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The Road Taken:

Canada's Shifting Immigration Policy Landscape – A Focus on the Expanding Temporary Foreign Worker Program

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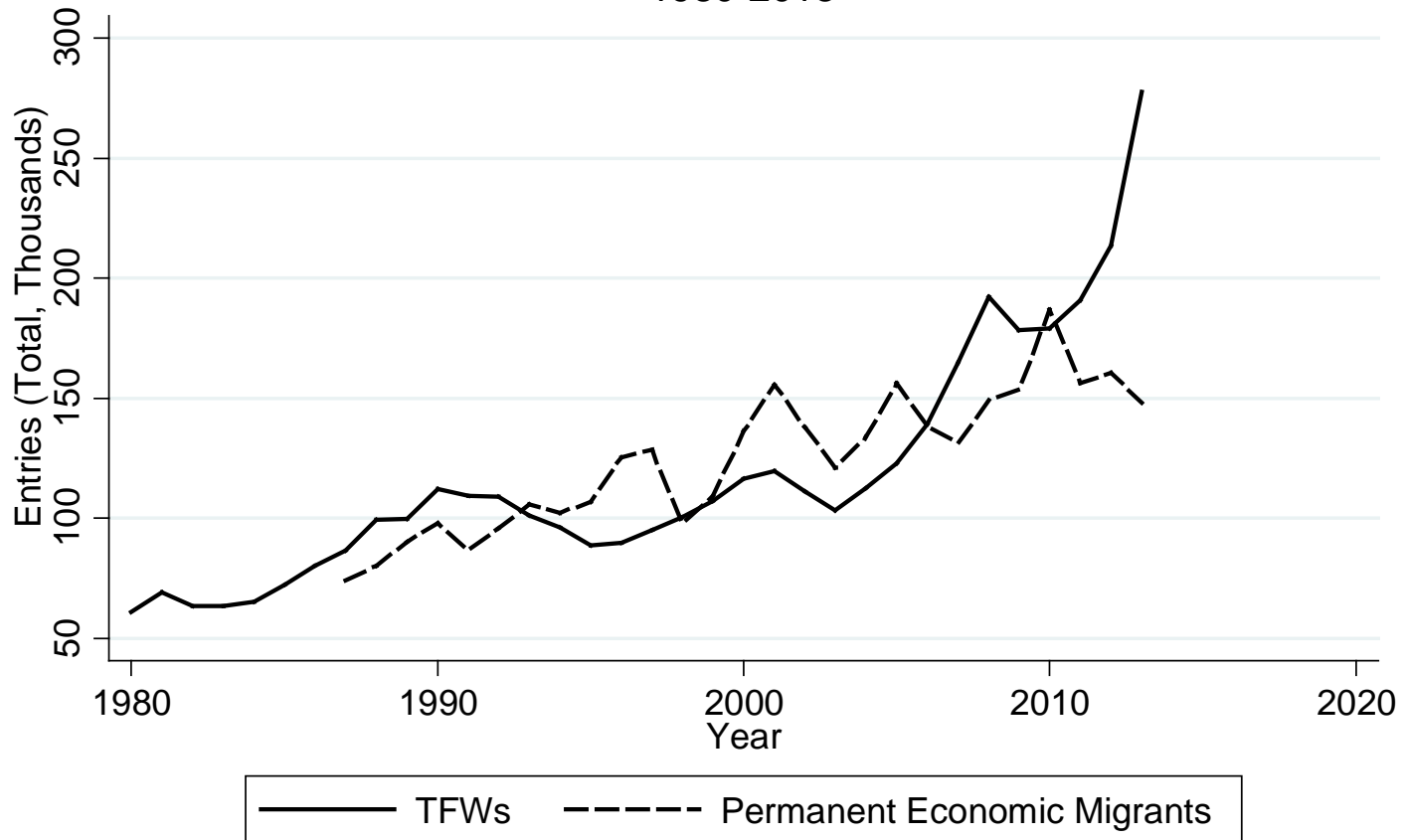
Taking the long view

