

# Express Entry Submission



CAPIC SUBMISSION ON EXPRESS ENTRY CHANGES

CAPIC PRESIDENT DORY JADE

CANADIAN ASSOCIATION OF PROFESSIONAL IMMIGRATION CONSULTANTS



CAPIC Submission on Express Entry Changes  
Wednesday, April 13, 2016

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ATT: The Honourable Minister John McCallum, P.C., M.P.  
Immigration, Refugees, Citizenship Canada  
365 Laurier Ave. West  
Ottawa, Ontario  
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**Dear Hon. Minister John McCallum:**

We appreciated your announcement at the Maple Square Garden podium discussion with Ontario Immigration Minister Michael Chan in Toronto on April 4<sup>th</sup>, 2016 about upcoming Express Entry changes. At that meeting you kindly invited CAPIC to prepare a submission on important Express Entry flaws, which we respectfully submit below. In our submission we focus on the Trade Class and Canadian Experience Class. Many of our members, who now comprise over 1300 authorized representatives, deal with these applicants and believe that these immigrants have the potential to greatly benefit Canada.

### **EXPRESS ENTRY REGISTRATION 'SKILLED TRADES' Category**

So far all draws (rounds of invitations) have been based on a points scoring system that is identical for ALL categories. This seems to be an inherent flaw with how applications in the Trades and Canadian Experience Class categories are processed.

Express Entry was designed as a way to prioritize applications, and we understand that the scoring matrix was devised based on a statistical review of which factors were likely to lead to economic success by immigrants to Canada. Even assuming that this is the best scoring system to use (as opposed, for instance, to trying to measure which immigrant's *children* had better economic outcomes) the failure to accommodate Skilled Trades and Canadian Experience Class applicants leaves many applicants in those categories at a disadvantage. In terms of Canadian Experience Class applicants, this has been highlighted recently in the comments made about international students in Canada, and the difficulties many face in being selected under the Express Entry system. In considering skilled Tradespeople, who appear to be in very high demand in several Provinces, we are not taking into account that countries have different educational/apprenticeship systems for these applicants. In many cases, this means that their qualifications are not fairly evaluated under the current system.

- **Problem: No points for education; lower language test scores.**

As shown on the IRCC website, for Skilled Trades to obtain points for education an applicant needs an [Educational Credential Assessment \(ECA\) report from an agency approved by CIC](#).

However, NONE of the organizations designated by CIC are actually doing trade ECA's - in some instances they might be able to classify what is actually an apprenticeship as a 2-year or 3-year diploma, but when it comes to scoring the apprenticeship training provided in many European countries, it is simply not evaluated. This may have been an oversight.

**Potential Solution:** The provincial organizations providing the Certificate of Trade Qualifications do just that, effectively they provide an ECA for specific trades. Thus far, the Provinces do not specify on the Trade Certificates they issue, the length of the apprenticeship the applicant has undergone. However, that information can easily be established and incorporated in the scoring if desired –since the average length of an apprenticeship required for each trade is shown in the NOC entry for that trade. The current scoring seems to be trying to foist a points system designed to allocate points for undergraduate and postgraduate studies onto skilled tradespeople; rather than do that, it seems fairer to allow points to be allocated to those having a Certificate of Trade Qualification.

It is also suggested that the points scoring be different for the Skilled Trades where language skills are involved, as in many cases, although these applicants can readily utilize English or French in the workplace, they will not do well on a language test. This can either be remedied by an increase in the points awarded for a Certificate of Trade Qualification, by awarding more points for language skills than under the skilled worker grid, or perhaps by not taking language test results into account at all when ranking these applicants to see whose applications ought to be processed first.

**Example 1:** Under the current system, an unmarried 28 year old baker trained outside of Canada could, under 'Core Factors' obtain 110 for age (the maximum points), 120 for a 3-year apprenticeship (perhaps based on the above proposal for education equivalency, and realistically for the majority of trades people this is likely to be the maximum points they will score for education), 36 points for language skills at CLB 6 level (the min. requirements for trades is CLB 5 for speaking and listening, and CLB 4 for reading and writing). For the 'Skill Transfer Factors' the baker would obtain 50 points, but nothing more since the score for English is lower than CLB7. This is the case even though an English score of CLB 6 is much better than expected for a trade's man/woman. **The Points total in this case is 316!** Although, the minimum Express Entry points for an ITA may be lowered in the future from the current situation, where the lowest score has been in the 400's, with the current scoring chances are that this deserving applicant will never receive an ITA.

**Example 2** <taken from Toronto Star article, Irish skilled-trade workers feel 'cheated' by Canada's new immigration rules, November 25<sup>th</sup> 2015>:

**A:** 'Like most of his compatriots who came in under the popular International Experience Canada program, Minogue, 35, arrived in the Prairies during the oil sands boom and now lives in Calgary. He applied for Express Entry, but managed to score only 360 points despite passing the Canadian trades skill test known as the Red Seal.'

