



Immigration Consultation – Employers Need to Respond

On August 29, 2011, the Federal Government, under Citizenship, Immigration and Multiculturalism Minister Jason Kenney, launched an online public consultation process seeking stakeholder input related to Canada's immigration program. The consultation process provides an interesting starting point for a discussion of the policy considerations that underlie immigration to Canada and the nature of our current system. It also provides an impetus for employers and business leaders to take an active role in shaping not only immigration policy, but the successful implementation of the policy.

Through Citizenship and Immigration Canada ("CIC"), one of the Departments responsible for the development and implementation of immigration policies, programs and services, the Minister must prepare an annual levels plan by November of each year to address, in part, the number of foreign nationals projected to become permanent residents in the following year. The recent [consultation process](#)¹, which closed on September 19, 2011, was directed to three main questions:

- *What is the appropriate level of immigration for Canada?*
- *What is the appropriate mix between economic immigrants, family class immigrants and protected persons (refugees)?*

- *How can we better manage the system to make it more efficient so that we have reasonable processing times, less fraud, greater fairness and better outcomes for newcomers?*

CIC's vision statement summarizes its objectives to create:

A stronger Canada – a safe and secure country with a shared bond of citizenship and values; a country that continues to support our humanitarian tradition and draws the best from the world to help build a nation that is economically, socially and culturally prosperous.

It goes without saying that a viable immigration system must balance competing and valid priorities. From addressing current and future labour market needs, to reuniting families, to ensuring Canada meets its global humanitarian obligations, all while ensuring the health, safety and security of Canadians, immigration policy must be fluid and flexible.

Much has been done in recent years in an attempt to create a flexible and responsive immigration regime that encompasses both temporary and permanent immigration options. Temporary immigrants generally include: (1) business visitors, workers who do not require a work permit or workers whose work permit is supported by a Labour Market Opinion issued by Service Canada, or whose work might be subject to an exemption under NAFTA or another

¹<http://www.cic.gc.ca/english/department/media/backgrounders/2011/2011-07-11.asp>

international agreement; and (2) international students. Three general categories of permanent residency exist in Canada: (1) Economic Class (comprised of skilled workers, business immigrants, and provincial nominees, as well as their dependent family members); (2) Family Class (comprised of spouses and partners, children, parents, and grandparents of sponsors); and (3) Protected Persons Class (comprised of refugee claimants and asylum seekers).

Recent changes to the Temporary Foreign Worker programs have assisted businesses to meet immediate to mid-term skill level shortages. At the same time, the Provinces and Territories have increasingly played a bigger role in permanent immigrant selection through the creation of Provincial Nominee Programs (with variations on this name) ("PNP"). Generally involving a two-step process, there are regional differences in the types of PNPs currently offered. Saskatchewan has a farm owners/operators category for individuals with proven experience in farming, and who have the capital required to purchase and operate a farming operation. Nova Scotia has a similar program, as does Alberta, which additionally offers a Compulsory and Optional Trades Category and an Engineering Occupations Category. New Brunswick has offered a community identified category, while British Columbia in its PNP has targeted health care professionals and offers an Entry Level and Semi-Skilled Pilot Project. While the PNPs have seen significant growth in recent years, this growth has increased the pressure on Federal programs and in the

eyes of some observers has raised questions about the Federal Government's primary role to manage immigration for Canada as a whole.

In preparing its annual levels plan, CIC considers, among other things, current and projected economic and labour market conditions. In so doing, it must balance the requirement to meet immediate job needs with the requirement to ensure that immigrants possess the necessary skills to allow them to adapt and succeed as the economy changes. CIC therefore seeks and relies on the input of the Provinces and Territories, among others, in influencing economic immigration to Canada.

Given the level of influence of the Provinces and Territories over the direct selection of immigrants, it behooves employers and corporate leaders to organize themselves through employer or industry associations to have their particular business needs and interests identified and communicated and acted upon by the Federal Government.

It is clear that almost all of the net growth in British Columbia's workforce will come from international immigration. With projected labour shortages, particularly in the north and other rural areas of British Columbia, employers should encourage the Federal Government to reduce the existing backlog of applications and direct more resources to the processing of temporary foreign workers and Economic Class immigrants to ensure the supply of skilled workers needed to realize economic growth. This should become an even higher priority in the annual levels plan.

In pressing their case to government, employers need to be mindful of the challenge that smaller communities may face in supporting an influx of workers and their families, whether they be foreign workers or workers from other parts of Canada. The ability of the infrastructure of hospitals, schools, and other services to support newcomers has to be factored in to any thoughtful submission on immigration policy. Similarly, if levels are increased and would-be immigrants face backlogs in the processing of their applications, or those for their families, or find that they are not supported upon arrival, word gets back to other potential immigrants who may then choose to look for more welcoming shores.

Quite apart from the need to train our own under-utilized working age population, with so much of the world competing in the war for talent, an innovative approach that engages the corporate community would enhance Canada's ability to succeed in its recruitment and retention of immigrants. Through consultations with the Federal and Provincial governments, and in the use of the Provincial Nominee and Temporary Foreign Worker Programs, employers have the opportunity to become more involved from the outset in selecting categories of immigrants and potential immigrants. Employers could play a larger role in settling foreign workers and their families, in ensuring appropriate matches between skill sets and jobs, and in helping foreign workers obtain the language skills required to perform in positions at a higher level. Employers could also recruit from the pool of newly landed immigrants, whose successful integration into the workforce

and society in general is dependent upon their obtaining initial Canadian work experience.

The employer and business voice is that much louder when part of an organization that presents a well-reasoned and thoughtful approach to decision-makers to assist them in formulating immigration policy that meets Canada's requirements and obligations. [The Business Council of BC](#)² provides that voice on human capital issues, and the recent BC Jobs Plan, unveiled by the Provincial Government, includes the creation of Regional Workforce Tables where industries will have the opportunity to press their case for increased immigration in specific job categories.

The following are some valid objectives that might be addressed:

- Press for greater mobility of foreign workers between industry-specific employer association members to cut through the red tape involved in workers having to change the conditions of their work permits each time they change jobs or employers;
- Negotiate facilitated processing options for sector specific jobs with demonstrated skill shortages similar to the Information Technology Workers program; and
- Advocate that the Federal Government increase resources to process immigration applications on a

² The Business Council of BC provides a very good overview of issues related to Temporary Foreign Workers in British Columbia in its Policy Perspectives publication from June 2011 at <http://www.bcbc.com/Documents/ppv18n3.pdf>

timely basis. A backlog of immigration applications by skilled workers or their families directly affects employers with job vacancies to be filled, and will eventually affect Canada's ability to attract immigrants to meet our workforce demands. Economic prosperity increasingly depends on an efficiently operating immigration system.

- Press for modifications to the points system, upon which the Federal Skilled Worker category of economic permanent immigration is based, to more accurately reflect and recognize the skill sets that are required regionally.
- Advocate for a Federal-Provincial agreement to fund colleges to provide a vehicle to bring Government,

industry, and communities together to do a better job of integrating new immigrants into communities with language training and introductions to available services and supports.

- Increase the limits on numbers of Temporary Foreign Workers admitted to Canada and provide a wider bridge for temporary workers to convert to full permanent resident status.

It is vital to both business competitiveness and to the future success of our economy that employers play a more active and significant role in the formulation of immigration policy. The development of a sound Canadian immigration policy is too important to be ignored or left to other interest groups to shape.

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