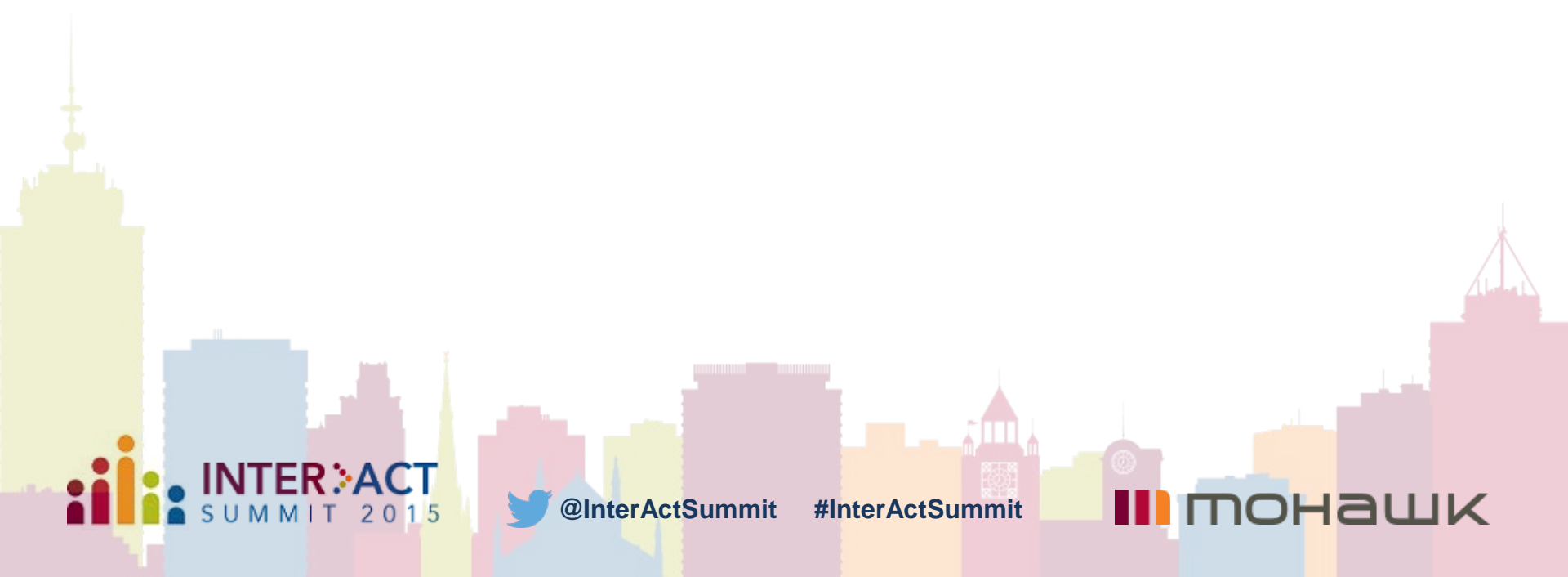
- Trends in migration flows
- Trends in policy-making
- Understanding policy directions in Canada
- Consequences for communities
- The path forward

Data & Methods

- **Statistical flow analysis:**
 - Citizenship and Immigration Canada's (CIC's) temporary resident entry data (flows, stocks, transitions), Statistics Canada's Labour Force Survey, Employment Insurance Statistics, and 2006 Census
- **Historical policy content analysis:**
 - Created an Immigration Policy Change Database 1867-present compiled using the Gazette, Legis-Info, Department of Justice, CIC website

