

Summary Report: Consultations with Employers on the Development of an Expression of Interest Application System



Citizenship and Immigration Canada



Overview

In fall 2012, Citizenship and Immigration Canada (CIC) held consultations with Canadian employers on a major next step in building a fast and flexible immigration system – the creation of a pool of skilled workers ready to begin employment in Canada – a commitment made in Economic Action Plan 2012.

Inspired by an approach developed by New Zealand – and now also being used in Australia – an Expression of Interest (EOI) application system is the model the Government of Canada plans to use to create this pool of skilled workers.

Roundtable meetings led by CIC Deputy Minister Neil Yeates and other senior officials were held with employers to discuss how such a system could help meet employer needs. The following meetings were held:

- September 24, 2012 – Ottawa, Ontario
- October 2, 2012 – Toronto, Ontario
- October 9, 2012 – Calgary, Alberta
- October 11, 2012 – Vancouver, British Columbia
- October 12, 2012 – Winnipeg, Manitoba
- October 25, 2012 – Halifax, Nova Scotia
- November 22, 2012 – St. John's, Newfoundland and Labrador

The roundtable meetings were attended by a total of approximately [70 employers](#)¹ representing a range of perspectives, including large firms, small and medium-sized enterprises (SMEs), manufacturers and exporters, chambers of commerce, sector councils, universities and community colleges and immigrant employment councils. Represented sectors included oil, gas and hydro electrical energy, mining, construction, engineering, information and communications technology (ICT), entertainment software, health, tourism and hospitality, the food and restaurant industry, agri-food, seafood processing, retail, trucking and the garment industry.

Also in attendance were the representatives of provincial and territorial governments with whom CIC is collaborating on elements of the EOI design and implementation.

In advance of the meetings, CIC provided participants with a [background document](#)² to explain the proposed skilled worker pool and identify key questions in system design, pool eligibility and the role of employers.

Following is a summary of feedback received during the roundtable meetings. Further consultations with employers are anticipated to be held in spring/summer 2013.

¹ Annex A: Roundtable participants

² Annex B: Backgrounder – The role of employers in an Expression of Interest System

Summary of Discussion

Overall Comments

A range of views on the creation of a pool of skilled workers through an EOI application system were expressed during the consultations. These views can be grouped under three main themes:

1. Employers would **welcome the creation of a pool** of prospective immigrants that Canadian firms could search to find candidates for skilled employment;
2. To maximize interest and relevance to employers, the pool would need to be **easy to use with a guarantee of fast processing**; and
3. Ideally, the pool would also represent a **reliable source of qualified candidates** able to help **address labour market needs across a wide range of occupations, skill levels and regions of the country**.

Summary of Discussion

The following are key highlights of the feedback received during the roundtable meetings.

Criteria for a Successful Skilled Worker Pool – Fast, Clear and Responsive to Canada’s Labour Market Needs and to SMEs

Employers indicated that they would want the EOI pool to meet a number of important criteria including:

- Simplicity and clarity of use for large firms as well as SMEs; and
- A guarantee of fast processing to ensure the timeliness and relevance of immigrant selections.

Employers responded positively to the EOI model, noting potential benefits of a streamlined “single-window” approach. It was observed that such a model could help employers more easily navigate the immigration system.

Some participants suggested that the current system favours larger organizations with the human and financial resources to navigate the existing immigration programs. It was generally agreed that SMEs could greatly benefit from the EOI system, as it was perceived as being less demanding on resources.

Moreover, employers indicated that the pool would need to be a trustworthy source of qualified candidates who, where possible, would have their qualifications already recognized by the appropriate professional bodies in Canada before being selected.

Employers added that they would want the number and type of prospective immigrants on offer in the pool to be sufficiently broad to help address labour market needs across a wide range of occupations, skill levels, regions and sectors of the Canadian economy.

The Employer Role

Over the course of the consultations, a number of national and regional employer organizations indicated their interest in serving an intermediary role in the future operation of a skilled worker pool. For instance, employer association representatives expressed a willingness to:

- Assist SMEs in navigating the immigration system and the skilled worker pool in particular; and
- Collect and provide timely and relevant labour market information to help shape criteria for immigrant recruitment and selection.

CIC also informed employers that access to such a pool will require some form of employer registration to help ensure the integrity of the process and compliance with agreed-upon conditions for system use and immigrant selection.

Pool Eligibility and Selection Criteria

The qualifications required by applicants to be entered into the EOI pool were a point of discussion in the roundtables. Employers broadly discussed considerations for selection criteria such as language, Canadian and international work experience, specialized skill areas, credentials and adaptability. Overall, employers agreed that a successful EOI selection system would need to be flexible to accommodate different employer needs and requirements.

Application Management – Design and Implementation

Canadian employers indicated that they would like to learn more about the mechanics of the proposed pool's operation and made evident their interest in being further consulted on pool design and implementation.

Key questions posed by employers will be a focus for a second wave of employer consultations that CIC is planning for Winter/Spring 2013, including:

- How will an employer access the pool?
- Will there be fees for accessing the pool?

