



AUTORITÉ
DES MARCHÉS
FINANCIERS

Probationary Period Guide

Practical Advice for Trainees and Supervisors

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Written by

Direction de la qualification

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Table of contents

Introduction	4
Part 1	
General information	5
1.1 What is involved in the probationary period?	6
Part 2	
Prior to the probationary period	8
2.1 Who may act as a supervisor?	8
2.2 How can the probationary certificate issued by the AMF be obtained?	9
2.3 Why is it necessary to have a valid probationary certificate issued by the AMF before starting the probationary period?	10
Part 3	
During the probationary period	12
3.1 Which professional activities may a trainee perform?	12
3.2 What are the trainee's obligations during the probationary period?	13
3.3 What are the supervisor's responsibilities during the probationary period?	14
3.4 Special situations	16
Part 4	
After the probationary period	20
4.1 What situations would justify a supervisor's refusal to recommend a trainee (unsuccessful probationary period)?	21
4.2 Can a candidate undertake more than one probationary period?	22
4.3 How can the trainee continue developing and consolidating his professional competencies after the probationary period?	23

INTRODUCTION

This guide is intended for candidates who are required to undertake a probationary period to obtain a representative's certificate from the *Autorité des marchés financiers* (the "AMF") as well as the supervisors who must coach them during this period, according to the terms set out in the *Regulation respecting the issuance and renewal of representatives' certificates*.

Among other things, it provides information to help trainees submit an application for a probationary certificate, describes the obligations and responsibilities of trainees and supervisors, and explains the steps to be taken after the probationary period.

01

GENERAL INFORMATION

Successfully completing the probationary period is mandatory for obtaining an insurance representative's certificate. During the probationary period, the trainee must complete at least 28 hours¹ of work per week over six or twelve weeks, depending on his sector or sector class.

Sectors with a compulsory 12-week probationary period	Sector classes with a compulsory 6-week probationary period
<ul style="list-style-type: none"> ■ Insurance of persons 	<ul style="list-style-type: none"> ■ Accident and sickness insurance
<ul style="list-style-type: none"> ■ Group insurance of persons 	<ul style="list-style-type: none"> ■ Group insurance plans ■ Group annuity plans
<ul style="list-style-type: none"> ■ Damage insurance 	<ul style="list-style-type: none"> ■ Personal-lines damage insurance ■ Commercial-lines damage insurance
<ul style="list-style-type: none"> ■ Claims adjustment 	<ul style="list-style-type: none"> ■ Claims adjustment in personal-lines damage insurance ■ Claims adjustment in commercial-lines damage insurance

In the case of a probationary period for an entire sector, a trainee must ensure that he assumes responsibility for a variety of files in order to cover all the types of products in each sector.

If the sector in which a trainee is completing a probationary period is made up of two classes, as is the case for the damage insurance sector, the trainee will have to develop his competencies in personal-lines damage insurance over a six-week period and then in commercial-lines damage insurance over another six-week period. The period during which the candidate is authorized to practise in each of the sector classes is indicated on the probationary certificate as well as in the public register available on the AMF's website.

1. On statutory holidays, a trainee is considered to have worked seven hours.

1.1

What is involved in the probationary period?

While the first week of the probationary period can comprise observation and training with respect to the various products and computer systems, as well as becoming familiar with the various facets of the job, the trainee will gradually have to assume responsibility for the tasks reserved for representatives. The supervisor must guide and coach him in developing and consolidating his knowledge (understanding, information), know-how (skills, acquisition of techniques) and people skills (social skills, behaviours, attitudes).

The following are examples of the three types of knowledge the trainee must develop during his probationary period. The trainee must be able to apply this knowledge to the professional activities reserved for certified representatives.

Knowledge

- Industry-specific vocabulary;
- The various insurance contracts used and their structure;
- Features of the products or services offered by the employer;
- The employer's standards;
- The tools available to ensure that no omissions or errors are committed;
- The characteristics of the target clientele;
- Certain sections of legislation and codes and certain agreements.

