

2017

# CAPIC Submission on Global Skills Strategy

CAPIC SUBMISSION-ESDC & IRCC GLOBAL SKILLS STRATEGY

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## Introduction

The Canadian Association of Professional Immigration Consultants (CAPIC) is the national advocacy group for Regulated Canadian Immigration Consultants (RCICs), founded on the pillars of Education, Information, Lobbying and Recognition. CAPIC's mandate includes providing continuing professional education about Canadian immigration matters and programs to their members, ensuring that they are better able to serve their clients and that consumer confidence is maintained. CAPIC Members are offered the best continuing Professional Development Education in the Industry. As the professional association for RCICs, CAPIC leads, connects, protects and develops the profession.

### Preamble

Immigration, Refugee & Citizenship Canada (IRCC) has launched consultation alongside Employment Social Development Canada (ESDC) on the Global Skills Strategy program to attract talent critical to economic growth while streamlining the process for employers to access top talent by reducing barriers and administrative burdens. Furthermore, the dedicated immigration service channel will aide in attracting foreign investment. The consultations directly reflect the importance that both IRCC & ESDC place on stakeholders in contributing and developing the policy process. The Canadian Association of Professional Immigration Consultants will be focusing on the *Global Skills Strategy* and respectfully submits the following recommendations to better achieve program objectives.

The Canadian Association of Professional Immigration Consultants, having reviewed the Global Skills Strategy material, commends IRCC & ESDC for the proactive initiatives they are taking in adapting policy to ensure it:

- i. Reflects support for the growth of companies in Canada;
- ii. Drives the innovation of our economy;
- iii. Creates more jobs for Canadians; and
- iv. Maintains the integrity of the Canadian immigration system.

## General Recommendations for the GSS Program

1. CAPIC strongly recommends having some highly technical NOC Skill Level B occupations taken into consideration for *Two-Week Service Standard*, *Simplified Process*, *Dedicated Service Channel* and *Categories A and B of GT Pilot Stream*. NOC Skill Level B occupations play an integral part in specialized global skills and the imparting of high value to the Canadian workforce and economy. Not including some high skill level B occupations would greatly



prejudice employers in desperate need of highly skilled individuals, especially those leading the field in business process integration, automation, and optimization.

2. CAPIC would like the GSS initiative to recognize and consider the economic impact of sectors outside of the Information and Communication Technology (ICT) sector. Today, every industry is a tech industry.
3. CAPIC appreciates the GSS' conceptual proactive initiative, and encourages the participating agencies to implement the program with the clearest of regulatory and operational language and definitions. Communication of accurate and timely information to decision makers, and all stakeholders and political commitment to obtain resources and support GSS for effective program delivery are critical for the success of the stated program objectives.

## Recommendations for the 4 Pillars of the Global Skills Strategy

### Pillar 1: Recommendations for Two-Week Service Standard (IRCC)

1. The *Two-Week Service Standard* be equally applied to International Mobility Program participants and applicants who are applying on the strength of a positive LMIA issued under the Global Talent Stream
2. CAPIC recommends having some highly specialized technical NOC Skill Level B occupations taken into consideration for *Two-Week Service Standard*.
3. A total processing time of 4 weeks (2 weeks for GTS LMIA processing by ESDC + 2 weeks for a TWP processed under the *Two-Week Service Standard* by IRCC)
4. Monitor and evaluate the labour market impact of GSS pilot and expand The International Mobility Program to include more LMIA-exempt Work Permit Programs where warranted
5. Specific GSS CBO training to facilitate pre-vetted Visa-exempt GSS work permit applicants to apply at the PEO with greater certainty of admission.
6. Close inland and overseas ESDC and IRCC coordination for *Two-Week Service Standard*
7. Establish coordinated and streamlined processing across various processing jurisdictions
8. Eliminate 'low' risk designation, once a positive determination is made, the *Two-Week Service Standard* should apply equally to all high-skilled workers
9. Clear and objective rules and operational instructions around GSS 'eligible occupations' and 'eligible employers'



Pillar 2: Recommendations for Work Permit Exemptions for Short-Duration High-Value Work (IRCC)

1. CAPIC recommends having some highly specialized technical NOC Skill Level B occupations taken into consideration for work permit exemptions for *Short Term Duration High Value Work*
2. Maximum duration of 30 days in two 15 day maximum entries in any 365-day period with no restrictions of re-entry under another eligible program
3. Expand and publish the new definition of **business visitor** to reflect the new criteria for business visitor entry
4. Program Criteria can include creating or maintaining Canadian jobs and/or making a significant economic impact (for non-academic work)
5. Engage the services of the *Dedicated Service Channel* to provide a pre-determination of eligibility to lessen the burden of determination at busy POEs.
6. Clearly define eligibility criteria for the occupations
7. Clearly define work and non-work situations
8. If there is no risk to life, health, property or the public welfare if the work is performed incorrectly; and a professional takes responsibility for the work performed by the foreign trained professional, we recommend no professional certification be required for *Short Duration, High Value* work
9. For *Short Duration, High Value* work we recommend the waiver of certain professions to produce letters of 'no objection' from professional organizations prior to arrival i.e.: engineers, technicians

Pillar 3: Recommendations for Dedicated Service Channel (IRCC)

1. Create a separate business immigration unit within the *Dedicated Service Channel* to deal with foreign companies wishing to establish a presence in Canada
2. This separate unit to act as a facilitating office assisting high growth foreign companies that will bring new technologies, create jobs and make significant investments
3. This specialized unit to deal only with foreign entities guiding them through the immigration system
4. Third party representatives or Canadian government designated partners to act as outside experts
5. Direct third party representative access to *Dedicated Service Channel*
6. Establish another unit within the *Dedicated Service Channel* to cater to Canadian companies requiring skilled foreign workers to sustain operations and promote growth



