



March 23, 2026

Sent via e-mail

Melanie Siewert  
Chief Executive Officer  
Professional Geoscientists Ontario  
155 University Avenue, Suite 302  
Toronto, Ontario M5H 3B7

Dear Ms. Siewert:

**Re: Decision on Alternative Documentation Policy Submitted by the  
Professional Geoscientists Ontario  
Our File Number: ADP 15**

I am enclosing my decision with respect to the application submitted by Professional Geoscientists Ontario ("PGO") to approve its alternative documentation policy (the policy) pursuant to subsections 12.1(3) and (5) of the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006* ("FARPACTA" or "the Act").

After reviewing the policy and the information that PGO has provided, I have determined that the policy meets the legal requirements set out in FARPACTA and Ontario Regulation 261/22 made under the Act.

Accordingly, I have approved this application. My reasons for this determination are set out in the enclosed decision.

Thank you for your organization's constructive engagement in this process.

Yours truly,

A handwritten signature in black ink, appearing to read "Irwin Glasberg".

Irwin Glasberg  
Fairness Commissioner

cc: Mariela Orellana, Director  
James Mendel, Compliance Analyst

**Office of the Fairness Commissioner  
Request for Approval of Alternative  
Documentation Policy  
Professional Geoscientists Ontario  
Our File Number: ADP 15**

**Decision**

**Nature of Application:**

This decision pertains to an application brought by Professional Geoscientists Ontario (“PGO” or the “regulator”) for me, as Fairness Commissioner, to approve its alternative documentation policy (the “policy”) pursuant to subsections 12.1 (3) and (5) of the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006* (“FARPACTA” or “the Act”).

After reviewing the policy and considering all the information that PGO has provided, I have determined that the regulator’s policy fulfills the legal requirements contained in both the Act and Ontario Regulation (O. Reg.) 261/22 made under the Act (the “regulation”).

Thus, my decision is to approve this application. My reasons for this determination are set out below.

**Analysis:**

*The Relevant Legal Framework*

On October 28, 2024, the *Working for Workers Five Act, 2024* received Royal Assent. Among other things, this bill added new provisions to FARPACTA that impose a legal obligation on each regulated profession to establish an alternative documentation policy. The regulation also stipulates that the policy must address specific elements and be submitted to the Fairness Commissioner for approval.

Given that I must determine whether the regulator’s policy incorporates each of the required legal obligations, I will first summarize these legal provisions.

Under subsection 12.1 (1) of the Act, a regulated profession is required to have a policy to address the alternatives to the documentation of qualifications that it normally

requires for licensure that it will consider to be acceptable -- what I will subsequently refer to as Legal Obligation no.1.

Pursuant to subsection 12.1 (2) of the Act, such a policy must:

- Provide that the regulated profession will accept reasonable alternatives to the documentation that is normally required if the required documentation cannot be obtained for reasons beyond an applicant's control. (Obligation no. 2)
- Describe what constitutes a reasonable alternative. (Obligation no. 3)
- Include the timelines within which the regulated profession will process such alternative documentation and inform the applicant of the next steps. (Obligation no. 4)
- Comply with any requirements set out in the regulations respecting the policy, including respecting how the policy must address the matters described in the first three points listed above. (See discussion below)

Subsection 4.1 (1) of the regulation further particularizes the requirements that the regulator's alternative documentation policy must fulfill. It provides that the policy must:

- Identify the types of alternatives that the regulated profession will accept under various situations, including wars, natural disasters, and other situations when the document-issuing institution no longer exists, refuses to provide the documents without justifiable reasons, takes an unreasonable amount of time to respond or when there could be harm to the applicant from seeking the required documents. (Obligation no. 5)
- Provide that, whenever feasible, the regulated profession will accept alternatives, whether or not they are documents, that demonstrate an applicant's experience, knowledge and skills. (Obligation no. 6)
- Clearly set out the regulated profession's requirements regarding the translation of alternative documentation, if any. (Obligation no. 7)
- Provide that, within 10 business days after receiving an alternative document or related information, the regulated profession will give the applicant written acknowledgement that it has received the document or information and indicate whether further documents or information are required. (Obligation no. 8)

- Set out how an applicant can make a request to submit alternatives and how the regulated profession will determine whether the applicant may submit such alternatives. (Obligation no. 9).