Know-how

- Developing efficient working methods appropriate to the tasks of a representative;
- Carrying out tasks quickly and efficiently;
- Synthesizing the information gathered;
- Managing a call or meeting;
- Analyzing financial security needs (for the insurance of persons and group insurance of persons sectors, and their sector classes);
- Offering and recommending a product adapted to a client's needs;
- Evaluating the impacts of an insurance contract, if applicable (for the damage insurance sector or any of its sector classes);
- Settling a claim based on the client's coverage (for the claims adjustment sector or any of its sector classes).

People skills

- Adapting to a variety of situations and adapting one's behaviour according to the characteristics of the situation or the clientele;
- Being professional and courteous with clients;
- Holding a discussion and convincing people in order to reach an agreement on a given subject;
- Communicating with people and listening to them actively.

02

PRIOR TO THE PROBATIONARY PERIOD

The trainee is responsible for finding a workplace as well as a supervisor who will coach and guide him in developing his competencies.

Choosing the right supervisor and workplace is important. We suggest that the trainee and the supervisor meet before the probationary period starts, to talk about their respective expectations, how they would like to work together, the type of support the supervisor will give, the availability of the supervisor, as well as the level of autonomy expected from the trainee. At this meeting, the trainee and the supervisor must make sure they will also be able to meet the obligations and responsibilities prescribed by the *Regulation respecting the issuance and renewal of representatives' certificates*.

2.1

Who may act as a supervisor?

A representative may act as a supervisor or replacement supervisor if he is authorized to pursue activities as a representative at the time of the probationary period and if he has held a certificate for at least 24 of the past 36 months in the same sector or sector class in which the candidate is applying for a certificate. In addition, the supervisor and the replacement supervisor must satisfy certain honesty criteria, in particular:

- in the five years preceding the candidate's application, the supervisor and the replacement supervisor have not been the subject of a disciplinary sanction, in particular a fine or a suspension, imposed by a disciplinary committee established under *An Act respecting the distribution of financial products and services* or the Court of Québec, sitting in appeal of a decision issued by such a committee;
- in the five years preceding the candidate's application, the supervisor and the replacement supervisor have never been struck off the roll by a disciplinary committee of a professional order;
- the supervisor and the replacement supervisor have not been the subject of conditions or restrictions affecting their ability to act as supervisors;
- the supervisor and the replacement supervisor have not received a second written notice from the AMF during the past year for failing to fulfill their obligations as supervisors.

Other than these eligibility criteria, the supervisor must have the time, the qualities and the skills needed to properly supervise a trainee.

During the probationary period, if the supervisor no longer meets one of the above criteria he must cease immediately to act as the trainee's supervisor.

Where a candidate has only one supervisor, the supervisor may be replaced by someone else. The replacement supervisor must have been identified in the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form, and is authorized to undertake the supervision of the trainee for a predetermined period.

The trainee may also have two supervisors, so that if one of the supervisors is absent, not available or too busy, the other supervisor may take over for him. In this case, both supervisors are considered as having a trainee under their charge.

The trainee's work must be supervised at all times by at least one of the supervisors, or a replacement, authorized by the AMF.

The supervisor, or his replacement, may have no more than five trainees under his responsibility.

2.2

How can the probationary certificate issued by the AMF be obtained?

The probationary certificate is an official document issued by the AMF. It includes the information necessary to identify the trainee and information related to the validity of the probationary certificate. A probationary certificate confers on the candidate the title of trainee for the duration of the probationary period. To be eligible for the probationary certificate, the candidate must:

- have passed each of the examinations prescribed by the AMF, the results of which must be valid at the time the probationary period is undertaken;
- hold the necessary authorizations issued by a competent authority, where applicable, for employment in Québec;
- not be in any of the situations set out in sections 219 and 220 of *An Act respecting the distribution of financial products and services*. These sections specify the situations for which the AMF may refuse to issue a certificate. This is particularly the case if the candidate or the certificate holder:
 - has been convicted by a court inside or outside Canada of an indictable offence or criminal act which, in the opinion of the AMF, is linked to the pursuit of activities as a representative;
 - has been assigned a tutor, curator or adviser;
 - has made an assignment of property or has been placed under a receiving order pursuant to the *Bankruptcy and Insolvency Act*;
 - does not possess the degree of probity (honesty, integrity) the AMF considers necessary to pursue activities in a sector, or is in a situation the AMF considers to be incompatible with the pursuit of activities in that sector.