TFW v. Permanent Economic Migrant Entries by Year 1980-2013





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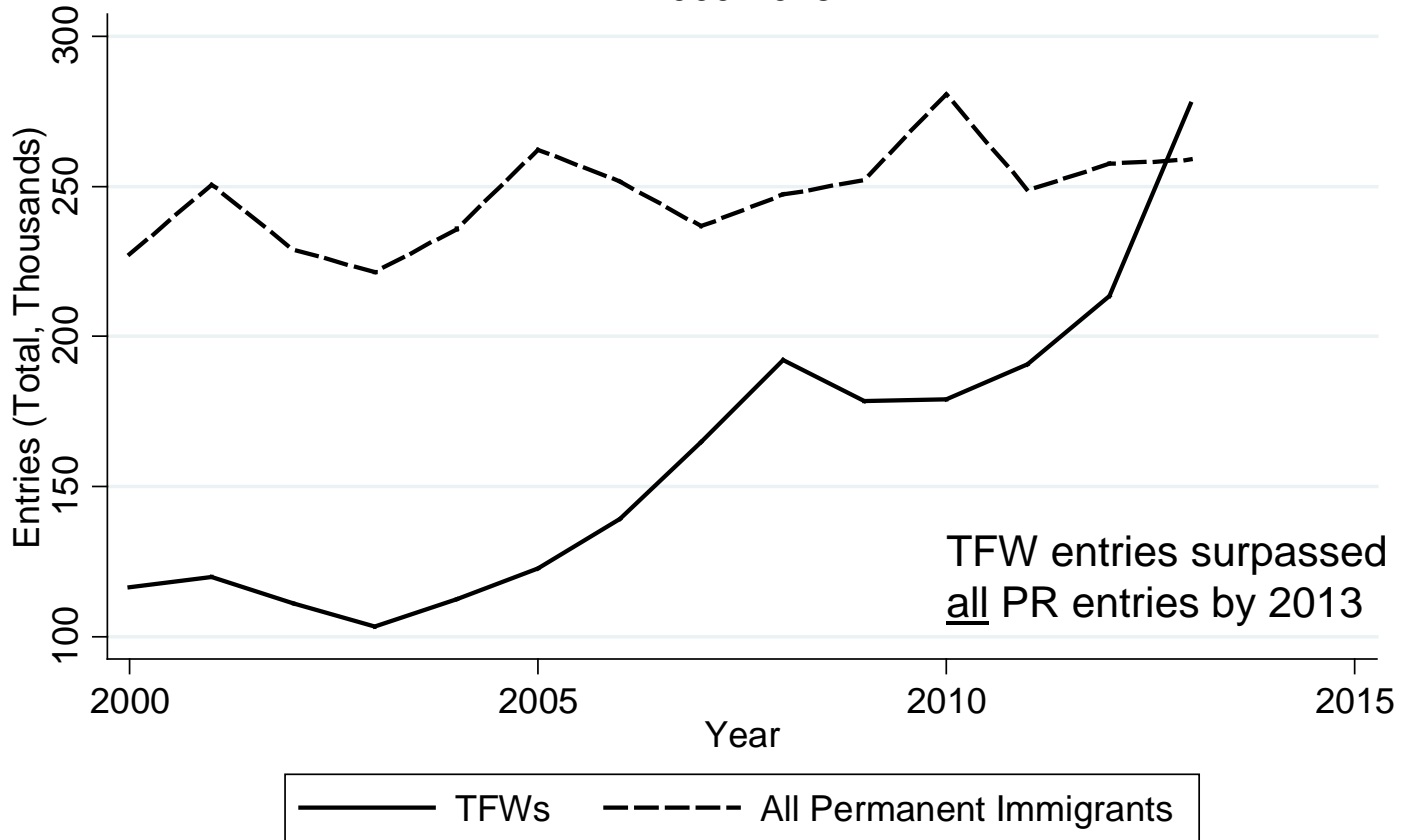
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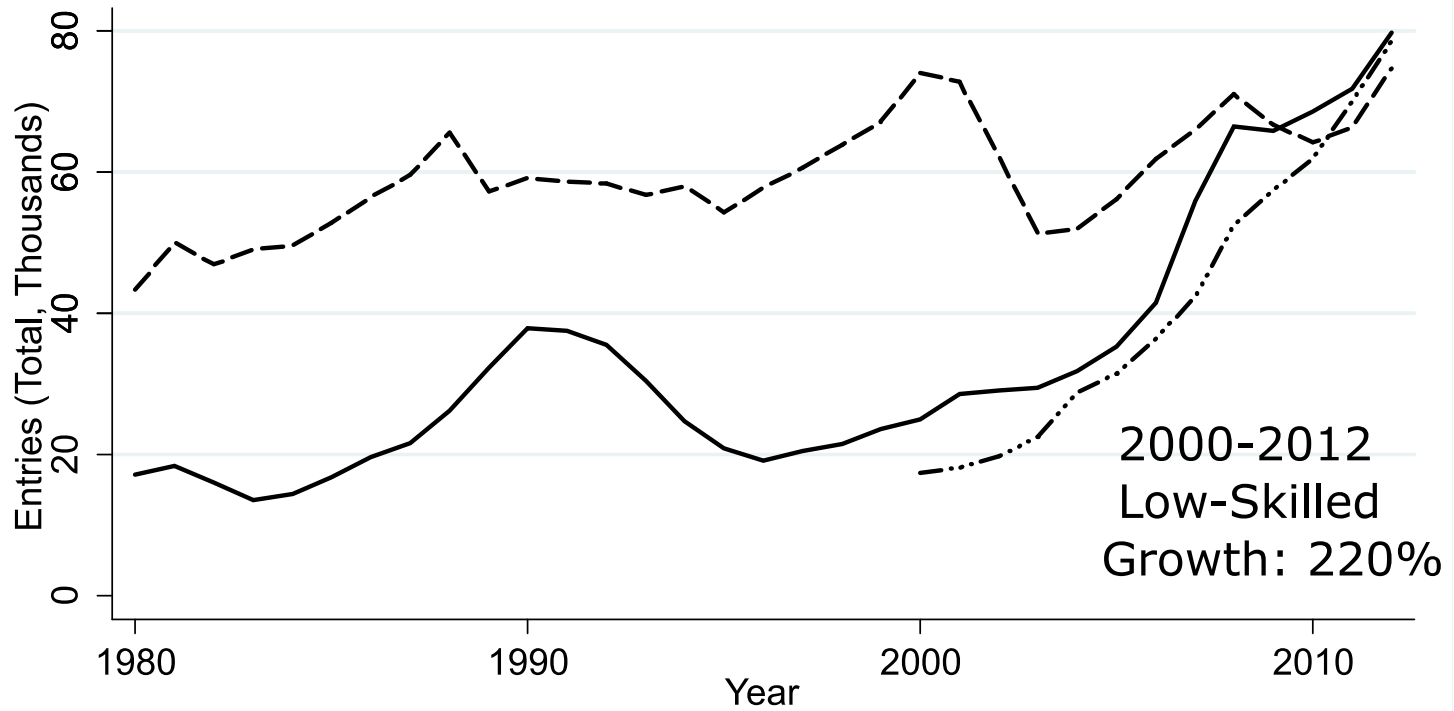
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TFW v. All Permanent Immigrant Entries by Year 2000-2013



