

WELCOME TO CANADA?

A critical review and assessment of Canada's fast changing immigration policies

By

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A Major Research Paper

Presented to Ryerson University

in partial fulfillment of the requirements for the degree of

Master of Arts

in the Program of

Immigration and Settlement Studies

Toronto, Ontario, Canada, 2014

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ABSTRACT

From July 1, 2012, until July 31, 2014, Canada's immigration system underwent significant transformation, and the changes are continuing at a very fast pace. These transformations and the ongoing changes have created a cloud of uncertainty for many prospect immigrants and unpredictability among policy analysts, non-state actors, scholars, and other stakeholders. While family reunification, economic migrants and refugees in the past have enabled Canada to step up as a global leader, today concerns are growing that recent policy shifts are making Canada less desirable, are unfair to migrants and their families, and are resulting in destruction of its international reputation and long held leadership in immigrant integration and settlement. The purpose of this paper is to build upon Alboim and Cohl's Maytree report and review both proposed and effective immigration policies that occurred between July 2012 and July 2014. Offering an in depth analysis regarding some of the major policy amendments and evaluate their potential impact on all involved parties.

Key words: emigrants; immigration policy; temporary foreign workers; Federal Skilled Worker Program; Provincial Nominee Program; Family Class; refugees; immigrants.

ACKNOWLEDGEMENTS

I would like to take this opportunity to thank RCIS and Ministry of Citizenship and Immigration for the placement opportunity, which helped me with both quantitative and qualitative part of this project. A special thank you to my supervisor Dr. Harald Bauder who introduced to this topic, supported and offered consistent support and constructive feedback. I also would like to thank Dr. John Shields for his role as a second reader and resourceful recommendations.

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“Canada’s future relies on today’s entrepreneurs...Recruiting dynamic entrepreneurs from around the world will help Canada remain competitive in the global economy”

(Jason Kenney, 2014)

“It is not always the case that there is no qualified Canadian in the area, but rather there is no qualified Canadian willing to accept low-skilled work when they feel they can hold out for better, higher paying jobs”

(Finkelstein, Financial Post, 2014)

“Economic benefits and cost-cutting are being prioritized over the humanitarian concerns of the worlds most vulnerable” (Janet Dench, 2014)

1: INTRODUCTION:

Canadian immigration system has been rated as a highly regarded and influential immigration system among the immigrant receiving countries. Every year since 2006, Canada is welcoming more than 250,000 immigrants from around the world (CIC, 2013). Regardless of Canada’s long and discriminatory immigration history based on race, ethnicity and religion, it did not stop Canada from becoming one of the main players in attracting and accepting a high number of immigrants among the developed nations (Kelley & Trebilcock, 2010). Relative to its total population, Canada has been playing a leading role and historically has accepted more immigrants per capita than its counterparts like US, Australia and UK. New data from the National Household Survey (NHS) show that as of 2011, Canada was home to about 6,773,550 foreign-born individuals. They represented 20.6% of the total population, compared with 19.8% in the 2006 Census. The country's immigrant population, its ethnic backgrounds, linguistic and religious diversity is an indication that Canada has a rich ethno cultural mosaic. As most of the industrialized countries are planning to lower their immigration inflow and have lower foreign-born population, Canada on the other hand, regardless of its highly selective processes, is consistently receiving a high volume of immigrants each year (Statistics Canada, 2011). Indeed, the largest Canadian metropolitan cities,

Montreal (12.5%), Vancouver (13.5%) and Toronto (37.5%) have the highest proportion of foreign-born immigrants, and the numbers are constantly increasing (Statistics Canada, 2011). Immigrants in Canada are serving multiple purposes and are an integral part of what Canada is and what it is going to be. The newcomers from varied racialized and national origins bring a tremendous amount of vitality and also contribute to economic development, sociopolitical well being as well as sustaining Canada's population growth (Walks, 2010). Therefore, it is clear that immigrants and immigration have been and still are playing a vital role in Canada's social, economic and political life.

1.1 Canada's Immigration System

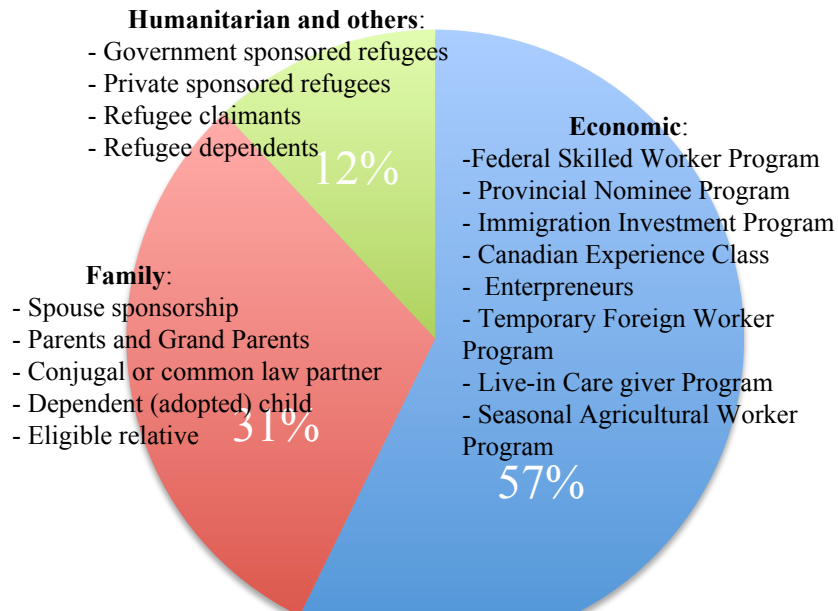
There are three pathways in Canada's immigration system; each of them is serving different purpose and containing different requirements. Each immigration category is broken down into multiple sub categories that are designed to meet a very specific sector of Canada's immigration. Overall they are collectively working to meet Canada's national immigration goals.

Economic Class: Figure 1 indicates that, in 2013, 57% of immigrants are coming through the economic pathway and are considered as the economic migrants. Most of them belong to Federal Skilled Workers and Temporary Foreign workers Programs.

Family Class: It is the second largest contributor. In 2013, 31% of overall immigrants came through the Family Reunification Program, mainly spouses and parents and grandparents. Compared to 2012, this particular class increased by 6%, one of the highest number since 1994 (94,187).

Humanitarian and Others: In 2013, only 12% of newcomers belong to government assisted, private sponsored, refugee claimants and others with no status.

Figure 1: 2013 Immigration overview: Permanent and temporary residents



In 2013: 57% of immigrants belonged to economic class, 31% were family class and 12% were refugees and other immigrants.

Source: Based on CIC Facts and Figures, 2014.

1.2 Theory- Neoliberalism

Increasing popularity of neoliberalism and its global adoption in the 70s resulted in significant changes in all aspect of governing bodies and structure, including immigration (Bockman, 2013). It was during the 1980s and 1990s, when most of the Anglo-American democracies transformed their structures of governance, from Keynesian-based institutions by adopting a neoliberal based system (Evans, Richmond & Shields 2006).

In order to comprehend and evaluate the result of these changes, it is essential to understand the importance and to discuss the impact of neoliberalism on Canada's immigration policies. Neoliberalism is not just an economically focused ideology

based on markets, money and commodities. It is also a contemporary political tool for governing the state, which has been extended to a wide range of phenomena, impacting state responsibilities such as welfare policies and making budgetary restrictions to areas like education, social services and the growth of mass incarceration of those who are disrupting the neoliberalism system (Bockman, 2013; Bagchi, 2008; Dobrowolsky, 2013).

As the Canadian government switched towards a neoliberal approach, its economic centered policies concerned with state “cost containment, reduction and efficiency” (Richmond & Shields, 2004) and a greater focus, on accountability of government finances (Sadiq, 2004). Additionally, the state minimized part of its social services and constantly shifting its responsibilities onto other private bodies by commercializing and forcing them to join the neoliberal system. Thus, Canada’s neoliberal oriented society is constantly moving away from national government as the core service provider to public-private governance and entrepreneurial citizenship (Bockman, 2013; Evans & Shields, 2004).

Canada’s contemporary immigration system and its selection procedures reflect neoliberal inspired ideologies and priorities. This particularly becomes evident when we look at Canada’s interest in economic class migrants, where the human capital of immigrants has always played a central role in carefully selecting desired immigrants. In addition to previously mentioned neoliberal indicators, the existing immigration-policy objectives are to attract highly skilled immigrants, while restricting and creating highly restrictive policies for undesired immigrants or asylum seekers. The shift away from family class and humanitarian migrants is another indication of the move toward neoliberal-centric policies.

Furthermore, the commitment to promote and encourage settlement in rural and less populated regions has allowed for the Temporary Foreign Worker Program to flourish, while “cracking down” on those who abuse Canada’s immigration system are part of the Canada’s neoliberal framework (Dobrowolsky, 2013). Canadian

immigration policies are premeditated to over-value the state's economic performance and devalue social aspects of society such as Canada's humanitarianism and family oriented policies. Therefore, the adoption of neoliberal policies is transforming the entire system into one that is less concerned with social aspect of a society and dominated by economic and corporate rules.

1.3 STRUCTURE OF THE MRP

The purpose of this practical paper is to update the Maytree report written by Naomi Alboim and Karen Cohl by listing, reviewing and discussing the major changes made to Canada's immigration system between July 2012 and July 2013 and offering critical assessment on these changes. As a Master's student and a member at Ryerson Centre Immigration and Settlement (RCIS) Advisory Committee, I had the privilege to attend and be part of the Migration Policy Effectiveness Index (MIPEX) annual update project for 2014. After reviewing some of the recent immigration changes for our first meeting, RCIS director Harald Bauder suggested to look at the Maytree report by Alboim and Cohl. As a result, I created an updated general report with the most recent immigration changes. My report will be available in the form of RCIS Working Paper with an intention to serve as an informative resource for immigrant community-based organizations, immigration focused researchers and other stakeholders. This is a practical MRP, in that the main body consists of materials for RCIS Working Paper that was developed in conjunction with RCIS. However I personally have collected all the information, data and other related materials for this project. In order to meet the requirement for the program and turn my RCIS Working Paper into MRP, I have extended the RCIS Working Paper (which begins from research overview and ends on page 32) by adding an additional general introduction, with a theory section and conclusion.