To obtain a probationary certificate, two methods are available to the employer: via E-Services, or by mail. To apply on-line for authorization of a probationary period, the employer must make sure that all the parties involved are registered with the AMF's E-Services. The application process consists of three steps:

Step 1

The employer must begin by completing the electronic application form which may be found in the “Insurance and Financial Planning” menu, and clicking on “Probationary period” and “Probationary certificate.” It is important to indicate the date on which the applicant wishes to start his probationary period, and to pay the fees.

Step 2

The trainee must then complete the Statement of applicant. Once the trainee has accessed E-Services, he must select the “Becoming a Professional” menu, and then click on “Probationary period – Trainee” and on “Statement of applicant.”

Step 3

Lastly, the supervisor completes his statement by accessing E-Services and selecting the “Insurance and Financial Planning” menu and then clicking on “Probationary period – Supervisor” and on “Approval of supervisor.” In order for the application to be processed, all the parties involved in the probationary period must have completed their respective sections. Allow five business days when using E-Services.

To apply by mail, the employer must submit a duly completed *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form to the AMF. This form contains the candidate's and the supervisor's (supervisors') statements, which must be completed by the signatories of the form. Allow at least ten business days for applications sent by mail.

Regardless of the application method used, the examination of the candidate's degree of honesty must be carried out before the candidate can begin his probationary period. An incomplete application may delay processing of the application and the beginning of the probationary period. The candidate must receive the probationary certificate before he can be authorized to begin his probationary period.

2.3

Why is it necessary to have a valid probationary certificate issued by the AMF before starting the probationary period?

Representatives' activities are regulated. No person may act as or purport to be a representative without holding the appropriate certificate issued to that end. The AMF may, however, issue a probationary certificate to a trainee whose professional acts are overseen by an authorized supervisor. An individual who performs professional acts reserved for a representative without holding a valid probationary certificate, an attestation of training or a representative's certificate will be charged with illegal practice by the AMF. If the individual is found guilty, his eligibility for a representative's certificate could be compromised.

Throughout the probationary certificate validity period, the trainee will be listed in the public register. This register, available on the AMF website, confirms to consumers that the candidate is authorized to pursue activities as a trainee. If the validity period of the probationary certificate is extended or shortened, the information in the public register will be updated in real time. Consequently, it is important to verify whether the trainee's name is listed in the register before he undertakes any professional act that is restricted to a certified representative.

During the full probationary certificate validity period, the trainee's acts are covered by the professional liability insurance of the firm, independent partnership or supervisor, as applicable, as well as by the *Fonds d'indemnisation des services financiers* (financial services compensation fund). A probationary certificate issued by the AMF protects consumers by allowing them to be compensated in the event that they incur damages as a result of errors, omissions, fraud or embezzlement committed by a trainee.

03

DURING THE PROBATIONARY PERIOD

Much like a new employee, a trainee needs a period of adaptation. During the first week of the probationary period, the trainee has to get to know his supervisor and his new co-workers, and also familiarize himself with new procedures, tasks to be completed and a new workplace. Gradually, the trainee must become independent so that, by the end of the probationary period, he is capable of assuming responsibility, in a competent and autonomous manner, for files that are normally given to representatives just beginning their careers.

3.1

Which professional acts may a trainee perform?

The holder of a probationary certificate may, with supervision, carry out the following professional acts, depending on the sector or sector class in which he wishes to be certified:

In the insurance of persons or group insurance of persons sector

The trainee may gather information, analyze the client's financial security needs and propose to his supervisor the products or services that may be adapted to the client's needs and, if they are approved by the supervisor, propose and sell them to the client.