Employer Feedback on the Proposed Pool of Skilled Workers

“What our membership - the plurality of our membership will be looking for is low information costs, low search costs, client-centred, one window from an employer perspective as well. So you know, when you're talking to Citizenship and Immigration, there's one interface that can help you navigate the entirety of the program [...] I think that that would be a tremendous value-added.”

“Another huge, huge issue for small business owners who don't have HR departments, don't have [...] immigration folks that deal with this stuff on a full-time basis. This is the owner trying to figure this out. This is often the owner in the evenings, in the weekends trying to figure this stuff out. So the cost, the ease of use is super important for uptake from the small business community.”

“There's really two levels of [...] employers. There's the employers that [hire] nurses. There's always a requirement for that type of employment and they're willing to wait to fill those vacancies. Then there's the other form of employer that if you can't get the person here in six months, we don't want them. And that's where the challenge is going to come in. I mean, we've had this discussion so many times that you go round and round. Unless you can guarantee six months, I don't want to play ball.”

- How will employers and candidates be connected?
- What will be the importance in the selection process accorded to a job offer made to a candidate?

Important points made by employers addressed:

- their experience – and frustrations – with the current immigration program;
- their desire for a clearer, faster and more accessible process; and
- their interest in being able to nominate and hire prospective immigrants across a broad spectrum of skills and occupations.

Other Comments – Employer Experience with the Current Immigration Program

There has been significant growth in employer use of the immigration program in the last 10 years, most notably through two streams, the Temporary Foreign Worker Program (TFWP) and the Provincial Nominee Program (PNP).

The TFWP is a demand-driven program through which employers may hire foreign nationals on a temporary basis to fill labour and skills shortages. The hiring of TFWs is subject to priority processing and requires, in some cases, a Labour Market Opinion (LMO) issued by HRSDC (with whom CIC jointly administers the program). The LMO process ensures that employers have made a strong effort to find a Canadian to perform the job. Temporary foreign workers fit a range of skills profiles and are employed primarily in Ontario, British Columbia, Quebec and Alberta.

For its part, the PNP is a permanent residence program that has recently become Canada's second largest economic immigration stream, representing a projected 42,000-45,000 admissions in 2012. Immigrants in this program – also subject to priority processing by CIC – are nominated by provincial and territorial governments to reflect regional needs including, notably, those of employers.

Over the course of the consultations, a number of employers indicated their satisfaction with the responsiveness of the PNP, as well as with the recent introduction of an Accelerated Labour Market Opinion (ALMO), intended to speed up processing for employers with a solid track record of compliance in their use of the TFWP. The announcement of the creation of a new Federal Skilled Trades Program (FSTP) was also well received by employers participating in the roundtables. The FSTP opened for applications on January 2, 2013.

A wide range of employers, however, expressed frustration with many aspects of their experience with the immigration program, including:

- The complexity and slowness of immigration processes, cited as a challenge for both large firms and SMEs, and an obstacle to being able to find foreign nationals to fill labour and skill shortages in a timely fashion.
- The difficulty in a number of sectors, such as ICT, to have positions employers are looking to fill with foreign nationals to be captured in Canada's National Occupational Classification (NOC) codes, administered by HRSDC. Classification of a position – or of a candidate's occupation and work experience – at the NOC O, A or B skill level (representing a management position or employment requiring a university or college level education) is an eligibility requirement in a number of economic immigration categories.

A number of employers expressed a high degree of interest in being able to use the immigration program, including the proposed EOI pool, to staff semi-skilled or low-skilled positions.

Employers indicated that many positions at these skill levels are currently difficult to fill and will likely remain difficult to fill in the future.

Employers also remarked on the ongoing challenges involved in having foreign nationals' qualifications recognized by Canadian professional bodies in a timely fashion and in line with the procedures and timelines for immigration processing.

Next Steps

Informal follow-up conversations with a number of interested employers and employer associations have taken place since the roundtable sessions were held. Based on feedback from employers, as well as collaboration with provincial and territorial governments, CIC will continue to develop elements of the design and implementation of an EOI system. Further roundtable meetings with employers are anticipated to be held in spring/summer 2013.

Annex A: Roundtable Locations and Participants

The following is the list of stakeholder organizations who participated in the roundtables led by Deputy Minister Neil Yeates and other senior officials.

September 24, 2012 – Ottawa, Ontario

CIC National Headquarters, 365 Laurier Avenue West

- Alliance of Sector Councils
- Association of Canadian Community Colleges
- Canadian Chamber of Commerce
- Canadian Constructions Association
- Canadian Employee Relocation Council
- Canadian Federation of Independent Business
- Canadian Manufacturers and Exporters
- Electricity Sector Council
- Engineers Canada
- Information and Communication Technology Council
- Medical Council of Canada
- Mining Association of Canada
- Monster.ca
- Ontario Ministry of Citizenship and Immigration
- Retail Council of Canada

Observer:

- Ontario Ministry of Citizenship and Immigration

October 2, 2012 – Toronto, Ontario

CIC Regional Office, 25 St. Clair Avenue East

- Canadian Coalition for Tomorrow's ICT Skills
- Council of Ontario Construction Associations
- Entertainment Software Association of Canada
- Investment Industry Association of Canada
- Loblaw Companies Limited
- Ontario Aerospace Council
- Ontario Chamber of Commerce
- Ontario Mining Association
- Toronto Region Immigrant Employment Council

Observers:

- Ontario Ministry of Economic Development
- Service Canada

October 9, 2012 – Calgary, Alberta

Harry Hays Building, 220-4th Avenue Southeast

- Association of Professional Engineers and Geoscientists of Alberta
- Building Trades Association
- Calgary Catholic Immigration Society
- Calgary Chamber of Commerce
- Calgary Region Immigrant Employment Council
- Canadian Association of Petroleum Producers
- Canadian Federation of Independent Business

- Construction Owners Association of Alberta
- Dawson Seismic on behalf of the Canadian Association of Geophysical Contractors
- Fluor Canada
- Ledcor Construction Edmonton
- PCL Builders Inc.
- Petroleum Services Association of Canada
- Standen's Limited
- Syncrude Canada Ltd.

Observers:

- Alberta Enterprise and Advanced Education, Government of Alberta
- Service Canada

October 11, 2012 – Vancouver, British Columbia
CIC Vancouver, 800 Burrard Street

- BC Construction Association
- BC Film and Media
- Business Council of BC
- GO2 HR
- Health Match BC
- New Gold Inc. on behalf of the BC Mining Labour Shortage Task Force
- PCL Constructors Westcoast Inc.
- Retail Council of Canada
- Simon Fraser University on behalf of Immigration Employment Council of BC

Observers:

- B.C. Government
- Service Canada

October 12, 2012 – Winnipeg, Manitoba
CIC Winnipeg, 25 Forks Market Road

- Canadian Federation of Independent Business
- HyLife Limited
- Manitoba Chambers of Commerce
- Manitoba Hydro
- Manitoba Trucking Association
- Peerless Garments
- Regional Health Authorities of Manitoba

Observers:

- Service Canada
- Manitoba Immigration

October 25, 2012 – Halifax, Nova Scotia
CIC Halifax, 1741 Brunswick Street

Participants:

- Acadian Seaplants Limited
- Canadian Restaurant and Foodservices Association
- Greater Halifax Partnership
- Maritimes Energy Association

- NTT DATA Canada, Inc.
- Tourism Industry Association of Nova Scotia

Observers:

- Nova Scotia Immigration

**November 22, 2012 – St. John’s, Newfoundland and Labrador
Delta Hotel and Convention Centre, 120 New Gower Street**

- Canadian Federation of Independent Business
- Grant Thornton LLP NL Business Unit
- Marilyn Butland Communications
- Memorial University of Newfoundland
- Merit Contractors Association of Newfoundland and Labrador
- Nalcor Energy
- Newfoundland and Labrador Oil and Gas Industries Association
- Newfoundland and Labrador Business Coalition
- Newfoundland and Labrador Employer’s Council
- Ocean Choice International
- Professional Engineers and Geoscientists Newfoundland and Labrador
- St. John’s Board of Trade

Observers:

- Government of Newfoundland and Labrador
- Service Canada

Annex B: Backgrounder – The role of employers in an Expression of Interest System

THE ROLE OF EMPLOYERS IN AN EXPRESSION OF INTEREST SYSTEM

INTRODUCTION & OBJECTIVES

The Government of Canada's 2012 Budget identified as a priority the building of "a fast and flexible economic immigration system whose primary focus is on meeting Canada's labour market needs." Among the measures announced was the Government's intention to "explore with provinces, territories and employers approaches to developing a pool of skilled workers who are ready to begin employment in Canada."

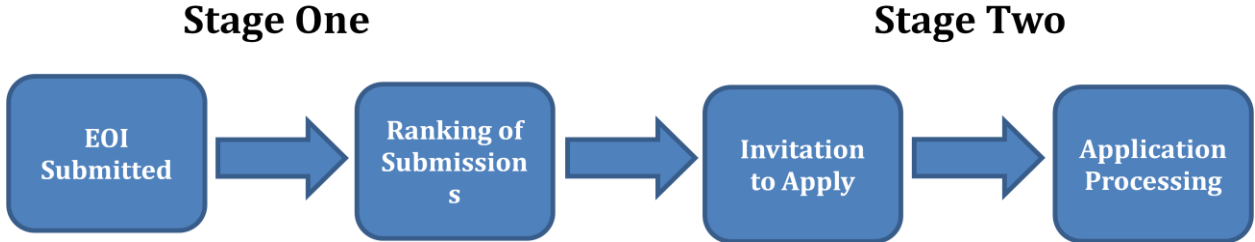
In recent years, Citizenship and Immigration Canada (CIC) has undertaken much needed reforms to strengthen Canada's immigration system and better support the country's economic needs. Key among drivers for this change have been calls for simpler, faster and more responsive immigration tools and systems, through which Canadian employers can address some of their skill shortages. The creation of a modernized, efficient economic immigration program for Canada provides an opportunity for an increased role for employers in selecting economic immigrants. Such a role could facilitate a better match between skilled immigrant supply and labour market demand, which we know to be of concern to Canadian employers, and Canadians as a whole. It is envisioned that such a modernized system could be implemented towards the end of 2014.

