstrated benefit to workers and the Newfoundland and Labrador workforce.

- a) Describe the benefit of provincial recognition to the worker, the employer and to society.
- b) Identify the competencies that would be recognized by provincial certification.

3. The range of skills and knowledge required to be competent in the occupation.

- a) Describe the general skills and knowledge that people in the occupation require. Describe how these skills and knowledge are identified. Describe the standards applied.
- b) Indicate how the standards of achievement of competence could be measured and kept current (updated).
- c) Describe the need to recognize existing skills held by workers in the occupation.
- d) Indicate whether there is a shortage of workers who have the necessary skills.
- e) Describe how people usually obtain the skills and knowledge they require to work in the occupation.

4. The degree to which the tasks of the occupation overlap with the tasks of any existing designated trade or occupation.

- a) Indicate whether there are any competency based certification programs or training programs in this occupation.
- b) Indicate whether there are any existing recognized certificates available for workers in the proposed occupation. If there are, indicate who issues the certificates and why the certification program(s) fall short of industry's needs.
- c) Describe how the proposed designated occupation credential would fit with the existing credential.
- d) Indicate whether the proposed occupation is recognized or certified anywhere else in Canada. If it is, indicate where and describe the recognition or certification.
- e) Indicate whether there is a potential for national standards and recognition.

5. The impact the designation would have in Newfoundland and Labrador and other provinces and territories.

- a) Describe the impact designation may have on the industry, and on the workers within the occupation.
- b) Describe the benefits of designation to the worker, the employer and to society.

6. Whether the proposed occupation would provide for a viable career.

- a) Indicate the number of people currently working in the occupation and how many employers there are in the industry.
- b) Describe the projected outlook for employment in the proposed occupation.