In the personal-lines damage insurance sector class

The trainee may gather information, propose and sell to the client the products, coverages or guarantees adapted to his needs. The supervisor must approve them the next business day.

In the commercial-lines damage insurance sector class

The trainee may gather information and propose to his supervisor the products, coverages or guarantees that may be adapted to the client's needs and, if they are approved by the supervisor, propose and sell them to the client.

In the claims adjustment sector

The trainee may gather information, propose to his supervisor the components of a claims investigation, the assessment of damage or the negotiation of a settlement, present to the insured the components of the negotiation of a settlement once they are approved by his supervisor and assist his supervisor in negotiating a settlement. The trainee may present the settlement proposal to the client alone if the supervisor has approved its contents beforehand.

3.2

What are the trainee's obligations during the probationary period?

During the probationary period, the trainee must:

- present himself publicly as a trainee;
- comply with all laws, regulations and codes of ethics governing a representative's profession;
- notify the AMF of any change to the information or to a document that he has submitted to it, within five days of such change, where such change occurs during the probationary period;
- upon first meeting a client, give the client a document, such as a business card, indicating the information prescribed by the *Regulation respecting the issuance and renewal of representatives' certificates*. If the trainee deals with the client other than in person, he must provide him with this information, at his request, when initially sending other documents;
- towards the fifth week of probationary periods carried out in the group insurance plans and group annuity plans sector classes, carry out a case study of the process for developing a recommendation;
- not be in any of the situations referred to in section 56 of the *Regulation respecting the issuance and renewal of representatives' certificates*. This section of the Regulation specifies that the candidate must not have been the subject of a disciplinary sanction (fine or suspension) or be in default of paying any fine or any amount ordered by final judgment under certain laws, and he must not be in default of paying the dues and annual fees payable under the *Regulation respecting fees and contributions payable*.

3.3

What are the supervisor's responsibilities during the probationary period?

During the probationary period, the supervisor is responsible for all of the trainee's professional acts. This supervision is important to ensure that the trainee does not commit any errors or omissions.

To get the probationary period off to a good start, the supervisor recognized by the AMF must meet with the trainee for an orientation session, during which the supervisor will present the goals of the probationary period and explain how it will proceed. The supervisor must also explain his role in the probationary period and his responsibility to provide the trainee with a work environment that is conducive to learning. In particular, the supervisor must:

- determine the tasks the trainee must carry out, specifying the time limits in which they must be completed; these tasks must encompass all the activities that a representative carries out in the sector or sector class in which he hopes to obtain a certificate;
- compile a file for each trainee, demonstrating the quality of the supervision provided by the supervisor and the firm. The file must contain a list of the tasks carried out by the trainee, summaries of the meetings held with the trainee and notes showing what he has learned during the probationary period. In preparation for the AMF's inspection of the firm,² the supervisor must also include the list of files that the trainee has worked on. In addition, the supervisor must record the reasons and the compensatory measures taken in the event that the trainee is unable to perform all the activities reserved for representatives. This file must be kept for five years;
- help the trainee gradually pursue all the activities reserved for representatives;
- at least once a week, evaluate and review the tasks carried out by the trainee. The supervisor may perform closer supervision if he deems it necessary;
- for the group insurance of persons sector and the related sector classes, have the trainee carry out a case study on the process of drawing up a recommendation and setting up a group insurance and/or group annuity plan. Given that it is impossible to carry out all the steps of this process within the time prescribed in the regulation, these case studies are intended to validate the trainee's understanding of these processes. For the purposes of this exercise, firms may use the case study models available on the AMF's website, or files they have dealt with in the past, or any other similar case study;
- inform the AMF, within five days, if the trainee has discontinued or interrupted his probationary period;
- submit his recommendation within ten days of the end of the probationary period by completing the appropriate form.