This paper provides the context for work currently underway to build an Expression of Interest (EOI) approach to managing applications for immigration to Canada. It also identifies key issues and questions for business leaders on EOI development and implementation.

WHAT IS EXPRESSION OF INTEREST?

Historically, Canada's immigration system has been characterized by the passive acceptance of immigration applications, whereby CIC is obliged to process all applications it receives. Over the years, Canada has received far more applications than can be accommodated within the Cabinet-approved Immigration Levels Plan each year. Long wait times for applicants and large application backlogs in some immigration categories have resulted, with limited ability to ensure alignment to Canada's economic needs. The 2008 Action Plan for Faster Immigration gave the Minister the authority to better align overall application volumes to annual admissions commitments, through the use of numerical caps and through the designation of priority occupations. This has strengthened the immigration program's ability to respond to specific national, regional and sectoral labour market needs. Despite this progress, Canada still lacks the levers to actively select applicants based on key economic needs.

A modernized, efficient application management system – like EOI – would help address many of the challenges with the current system. EOI is an automated two-stage process to application management and represents a pre-screening of candidates for immigration. As illustrated below, in the first stage, prospective immigrants fill in a form to indicate their “interest” in coming to Canada. Based on a set of publicly-issued criteria that are clear and transparent, the information collected determines whether candidates enter the EOI pool and their relative ranking within the pool. The EOI form is not an application itself but a first stage. In the second stage of the EOI system, candidates with attributes aligned to needs identified by federal and provincial/territorial governments and employers (such as work experience, language proficiency and educational assessment scores) are issued an “Invitation to Apply” (ITA) for permanent residence. Under such a system, there would not be an obligation to review all applications in the order received. Instead, candidates would be identified on the basis of relevant qualifications and experience. Not all candidates who file an expression of interest will be invited to apply for a permanent resident visa.



To the degree possible, access to the EOI pool will be an automated process: assertions made in an EOI form will be verified if and when a candidate is drawn from the pool and invited to submit a visa application with supporting documentation. In the case of skilled immigration categories, a candidate’s expression of interest would include information that can be assigned points, e.g., for language proficiency, age, educational or professional credential assessments, occupation, work experience, a job offer, and/or a willingness to settle in a particular region. Candidates must meet a minimum points threshold for their expression of interest to be eligible for selection out of the EOI pool. Expressions of interest can then be electronically ranked by points scores and sorted, (e.g., by occupation or desired destination, etc.) according to criteria informed by needs identified by federal and provincial/territorial governments and employers.

THE IMMIGRATION SYSTEM MODERNIZATION CONTEXT

The development of an EOI system for Canada is underway against a backdrop of major changes to Canada’s immigration system. Key recent innovations and developments (some of which are described in more detail in Annex A) include:

- Implementation of the Global Case Management System (GCMS) which provides an excellent platform for EOI and introduction of e-applications for some programs;

- The Minister’s authorities (since Budget 2008) to better align overall application volumes to annual admissions commitments, through tools such as numerical caps and the designation of priority occupations;
- Elimination of most of the pre-2008 Federal Skilled Worker backlog through the recent *Jobs, Growth and Long-term Prosperity Act*, which will allow CIC to focus resources on processing applications that meet today’s labour needs;
- Changes to the Federal Skilled Worker points grid – with greater emphasis placed on factors known to lead to stronger outcomes (like language proficiency, Canadian work experience, and job offers);
- Greater facilitation of transitions from temporary to permanent immigration; and
- Centralization of application intake and processing.

This convergence of significant system changes increases the complexity of the environment in which EOI development is underway. Yet, modernization initiatives across the immigration program share key goals of enhanced flexibility and efficiency, greater labour market responsiveness and stronger program integrity.

EMPLOYERS & THE IMMIGRATION SYSTEM

Employers are key actors in the immigration system. As **Table 1** illustrates, employer-driven Temporary Foreign Worker (TFW) and Permanent Resident (PR) volumes have risen significantly in recent years, highlighting the increasing employer use of and influence in the immigration program.

**Table 1: Temporary Foreign Workers in Canada, 2002 and 2011;
Applications Received Overseas and In-Canada for Select Immigration Categories, 2002, 2004, 2008 and 2011**

Program flows	2002	2004	2008	2011
Temporary Foreign Worker entries (persons)	110,861			190,769
Temporary Foreign Workers residing in Canada (persons)	101,099			300,111
Federal Skilled Worker applications received with Arranged Offer of Employment (cases)	1673	2271	3681	3477
Canadian Experience Class applications received (cases)**	-	-	747	6,535
Provincial Nominee* applications received (cases)**	1,421	3,258	13,771	17,938

Source: dwsweb;(Cube_Archives)/OMC_archived_cube/2012-Q2/all_imm_e as of July 3, 2012

*Note that only 50% of PNP streams are employer driven, the rest represent family-based and other categories.