2: RESEARCH OVERVIEW

Canada's recent and unprecedented changes to the immigration and refugee system has attracted a great deal of attention and created an environment of uncertainty and

unpredictability for prospective immigrants, policy analysts, non-state actors and stakeholders. In the past, policies on family reunification, economic immigration and refugees have enabled Canada to a well-deserved reputation as a global leader in immigration. However, recent policy shifts set back Canada and destroy its international reputation as top destination of choice for immigrants. The Federal Conservative government's immigration policy transformation raised the eyebrows of many scholars, NGOs and other stakeholders. These policy changes may have a short-term benefit in reducing the backlogs and preventing immigration fraud. However, they also carry potentially detrimental consequences for Canada at large, specifically if the policies continue in this direction. In the last two years, problems have been compounded by multiple factors such as the increase of Temporary Foreign Workers along with their abusive work environments and citizenship fraud among economic and family migrants. With intent to strengthen the Canadian Citizenship Act and reduce application backlogs, more neoliberal policies were implemented to attract individuals with the right skills needed in the Canadian market.

Naomi Alboim and Karen Cohl's report titled *Shaping the Future: Canada's Rapidly Changing Immigration Policies* covers the entire range of changes in Canada's immigration system starting from policies to enhance ministerial power and other key changes that took place between 2008 and July 2012, and discusses the impacts of the changed policies on all groups ranging from temporary resident to permanent residents, refugees, Canadian citizens and most importantly the government of Canada at the global level. The authors do not just talk about the substantive changes but they also shed light on how the policies have been made and who was involved in the policy process. They discover that the federal government has made changes to every aspect of immigration policy. While there are positive aspects about the policy changes, the authors warn against the consequences of the bulk of policy changes. Finally, the authors talk about the impact of omnibus bill and negative consequences resulting from the increased ministerial power. They conclude that, despite some of the positive amendments

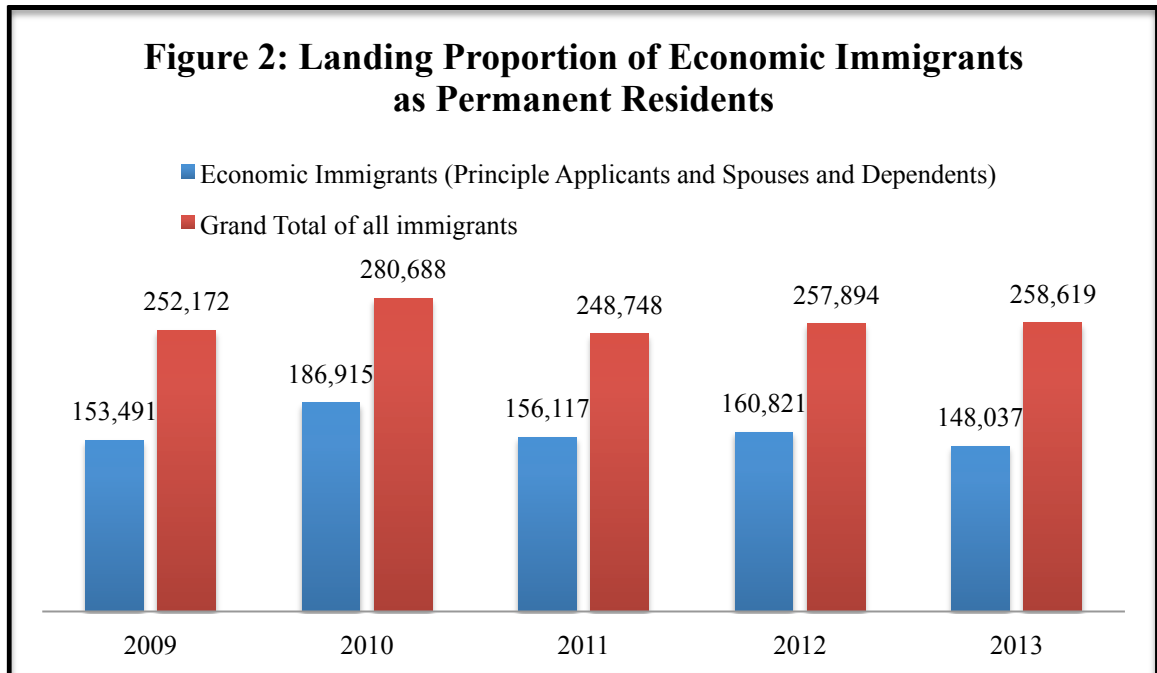
that occurred during the period, there is still lack of policy stability and most of these policies are focused on short term economic rather than long-term nation building focus. Alboim and Cohl have also offered some interesting and specific recommendations for improving economic, family and humanitarian immigration streams, including citizenship the program¹.

The purpose of this paper is to build upon Alboim and Cohl's work by reporting and discussing the new changes made in Canadian immigration policy between July 1, 2012 and July 31, 2014, namely, the introduction of new immigration programs focused on economic migrants and unprecedented reconstruction of the family and refugee classes. This approach will shed light on the motivation behind Canada's immigration policy development, and provide an opportunity to find out which of the government's priorities are stimulating the largest change in the system.

3: CHANGES TO ECONOMIC STREAM

The Economic stream is, one of the fundamental pillars of Canada's immigration system, containing multiple subcategories serving specific sectors in the Canadian economy. Majority of immigrants are coming through this category, as it is indicated in Figure 1 and 2; during the last five years trend economic immigrants represented over 60% of overall immigrants landing.

¹ For more detail see Alboim, N. and Cohl, K (2012).



Sources: Based on CIC, Facts and Figures, 2014.

3.1 Federal Skilled Workers Program (FSWP)

The Federal Skilled Worker Program (FSWP) is one of the most well-established and largest Canadian immigration programs. This has become a common pathway for many prospective immigrants to utilize this program for gaining an easier and less complicated entry to Canada. Since July 2012 this program has undergone some significant changes.

For the past few years the slogan “faster, more flexible immigration system” (Alexander, CIC, 2014) became one of the leading force for changing Canada’s economic immigration stream. The Federal Skilled Workers (FSW) received a good deal of attention, which resulted in major changes. A moratorium on FSWP except for those with arranged employment and PhD stream applicants (CIC, 2012; Alboim and Cohl, 2012) was implemented back in 2012 to reduce the number of pending application either by accepting or denying these applications (CIC, 2012). During the moratorium on FSWP, the Temporary Foreign Worker Program was

also revised and below, I review and discuss some of the changes made to this program.

In January 2013 Citizenship and Immigration Canada (CIC) unveiled its newly amended FSWP. Later in May 2013 the Federal government introduced new quota and eligibility requirements for FSWP.² In order to be considered for processing, eligible applicants must meet one the following eligibility criteria:

- Have at least one continuous year of full-time paid work experience in the past decade in one of the 24 professions and obtain at least 67 points based on Citizenship and Immigration Canada's (CIC) immigration selection factors such as education, language proficiency, work experience, age, arranged employment and finally adaptability (CIC, 2013).
- All applicants under this program must undergo language test and obtain at least adequate-intermediate language proficiency in English or French; Canadian Language Benchmark (CLB) 7, and also their foreign credentials must be assessed and authenticated by one of the four Designated Educational Credential Assessment Organizations (CIC, 2013) or,
- Have completed a PhD in Canada, or have completed two years of study in Canada towards a PhD, in both cases at a recognized institution (CIC, 2013)

The changes to the FSWP can be described in a number of ways. First, they made language proficiency the most important factor by increasing the language requirement and point allocation. Second, they increased the emphasis on age of immigrants; younger immigrants are now more desirable due to their adaptability to Canadian society and labour market, as well as their labour longevity for contributing to Canada's economy. Third, in addition to changes to the arranged employment process and extra points given for adaptability and the introduction of Educational Credential Assessment (ECA), which made it mandatory for

² See table 2 for more details.

immigrants to assess their education using a list of designated organizations to perform educational credential assessment.

In addition to that, FSWP-eligible occupations have also been raised from 24 to 50. A maximum of 1,000 applications will be considered to each of these 50 eligible occupations. Academic related occupations such as professors or lecturers and early childhood educators were listed as an eligible occupation and a new cap of 500 applications was assigned to the Ph.D. eligibility stream. Applicants who have a valid job offer from a Canadian employer are exempt from the cap and are allowed to apply for permanent residency at any time (CIC, 2014)³. These changes and limitations temporarily minimized the pressure caused by increasing labour demand and enabled CIC to devote more time dealing with the FSWP backlog before the launch of a more effective and efficient application management system (CIC, 2014; El-Sayegh & Elenbaas, 2014). The new policies are offering more flexibility to Canadian employers to seek and hire skilled individuals from abroad.

These changes were welcomed by few but criticized by many. They created a hierarchy among applicants waiting to be processed. Under the new measurements, newer files were processed faster than those submitted before February 28, 2008. With the new proposed changes it will be even harder and much more complicated for prospective immigrants to gain entry to Canada. CIC cites that it managed to decrease the overall application processing time to approximately 12 months or less, allowing the prospect immigrants to prepare and plan for their futures (CIC, 2014).

3.2 Federal Skilled Trade Program (FSTP)

With Canada's struggle to meet some of its industry and regional labour demands, both Employment and Social Development Canada (ESDC) formerly known as HRSDC and CIC started investigating the Temporary Foreign Worker Program

³ To view all 50 eligible occupations visit:
<http://www.canadavisa.com/new-instructions-federal-skilled-worker-applications.htm>

(TFWP) as the main source for employment of lower-skilled foreign workers in Canada. Subsequently, CIC announced the launch of a new immigration category. The Federal Skilled Trades Program (FSTP) started in January 2013 with the purpose to facilitate the immigration of talented tradespeople to Canada (CIC, 2013). This program was geared towards and targets individuals with qualifications in a skilled trade and practical work experience rather than formal education.

In 2013, CIC accepted only 3,000 applications. However starting from May 1, 2014, CIC offered to accept maximum of 5,000 applications. All of the 90 skills and technical occupations⁴ from the National Occupation Classification (NOC) Skill Level B groups are eligible under the new guidelines, and a sub cap of 100 applies to each category (CIC, 2014).