Subsection 4.1 (2) of the regulation then goes on to stipulate that a regulated profession shall post its alternative documentation policy online.

Shifting to the approvals process for the policy, subsection 12.1 (3) of FARPACTA then stipulates that a regulated profession must submit the policy to the Fairness Commissioner for review. Pursuant to subsection 12.1 (4), a regulated profession is also required to submit an updated policy to the Fairness Commissioner for review whenever there is a change in circumstances that may affect the policy.

Subsection 12.1 (5) goes on to provide that, before implementing a policy or updated policy, a regulated profession shall:

- (a) respond to any input from the Fairness Commissioner regarding the policy or updated policy and,
- (b) if the regulations so provide, obtain the Fairness Commissioner's approval of the policy or updated policy or implement the changes to the policy or updated policy required by the Fairness Commissioner.

Subsection 12.1 (6) further obliges the Fairness Commissioner to comply with any regulations prescribing the process for approving a policy or updated policy. Such provisions are set out in section 4.3 of the regulation. Subsection 4.3 (1) of the regulation specifically provides that the approval of the Fairness Commissioner must be obtained in respect of a policy or updated policy.

Under paragraph 1 of subsection 4.3 (2) of the regulation, upon receipt of a regulator's alternative documentation policy, the Fairness Commissioner shall review the document and either:

- approve it,
- require additional information from the regulated profession, or

- respond to the regulated profession with an explanation of what changes are required for approval and a statement that approval is contingent on the required changes being made.

By virtue of paragraph 2 of subsection 4.3 (2), the Fairness Commissioner is obliged to consider any input provided by the regulated profession.

Finally, subsection 4.3 (3) of the regulation requires that a regulator submit its policy to the Fairness Commissioner for approval no later than January 1, 2026.

To summarize these provisions, each regulated profession is required to submit an alternative documentation policy to the Fairness Commissioner by the specified date. The regulator must ensure that its policy satisfactorily incorporates each of the legal obligations outlined in the Act and regulation.

The role of the Fairness Commissioner is, in turn, to review the policy and to either (1) approve it, (2) require additional information or (3) advise the regulator of the changes required for approval and indicate that approval is contingent on making the required changes.

In seeking the Fairness Commissioner's approval of its alternative documentation policy, the regulated profession bears the onus of establishing that the policy incorporates each of the prescribed legal obligations. My interpretative lens will be to confirm that each obligation has been fulfilled in a satisfactory way and that the regulator has turned its mind to this exercise in a conscientious fashion.

*My Evaluation of the Regulator's Alternative Documentation Policy and Related Submissions:*

On December 18, 2025, PGO submitted an early version of its alternative documentation policy to staff of the Office of the Fairness Commissioner (the "OFC") to undertake an informal review. Staff then provided several proposals to make the policy adhere more closely to the requirements in the Act and regulation.

The regulator subsequently adopted these suggestions. On March 18, 2026, the president of PGOs' council approved this policy, which our office received on March 20, 2026. I have attached this document, entitled "Alternative Documents Policy", as Appendix "A" to this decision.

I have carefully reviewed the contents of this policy in conjunction with the legal obligations contained in the Act and the regulation and can confirm that it satisfactorily addresses each of the nine prescribed legal obligations.

In my view, PGO has made a conscientious and good faith effort to develop an alternative documentation policy that reflects its regulatory context.

I particularly appreciated the compactness of the policy, and the regulator's willingness to allow applicants to submit non-documentary evidence to substantiate their credentials.

**Decision:**

Following a careful review of the PGO's alternative documentation policy, as approved by its council president, and in conjunction with my analysis of the pertinent legal obligations and the considerations that I have outlined above, I find that the regulator's policy satisfactorily addresses each of the identified legal obligations outlined in the Act and the regulation.

Therefore, I hereby approve PGO's policy entitled "*Alternative Documents Policy*", which I have enclosed as Appendix "A" to my decision.