2. As part of the inspection of firms, the AMF inspectors will check trainees' files to ensure that regulatory requirements governing probationary periods are met.

Depending on the sector or sector class in which the trainee is registered, the supervisor is charged with specific responsibilities.

In all sectors except the personal-lines damage insurance sector class and the claims adjustment sector

The supervisor must approve the products and services offered by the trainee before they are recommended to the client, enter this approval in the client file and countersign, where applicable, any proposal or form, in particular, notices for purposes of replacement.

In the personal-lines damage insurance sector class

Where products and services pertaining to personal-lines damage insurance are offered, the supervisor must, within the next business day, review the trainee's work and enter the review in the client file.

In the claims adjustment sector

The supervisor must verify the information gathered by the trainee, approve the components of a claims investigation, the assessment of damage or the negotiation of a settlement, enter the approval in the client file, accompany and assist the trainee when presenting these components to the insured and may be assisted by the trainee during the negotiation of the settlement.

Interruption of probationary period

The supervisor and the employer are also responsible for interrupting a trainee's probationary period as soon as they realize that he will not qualify for his representative's certificate. For example, a supervisor who discovers that his trainee has not completed 28 hours of work in a week is responsible for terminating the probationary period immediately since he knows that the trainee will not meet the recommendation criteria for the probationary period. It is therefore advisable for the supervisor to notify of this situation right away, and not allow the trainee to continue his training.

However, the supervisor must not interrupt a trainee's probationary period simply because he has made a mistake. Since the probationary period is one step in the future representative's learning process, he must be given a chance to develop his competencies. It is up to the supervisor to weigh the seriousness of the mistake and its effect on the recommendation he will make.

IMPORTANT

If the AMF deems it necessary, it may, particularly during inspections, ask to see evidence of meetings with the trainee or of the entry in the client's file of the supervisor's review of the work performed by the trainee.

If the supervisor has not complied with any one of the above obligations, the AMF may withdraw his right to act as a supervisor for one year.

3.4

Special situations

The probationary period must be completed by the trainee without interruption, and the supervisor must supervise his work during the entire probationary period. However, certain special situations may arise.

Q. Are trainees allowed to take vacation?

A. Trainees may take vacation. They can notify the AMF of this when they submit their *Application for authorization of probationary period, change in supervisor, extension of probationary certificate*. They can also submit a (paper) request to extend the probationary period, together with the required fees, before starting their vacation. This request cannot be submitted using E-Services. If a trainee takes vacation without notifying the AMF when he submits his application, his probationary certificate will be revoked and his probationary period will be deemed to have been discontinued.

The 12-week probationary period may be extended by up to 2 weeks to enable the trainee to take 2 weeks of vacation during this period. The 6-week probationary period may be extended by just 1 week. This allows trainees to take 1 week of vacation.

During their vacation, trainees may not carry out reserved professional acts, but the supervisor is not relieved of his responsibilities.

Q. Are supervisors allowed to take vacation?

A. If a trainee has two supervisors, one supervisor may take vacation during the probationary period. He does not need to inform the AMF because the other supervisor will be supervising the trainee during his absence. However, because the trainee's work must be supervised at all times, the supervisors may not take vacation at the same time.

If a trainee has only one supervisor, the supervisor may take vacation during the probationary period. Two options are available:

- The trainee may notify the AMF when he forwards his *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* by completing parts 6.1 (Supervisor 1) and 6.3 (Replacement Supervisor 1).
- Once the probationary period has begun, the supervisor may also notify the AMF by completing a new *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form and indicating in Part 6.1 the expected vacation dates (Supervisor 1). The AMF must receive these documents at least 10 business days before the date on which the supervisor intends to begin his vacation. In such cases, the required fees must also be paid.

The following are examples of situations that might result in changes to the probationary period:

●●● EXAMPLES

Situation A

The supervisor informs the AMF less than ten days before the date on which the supervisor's vacation is to begin or within five days after the date on which the supervisor's vacation began.