TFW Entries by Skill Level and Year

1980-2012





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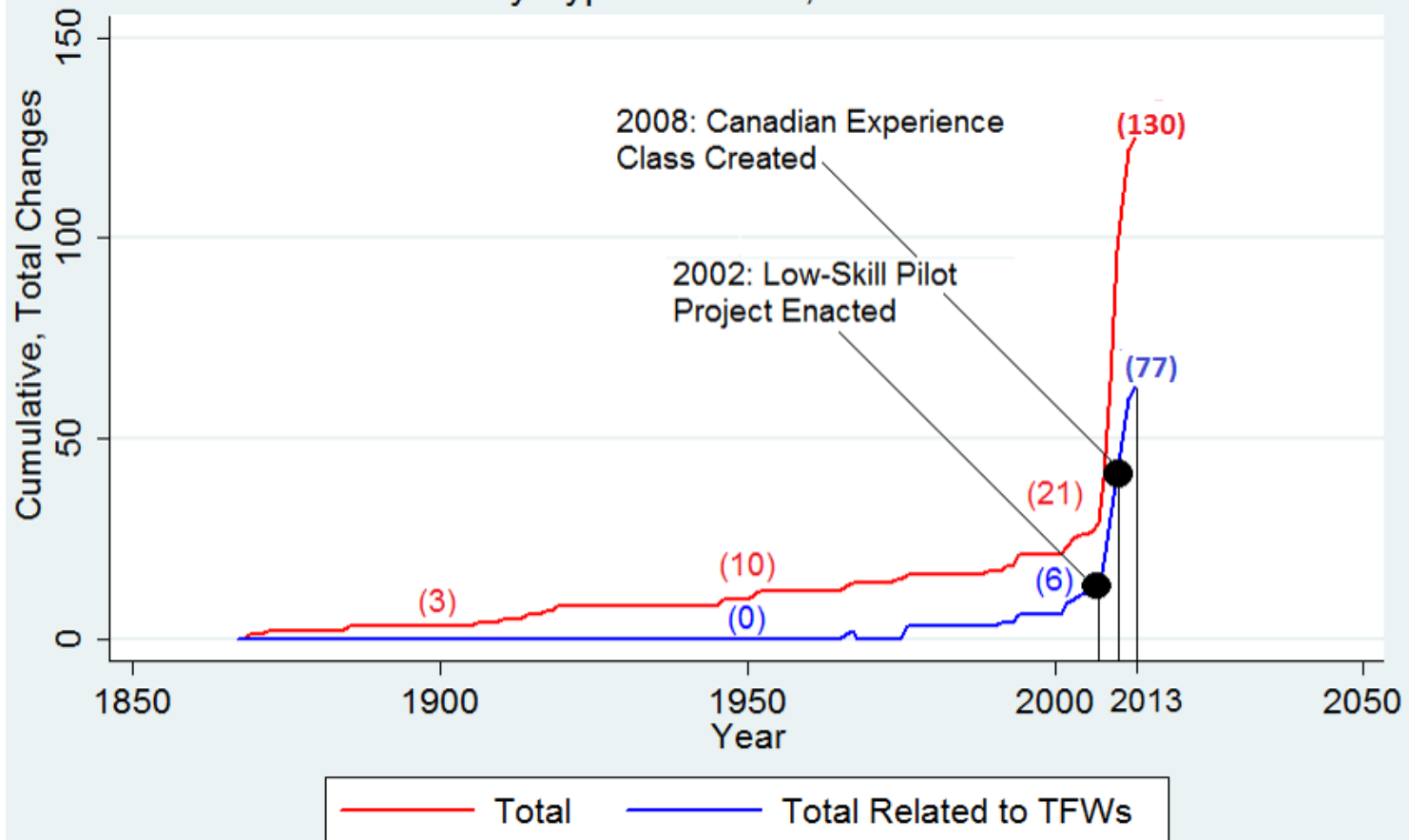
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Cumulative Canadian Immigration Policy Changes By Type and Year, 1867-2013



