



## Key trends and changes in immigration policy

December 2008

There have been two important recent trends in policy:

- Recent changes to the Immigration and Refugee Protection Act (Bill C-50) under which the Minister issues periodic instructions with a list of a specific list of occupations for economic class applicants; and
- Expansion in immigration programs beyond the Skilled Worker class leading to permanent residency: Temporary Foreign Worker program; Canadian Experience Class; and Provincial Nominee programs.

### Changes to the Immigration and Refugee Protection Act (Bill C-50)

Under Bill C-50, the Minister of Citizenship and Immigration now has discretionary power to issue ministerial instructions regarding the processing of certain types of permanent residency applications. The Ministers Instructions were released on December 1, 2008 and take effect as of February 1, 2009. Under the new system, only those Economic Class applicants who are in occupations on the list will be processed.

The list includes regulated professions in healthcare, accounting, engineering and skilled trades, as well as a number of non-regulated professions. For more details and to view the list:

<http://www.cic.gc.ca/english/immigrate/skilled/apply-who-instructions.asp>

### Rapid Expansion of the Temporary Foreign Worker (TFW) Program

The number of temporary foreign workers has grown by 58 per cent in the past five years and is growing in significance relative to the number of permanent residents coming to Canada.

Ontario, BC, Alberta and Quebec are major recipients of temporary workers, but most of the growth has been in Alberta.

<b>Temporary Foreign Workers and Skilled Immigrants</b>		
	<i>2003</i>	<i>2007</i>
<b>Canada</b>		
Temporary foreign workers	66,771	115,470
Permanent residents	221,349	236,758
<b>Ontario</b>		
Temporary foreign workers	26,551	37,184
Permanent residents	119,721	111,312
<b>Toronto</b>		
Temporary foreign workers	11,148	16,506
Permanent residents	97,558	87,136

*Source: CIC Facts and Figures*



In order to be allowed to bring in a worker on a TFW visa, an employer must obtain a Labour Market Opinion from Human Resources and Social Development Canada (HRSDC) indicating that there is a need for temporary labour that is not available in Canada. The labour market opinion can be issued for up to a two year period.

There are two types of temporary foreign workers: high skilled and low skilled. The skill level is determined by the National Occupational Classification (NOC) codes. High skilled migrants can bring their families and are eligible to apply for permanent residency through the Canadian Experience Class.

### **Creation of the Canadian Experience Class (CEC)**

The Canadian Experience Class is a new immigration class that allows for the transition from temporary status to permanent residence for international students and Temporary Foreign Workers who meet the following criteria:

- International students with at least two years of Canadian post-secondary education and who have attained one year of recent full-time Canadian skilled work experience in specific categories.
- Temporary foreign workers who hold a secondary school diploma, trade certificate or apprenticeship and have at least two years of recent full-time Canadian skilled work experience in specific categories.

### **Expansion of Provincial Nominee Program (PNP)**

The Provincial Nominee Program (PNP) allows each province to nominate candidates for permanent resident visas. PNP applications have priority processing and do not go through the Economic Class points-based system. All provinces have a PNP, and each province sets its own criteria for applicants.

The PNP has grown rapidly in the past five years, from 4,418 in 2003 to 17,095 in 2007 (principal applicants and spouses) and is becoming a significant avenue for permanent residency.

Ontario began piloting a PNP program in May 2007 on a very small scale. Ontario's PNP has the objective attracting more immigrants to regions outside of the GTA and reserves at least 50 per cent of nominations for employers outside of the GTA. In Ontario, 20 specific occupations are eligible for consideration in the following four sectors: health, education, manufacturing and construction. The program has remained quite small to date, with approximately 500 nominees in 2007.