- As soon as the trainee is no longer supervised, he must immediately cease performing activities reserved for professionals. The probationary period may not be interrupted for more than four weeks.
- If the employer (firm or independent partnership) has representatives who are qualified to act as supervisors and who wish to supervise the trainee, the trainee may change supervisors and continue his probationary period by completing the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* and paying the required fees. He will not be able to continue with the initial supervisor even when the initial supervisor comes back from vacation. The initial supervisor will have to submit a letter to the AMF explaining why he did not mention the vacation period when he completed the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form. If this situation were to happen again, the representative might not qualify to act as a supervisor for one year, since he failed to fulfill his obligations.
- If the firm has representatives who meet the criteria to act as supervisors but who do not wish to perform the function, the probationary period is cancelled.
- If none of the representatives in the firm are qualified to act as supervisors or if the supervisor in question is an independent representative, the trainee may continue his probationary period when the supervisor returns from vacation by completing the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* and paying the required fees. The supervisor will have to submit a letter to the AMF explaining why he did not mention the vacation period when he completed the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate*. If this situation were to happen again, the representative might not qualify to act as a supervisor for one year, since he failed to fulfill his obligations. The AMF must receive the explanatory letter from the supervisor before it can authorize an extension of the probationary period.

Situation B

The trainee or the supervisor informs the AMF more than five days after the date on which the supervisor's vacation began.

- Since the trainee was required to notify the AMF of any change in his eligibility for the probationary period (section 37 of the *Regulation*

respecting the issuance and renewal of representatives' certificates) within five business days, the AMF will cancel the probationary period.

- Since he did not fulfill his responsibilities (section 50 of the *Regulation respecting the issuance and renewal of representatives' certificates*), the representative responsible for supervising the trainee will receive a written notice from the AMF. A supervisor who receives a second written notice from the AMF for failing to fulfill his obligations (sections 46 to 50 of the *Regulation respecting the issuance and renewal of representatives' certificates*) may not act as a supervisor for one year as of the date of the last notice.



Q. Should statutory holidays be taken into account in calculating the minimum number of hours worked per week?

A. During the probationary period, for each statutory holiday, the trainee is deemed to have worked seven hours. The following is a complete list of the holidays recognized by *An Act respecting labour standards*:

- January 1st (New Year's Day);
- Good Friday or Easter Monday, at the employer's option;
- the Monday preceding May 25th (National Patriots' Day);
- June 24th (St. John the Baptist Day, the National Holiday);
- July 1st. If this date falls on a Sunday: July 2nd (Canada Day);
- the 1st Monday in September (Labour Day);
- the 2nd Monday in October (Thanksgiving);
- December 25th (Christmas Day).

It is important to distinguish between holidays and the business days of an enterprise. During the probationary period, the candidate must work a minimum of 28 hours per week. For a week including a holiday, if the trainee cannot work a minimum of 21 hours due to the enterprise's business hours or the availability of a supervisor or replacement supervisor, he must notify the AMF of his vacation period or the interruption in his probationary period.

Q. How to calculate vacations days?

A. During the probationary period, the trainee is required to work a minimum of 28 hours per week, or by 7 calendar-day period for 6 or 12 week according to the sector class or sector sought.

Therefore, for a probationary period that starts a Wednesday, the 28 hours must be done from the Wednesday to the following Tuesday (7 days).

●●● EXAMPLE (cont.)

Situation C

Beginning of the probationary period : Wednesday, November 2nd, 2016

The trainee will have until Tuesday November 8th to accomplish the required 28 hours of work for his first week.

Situation D

Calculation of a vacation period

Beginning of the probationary period : Wednesday November 2nd, 2016

Vacation period : Monday, November 14th and Tuesday November 15th

The 28-hour periods are distributed as follows :

- 1st week of the the probationary period : from Wednesday, November 2nd to Tuesday November 8th
- 2nd week of the probationary period : from Wednesday, November 9th to Thursday, November 17th (7 days excluding the vacation days)

The calculation for 7 calendar days for the weeks to come will then start on Fridays :

- 3^d week of the probationary period : from Friday, November 18th to Thursday, November 24th

As you can see, the vacation days are added to the probationary period and will delay the end date, in this case 2 days because there were 2 vacation days.



