



ADJUSTING THE BALANCE: FIXING CANADA'S ECONOMIC IMMIGRATION POLICIES

Discussion Paper #3

Create a Pan-Canadian Framework for Provincial Nominee Programs

Recommendation

The federal and provincial governments should work together to create a pan-Canadian framework for Provincial Nominee Programs in order to clarify how they fit in meeting Canada's overall immigration objectives.

Recommendation Details

While provincial nominees can serve an important purpose in a country as large and diverse as Canada, Provincial Nominee Programs (PNPs) are growing without the benefit of common standards, evaluation or a national framework. Potential immigrants are confronted with the Quebec immigration program, nine Provincial Nominee Programs, and one territorial program, each with its own targets, sub-components, selection criteria, fees, application processes, and timelines, with no rationale provided for these differences. This is confusing to both visa officers and applicants who increasingly need to rely on immigration lawyers and consultants to help them sort through the maze of immigration programs.

There is no relationship between the numerical target of immigrants selected through a PNP and the number of immigrants, refugees or temporary entrants coming to that province under different immigration classifications. This makes planning difficult for overseas posts, Canadian and provincial officials, and immigrant serving organizations.

Individuals with the same attributes are treated differently depending on the provincial nominee program to which they apply. For example, some provinces charge fees for provincial nominees on top of fees charged by the federal government, while other provinces do not. In some provinces, only highly skilled persons are eligible to be provincial nominees while other provinces will accept people willing to fill low-skilled jobs. In some cases, individuals can arrive from overseas as permanent residents. Yet in other provinces, people need to work for six or nine months as a temporary worker, or study in that province as an international student, before being eligible to apply for permanent residence under a provincial nominee program.

The federal and provincial governments, perhaps through multilateral discussions at Federal/Provincial/Territorial Immigration Ministers' meetings, should work together to create a Pan-Canadian framework for Provincial Nominee Programs within the broader context of the levels and mix of immigration to Canada. National standards are important because permanent residents have guaranteed mobility rights under the Charter of Rights

and Freedoms. As such there is no obligation on provincial nominees to remain in the province that selected them once they have obtained permanent resident status. They can move to another province to join friends or relatives whether or not their skills are needed there and some may not have the human capital necessary to adapt to different economic circumstances.

The PNP framework suggested should consider:

	Commentary	Ideas for Consideration
Priority	Currently priority processing is given to PNPs.	Priority should be given to federal skilled workers destined to each province.
Targets	Targets for PNPs are currently determined by the provinces in isolation of other admissions to that province, but the federal government has used its authority to unilaterally apply or remove a cap on the target.	Targets for PNPs should be negotiated between the provinces and the federal government in the context of other admissions to the province (Federal Skilled Workers, Business Class, Family Class, Refugees, Temporary Foreign Workers, International Students, Canadian Experience Class). PNPs should be used to fill gaps that cannot be filled by the other immigration programs.
Information provision	It is difficult to understand and compare the various PNPs.	One PNP website should be established with links to each province with standardized information provided in a common template and a single online or telephone inquiry mechanism to contact for clarification.
Selection criteria	Once in Canada nominees can relocate to another part of the country. Yet, there are no consistent selection criteria for PNPs.	While there should remain some flexibility given labour market needs, basic criteria should be agreed upon by occupation or skill level, including any language or education requirements. The presence of family members in a province should be dealt with similarly and positively in all PNPs.
Fees	Fees vary from free to \$2,000.	Fees should be standardized across the country.
Transition to permanent residence	Temporary workers and international students can apply to become permanent residents through the PNPs in almost all provinces but the length of time required in Canada as a TFW or IS before being eligible to apply for permanent residence varies significantly across the country and is often less than the Canadian Experience Class.	There should be consistency across the country regarding eligibility for transitioning to permanent residence.

Background

Immigrants come to Canada in one of three streams: economic, family reunification and humanitarian. The majority arrive through the economic stream. This stream includes those selected as federal skilled workers, as provincial nominees, as members of the business class or as part of the Canadian Experience Class.

In the past, most economic immigrants coming to Canada were part of the Federal Skilled Worker Program, which requires that all principal applicants be assessed for admission on the basis of a points system. But since 2002, the number of skilled worker principal applicants has declined relative to other economic categories, despite the fact that those selected under the federal skilled worker program continue to have the highest incomes and best long-term job prospects of all immigrants to Canada.

	2002	2006	2009
Permanent Residents in Economic Stream	137,863	138,251	153,498
Federal Skilled Workers	122,730	105,944	95,962
Business Immigrants	11,021	12,076	12,159
Provincial Nominees	2,127	13,336	30,378
Live-in-Caregivers	1,985	6,895	12,454
Canadian Experience Class			2,545

Rather than expanding the Federal Skilled Worker Program, the federal government has encouraged the growth of other programs, particularly Provincial Nominee Programs.

All provinces now have Provincial Nominee Programs under federal-provincial agreements. These programs allow provinces to select individuals for permanent residence in Canada. Each province determines its own criteria for selection based on its demographic and labour market needs and priorities. Once selected by a province, immigrants receive expedited permanent residence as long as they meet federal health and security requirements. There is no requirement to be assessed under the federal skilled worker point system.

The number of provincial nominees grew from less than 2,500 to over 30,000 over a seven year period. In 2009 provincial nominees comprised 12 percent of the total immigrant flow to Canada. Provincial nominees now receive administrative priority in processing and it is not clear whether caps that had previously been removed will be re-imposed by the federal government.

Discussion

Please visit www.maytree.com/adjustingthebalance or email policy@maytree.com to provide comments.

1. What should be included in a national framework for Provincial Nominee Programs?
What are your thoughts on the proposed ideas?

About the Discussion Paper Series

In July 2009, Naomi Alboim and Maytree released the paper, *Adjusting the Balance: Fixing Canada's Economic Immigration Policies*. It suggested that federal policy shifts had altered the landscape for economic immigration and that these shifts represented troubling trends that were unlikely to serve Canada well in the long term. For the paper, visit maytree.com/policy-papers/adjusting-the-balance-fixing-canadas-economic-immigration-policies.html.

Since the report was published, the shifts identified have continued. Provincial nominee programs continue to grow rapidly, temporary workers continue to arrive in record numbers, and international students are still perceived as ideal immigrants despite research that suggest skilled workers perform better in the long run. In addition, the federal government has continued to place occupational requirements on the Federal Skilled Worker Program which limit the government's ability to recruit skilled workers with the human capital necessary to adapt to changing labour market needs.

This discussion paper is part of a series that provides updates and commentary on recent immigration policy developments, evaluating recent changes which relate to the recommendations presented in *Adjusting the Balance*. For the entire discussion paper series, visit www.maytree.com/adjustingthebalance.