**A case may include more than one person.

We know that employers are influencing immigrant source countries and skill profiles. While North American and European countries feature predominantly in the TFW stream (e.g. USA,

Mexico, France, UK, and Australia are Canada's top five source countries for TFWs and account for over 46% of all TFW entries in 2011), Asia and Pacific countries are the largest source of PR economic immigration volumes (Philippines, China and India are the predominant source countries for the PR Economic streams, accounting for almost 45% of all PR Economic admissions in 2011). Employers also play a significant role in the integration of newcomers. Research tells us, for example, that PR applicants arriving with arranged employment tend to establish themselves better in Canada³.

Traditionally, CIC has not had a direct relationship with employers hiring foreign nationals. While CIC officers processing temporary and permanent resident applications regularly contact Canadian employers, this tends to be for verifying job offers or work experience declared by applicants. Human Resources and Skills Development Canada (HRSDC) and Service Canada have a more direct relationship with employers, through the arranged employment opinion⁴ (for employers seeking to hire foreign nationals for permanent positions) and labour market opinion⁵ (for employers seeking to hire foreign nationals for temporary positions) processes. Provinces and Territories with employer-driven Provincial Nominee Program (PNP) sub-streams also engage employers directly about their hiring needs.

More recently CIC has, through its employer engagement strategy, set about to engage employers in a more strategic, coherent and effective manner that takes into account a number of factors such as: the short- and long-term needs of the labour market; the need for high- and low-skilled labour; the Department's role and the role of its partners in the immigration-integration continuum; the operational environment; and the diversity and capacities of employers to engage.

The EOI model presents an opportunity for CIC to develop a more direct relationship with employers in the selection of immigrants. In some cases, this might simply mean that CIC establishes more routine mechanisms for employers to convey skill pressures that are not being met by domestic sources of workers and work with CIC on enhancing the employer experience in the immigration process. In other cases, this could mean that CIC facilitates or promotes matching between prospective applicants and employers with unmet skill needs. By engaging employers more directly in immigrant selection, CIC can better align EOI design to key pressures facing Canada's economy and help enhance employment outcomes for immigrants upon arrival.

³ Immigration program evaluations, such as the 2010 evaluation of the Federal Skilled Worker Program and the 2011 evaluation of the Provincial Nominee Program can be found on CIC's website at the following link: <http://www.cic.gc.ca/english/resources/evaluation/index.asp>

⁴ Employers can hire foreign nationals seeking permanent residence in Canada with the approval of HRSDC. This comes in the form of a positive Arranged Employment Opinion (or AEO). The AEO assesses the proposed occupation (whether it is full-time and permanent), the wages and working conditions, the genuineness of the job offer and employer history. Applicants for permanent residence are still subject to CIC's entry requirements.

⁵ Employers can hire Temporary Foreign Workers with the approval of HRSDC through what is known as a Labour Market Opinion. This assesses whether there are Canadians available to do the work. Applicants are also subject to CIC's entry requirements.

BENEFITS OF AN EOI SYSTEM

From the Government of Canada's perspective, key objectives of EOI are improved application management and the ability to move from passive receipt of applications to a more active selection of candidates – i.e. those whose experience best aligns with Canada's needs and not necessarily those who applied first. There are also significant benefits to be gained by having a two-step application process with no obligation to process expressions of interest: EOI allows greater application inventory control and upfront automated processing leading to increased system efficiency. It would also remove the obligation to process all applications received. Of benefit to both the Government of Canada and employers, EOI also offers the potential for the immigration system to be more responsive to the labour market (e.g., through the potential to link candidates and employers) and to introduce eligibility filters at the outset that support stronger immigrant outcomes and Canada's economic needs.

From an employer's perspective, the primary interest in EOI is likely to be two-fold: 1) faster, more efficient processing of skilled foreign nationals – e.g. permanent immigration processing in months versus years; and 2) potential access to a pool of prospective candidates for expedited processing. Engagement of a variety of Canadian employers is essential to validating these interests and probing some of the key design considerations for both an EOI system and an employer registry (discussed below), as they relate to employers.

A REGISTRY OF EMPLOYERS & EOI

In a scenario where CIC were to facilitate access by employers across Canada to prospective immigration applicants for potential recruitment purposes, it is very likely that this access would need to be managed to ensure good client service, efficiency and high standards. An up-front employer registration process could be one way to do this.

Since April 2012, employers can benefit from the Accelerated Labour Market Opinion (A-LMO) process to hire Temporary Foreign Workers (TFWs). Employers who have secured at least one positive LMO in the last two years, with no compliance issues with the TFW program, enjoy expedited processing (LMOs can be issued within 10 days or less).

In the EOI scenario described above, employers hiring foreign nationals (whether for temporary or permanent positions) could be subject to a similar back-end monitoring model. This would serve to facilitate efficient up-front processing of LMOs while enabling validation of businesses and employer compliance history in the registration period (e.g. every two years). Information collected at the back-end monitoring stage could include:

- CRA business number
- Financial statements
- Details on number of employees, staff turnovers, etc.

In addition, employers would commit to upholding employer obligations (e.g. wages, working conditions, etc.). Registration would be “one time” with periodic updates (e.g. every 2 years) and dependent on employer compliance.