Q. What happens when a probationary period is interrupted, discontinued or cancelled?

A. The probationary period is interrupted if the holder of a probationary certificate is in any of the following situations:

- he is no longer under the supervision of an authorized person;
- he is unable to continue with the probationary period due to disability, in particular as the result of a preventive withdrawal, because he is on parental leave or where warranted by exceptional circumstances;
- he did not begin his probationary period when expected;
- he did not receive his probationary certificate before the start of the probationary period.

In these situations, the candidate must immediately cease to perform professional acts reserved for holders of a probationary certificate or a representative's certificate. This interruption may not last more than four weeks. If the reasons for interrupting the probationary period are valid, the trainee may apply to the AMF for authorization to extend the probationary period for its remaining duration

by submitting an application to that effect, along with documentation of the reason for the interruption. If the reasons do not reveal exceptional circumstances or if the reasons are not considered valid, the trainee will have to start the probationary period over again and submit another application for authorization of probationary period.

Q. Is it possible to change the start date of the probationary period once the probationary certificate has been issued?

A. No, the start date of the probationary period cannot be changed once the probationary certificate has been issued. If a candidate is unable to start the probationary period on the date indicated on the certificate issued, he must contact the AMF to cancel the probationary period and submit another *Application for authorization of probationary period, change in supervisor, extension of probationary certificate*, indicating the possible start date of the new probationary period, which must allow for a delay of at least 10 business days.

Q. Is it possible to change supervisors in the course of a probationary period?

A. The holder of a probationary certificate may change supervisors during the probationary period without affecting its duration, and without interruption, provided the AMF is notified of such change at least 10 days prior to the proposed change and the new supervisor acts on behalf of the same firm or the same independent partnership, as applicable. If the new supervisor does not act on behalf of the same firm or the same independent partnership, the probationary period must be started over again and the candidate must submit another *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form.

04

AFTER THE PROBATIONARY PERIOD

Supervisor's recommendation

When the probationary period is over, the *Supervisor's Recommendation related to the representative's certificate* must be sent to the AMF within 10 business days of the end of the probationary period. If a trainee has two supervisors, they must both agree on the trainee's competency evaluation, but only one of the supervisors completes the *Supervisor's recommendation related to representative's certificate* form. This recommendation must be approved by the management of the firm or independent partnership, or by the independent representative who supervised the trainee. The AMF reserves the right to contact the supervisor who signed the recommendation for details about the reasons why the supervisor recommended or did not recommend the trainee. Note that the fact that a trainee is recommended for a representative's certificate in a sector or sector class does not mean that the firm, independent partnership or independent representative agrees to offer him a job.

If a supervisor neglects to send this form within 10 business days after the end of the probationary period, the AMF will send him a reminder letter. Since this is a supervisor's responsibility as stipulated in the *Regulation respecting the issuance and renewal of representatives' certificates*, if a supervisor fails to send the duly completed form after the reminder or if he neglects to send it by the prescribed deadline on several occasions, the AMF could eventually refuse to allow him to act as a supervisor.

Administrative period

If the trainee has successfully completed the probationary period, he will keep his status during an administrative period of 45 days after the end date of his probationary period. To that end, he must send the AMF his *Application for a Representative's Certificate* form within 30 days of the end of the probationary period and must continue to act for the same firm, independent partnership or independent representative, as applicable. It is possible to change supervisors by using the *Application for authorization of probationary period, change in supervisor, extension of probationary certificate* form. During these 45 days or until a representative's certificate is issued if it is issued before the end of this period, the trainee and the supervisor continue to have the same obligations and responsibilities as during the probationary period.³ If the trainee ceases to be supervised or if he was unsuccessful with his probationary period, he may no longer carry out reserved professional acts.