I would remind the regulator of its obligation, under subsection 4.1 (2) of the regulation, to post this policy on its internet site.



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Irwin Glasberg  
Fairness Commissioner

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March 23, 2026



155 University Avenue, Suite 302  
Toronto, Ontario M5H 3B7  
Website: [www.pgo.ca](http://www.pgo.ca)  
E-mail: [info@pgo.ca](mailto:info@pgo.ca)

## Alternative Documents Policy

Section 12.1 of FARPACTA reads as follows:

- (1) A regulated profession shall have a policy addressing what alternatives to the documentation of qualifications that is normally required will be acceptable.*

### 1. Policy Statement

Professional Geoscientists Ontario (PGO) recognises that circumstances may prevent an applicant from submitting specific required documentation for reasons beyond their control. In such instances, PGO will exercise discretion to consider alternative evidence or information, provided that doing so upholds the integrity and rigor of PGO's licensing processes.

### 2. Declaration of Circumstances and Institutional Response Times

PGO will accept alternative documentation when standard documentation cannot be obtained from institutions or regulatory authorities due to reasons outside a candidate's control, including:

- a) wars and natural disasters;
- b) when the document-issuing institution no longer exists, refuses to provide standard documentation without justifiable reasons, is non-responsive or takes an unreasonable amount of time to respond; and
- c) when there could be harm to the candidate from seeking the required documents.

In assessing whether a document-issuing institution has or is taking an unreasonable amount of time to respond, PGO will take into account:

- a) the type of standard documentation requested;
- b) the typical response time or published service standards of the document-issuing institution; and
- c) the response times of similar institutions within the same jurisdiction, if that information is available to PGO.

For official academic transcripts, a waiting period exceeding sixty (60) days after the candidate has completed all required steps with the issuing institution will be considered unreasonable, unless the institution has provided a clear anticipated time for delivery. For other types of documentation, a waiting period exceeding three (3) months, without a reasonable explanation from the institution or the individual for the delay, or an anticipated timeline for providing the requested documentation, will generally be considered unreasonable.

Where a document-issuing institution or individual has provided a specific timeline for delivery, PGO may decline to accept alternative documentation until that timeline has passed.

Where a candidate is unable to obtain standard documentation for compelling reasons outside of their control and not listed above, PGO may consider accepting alternative documentation on a case-by-case basis, consistent with the intent of this Alternative Documents Policy.

### **3. Consideration of non-documentary evidence**

Whenever feasible, PGO will accept alternatives, whether or not they are documents, that demonstrate an applicant's experience, knowledge and skills.

In situations where alternative documentation is limited or insufficient for PGO to adequately assess and validate a candidate's qualifications, the candidate may, with the authorisation of the Registrar, do one or more of the following:

- submit alternative evidence that reconstructs the candidate's education and professional registration;
- complete assessments or courses as determined by PGO as an alternative method of assessing the candidate's knowledge and skills; or
- request an interview with the Registration Committee, if all other avenues for obtaining alternatives have been exhausted.

### **4. Declaration of Processing Timelines**

Alternative documentation submitted for review by the Registration Committee will be considered by the committee at their next scheduled meeting. The applicant will be informed of the decision and the next steps within ten (10) business days of the meeting date. Registration Committee meetings are held approximately every six (6) to eight (8) weeks.

### **5. Document Translation**

Documentation must be provided to PGO in English. Documentation submitted in any other language must be translated into English by a translator certified by the Association of Translators and Interpreters of Ontario and is the sole responsibility of the applicant.

### **6. Requesting Consideration of Alternatives**

If an applicant wishes to request consideration of alternative documentation, they should contact the Registrar, and provide detailed reasons as to why they are unable to have the required documents sent to PGO:

- By email: [registrar@pgo.ca](mailto:registrar@pgo.ca), or
- By mail: Attention Registrar:  
155 University Avenue, Suite 302,  
Toronto, ON  
M5H 3B7.

Approved on March 18, 2026, by:



Eilidh Lewis, M.Sc., P.Geo.  
Registrar



Melanie Siewert, P.Geo. (Limited)  
CEO



Robert Hearst, P.Geo.  
PGO Council President