In an EOI scenario where CIC was not the facilitator of matching between employers and prospective applicants, employer registration for pool mining purposes would not be a component of EOI. For example, instead of offering the platform where this matching occurred, CIC could direct both prospective applicants and employers to existing, web-based networking sites with greater expertise in employment matching. This would not preclude, however, employer registration requirements for labour market opinion and compliance monitoring purposes (e.g. providing information and documentation on wages, working conditions, etc).

EOI ILLUSTRATIVE SCENARIOS & DISCUSSION QUESTIONS

The following inserts offer two illustrative scenarios that collectively provide a detailed overview of the EOI system being considered for the Canadian immigration system. These illustrative scenarios offer a step-by-step look at how an EOI system could work from an employer’s perspective.

Questions identified probe different EOI design considerations from an employer’s perspective as food for thought. Employers participating in EOI consultations will be walked through possible EOI scenarios and they will have the opportunity to ask questions and provide input on EOI design considerations.

EOI Illustrative Scenario 1: Skilled Applicant Recruited from EOI Pool and Offered Permanent Job

Employer: Large Canadian employer in the resource sector

Principal Applicant: Mining Engineer; no in-Canada work or study experience

Job offer is long term/permanent

Likely immigration program: Federal Skilled Worker

Key Steps	Is this a new step? Why?	Considerations
<p>1. Prospective applicants submit Expression of Interest to CIC for consideration by CIC/Employers/PTs</p>	<p>Yes. New two-step approach for managing applications for PR EOI pool thresholds establish minimum human capital criteria for pool eligibility. EOI stage does not obligate CIC to process applications but at the same time provides a potential source for labour market recruitment.</p>	<p>In addition to standard information, applicants will be required to provide information in their EOI on key human capital measures, such as:</p> <ul style="list-style-type: none"> • English or French language proficiency, as evidenced by a designated language test • Third party educational assessment (authentication of applicants' international credentials and a determination of their equivalency to completed Canadian educational credentials) • Level of education • Occupation (using Canada's National Occupation Classification) • Years of work experience in-Canada and outside Canada • English or French language proficiency • Age • Measures of adaptability <p>An overall score will automatically be generated by the EOI system based on the information provided by the applicant to assist with determining minimum requirements to enter the EOI pool (if applicable) and to rank and sort EOI prospective applicants.</p> <p>At the EOI stage, this information will be captured in CIC's system as entered by the applicant and not yet verified by a CIC officer.</p> <p>An expiry may be in place after which time Expressions of Interest that have not been Invited to Apply will be removed from the pool.</p>

Key Steps	Is this a new step? Why?	Considerations
<p>2. Employer registers or is already registered with CIC for the purpose of accessing the EOI pool.</p>	<p>Yes – administrative process required to provide employers with log-in and password instructions as well as terms of pool access.</p>	
<p>3. Employer searches pool for prospective candidates, conducts interviews and identifies a candidate(s).</p>	<p>Yes – offers a potential recruitment source for employers facing domestic labour shortages.</p>	<p>Search function would be limited to a set of fields containing employment relevant information (e.g. age, occupation, years of work experience, level of education, language proficiency score, etc.). Registered employers seeking particular skill sets would have the option to contact all EOIs matching their search criteria or a subset of candidates (e.g. a limited number of candidates or candidates with top 10 EOI scores, etc.) to engage in discussion/interviews regarding the position.</p>
<p>4. Employer secures a positive Labour Market Opinion (LMO*) from HRSDC for the position(s) and makes a job offer to the candidate(s).</p>	<p>No. Not a new step per se, but HRSDC processes around LMOs are changing, and work is underway to improve processing of LMO applications for employers with positive compliance history.</p>	<p>Since April 2012, the Accelerated LMO (A-LMO) process has been in place for employers hiring TFWs. Employers who have secured at least one positive LMO in the last two years and with no compliance issues with the TFWP are fast tracked – LMOs issued within 10 days or less. As of January 2013, HRSDC / Service Canada will be doing LMOs for both temporary and permanent job offers.</p> <p>In an EOI scenario, all employers who are making a job offer for permanent residence would be subject to a similar back-end compliance model. This would serve to facilitate efficient up-front processing of LMOs while enabling validation of businesses and compliance history in the registration period (e.g. every two years). Information collected</p>