3. If a trainee is doing a probationary period in the damage insurance, claims adjustment or group insurance of persons sector, the obligations of the trainee and the supervisor in the 45 days following the probationary period correspond to those of the sector class with which the probationary period ended.

Application for a representative's certificate

Once he has successfully completed the probationary period, the trainee may apply for his representative's certificate at any time as long as his exams are valid. If one or more of his exams are no longer valid at the end of the probationary period, he must apply for his certificate within 30 days of the end of the probationary period. If this deadline is not met, the trainee will have to retake and pass the exams that are no longer valid and undertake the probationary period again. In the insurance of persons and group insurance of persons sectors, the candidate may have to undergo his specific training over again.

4.1

What situations would justify a supervisor's refusal to recommend a trainee (unsuccessful probationary period)?

The following are some examples of situations that must lead to a decision to not recommend the trainee for a representative's certificate:

- The trainee did not:
 - do at least 28 hours of work per week;
 - complete a probationary period corresponding to the prescribed duration;
 - gradually assume responsibility for the professional acts reserved for a certified representative;
 - comply with the law, or the rules of professional ethics and conduct that apply to the pursuit of activities reserved for representatives.
- At the end of the probationary period, the supervisor deems that the trainee:
 - does not have the knowledge, know-how or people skills required to practise as a representative starting out in his career;
 - did not successfully complete the prescribed case studies in the group insurance plans or group annuity plans sector classes;
 - is not able to assume responsibility, with a level of autonomy expected of a new representative, for files whose level of complexity corresponds to those normally given to a representative just starting out in his career;
 - could, through his professional activities, undermine consumer protection.

Please note that the supervisor must justify his reasons for refusing to recommend a trainee in the *Supervisor's recommendation related to representative's certificate* form.

A candidate's failure to reach the sales objectives set by an employer is not considered by the AMF to be sufficient reason for a supervisor to refuse to recommend a trainee's certification.

4.2

Can a candidate undertake more than one probationary period?

Since the aim of the probationary period is to develop a candidate's professional competencies, the AMF will agree to issue a second probationary certificate only if the reasons submitted are in line with this aim. For example, a candidate may apply for a second probationary certificate if his supervisor did not recommend him for a representative's certificate at the end of his first probationary period. In this case, a second probationary certificate would be justified in order to allow the candidate to acquire the knowledge, skills and attitudes he needs to practise his profession as a new representative. The candidate will then have to submit a new *Application for authorization of probationary period* and meet the conditions for issuance of a probationary certificate. The candidate's examinations will also have to be valid when he undertakes his second probationary period.

Before issuing a second probationary certificate for a candidate, the AMF could require that an action plan be submitted to the candidate to ensure that the second probationary period enables him to correct the deficiencies noted during the first probationary period.

The AMF will not issue a second probationary certificate for a candidate who has already successfully completed his probationary period.

The AMF only exceptionally allows a candidate to complete a third probationary period. It could also require that it be carried out in a different context from the first two, such as under the supervision of another supervisor or employer.

4.3

How can the trainee continue developing and consolidating his professional competencies after the probationary period?

At the end of the probationary period, we suggest that the supervisor provide the trainee with feedback in order to highlight his progress and identify his strengths and areas for improvement. This information is important so the trainee can continue to develop and consolidate his professional competencies after the probationary period. The future representative can, for example, take into account his supervisor's comments when choosing the professional development courses he will need to take to renew his representative's certificate.

In conclusion, the probationary period is an important step in the career entry process. It is an excellent opportunity for the supervisor to pass on his expertise and knowledge to streamline the trainee's entry into the profession and help him acquire the competencies he needs. For the trainee, the probationary period is a time when he can confirm his career choice, benefit from the advice of a seasoned representative and put his skills into practice in a supervised setting in order to acquire the level of autonomy appropriate to the profession.

Finally, we invite you to visit the AMF's website at www.lautorite.qc.ca to obtain information on the certification requirements in order to obtain a representative's certificate for each sector class.

