

INVITATIONS TO APPLY FOR PERMANENT RESIDENCE: GOVERNMENT TARGETS PROVINCIAL NOMINEES AND SKILLED TRADES

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Express Entry is the system the Canadian government uses to manage how people with skilled work experience apply to immigrate to Canada. Candidates for permanent residence will be entered into the Express Entry pool provided they meet the minimum entry criteria of one of the following programs: (1) Provincial Nominee Class; (2) Canadian Experience Class; (3) Federal Skilled Worker Class; and (4) Federal Skilled Trade Class. Typically, the system automatically sends out invitations to apply for permanent residence to candidates in the pool with the highest ranking-system point scores irrespective of class.

On November 1, 2017, the Canadian government sent out a total of 795 invitations for permanent residence through the Express Entry system. This is notable for two primary reasons: (1) the government typically sends out significantly more invitations per round (usually 2,500-4,000); and (2) invitations were only sent to candidates in the Provincial Nominee Class and the Federal Skilled Trades Class. Not a single invitation was sent out to candidates in the Canadian Experience Class or the Federal Skilled Worker Class. As a result, candidates with scores as low as 673 in the Provincial Nominee Class (in which candidates are automatically awarded at least 600 points) and 241 in the Skilled Trade Class received invitations for permanent residence – the latter being dramatically lower than the minimum qualifying point scores in previous rounds. Typically, a candidate must have a score of at least 415 to receive an invitation to apply for permanent residence.

Wednesday's round of invitations marks just the second time this year that the Canadian government used Express Entry to target specific classes of workers – perhaps because it identified a labour shortage in the Canadian labour market for workers who qualify under those classes. The next round of invitations for permanent residence will likely be sent out to candidates in mid-November. Stay tuned to see whether targeted draws continue or whether the government returns to its regular practice of issuing thousands of invitations to candidates with the highest ranking-system point scores from all classes.

If you are a Canadian employer who employs foreign workers that meet the minimum entry criteria of the Federal Skilled Trade Class but who have not applied for permanent residence through Express Entry because

they anticipate their ranking-system point scores will be below the minimum qualifying point score, you may wish to consider supporting those employees with their applications for permanent residence through Express Entry. If targeted draws continue, these employees may well receive invitations to apply for permanent residence ahead of candidates with more points but who qualify for entry under a different class.

Employers who require assistance with business immigration matters are invited to contact McMillan's Immigration Law Group for assistance.

by Stefanie Di Francesco

A Cautionary Note

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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