Key Steps	Is this a new step? Why?	Considerations
<p>* Employers can hire Temporary Foreign Workers with the approval of HRSDC through what is known as a Labour Market Opinion. This assesses whether there are Canadians available to do the work. Applicants are still subject to CIC's entry requirements.</p>		<p>could include:</p> <ul style="list-style-type: none"> • CRA business number • Financial statements • Details on number of employees, staff turnovers, etc. <p>In addition, employers would commit to upholding employer obligations (e.g. wages, working conditions, etc.).</p> <p>Registration would be “one time” with periodic updates (e.g. every two years) and dependent on employer compliance.</p>
<p>5. CIC is notified that a job offer has been made to an EOI candidate.</p>	<p>Yes. Required to advance EOI applicant to PR processing stage.</p>	<p>The EOI candidate's file would be updated to reflect the job offer and positive LMO from HRSDC for the position. This step would trigger the Invitation to Apply (ITA) to the candidate.</p>
<p>6. EOI prospective applicant is invited to apply for permanent residence to Canada.</p>	<p>Yes. ITA would be triggered by the positive LMO and job offer submitted by employer.</p>	
<p>7. EOI prospective applicant submits application for Permanent Residence (PR) and is assessed against the program criteria (e.g. FSW points grid).</p>	<p>No. Not a new step per se, but the FSW points grid is changing – see Considerations.</p>	<p>As of January 2013, FSW grid changes will:</p> <ul style="list-style-type: none"> • require minimum language proficiency; • require third party education assessments; • award education points for the foreign credential's Canadian equivalent; • adjust age points to benefit younger applicants; and • adjust points to benefit applicants with Canadian work experience. • increase integrity and simplifying process for the Arranged Employment factor; and • revise how Adaptability points are allocated, to reward factors shown to predict the best outcomes.

Key Steps	Is this a new step? Why?	Considerations
		It is at this stage that applicants will be required to submit supporting documentation regarding their stated education and qualifications, which will be assessed by a CIC officer.
8. Applicant has the option to come to Canada as a TFW while awaiting PR processing.	No.	Even with improved Permanent Resident processing times, there will continue to be situations where employers/applicants would like the job to start asap, which is possible through the issuance of a temporary work permit for the interim period (assuming licensure, if applicable, has been met).
9. Principal Applicant is issued visa and becomes a Permanent Resident of Canada.	No.	

EOI Illustrative Scenario #2: Skilled Trades Applicant Recruited from Overseas and Offered Permanent Job

Employer: Small or medium-sized employer in the construction sector

Principal applicant: Welder; no in-Canada work or study experience

Job offer is long term/permanent

Likely immigration program: Federal Skilled Trades Program

Key Steps	Is this a new step? Why?	Considerations
<p>1. Employer has located a candidate(s) from overseas using their own resources (i.e. candidate was not found via the EOI pool).</p>	<p>No. Many Canadian employers have overseas recruitment processes in place for responding to certain labour/skills pressures.</p>	
<p>2. Employer secures a positive Labour Market Opinion (LMO) from HRSDC for the position(s) and makes a job offer to the candidate(s).</p>	<p>No. Not a new step per se, but HRSDC processes around LMOs are changing, and work is underway to improve processing of LMO applications for employers with positive compliance history.</p>	<p>Since April 2012, the Accelerated LMO (A-LMO) process has been in place for employers hiring TFWs. Employers who have secured at least one positive LMO in the last 2 years and with no compliance issues with the TFWP are fast tracked – LMOs issued within 10 days or less. As of January 2013, HRSDC / Service Canada will be doing LMOs for both temporary and permanent job offers.</p> <p>In an EOI scenario, all employers who are making a job offer for permanent residence would be subject to a similar back-end compliance model. This would serve to facilitate efficient up-front processing of LMOs while enabling validation of businesses and compliance history in the registration period (e.g. every two years). Information collected could include:</p> <ul style="list-style-type: none"> • Canada Revenue Agency (CRA) business number • Financial statements • Details on number of employees, staff turnovers, etc. <p>In addition, employers would commit to upholding employer obligations (e.g. wages, working conditions, etc.).</p> <p>Registration would be “one time” with periodic updates (e.g. every two years) and dependent on employer compliance.</p>
<p>3. Prospective applicant submits EOI to CIC, including the job offer from the employer and</p>	<p>Yes. Even though the Invitation to Apply would be triggered automatically by the positive LMO and job offer accompanying the applicant’s EOI, the EOI step is still necessary</p>	

Key Steps	Is this a new step? Why?	Considerations
positive LMO from HRSDC.	to ensure a consistent, single-window approach to immigration processes.	
4. EOI prospective applicant is invited to apply (ITA) for Permanent Residence (PR) to Canada.	Yes. ITA would be triggered automatically by the positive LMO and job offer on the applicant's EOI.	
5. EOI prospective applicant submits application for PR (Federal Skilled Trades Program) and is assessed against the FSTP eligibility criteria.	No. Not a new step per se, but the Federal Skilled Trades program and associated eligibility criteria will be new as of January 2013.	Set to launch in January 2013, the FSTP will require: <ul style="list-style-type: none"> • Job offer or P/T certificate of qualification in a skilled trade • Mandatory language threshold • 2 years of work experience as a qualified skilled tradesperson in the last 5 years • Education/Qualification – Satisfy employment requirement as described by National Occupational Classification (NOC)
6. Applicant has the option to come to Canada as a TFW while awaiting PR processing.	No.	Even with improved Permanent Resident processing times (e.g. 6 months), there will continue to be situations where employers/applicants would like the job to start asap, which is possible through the issuance of a temporary work permit for the interim period.
7. PA is issued visa and becomes a Permanent Resident of Canada.	No.	