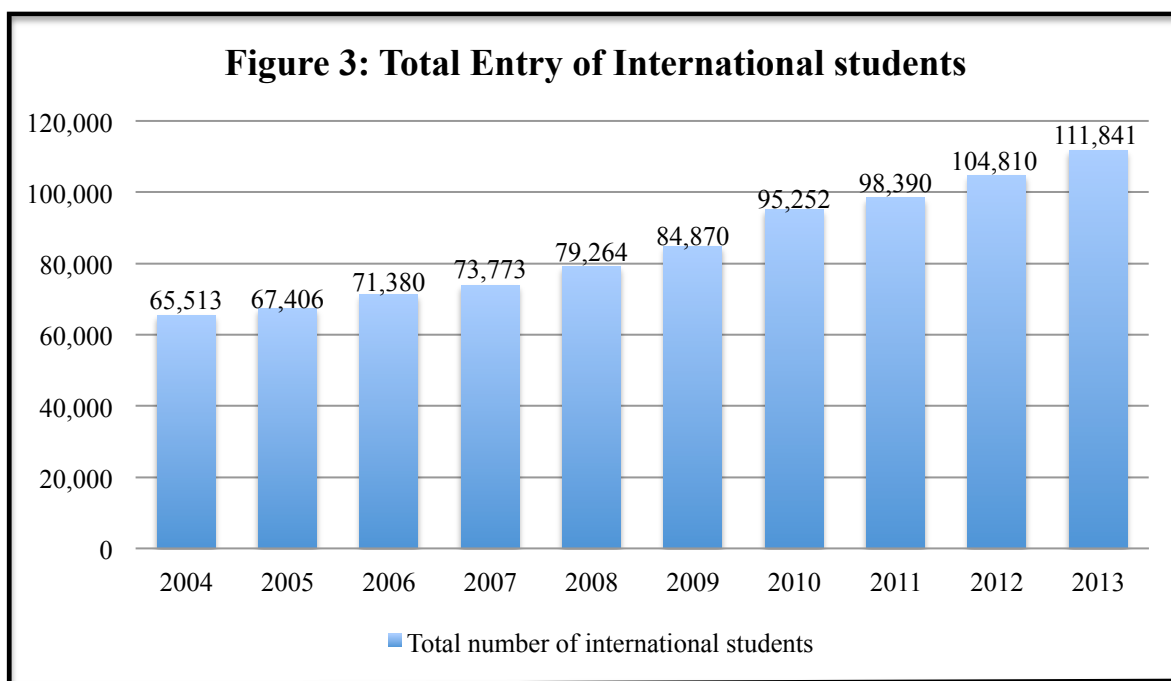
To be eligible, applicants must meet the following criteria:

- Have received at least one-year offer of employment in Canada or provincial/territorial qualification certificate verifying their needed skills and employability in Canada.
- Meet minimum language requirements threshold in English or French. Must obtain Canadian Language Benchmark (CLB) 4 in reading and writing and CLB 5 in conversing and comprehending
- Within the last five years, applicants must have least two years work experience in one of 90 eligible trades skills,
- Meet the employment requirements and must have skills and experience that are similar to those outlined in the National Occupational Classification (NOC B) system (CIC, 2013).

3.3 Canadian Experience Class (CEC)

⁴ For complete list of the 90 qualified occupations please follow the link.
<http://www.cic.gc.ca/english/immigrate/trades/applications.asp>

The Canadian Experience Class (CEC) was launched in 2008 and has since then it has become one of the Canada's fastest growing immigration programs (CIC, 2013). CEC is specifically designed to provide assistance and expedited path for Canada's highly skilled foreign professionals as well as international students already residing in Canada (CIC, 2013). Amendments made during the last two years to this sub-stream mainly impacted international students. To gain a better understanding, figure 3 shows that since 2004 the number of international students entering Canada almost doubled and as part of the CEC in international student's entries, we can witness the increase year-over-year with 2012 and 2013 notably indicating Canada has reached over 100,000 foreign students benchmark.



Source: Based on CIC, Facts and Figures, 2014.

In January 2013, CIC reduced the length of required Canadian work experience (does not have to be relevant to their field of study) from 24 to 12 months for international students to be eligible for the CEC (CIC, 2013). Additionally, the Canadian government enabled the international students to bring their spouses and common-law partners with them, offering their partners an easier path to obtain work permits as long as the student maintains their full-time status at a public or private institution

with a valid study permit. Flexible open work permits enable the spouses to work in Canada by exempting them from obtaining a Labour Market Impact Assessment (LMIA) or having a job offer, which is of the requirements for other permit holders. There are certain health related occupations that are excluded from the list of eligible occupations but the applicants have can access once they undergo medical examination (CIC, 2013).

As the number of applications increased, Ottawa temporarily introduced intake cap of 12,000 for the entire CEC (both skilled workers and international students) from November 9, 2013 to October 31, 2014 (CIC, 2013) and 8,000 applications between May 1, 2014 and April 31, 2015. With the new instructions, CIC also disqualified the work experience gained in six occupations such as administrative officers, administrative assistants, accounting technicians/bookkeepers, cooks, food service supervisors, and retail sales supervisors (CIC, 2014; GoVision, 2014).

Table 1 listed in the appendix showing the most recent amendments in CEC aiding international students, which became effective as of June 1, 2014. New policies offering more flexibility by allowing them to work off-campus while maintaining their full-time student status as well as extended their stay period by 90 days after the expiration of their study permit. Previously international student who completed their studies were allowed to work with a valid post-graduate work permit, however under the new changes, they are permitted to work while waiting for the decision on their work application. Another important and positive change to note is that, under the new regulation, registered Indians, who are also foreign nationals, are allowed to study in Canada without acquiring a study permit⁵.

3.4 Programs for Investor and Entrepreneurs

The Immigration Investment Program (IIP) and Federal Entrepreneur Program (FEP) were active for more than three decades. Its purpose was to attract foreign investors by improving Canada's economic growth and long-term prosperity (CIC, 2014). Canada was

⁵ To find out more about these changes see table 1.

one of the very first nations to develop and utilize this type of program (Marchi, 2014). Among all other programs in the economic category, the IIP is the only one that remained unchanged since its implementation although it became prone and open to fraud. Based on several media sources, this program gained an extreme popularity among millionaires, with its quota in 2013 filled by overseas millionaires, mainly Chinese, within 30 minutes of its opening (CIC, 2014). Due to significant application backlogs, where the applicants were made to wait 4-5 years, as well as its limited economic benefit to the country, as of June 19, 2014 CIC terminated both the IIP and FEP (CIC, 2014). According to immigration minister Chris Alexander there will be a replacement programs with more capital investment requirement along with increased language and potentially residency requirements. The replacements programs are the Venture Capital Pilot Program and Start-up Visa for Entrepreneurs (Wee, SCMP, 2014).

Venture Capital Pilot Program

The Canadian Government is currently preparing to introduce and launch the Venture Capital pilot program to maintain the flow of international investors to Canada. This program is expected to be, a more aggressive version of IIP. To date some of the new expectations were released and are listed in table 2, but it may change, as the launch date approaches.

Start-up Visa Program

On April 1, 2013 CIC launched the Entrepreneurs Start-Up Visa with intent to attract business leaders from around the world. This program has a cap of 2,750 (CIC, 2013). It was created to support and complement Canada's Venture Capital & Private Equity Association, and the National Angel Capital Organization. Visas will be issued only to qualifying entrepreneurs during the first application cycle. In order to qualify for the Start-up Visa, the applicants must receive a letter of support from one of the designated organizations, who are authorized and qualified to review the applicant's business proposal and evaluate the impact of their ideas for Canadian economy. Presently, there are three types of designated organizations such as Venture Capital Funds, Angel Investors Groups

and Business Incubators⁶, each of them differing by size and requirements and with lightly different procedure (CIC, 2013). A little over one year ago, the Canadian government welcomed its first two successful Start-up Visa applicants.

Qualified Start-up Visa applicants must:

- Have a letter of support from a designated Canadian organization;
- Pass minimum language requirements in English or French (CLB 5);
- Have at least one year of post-secondary education;
- Have sufficient settlement funds;
- Reside in any Canadian province/territory except Quebec; and
- Pass Canadian security and medical clearances (CIC, 2013).

3.5 Provincial Nominee Programs (PNP)

Unlike the rest of the programs under the Economic Class, Provincial Nominee Programs (PNP) are being governed by both the federal (CIC) and the provinces/territories. Every province and territory except Quebec and Nunavut in Canada has a PNP and the ability to nominate desired immigrants. Applicants are selected based on a province's or territory's specific skills, education, work experience or other criteria. Due to different labour demands across provinces and territories, this program authorizes these provinces and territories to select and nominate those individuals who will benefit their local economy and society. There are several streams in this program but majority of them normally fall under skilled, semi-skilled, investors and international students (CIC, 2012). In 2013 alone, combining both principal applicants and spouses and dependents, PNPs accounted

⁶ To read more about these organizations, follow the link below.
<http://www.cic.gc.ca/english/immigrate/business/start-up/eligibility/entities.asp>

for 27% of economic permanent residents (CIC, 2013). The popularity and success of this program can be attributed to several factors. First, PNP applications receive priority processing from CIC. Most applications are finalized within 12 to 14 months, with an acceptance rate of 97%. Second, as a result of its unique selection process this program helps provinces and territories to maintain their demographic needs and successfully encourage people to reside in less economically attractive areas (Alboim & Cohl, 2012; CIC, 2013). Finally, due to the diversity of programs, PNPs offer applicants choices and flexibility by applying to their desired location where they meet eligibility criteria. Between July 2012 and July 2014, some provinces such as Saskatchewan⁷, Nova Scotia⁸ and Manitoba⁹ made sweeping changes to their programs while others are planning to make changes in the near future. Space limitations do not permit a discussion of these changes in detail.

3.6 Temporary Foreign Worker Program (TFWP)

When Canada first launched the Temporary Foreign Worker Program (TFWP) in 1973, it was designed to allow companies to specifically hire skilled foreign professionals, like engineers, when a particular expertise could not be found in the domestic market. But this has changed overtime. The TFWP is a subcategory of Economic Class; it is a jointly managed program by Employment and Social Development Canada (ESDC) and Citizenship and Immigration Canada (CIC) and gained popularity during the past decade. This program serves a very specific purpose: to help fill genuine and acute labour needs and fill temporary labour and skill shortages (CIC, 2012).