7. Growth rate, re-investment of retained earnings, potential growth, profit, size of investment, and employee turnover be used as criteria for eligibility criteria
8. Equal resources be allocated to domestic and foreign companies
9. Dedicated Service Channel provide an avenue of appeal to CBSA or overseas offices in the event of a refusal
10. The specific services provided by the IRCC Representative be clear and objective
11. Appropriate resources be made available to ensure the success of this program

#### Pillar 4: Global Talent Stream (ESDC)

##### *Category A: Recommendations for High Growth Firms Seeking Unique Global Talent:*

1. CAPIC strongly recommends having some highly technical NOC Skill Level B occupations taken into consideration for *Category A of GTS Pilot Stream*. Manufacturing start-ups may have the same difficulties since they would require professionals with highly specialized skills and NOC B talent to build its foundation for job creation. For example: a manufacturer with start-up operations in Canada who has transferred its executives to Canada to set up initial operations but requires the assistance of specialized knowledge workers to assist with the plant layout and/or training on the use of specialized machines (to name only a few of its struggles). Under the current structure, unless the specialized knowledge worker has worked for an overseas affiliate for at least 1 year, the Canadian start-up will have great difficulties in bringing specialized workers to its operations to start production – thereby frustrating growth and job creation
2. ESDC to consider start-ups with high growth potential from the program. Some ICT start-ups would have difficulty meeting the proposed criteria so they may not reap the rewards from the program such as global talent with specialized skills to facilitate growth and accelerate job creation.
3. We caution on relying too heavily on partner agency referrals. In some instances, ESDC may be offloading diligence to a third party adding another layer of bureaucracy on the employer. Some of our clients have had mixed success in dealing with designated partners mentioned in the proposal choosing, in some instances, to disengage from using their services altogether.

##### *Category B: Recommendations for Firms Seeking High Skills Shortages*

1. Canadian firms paying the prevailing wage or above and seeking foreign national to fill occupations on a new “Global Talent List” to be eligible for Category B of the GT Stream.
2. As the world evolves, so do job trends and job descriptions, engage industry expert opinion and that of designated partners and third party representatives to assist in the definition



and employment requirements for evolving and leading edge occupations not currently defined in the NOC. In some cases, there are significant challenges in identifying specialists under a single, and in some cases, blended NOC code. For example: The optimization and automation of industrial processes require multidisciplinary engineering skill sets, often a combination of technical, mechanical, electrical and/or software engineering; the closest description would fall under mechatronics engineering which is a subfield of Mechanical engineering and one that many ESDC, IRCC and CBSA Officers may not be entirely aware thus causing much confusion and consternation at visa posts and POEs

3. The 'Skills Shortage List' should be nimble enough to quickly adapt to the labour environment but stable enough to allow for longer term workforce planning
4. The 'List' to be national but with significant regional input
5. While we understand the need to implement a Labour Market Benefit Plan (LMBP) with metrics that can help track job creation, knowledge transfer and skills training benefits for Canadians, we encourage ESDC to do a lesson learned analysis from the LMIA 'Transition Plan' model which has produced some mixed success at best. We encourage adherence to well defined and objective metrics to avoid subjective interpretation by the decision maker
6. Focus should be paced on High skilled occupations in demand and short supply in Canada i.e.: financial technology area (Fintech) healthcare technology conventional and alternative energy, construction technology and the catch all field of Information and Communication Technology (**ICT**). Additionally, we have seen specialist shortages in the fields of:
  - Automation Optimization, Harmonization and Data Integration
  - Spatial Mapping
  - Process Logic Control /instrumentation
  - AIM – Asset Integrity Management
  - ERP - Enterprise Resource Planning
  - FMEA - Feature Made Effect Analysis
  - Virtual, Augmented, Horizon, Blockchain and Artificial Intelligence
  - PMP - Predictive Maintenance Programming - Lessons Learned Technology
  - Failure Module Data Analysis
  - Building Information Modeling (BIM)

#### GT Stream Service Delivery: Dedicated Service Channel

1. The adherence to 10-day speed of service. Currently ESDC TFW offices in Edmonton and Vancouver are processing 10-day speed of service applications in 20 to 30 days and in some cases, applications are randomly switched to regular speed of service standards of 8 to 26 weeks thus frustrating workforce and productivity planning
2. Employers should be able to access ESDC's *Dedicated Service Channel* on their own accord without the representation of a partner agency with the understanding that they may receive faster decisions if their application has been vetted by a third party



3. Third party representatives should have full access to *Dedicated Service Channel* personnel if access request is accompanied by a duly executed IMM 5476

## Conclusion

CAPIC-ACCPI commends the IRCC & ESDC's proactive approach of seeking stakeholder input via consultation sessions and the ability to provide submissions. We have recommended slight modifications which we hope both the IRCC & ESDC will give due consideration to incorporating in the final policy and process of the Global Skills Program.

The Canadian Association of Professional Immigration Consultants (CAPIC-ACCPI) as a stakeholder appreciates the IRCC & ESDC's ongoing collaboration and dialogue/consultation with the stakeholders to collectively address issues and policies for continued effectiveness of the immigration system.

As Professor Klaus Schwab elegantly argued at the at the World Economic Forum's gathering in Davos this year: [...] the leading economic ideology of today is shifting from **capitalism** to **talentism**. We hope the IRCC and ESDC's Global Skills Strategy proves to be a leading economic driver of this ideology.

We thank both the IRCC & ESDC for the opportunity to provide this input in the drafting of important policy.