Unpacking the policy trends

- Prior to 2000 the majority of policy changes were enacted through legislative means (68%) with only 16% of changes being enacted through program or policy changes and 16% through Ministerial instruction.
- Post-2000 the majority of policy changes have been enacted through Ministerial instruction(77%), followed by 13% in law and 10% program level changes. With the TFWP, 79% via Ministerial instruction, 10% legislation and 11% program changes.
- Since 2000 there has been a 1183.3% growth in policies pertaining to the TFWP, with 28.57% of that growth since 2010 alone.
- Since 1987, not only has the absolute number of TFW-related changes rapidly grown, but also its portion of all immigration policy (from 27% to 59%).

This trend, combined with the growing numbers of entries of TFWs means that the TFWP represents a much larger proportion of Canada's immigration system than ever before.

Key Policy Changes (2000-2012)

Immigration and Refugee Protection Act (IRPA), 2002

Temporary Foreign Worker Program Stream for Lower-skilled Occupations (PP2002-2012)

Off campus Work Permits, 2006; Post-Graduation Work Permit (PGWP) Program, 2008; Canadian Experience Class (CEC), 2008; PhD students 2012

Regulations Amending the Immigration and Refugee Protection Regulations (IRPR) : Live-In Caregiver Program (LCP) 2007, 2010, 2011/TFWS, 2010, 2011

Ministerial Instructions - CEC, Federal Skilled Worker Class, TFWP “sexual exploitation” 2010, 2012

Provincial/Territorial Annexes, Programs and Pilots related to TFWs (6)

Bill C-35 - Act to Amend the Immigration and Refugee Protection Act, 2011

Bill C-17, C-56, C-10 – Safe Streets and Communities Act, 2012

Bill C-31 – Protecting Canada’s Immigration System Act, 2012

Bill C-50 – Budget Bill, amendments to IRPA, 2012

Accelerated Labour Market Opinion 2012

Directive: Assessment of the Wage Factor on Labour Market Opinion Applications, 2012

Regulations Amending the Employment Insurance Regulations, 2012

Key Policy Changes (2013-2015)

Collection of biometric data for temporary applications, 2013

Additional authority to the CIC/HRSDC to enforce compliance; tougher bans on TFWs employed in areas with high risk.

Bill C-43, Chp 16, act to amend IRPA, 2013

Overhaul of TFWP, split in two streams, high and low-wage, 2014

Raising fees for LMIA processing to \$1000, 2014

International students off-campus work permit terminated; post-graduate work permit valid for 3 years, 2014

Bill C-24 An Act to amend the Citizenship Act and to make consequential amendments to other Acts

LCP streams for elderly and child care, 2014-2015

Express Entry System, 2015

The Road Taken

- Expansion of the Temporary Foreign Worker Program
- Changes to the Live-in-Caregiver Program
- Changes to post-graduate/ student work permit system
- Express Entry System
- Changes to Citizenship Act



The Road Not Taken

- Caps or limits to the TFWP
- Stronger labour compliance monitoring
- Removal of employer-specific work permits
- Federal regulations on housing, health and safety, and recruitment
- Access to settlement/support services for all newcomers
- Broader opportunities for permanent residency status
- Broad based public consultation on role of TFWP
- Alignment with international conventions

Key Trends

Policy

- Enhanced ministerial power
- Enhanced security measures
- Enhanced role for private sector
- Diminished support for settlement sector

Flows

- Growth in temporary migration over permanent
- Increase in international students
- Decline in family sponsorship
- Static refugee entries



Belonging & community

Differential rights, pathways & resources

Settlement infrastructure & supports



*As poet Robert Frost writes of The Road Not Taken,
“knowing how way leads on to way, I doubted if I should
ever come back.”*

The path forward?

- Multi-stakeholder consultation
- Expand the evidence base
- Learn from international contexts
- Develop and implement training tools for private and NGO sectors
- Promote agency and integration for all
- Advocate for access to PR and resources



<http://www.unwomen.org/en/digital-library/publications/2013/12/gender-on-the-move>



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Thank you

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