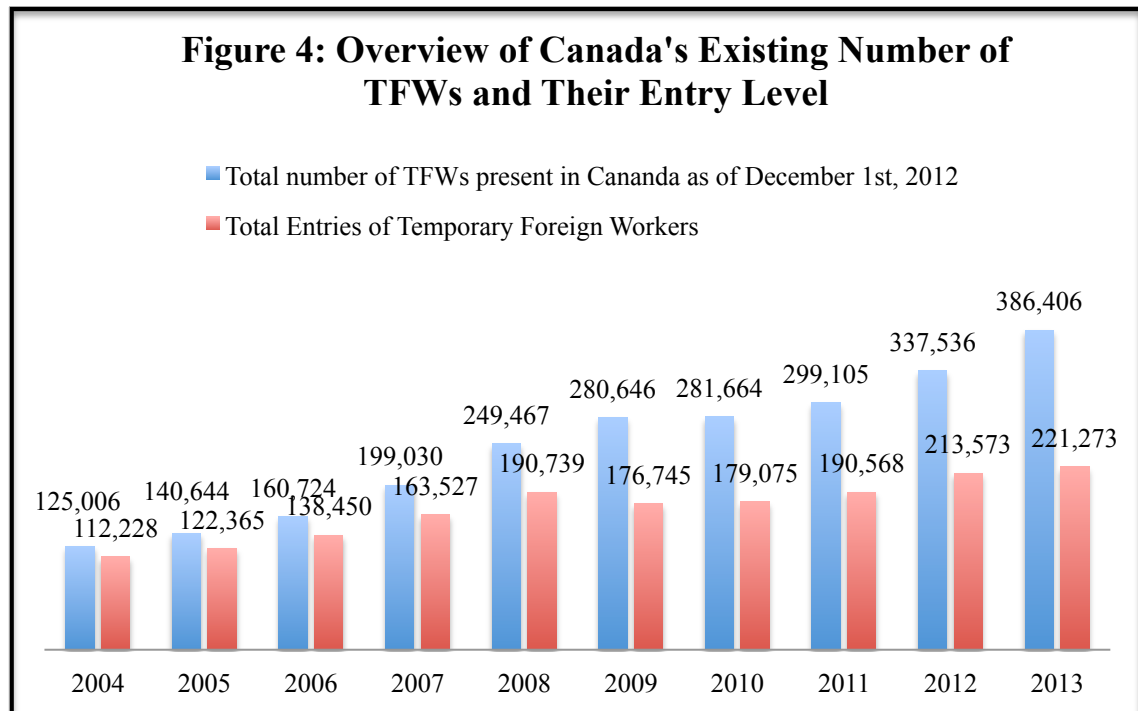
According to ESDC (2013), Canada's thriving labour market is experiencing significant shortages of essential skills in many sectors and regions and the TFWP

⁷ For more details visit: <http://www.canadavisa.com/saskatchewan-provincial-nominee-program.html>

⁸ <http://www.canadavisa.com/news/entry/nova-scotia-introduces-new-immigration-stream-03032014.html>

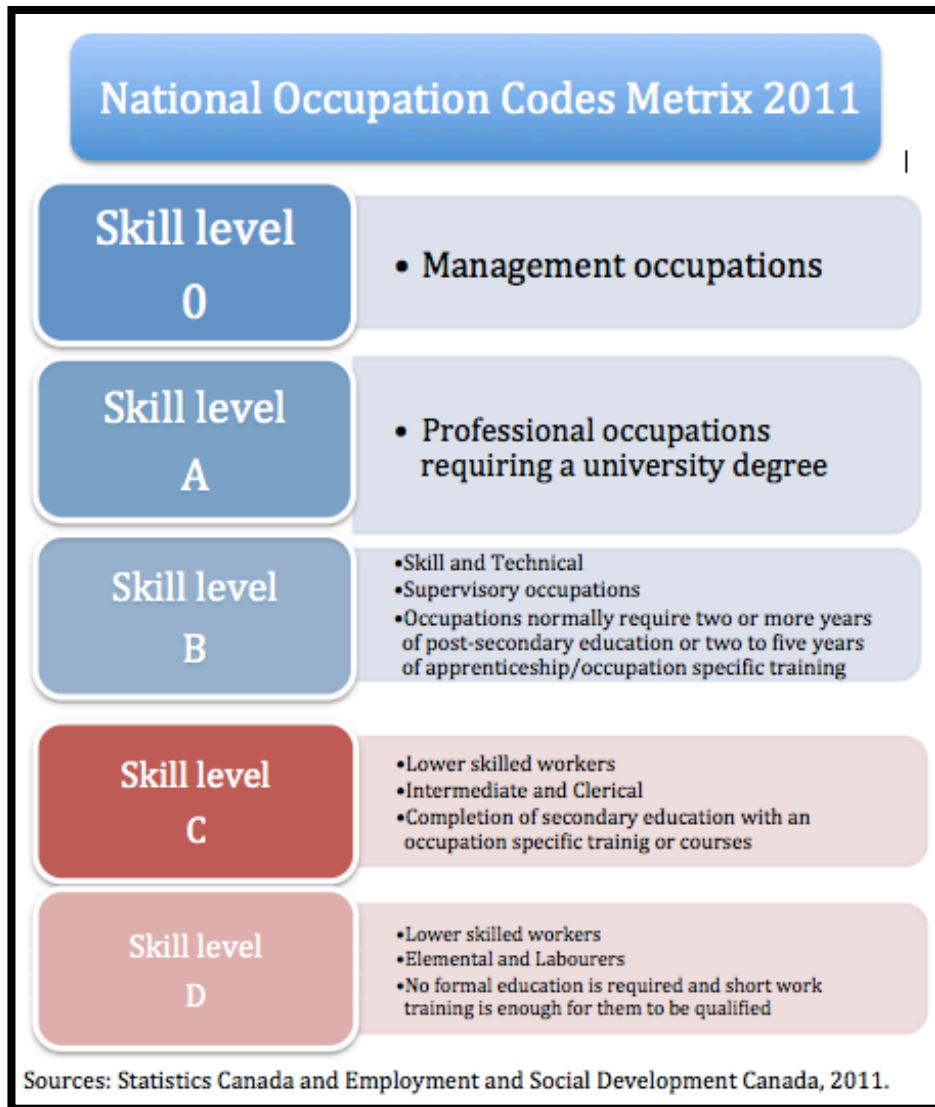
⁹ <http://www.canadavisa.com/news/entry/extensive-changes-made-to-manitoba-provincial-nominee-program-for-business-06082013.html>

is a recruitment tool to cope with these shortages. However, the high and growing number of temporary foreign workers (TFWs) indicates that they have become the primary resource for filling labour shortages during the last ten years. Based on Figure 4, since early 2000 the number of TFWs entering Canada has doubled from 112,228 in 2004 to 221,273 in 2013 and the number of TFWs present in Canada tripled from 125,006 in 2004 to 386,406 in 2013(CIC, 2013; Bragg, 2014).



Source: Based on CIC, Facts and Figures, 2013.

Presently, the people who qualify for this program embrace a broad skill range. Their skills range from drivers, restaurant workers and seasonal agricultural workers (low skilled) to highly skilled IT professionals and engineers. The eligible occupational categories – also known as the National Occupation Classification, are as follows:



As the number of TFWs entering Canada doubled over the past decade, this program become very controversial, due to increasing abusive work environment. Ottawa was well aware of the issues but failed to take action to prevent the abuse of low skilled workers and failing to listen to objections of the local Canadians who lost their jobs to TFWs. Thus, these corporate controlled economic policies not just hurt the local economy but it is also on the path to deteriorate the next Canadian generation. After a recent public outcry and the rise on the number of complaints against the Conservative Government, CIC started investigating and making changes affecting the entire immigration system.

While benefiting some Canadian industries, the TFWP had negative effects on other sectors. The Canadian Centre for Policy Alternatives (CCPA) and Alberta Federation of Labour (AFL) conducted a study, which showed that the large entrances of TFWs are negatively affecting the employability of Canadian youth (CCPA, 2014; Yalnizyan, 2014).

Effective July 31, 2013, CIC made the following changes to the TFWP:

- Introduction of application processing fee of \$275 per position requested on the LMO.
- A new and distinct language assessment method was created as subsection 203 (1.01) of the *Immigration and Refugee Protection Regulations* (IRPR), stating that no other languages except English or French should be listed as a requirement for an LMO. If another language is indicated, the applicant must provide an explanation.
- Minimum job advertising requirements have increased from 2 weeks to 4 weeks.
- Employers must now provide an explanation on how their foreign hires are impacting the Canadian labour market.
- Employers may no longer pay workers up to 15% below the prevailing wage in their occupations (CIC, 2013; IRPA, 2013)¹⁰.