DISCUSSION QUESTIONS:

1. As an employer, is access to a pool of prospective immigration applicants an attractive recruitment tool to address labour shortages?
2. Do you have experience hiring foreign nationals and if so, has it been through temporary or permanent immigration avenues (or both)? What have been your experiences with the immigration system?
3. If your current HR strategy already involves international recruitment, what role would you see for EOI and how could it add-value to your current recruitment practices?
4. What applicant information would employers need access to at the pool mining stage to maximize recruitment utility for employers?
5. What are the key attributes or principles that would make EOI most useful to your type of business (e.g. whether a large scale or small or medium sized-enterprise; significant or limited human resources capacity, etc.)?
6. What, from your perspective, is a reasonable processing time from the moment an employer identifies a worker to their arrival in Canada?
7. What role should employers have in selecting immigrants in an EOI system?
8. What responsibilities and accountabilities should be expected of employers granted access to a pool of prospective immigration applicants?
9. How feasible is the employer registration process described in Scenarios 1 & 2, whereby CIC/HRSDC would collect tax and other financial details about your business on a periodic basis (e.g. every 2 years), in exchange for expedited labour market opinion (LMO) service and access to a pool of prospective candidates? How could this model be strengthened?
10. What might be the impact of EOI on different kinds of businesses (i.e., small vs. large enterprises, different sectors, etc.) and their use of such a system?
11. How can we engage employers in regulated occupations and make the EOI process work for them? What could be done pre-arrival to complete critical aspects of the licensing process? More generally, what do employers need from EOI to best understand foreign educational and professional credentials?

Annex A: Overview of Key Changes to Canada's Economic Immigration Stream

Updated Federal Skilled Worker Program (FSWP): aims to select skilled workers who will be able to integrate more rapidly and successfully into the Canadian labour market.

The key changes to the FSWP being proposed:

- Making language the most important selection factor by establishing new minimum official language thresholds and increasing points for language;
- Increasing the emphasis on younger immigrants, who are more likely to acquire valuable Canadian experience and remain in the workforce longer;
- Increasing points for Canadian work experience and reducing points for foreign work experience;
- Simplifying the arranged employment process to enable employers to staff positions quickly yet prevent fraud and abuse (i.e. replacing the Arranged Employment Opinion with the Labour Market Opinion, which is processed by HRSDC on a shorter timeframe); and
- Awarding points for spousal language ability and Canadian experience.

Educational Credential Assessments: As part of the broader strategy to streamline Foreign Credential Recognition processes in Canada, as of January 2013, Federal Skilled Worker applicants would be required to have either a Canadian educational credential, or have their foreign educational credentials assessed and authenticated by designated organizations before they apply for permanent residence in Canada. Points awarded would reflect a foreign educational credential's equivalency to a completed Canadian educational credential. This assessment would give immigrants a sense of how Canadian employers are likely to value their education and the likelihood of employment in their fields of training.

Revised Canadian Experience Class (CEC) Requirements: The CEC is a simplified pass/fail program that was launched in 2008 to allow foreign students and skilled temporary foreign workers, who had successfully worked in a skilled occupation in Canada and who had official language proficiency, to remain in Canada permanently. To meet Canada's labour market needs more rapidly, and to make the program even more accessible to skilled talent already working successfully in Canada, CIC is proposing to reduce the CEC's Canadian work experience requirement from 24 months of full-time work experience to 12 months in the 36 months preceding the application.

New Federal Skilled Trades Program: To fill Canada's growing labour shortages in certain skilled trades occupations, CIC proposes introducing a new and streamlined Federal Skilled Trades Program to facilitate selection of skilled tradespersons. This new program would better reflect skilled tradespersons' realities by putting more emphasis on practical experience rather than formal education.

The new Skilled Trades Program would operate on a streamlined pass/fail basis like the CEC. Applicants would need to meet the following minimum requirements:

- Mandatory language requirement given the importance of language as a determinant of immigrant success and for health and safety reasons;
- Either a one year qualifying job offer OR a Provincial/Territorial certificate of qualification in a skilled trade to demonstrate that the person can be employed in Canada or that they meet employability requirements;
- Two years of work experience as a qualified skilled tradesperson in the last five years to demonstrate that their work experience, which is key to employability in the skilled trades, is both recent and relevant; and
- Education or qualifications that satisfy the employment requirement as described in the National Occupational Classification (NOC) for that occupation to demonstrate to that the applicant meets the general employability requirements in Canada.

New Immigration and Refugee Protection Act (IRPA) authorities established through Bill C-38, including:

- Elimination of the FSW backlog –terminating FSW applications received prior to February 27, 2008, where a selection decision has not been rendered before March 29, 2012; returning all fees paid to CIC for terminated applications.
- Clarifying and strengthening the Minister’s authorities: to set out special instructions to immigration officers to guide work and study permit issuance; to establish conditions by category or otherwise (including conditions that are not already present in the Act or Regulations); and to issue instructions that can apply retrospectively to pending applications in the categories covered by s.87.3(1).
- Applying Regulations to applications already on hand – permitting the creation of regulations that will have retrospective application.
- Creating targeted economic programs quickly – authority to establish avenues for economic immigration notwithstanding the Regulations.