**B:** 'Electrician Patrick Hever, also 35, said he had a full-time job when Canada knocked on Ireland's door for skilled-trade workers. Despite his four-year apprenticeship in Ireland and \$80,000-a-year job in Toronto, he scored only 324 points in his bid for immigration. Canada came out and asked me to come here. "We have invested a lot of time and money here, but for what?" asked Hever, who has a Canadian-born daughter and will see his work permit expire next May. "We feel cheated".'

**Potential Solution:** As indicated by CIC in pre-Express Entry consultations there could be draws for Trade



Classes ONLY, which would be based on the number of Skilled Trades registered with a Certificate of Qualification and their individual point scores. Alternatively, the bonus points for these applicants could be increased from 50 to 125, perhaps 150, points in order to address the urgent need for Trades People in a more effective manner.

- **Provincial Certificates of Trade Qualifications & Visitor Visas**

This is not an Express Entry problem, but a policy issue for Trades.

Given the above scenario, for skilled tradespeople there is clearly a benefit to obtaining a provincial Certificate of Trade Qualification. Nevertheless, after being found eligible, there is a subsequent Trade exam which can only be written within Canada! Applicants from non-visitor visa exempt countries have to file a visitor visa application to write the exam in Canada.

However it seems there is a disconnect between policy goals and operations, since, at least at some visa posts, there is a clear trend to refuse visitor visas to persons wanting to visit to write the trade exams, and often with quite surprising reasons given for the refusal.

Visitor visa applicants who showed sufficient motivation to get through the provincial application process and were invited to write the exam are often refused (despite having an invitation to write the exam, having strong links to their home country such as spouse & children and properties, and more than sufficient funds for their stay). Refusal reasons given are often for NOT having links, NOT having sufficient funds, not having a valid reason to visit, or perhaps simply on the grounds of having 'no travel history'. Faced with the prospect of having to challenge decisions such as these, many skilled tradespeople who could be of considerable benefit to Canada simply give up.

Although CAPIC understands the discretionary power officers have in making visitor visa decisions, it appears that some officers are not aware of Skilled Trade Categories requirements, or that Canada's significant need for the skilled trades is not taken into account. This could lead to an incorrect perception that Canada prefers immigrants from visa-exempt countries, which has the potential to further damage Canada's image abroad, as well as to deprive the country of many immigrants who could fill labor market needs.

**Potential Solution:** Would it be possible to send a Memorandum to visa posts explaining the provincial Trade qualification process and giving specific guidelines to use when assessing applications from these foreign nationals for visitor visas?



## EXPRESS ENTRY REGISTRATION for 'Canadian Experience Class' category

Similarly to the Skilled Trades, persons qualifying for the CEC are currently ranked in the same way as FSW applicants. CAPIC was told in initial consultations before Express Entry was introduced that this was not intended, as the goal was to retain persons in Canada who studied and/or worked here.

### **Serious Points Disadvantage for CEC applicants owing to competition with FSW**

CEC applicants with Canadian college or bachelor education find themselves having to compete with FSW applicants with Masters or PHD degrees. Sometimes this may require them to do ECA's (Educational Credential Assessments) for their foreign degrees and not to rely on their Canadian ones. We submit this makes little sense.

Lower-skilled CEC applicants, who may have low levels of language ability but are nevertheless working in Canada, are at even more of a disadvantage compared to FSW applicants.

In short, for CEC applicants it is not enough anymore to have studied and/or worked in Canada.

CAPIC respectfully submits a separate scoring system to prioritize CEC applications is in order.

## EXPRESS ENTRY REGISTRATION for 'Federal Skilled Worker' category

CAPIC will in future prepare a submission focusing solely on this category. At this time we would like to note however that, when prioritizing FSW applications using the Express Entry grid, points are not awarded for relatives in Canada. This does not seem to make sense, since it is clear that, in many if not most cases, having close relatives in Canada is a big help to immigrants, and these people are likely to consume fewer settlement resources. The fact that persons are awarded points under the FSW scoring grid for having close relatives in Canada suggests that FSW applications should be awarded higher priority on this ground too.

Given the similarities in scoring between the Federal Skilled Worker points system and Express Entry, CAPIC tends to wonder also whether the old points system is still needed. Thus, if the requirement for a minimum points score of 67 is removed from the selection criteria while retaining the requirement for 1 year of continuous skilled work experience and the other requirements, more skilled workers could enter the pool and the Express Entry algorithm would still select those who best fit Canada's needs.



## CONCLUSION

In conclusion, we would like to thank you for taking your time to review and consider the solutions proposed, as part of your information gathering process with stakeholders.

Yours respectfully,

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Jade'.

Dory Jade, RCIC, C. Dir.  
President

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