In addition to these changes, both ESDC and CIC have also implemented several other programs and policies such as Accelerated Labour Market Opinion (ALMO), Bridging Work Permit (BWP), Increasing Worker Safety (IWS) and Biometric Requirements (BR) for some temporary residents migrating to Canada from designated countries. ALMO is allowing qualified employers an expedited path for

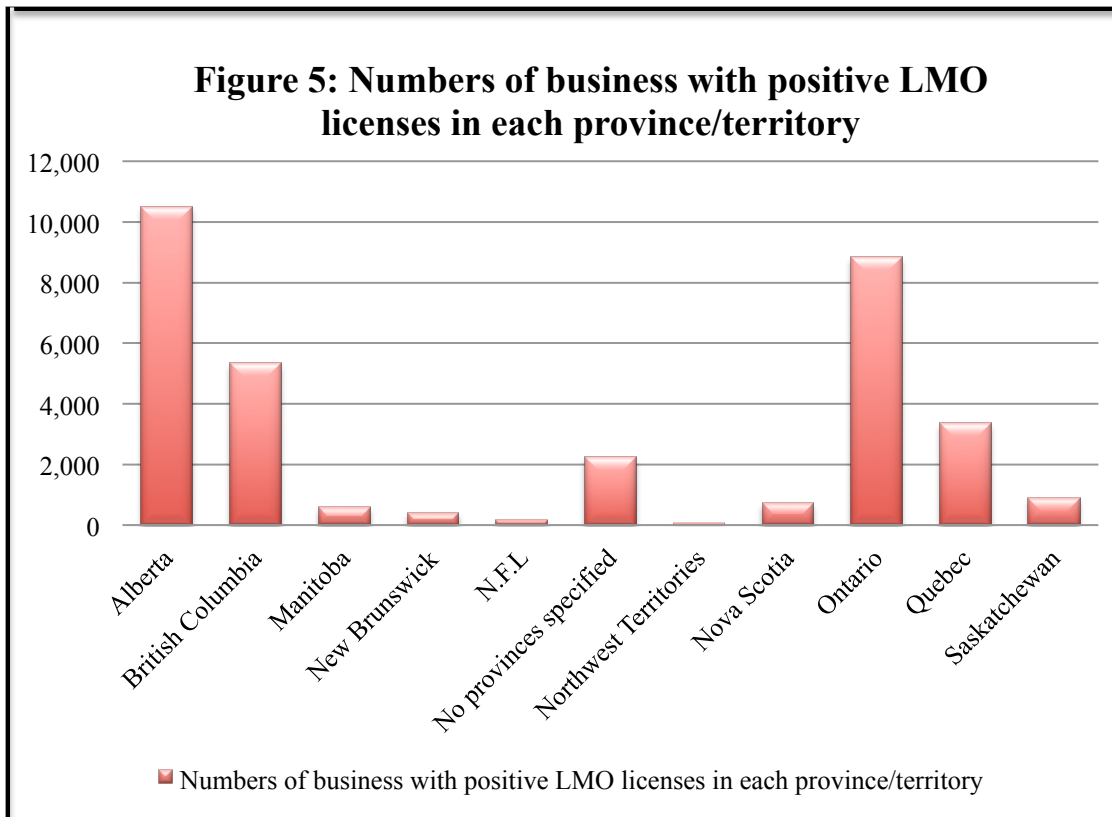
¹⁰ Find out more from: Regulations Amending the Immigration and Refugee Protection Regulations.
<http://www.gazette.gc.ca/rp-pr/p1/2014/2014-06-21/html/reg1-eng.php>

obtaining a LMO within two weeks of application comparing to three months for a non-ALMO applicants (CIC, 2013). To retain temporary workers, BWP gives applicants with pending permanent residency application and expired work permit an additional one-year to remain in Canada with an open work permit (CIC, 2013). Due to the number of reported abuses and Canada's commitment to fight human trafficking, IWS was created to monitor and avoid issuing visas and processing work permit requests to TFWs destined to work in the sex industry (CIC, 2013). The implementation of BR forces some temporary residents from designated countries, who wish to come to Canada for work, visit or study to submit photographs and fingerprints prior to their arrival (CIC, 2013). Some of these changes are discriminatory based on the association of 'race', religion and ethnicity and country of origin.

The changes are supposed to respond to a series of interconnected developments. First, during the 2008 economic recession employers were pressured by the economic slowdown and encouraged by lax Canadian policies to seek and hire low wage foreign nationals to maintain their businesses while increasing their profitability. This resulted in the arrival of close to 98,000 LMO foreign workers (CIC, 2013), who were prone to be exploited, misinformed, threatened and underpaid. Critics charged that Canadian employers are using this program to fill both high and low skilled jobs on a permanent rather than temporary basis. Second, according ESDC and several media reports¹¹ between June 2010 and June 2013, over 33,000 businesses were granted positive LMO, (ESDC, 2014). Figure 5 shows that Alberta, British Columbia and Ontario alone accounted for almost 75% (24,700) of LMO positive licenses. Third, the program suffered from inconsistent and irregular practices by provinces, lack of proper communication and information sharing between the license issuers and policy makers. It also enabled thousands of businesses to hire TFWs at below provincial and market wage rates. The combination of public outcry over abuse, mismanagement and exploitation of high

¹¹ To view the list of business with positive LMO visit:
<http://www.theglobeandmail.com/news/politics/which-companies-are-authorized-to-use-temporary-foreign-workers-view-the-entire-list/article11134042/>

numbers of TFWs, and the low-wages with which Canadian workers could not compete forced the Federal Government to act.



Sources: Based on ESDC, 2014.

After several months of scandals and controversies surrounding the use, abuse and maltreatment of TFWs, on June 20, 2014 both the Employment Minister Jason Kenney and Citizenship and Immigration Minister Chris Alexander unveiled the transformed version of TFWP. The new version divides the TFWP in two streams: TFWs (LMIA controlled occupations and these being administered by ESDC) and International Mobility Program is LMIA exempt and under control of CIC (CIC, 2013). According to ESDC, the changes to the TFWP are intended to return the TFWP to its original position, where it was utilized as the last and limited resource for employers. Replacing LMO with LMIA to make the program more rigorous, the introduction of new increased application fee from \$275 to \$1000 with

additional privileged fee of \$100 (to improve the services), along with increased hourly wage were among the list of these new adjustments¹².

Due to lack of civil rights and protection, and the increase in the number of abuses in the TFWP, Adelman et al. (2014) urged for the state to make use of refugees for solving the TFW problem. This could help to fill the needed labour gap and also rebuild the reputation of the government on this issue. Rather than following what Adelman and colleagues are offering, a better approach would be to improve their rights and protection of TFWs. The danger is that using refugees for economic purposes is problematic and may come to be used as another easily exploited vulnerable group. In order to strengthen and improve the existing immigration system, there is a general consensus among most scholars and organizations that the government should encourage national public debate on this matter, consult key stake holders, and share information between the various levels of government, academic researchers, employers, and community organizations (Alboim & Cohl, 2012; CCR, 2013; Beiser & Bauder, 2014; Mendelsohn & Omidvar, 2014). Due to complexity and lack of workers protection, other critics request the complete termination of the TFWP.

3.7 Live-in Caregiver Program (LCP)

Live-In Caregiver (LCP) Program is designed for helping Canadians who are in need of nannies for their children or caregivers for their elderly parents when Canadian citizens and permanent residents are not available as workers for these notes (CIC, 2013). Participants in this program are individuals qualified to provide care for children, elderly persons or persons with disabilities in private homes without supervision. Unlike the TFWP, the LCP permits foreign works to apply for permanent residency after residing in Canada for 24 months (CIC, 2013). For the past decade, this program has gained popularity. In 2012 and 2013 the Canadian government allowed a total of 17,796 people under this program (CIC, 2014). Most of the changes in the TFWP will also apply to LCP, except LCP does not have a

¹² For more detail see tables 3 & 4.

cap and are also exempt from one year LMIA work period limitation¹³. For the government to have a clear record of LCP employers, the existing business owners are not allowed to hire and bring someone under LCP using their existing business number, they are required to obtain a new business number for this specific purpose (ESDC, 2014). This program saw minor changes since July 2012, but it is under review. Table 5, provides additional information on regulations and working conditions of Live-in Caregivers by provinces/territories.

4: CHANGES TO FAMILY STREAM

Family is one of the most important components of the Canadian immigration system (Alboim & Cohl, 2012, Bragg, 2013, Neborak, 2013), and the family reunification program is the second largest pathway for immigrants to come to Canada. Family reunification program serves to reunite mainly spouses (55% in 2013) and parents and grandparents (41% in 2013) (CIC, 2014). The Family Reunification Program serves all immigrants regardless of their form of arrival to Canada. Thus, the change to economic class immigration also affects the arrival of family members. In addition, the family reunification program experienced some dramatic changes during the last two years.

Spousal Sponsorship

Recent changes for spousal sponsorship include a five-year sponsorship ban, meaning that a permanent resident who came to Canada through spousal sponsorship is banned from sponsoring another spouse for five years after receiving Canadian Permanent Residency (Alboim & Cohl, 2012; CIC, 2013). In addition, to confirm and verify their relationship, there is a two-year official relationship regulation, meaning in that spouses or common-law partners who have been in a relationship for two years or less, and who have no children together, will receive conditional permanent residency. They must prove that they continue to live with

¹³ See table 3.

their spouse or partner in Canada, in a legitimate relationship, for two years before the spouse can become permanent resident. (CIC, 2013, Canadavisa, 2014).

Additionally there are options for spouses who are physically present in Canada to apply through the inland sponsorship program. Inland applicants had short-term success, because now, the wait time for applicants is close to one year for the first stage approval. This is up from six months. If the backlog continues to increase, there is a possibility that the inland sponsorship program will be terminated (Keung, 2014).

Parent and Grandparents

The Government of Canada has created policies to minimize and if possible to exclude parents and grandparents who could become a burden to Canadian economy and society (Alboim & Cohl, 2012, Neborak, 2013). Some of the recent changes include the following exclusionary measures:

First, as indicated in Table 6, the income requirement for sponsoring parents and grandparents was increased by 30%. Currently, Canadian citizens or permanent residents planning to sponsor their parents and grandparents must meet or exceed new Minimum Necessary Income (MNI) thresholds. According to CIC, these MNI thresholds will be measured or calculated based on the official low-income cut-offs (LICO), which is higher than previous years¹⁴ (CIC, 2014). The number of family members being sponsored, as well as the residential location of the sponsor(s) in Canada could also impact the MNI requirement (CIC, 2014). Second, the period for demonstrating the MNI was lengthened from one year to three years. This change requires those interested in sponsoring parents and grandparents to demonstrate that they meet the new income threshold for three consecutive tax years prior to submitting a sponsorship application. The sponsor income claim can only be verified by providing notices of assessment or other documentation issued by Canada Revenue Agency (CIC, 2014). Third, the period for which the sponsor is

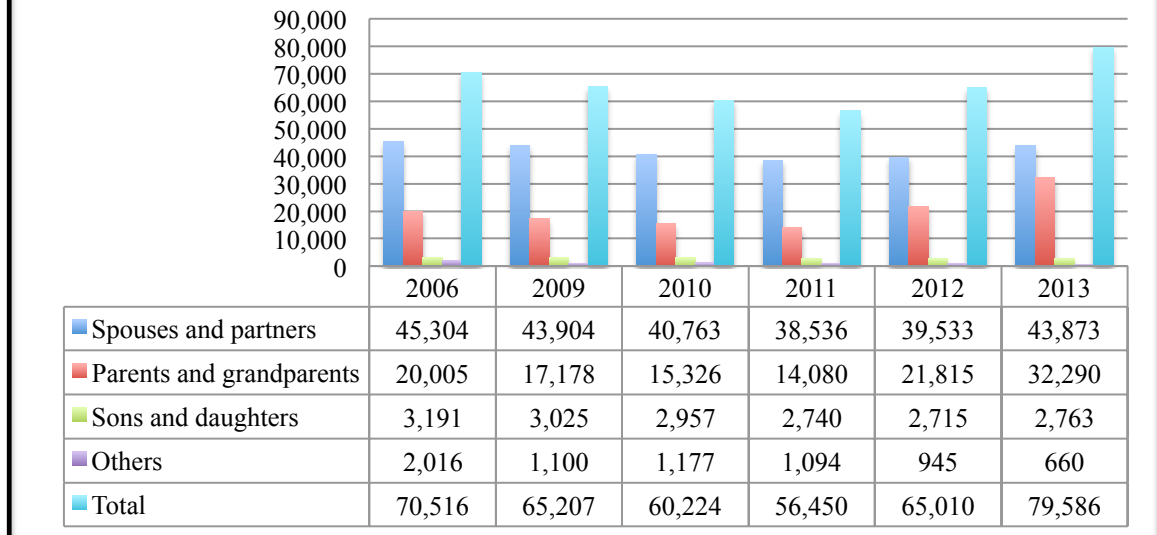
¹⁴ See table 6 and 7 for more information regarding eligibility.

committed to provide sponsorship increased from 10 to 20 years. Sponsors and other responsible parties will now be responsible for repaying any provincial social assistance benefits paid to the parent and grandparent, including the health care expenses and benefits not covered by the provincial health care system, for 20 years (CIC, 2014).

Considering the barrier to labour market success and income differentials between immigrants and their Canadian-born counterparts, the income requirement is an exclusionary measure. According to Neborak (2013), racialized immigrant women working a low-wage and underpaid jobs, who seek to sponsor their parents and grandparents are especially disadvantaged (Neborak, 2013). Therefore, this measure makes it almost impossible when it comes to immigrant women who are willing to sponsor their PGP temporarily or permanently. The breakdown in Tables 6&7 further details the eligibility criteria for sponsoring Parents and Grandparents (PGP) under either PGP sponsorship program (permanent) or PGP Super-Visa (temporary).

Based on numbers in Figure 6, the launch of Super Visa in December 2011 has also boosted the number of PGP entering Canada as permanent residents. Despite the newly created strict limitations for sponsoring PGP, the overall numbers of sponsored PGP surprisingly have increased by 32% from 21,815 in 2012 to 32,290 in 2013. It seems that this increase of PGP came at the expenses of spouses and others in the family category. For instance considering the table below, while the number PGP as permanent residents jumped significantly, the percentage proportion for spouses and partners declined 68% in 2011, 61% in 2012 and 55% in 2013.

Figure 6: Overview of Family Class as Permanent Residents



Source: Based on CIC, Facts and Figures, 2014.

5: CHANGES TO REFUGEE STREAM:

On average for the last five years close to 10% of permanent residents are coming to Canada through the refugee stream. There are two different paths in which refugees are being admitted. Some refugees are migrating to Canada through government and private-assisted programs selected abroad, while others are claiming asylum at the Canadian borders (CCR, 2013, Alboim and Cohl, 2012). Canada's refugee policies have become a shifting ground in the recent years.

In December 2012, a newly designed asylum system called Protecting Canada's Immigration System Act (PCISA) was implemented to complement the newly passed Bill C-31 (CIC, 2012). The changes include, first, a reduction in the waiting and processing period from over one-and-a half years to 30-45 days for refugees from Designated Countries of Origin (DCO) and 60 days for refugees from Non-DCOs. Second, the Government of Canada launched a new refugee determination system, which involves a new unit, the Refugee Appeal Division (RAD). RAD is a

special division that has the authority to object and reverse any rejection by either Immigration and Refugee Board (IRB) or Refugee and Protection Division (RPD). Third, the changes include the quicker removal of the failed claimants. The current average removal time of 4.5 years will be reduced to less than one year (Canadavisa, 2012). This move alone is an indication of Canada's failure to recognize the vulnerabilities of this population and offer protection, because it further eliminated safeguard for refugees by depriving them of fair consideration of their condition.

Increased in the number of Designated Country of Origin (DCO):

The Canadian government has increased the list of the DCOs. Based on Table 8, as of May 31, 2013 the list of DCOs included 37 countries¹⁵, up from 27 countries in 2012 (CIC, 2013). In order for a country to be listed as a DCO, it must meet certain quantitative and qualitative criteria. For instance, a country accounting for 30 rejected claims in consecutive 12 months period, a combined 75 or higher percentage of failed claimants, a state that possess an independent judiciary system are some of the indicators for a country to be listed as a DCO. Many refugee based organizations and human right activists, such as Canadian Council for Refugees and Amnesty International, viewed the DCO scheme is unjust, violating basic rights contained in the Canadian Charter of Rights and Freedoms (CCR, 2012; Amnesty International, 2012). Unlike the requirements in its previous legislation, the new criteria for the designation are ambiguous and arbitrary. For example, listing Hungary as one of DCO countries resulted in a public outcry accusing the Canadian government for promoting racially motivated policies. As a result of these restrictions, minority groups like Roma and Jewish fleeing violence, persecution and discrimination from Hungary are no longer eligible (CARL, 2014).

Additionally, the new measurements place a special emphasis on the country of origin of refugees, which results in the different treatment of refugees coming from

¹⁵ See table 8 to view the list for all 37 DCOs.

DCO and non-DCO. For instance, refugees arriving from one of the listed DCO are given very little opportunity to overcome evidence insufficiency for their claim and will go through a different process with a higher likelihood of rejection with no right for appeal using RAD or access to other available divisions (CCR, 2013; CIC, 2013). There are additional problems associated with the recent changes. Faster processing times of refugee claims also means little opportunity for newly landed refugees to collect and organize all of the required documents and file their claim. According to Canadian Council for Refugees, this unrealistic application-processing deadline will only hurt the most vulnerable and disadvantaged asylum seekers (CCR, 2013).

Faster Removal of Foreign Criminals Act (Bill C-43) became law in June 2013. For faster removal of failed claimants and to minimize delays, under the new Act access to Pre-Removal Risk Assessment (PRRA) and applying for Humanitarian and Compassionate grounds (H&C) are limited for rejected asylum seekers. As part of the Bill C-43, failed applicants from non-DCOs with final negative decision are not allowed to access PRRA for one year. The same rule applies to DCO applicants with an extension of 3 years (CIC, 2013). This restriction will result in the unfair treatment for individuals from DCOs. In addition, refugee claimants with pending application are not eligible to apply for H&C. Similar to PRRA, failed applicants from non-DCOs are not permitted to apply for H&C for one year. Claimants from DCOs are banned from applying for H&C for five years, meaning that applicants who failed to convince IRB the first time have no chance for presenting evidence before their removal. To ensure that failed claimants are removed in a timely manner, neither the RPD nor the RAD are authorized to re-open failed cases decided by higher-level authorities. Furthermore, Ottawa is preventing refugee claimants from DCOs to obtain work permits prior to the approval of their claim, further isolating and demoralizing these refugees. Additionally, under PCISA, claimants with criminal background or who have committed a crime in Canada or outside will be denied.

6: CHANGES TO CANADIAN CITIZENSHIP

Bill C-24, titled “the Strengthening Canadian Citizenship Act”, is the first major citizenship reform since 1977 (CIC, 2014). The newly implemented Bill has fundamentally transformed the meaning, scope and processing of Canadian citizenship. While the 1977 Citizenship Act reduced the residency requirement from five to three years, Bill C-24 raised the bar for obtaining citizenship¹⁶. Table 9 lists all the new changes to Canada’s citizenship procedures and eligibility criteria:

Despite CIC initial claim and aim to combat citizenship fraud, eliminate backlogs and make the citizenship system more “efficient and effective”, this new legislation is highly controversial. According to the Canadian Bar Association, Canadian Council for Refugees, the Constitutional Rights Centre and many scholars Bill C-24 is most likely “unconstitutional” and violates both the Charter of Rights and Freedoms and International treaties¹⁷. Besides making citizenship inaccessible to many immigrants, unprecedented ministerial powers allow the minister to revoke citizenship from dual citizens from both naturalized and Canadian born citizens.

7: MAJOR PROPOSED AND PENDING CHANGES

Express Entry Program

A new phase of changes to the immigration system is expected for January 2015. Express Entry (formerly known as Expression of Interest) is a newly pending immigration program to select immigrants with skills in demand in Canada’s labour market. The new system will replace the traditional “first come, first-serve” system and will instead focus on tying entry to job offers being made by Canadian employers (CIC, 2014). Express Entry is expected to be responsive to regional labour shortages.

¹⁶ Young, M. (1998).

¹⁷ Mas, S. (2014).

The Express Entry electronic application management system will automatically apply to each application under the Federal Skilled Worker Program, Federal Skilled Trades Program, Canadian Experience Class, and a portion of the Provincial Nominee Program (CIC, 2014). Through Express Entry, applicants will be placed into a pool, from which employers have access to select a candidate for an available position, but only when they are not able to find a Canadian or permanent resident. This program is intended to significantly change the nature and terms of existing immigrant selection practice and grant greater influence to Canadian employers in immigration selection. According to immigration minister Chris Alexander, “Express Entry is a game changer and it will revolutionize the way Canada is attracting skilled immigrants” (Alexander, 2014).

Electronic Travel Authorization

CIC is planning to launch a new program called *Electronic Travel Authorization* (eTA) under the Perimeter Security and Economic Competitiveness Action Plan, which is similar to United States’ existing Electronic System for Travel Authorization (ESTA) (CIC, 2014). This program is expected to be fully operational in the summer of 2015, and as part of this initiative, specific foreign nationals¹⁸ will need to obtain online authorization before flying to Canada (CIC, 2013). Organizations and privacy watchdog groups are concerned about the lack of transparency of this system, the utilization of collected personal information and the difference from the existing Advance Passenger Information (API)¹⁹. In addition, the Canadian Government is preparing to create an Interactive Advance Information System, monitoring travellers on their way to Canada using international flights (CIC, 2014). These aggressive measurements could potentially increase existing racial and religious profiling.

¹⁸ The government of Canada will decide on which countries should require eTA and which countries should be exempt.

¹⁹ To read more about the API visit: http://www.cbsa-asfc.gc.ca/security-securite/api_ipv-eng.html

8: CONCLUSION

Canada's immigration system is undergoing a dramatic transformation since July of 2012. Almost every aspect of Canadian immigration system has been amended. Some immigration streams such as Spousal Sponsorship in Family Class received relatively minor but strict changes, while others programs like Federal Skilled Worker Program, Temporary Foreign Worker Program, Canadian Experience Class and Immigration Investment Program saw more dramatic changes based on the influence of neoliberal ideology. The Immigration Investment Program and Federal Entrepreneur Program were discontinued and supplementary programs such as Start-up Visa and Express Entry programs were implemented. These changes were complemented by other policy transformations, starting from Strengthening Canadian Citizenship Act to tightening the refugee system and family sponsorship. Alboim et al. (2012) concluded in their report that, "the future of Canada will be negatively affected by recent emphasis on short-term labour market needs, the lack of evidence based policies, a retreat from traditional processes and a less welcoming environment for immigrants and refugees" (Alboim & Cohl, 2012). Based on the recent changes, trend for their prediction seems to be continuing, because these economically driven amendments are in fact undermining the importance of family causing difficulty and hardship for legitimate marriages and eligible Canadians to sponsor their spouses, parents and grandparents (Alboim & Cohl, 2012). Jacklyn Neborak (2013) offers a microanalysis of the changes and argues that these policies are undervaluing the notion of family in Canada, mainly negatively impacting racialized poor families (Neborak, 2013). Most of these changes are undemocratic, lacking support from immigrant centered private organizations and devalue the foundation upon of which the Canadian immigration system was once built.

Furthermore, based on recent United Nation High Commissioner for Refugees (UNHCR) release of asylum trends and level in industrialized countries, in 2013, the number of asylum seekers applications increased around the world by 28%.

Meanwhile, compared to the US, Australia and European nations, Canada's commitment to accept a fair share of this vulnerable population is much lower and declining (UNHCR, 2013). The resettlement of Syrian refugees can serve as an example for growing gap between policy, promise and reality. Ottawa pledged to resettle 1,300 war torn refugees, already a remarkable low number, but based on several media reports²⁰ only 10 people arrived in 2013. Once, Canada's humanitarian approach and its refugee system was viewed as a role model for other countries to follow. However, with the latest policy changes and negative campaigning and added restriction against refugees, Canada has lost this leadership role.

Considering the nature and the direction of these newly implemented policies, Canada is progressively investing in economic migrants while adding more extensive barriers for family reunification and extremely limited protection to the disadvantaged humanitarian class. As we document in this paper and in recent policies, the widespread use of TFWs to maintain local businesses operational and beneficial, to minimize social responsibilities and to invest in attracting and retaining younger and more educated individuals from around the world and helping to resettle in regions with lower population are all part of the neoliberal agenda. We can conclude that, Canada's contemporary immigration system and its selection procedures are complementing the neoliberal inspired priorities. As Dobrowolsky stated, "Canada's market oriented approach that is blind to the relevance of the social will not meet the government's economic or demographic, social or political objectives... those with more capital are at the best position to leave the province or the country" (Dobrowolsky, 2012). This is precisely why the Government of Canada needs to recognize the importance of social aspect of the society.

Moreover, Canada's contemporary immigration system driven by neoliberal principles has and will intensify the reinforcement of classification within a

²⁰ Chittley (2014); Black (2014).

society (Dobrowolsky, 2012; Smith-Carrier & Bhuyan, 2010). For instance, recently implemented Bill C-24 challenges the conventional citizenship framework by eclipsing the rights of dual citizens, while Bill C-43 is intentionally stigmatizing and systematically excluding the refugees by restricting their rights. Therefore, these changes are taking the construction of precarious status of refugees, the securitization of the state against criminals and obtaining and maintaining Canadian citizenship for Canadian citizens at a whole new level. The government implemented a system using these extreme neoliberal inspired policies as a tool to distinguish the desirable from undesirable and selecting the best candidates fitting their criteria of an ideal citizen, while discarding the undesired ones.

9: APPENDIX PROGRAM CHANGES FROM JULY 2012 TO JULY 31, 2014

Table 1: Changes effective June 2014 for International Students

Previously	As of June 1, 2014
Applicants must show that they intend to pursue studies in Canada when applying for a study permit.	Applicants must enroll in and continue to pursue studies in Canada. Failure to do so could lead to removal from Canada.
Applicants may apply for a study permit to pursue studies at any educational institution in Canada.	Study permits will only be issued to successful applicants who are pursuing studies at an educational institution that has been designated to receive international students.
International students with a valid study permit were allowed to work off-campus but they have to apply for a work permit.	Foreign student with a valid study permit are automatically allowed to work off-campus for up to 20 hours per week during the academic session and full-time during spring/summer breaks. Students do not need to apply for a separate work permit. The study permit holder must have studied for at least 6 months and have a full-time student status. Studies must lead to a degree, diploma or certificate at a designated Canadian institution (both public and private). Some programs in private institutions are excluded.
<u>Any</u> international student can apply for a Co-op Work Permit if a co-op placement is an integral element of their course of study.	<u>Only</u> international students who are studying at a secondary school or a designated institution may apply for a Co-op Work Permit. The co-op placement must still be an integral part of their course of study.
Visitors who wish to remain in Canada and apply for study permit from within Canada was prohibited.	Visitors may apply for a study permit from within Canada if they: <ul style="list-style-type: none"> - Are at the pre-school, primary or secondary level; - Are on academic exchange or are visiting students; or - Have completed a course or program of study that is a condition for acceptance at a designated learning institution
International students who have completed their studies can stay in Canada until their study permit expires.	Study permits are expiring 90 days after completion of studies. If graduates wish to remain in Canada, they must apply and possess a valid work permit or other authorization.
After completing their studies, international students are not authorized to work until they receive a Post-Graduate Work Permit.	Study permit holders are allowed to work full-time while waiting to receive a decision on their Post-Graduate Work Permit application.

Foreign registered Indians were excluded from the requirement to obtain a study permit.	Under the new regulation, registered Indians, who are also foreign nationals, are allowed to study in Canada without acquiring a study permit because they have the right of entry into Canada.
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Sources: Based on, CIC, 2014

Table 2: Comparison between Immigration Investor Program and the proposed Venture Capital Pilot

Before: Under the IIP	Proposed: Under the new Venture Capital Pilot
<ul style="list-style-type: none"> • Applicants were required to have business experience, • Have a legal net worth of at least \$1600,000 and, • Invest \$800,000 Canadian dollars for five years • Applications process at least took 54 month or more. • Investments were managed by government, low risk and did not require investors involvement 	<ul style="list-style-type: none"> • Projected application processing time will be reduced to 6 months • The minimum investment under the new scheme, the amount would be 'more than twice' that amount, \$1600,000 • The sum invested will have to be invested for longer than under the IIP. • The investment will be a genuine investment and not a loan. Applicants would have to make a 'larger investment in an at-risk project focused on the start-up side of the venture capital spectrum • Language and residency requirements would 'probably not [be] terribly stringent'. • Applicants are required to invest in a venture capital fund, which will be managed by Canadian venture capitalists. • Invested money will go into one single fund and the investors will not have any choice about what schemes their investment is invested in.

Sources: Based on CIC, 2014

Table 3: New Regulations for Temporary Foreign Worker Program

<ul style="list-style-type: none"> • Labour Market Impact Assessment (LMIA) replaced LMO and it is more comprehensive and rigorous replaces the LMO process. Under LMIA, employers were required to provide detailed information about their recruitment efforts such as the number of Canadian application they received and explain the end result for those applications. ESDC will refuse to process applications where temporary foreign workers may have a negative effect on the Canadian labour market (CIC & ESDC, 2014).

<ul style="list-style-type: none"> The processing fee for the LMIA application has been increased from \$275 to \$1,000 for every requested position. An additional "privilege fee" of \$100 may also be put into effect to offset some of the costs associated with investments in skills, improved data collection, raising awareness and job training (CIC & ESDC, 2014).
<ul style="list-style-type: none"> The TFWP now will be assessed and administered based on wage rate instead of National Occupational Classification (NOC). Workers who are paid below the provincial/territorial median wage will be considered low-wage workers and those whose salary meet and exceed the median hourly wage are considered high-wage workers. Based on the provinces or territories the median hourly wage ranges from as low as \$17.26 in Prince Edward Island and as high as \$32.53 in Northwest Territories (CIC & ESDC, 2014).
<ul style="list-style-type: none"> A cap will be placed on the number of low-wage temporary foreign workers per worksite location, limiting the proportion of low-wage foreign workers that an employer can hire. An employer with 10 or more employees applying for new LMIA will be subject to a temporary foreign worker cap of 10 percent of the workforce at a location. This cap will be phased in 2016 for helping employers over the 10 percent cap to adjust and transition accordingly (CIC & ESDC, 2014).
<ul style="list-style-type: none"> Effective immediately, the moratorium on the food services industry is lifted. However, ESDC will not accept and process LMIA applications for low-skilled occupations. For instance, food services and retail trade sectors in areas where the unemployment rate is at or above 6 percent are not allowed to hire any TFWs. Annually, this measure alone should reduce the number of foreign workers by at least 1000 jobs (CIC & ESDC, 2014).
<ul style="list-style-type: none"> Effective immediately, the maximum work permits duration for low-skilled positions is reduced from two years to one year, however the businesses can re-apply every year. The government has also announced that the total duration that a temporary foreign worker in a low-wage position may remain in Canada will be reduced from four years but has not yet identified the new maximum. This change expected to come into effect in the summer of 2015 but will not affect the existing work permit holders (CIC & ESDC, 2014).
<ul style="list-style-type: none"> For high-wage positions, the employer will be required to submit a transition plan with the LMIA application to identify steps to be taken to reduce reliance on temporary foreign workers over time (CIC & ESDC, 2014).
<ul style="list-style-type: none"> Similar to 2013 Accelerated Labour Market Opinion (ALMO), LMIA also offers an expedited process for selected positions in highest demand (skilled trades) occupations, highest paid occupations (top 10 percent in a province or territory), or shortest duration occupations (120 calendar days or less), which will be processed within 10 business days (CIC & ESDC, 2014).
<ul style="list-style-type: none"> Policing and enforcement activities will be increased. One in four employers using the TFWP will be inspected each year. Beginning in the fall 2014, fines of up to \$100,000 may be imposed on employers who violate the terms of the TFWP (CIC & ESDC, 2014).
<ul style="list-style-type: none"> Both Live-in caregivers and Seasonal Agricultural Workers Program (SAWP) are exempt from LMIA fee (SAWP only), cap, and the 1 year LMIA duration (CIC & ESDC, 2014).

Sources: Based on CIC & ESDC, 2014.

Table 4: New Media Hourly Wage for TFWs

Alberta	\$24.23
British Columbia	\$21.79
Manitoba	\$19.00
New Brunswick	\$17.79
Newfoundland and Labrador	\$20.19
Northwest Territories	\$32.53
Nova Scotia	\$18.00
Nunavut	\$29.96
Prince Edward Island	\$17.26
Ontario	\$21.00
Quebec	\$20.00
Yukon	\$27.93
Yukon	\$27.93

Sources: Reproduced from CIC & ESDC, 2014.

Table 5: Regulations and Working Conditions of LIC by Provinces/Territories

Provinces/ Territories	Existing/proposed wages	Max. Hours	Overtime	Rest Periods	Meal/Housing	Vacation Pay/length
Alberta	\$10.19 per hour, \$10.20 per hour as of Sept. 1, 2014	48 hrs/ Week	1.5 time over 44 hrs	8 hrs/day & 1 day/ week	\$3.27/meal \$4.31/day for lodging	2weeks/year and 4-6% of gross earnings
British Columbia	\$10.33 per hour	40 hrs/ Week	1.5 after 40 and double after 12 hrs	32 hours/ week	No more than \$325 a month	2weeks/year and 4-6% of gross earnings
Manitoba	\$10.53 per hour, \$10.70 per hour as of October 1 st , 2014	40 hrs/ Week	1.5 time After 8 hrs/ day	36 Consec. Hours/ week	\$1/meal \$7/week for lodging provided	2weeks/year and 4-6% of gross earnings
New Brunswick	\$10.59 per hour	48 hrs/ Week	1.5 time after 44 hrs/ Week	8 hrs/day & 1 day/ week	\$68.20/week for board and lodging, or \$55.55/week for board, or \$15.45/week for lodging, or \$3.65/meal	2weeks/ year with 4% of gross earnings
Newfoundland & Labrador	\$10.59 per hour	16hrs/ day	\$15 hr after 40 hrs/ week	8hrs/day & 1 day/ week	\$68.20/week for board and lodging, or \$55.55/week for board, or \$15.45/week for lodging, or \$3.65/meal	2weeks/ year with 4-6% of gross earnings

Nova Scotia	\$10.40 per hour	48 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 1 day/week	\$68.20/week for board and lodging, or \$55.55/week for board, or \$15.45/week for lodging, or \$3.65/meal	2weeks/year with 4-6% of gross earnings
Ontario	\$11.00 per hour	48 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 1 day/week	\$31.70/week for a private room, or \$53.55/week for meals, or \$2.55/meal, or \$85.25/week for a private room and board	2weeks/year with 4% of gross earnings
P.E.I	\$10.20 per hour, \$10.35 per hour on October 1 st , 2014	48 hrs/Week	1.5 after 48 hrs/week	8 hrs/day & 1 day/week	\$56.00/week for board and lodging, or \$45.00/week for board, or \$25.00/week for lodging, or \$3.75/meal	2weeks/year with 4-6% of gross earnings
Saskatchewan	\$10.59 per hour	44 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 2 days/week	Max. \$250 a month	3 weeks/year & 6% of gross earnings
Northwest Territories	\$10.76 per hour	48 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 1 day/week	Max. \$420 per month	2weeks/year with 4% of gross earnings

Nunavut	\$11.65 per hour	48 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 1 day/week	Max. \$420 per month	2 weeks/year with 4% of gross earnings
Yukon	\$10.72 per hour	48 hrs/Week	1.5 after 44 hrs/week	8 hrs/day & 1 day/week	Max. \$5/day	2 weeks/year with 4% of gross earnings

Source: Based on ESDC, 2014.

Table 6: Low-Income Cutoff (LICO) Chart for Individual Living in Canada except Quebec

Family size	Jan. 1 to Dec. 31, 2011	Jan. 1 to Dec. 31, 2012	Jan. 1 to Dec. 31, 2013	Jan. 1 to Dec. 31, 2014	Minimum Necessary Income + 30%
2 persons	35,976	36,637	29,004	29,440	38,272
3 persons	44,229	45,040	35,657	36,193	47,051
4 persons	53,699	54,685	43,292	43,942	57,125
5 persons	60,905	62,023	49,102	49,836	64,787
6 persons	68,689	69,950	55,378	56,209	73,072
7 persons	76,475	77,879	61,656	62,581	81,355
7+ Per Additional person	7,786	7,929	6,268	6,362	8,271

Source: Based on CIC, 2014.

Table 7 New Eligibility Criteria for Sponsoring Parents and Grandparents

Eligible	Not eligible
<ul style="list-style-type: none"> If the applicant is the parent or grandparent of a Canadian citizen or permanent resident. 	<ul style="list-style-type: none"> Dependents of parent and grandparents are not eligible to apply for super visa, but instead they can apply for a regular visitor's visa.
<ul style="list-style-type: none"> The applicant must be admissible to Canada, meaning that they are genuine visitors and will leave Canada voluntarily. The processing officer will also take under consideration: <ul style="list-style-type: none"> Applicants tie to his or her country of origin The purpose of their visit The family and financial situation Political and economic stability of their home country 	<ul style="list-style-type: none"> If the applicant is found inadmissible on any of these grounds and is not willing to return to his/her home country by choice.

<ul style="list-style-type: none"> ○ The invitation from Canadian hosts 	
<ul style="list-style-type: none"> • The applicant must also provide the following documentations: <ul style="list-style-type: none"> ○ Provide a letter promising financial support from their child or grandchild in Canada who meets the minimum income threshold ○ Proof of Canadian medical insurance for at least one year • Provide applicant(s) completed immigration medical examination, albeit the applicants must be healthy and he or she must not pose a health threat to Canadians 	<ul style="list-style-type: none"> • This is more like a consistency test, failing to meet one or more of these conditions might result in inadmissibility • If the applicant(s) or the sponsor(s) fail to provide or fulfill and meet one of these requirements • Due to their age and health, a large number of PGP are struggling at this stage and have been found inadmissible.

Sources: Based on CIC, 2014

Table 8: List of Designated Country of Origin as of May 31, 2013

Countries	Effective Date	Countries	Effective Date	Countries	Effective Date
Australia	Feb. 15, 2013	Hungary	Dec. 15, 2012	New Zealand	Feb. 15, 2013
Austria	Dec. 15, 2012	Iceland	Feb. 15, 2013	Norway	Feb. 15, 2013
Belgium	Dec. 15, 2012	Ireland	Dec. 15, 2012	Poland	Dec. 15, 2012
Croatia	Dec. 15, 2012	Israel (not W. Bank and Gaza)	Feb. 15, 2013	Portugal	Dec. 15, 2012
Cyprus	Dec. 15, 2012 Dec. 15, 2012	Italy	Dec. 15, 2012	Slovak Republic	Dec. 15, 2012
Czech Republic	Dec. 15, 2012	Japan	Feb. 15, 2013	Slovenia	Dec. 15, 2012
Denmark	Dec. 15, 2012	Latvia	Dec. 15, 2012	Spain	Dec. 15, 2012
Estonia	Dec. 15, 2012	Lithuania	Dec. 15, 2012	Sweden	Dec. 15, 2012
Finland	Dec. 15, 2012	Luxembourg	Dec. 15, 2012	Switzerland	Feb. 15, 2013
France	Dec. 15, 2012	Malta	Dec. 15, 2012	U.K.	Dec. 15, 2012
Germany	Dec. 15, 2012	Mexico	Feb. 15, 2013	U.S.A	Dec. 15, 2012
Greece	Dec. 15, 2012	Netherlands	Dec. 15, 2012		

Sources: Based on CIC, 2013

Table 9: Amendments to Canadian Citizenship with Bill C-24

<ul style="list-style-type: none"> Applicants for Canadian Citizenship must now meet or exceed a minimum level of language proficiency in either English or French. This level has been set at Canadian Language benchmark 4 and can be proven by taking a designated language test
<ul style="list-style-type: none"> Increased application processing fee from \$100 to \$300
<ul style="list-style-type: none"> Increased residency requirements from 3 out of 4 to 4 out of 6 years, and must live and be present in Canada for at least 186 days each year for those 4 out of 6 years
<ul style="list-style-type: none"> Time spent in Canada as a non-permanent resident as student or worker no longer will be counted towards the residency requirements for citizenship application
<ul style="list-style-type: none"> Applicants must provide a written declaration stating their intent to reside in Canada
<ul style="list-style-type: none"> The age group for eligible citizenship applicants (who are required to speak one of the official languages and pass the citizenship test) expanded from 18-54 to 14-64 years
<ul style="list-style-type: none"> Extend citizenship to lost Canadian, those born to Canadian soldiers abroad during wartime
<ul style="list-style-type: none"> Increased penalties for citizenship fraud from \$1,000 to \$100,000
<ul style="list-style-type: none"> Those who join the Canadian Armed Forces will benefit from the newly created fast-track citizenship system
<ul style="list-style-type: none"> The Government of Canada and Minister of Citizenship and Immigration has the right to revoke or deny citizenship for those individuals with dual citizenship committing acts of terrorisms/crimes, acts against Canadian interests or member of an armed force and those convicted of terrorism
<ul style="list-style-type: none"> Expand citizenship-by-descent rules so that children born to Canadian Government agency workers abroad may pass on their Canadian citizenship and revoke citizenship for individuals charged with or convicted of serious criminality.

Source: Reproduced from CIC, 2014.

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