

TAKING IMMIGRATION SIRSLY: A REVAMP FOR THE BC PNP

Posted on March 18, 2016

Categories: [Insights](#), [Publications](#)

On January 27, 2016, the British Columbia Provincial Nominee Program (BC PNP) launched its new online intake system, the Skills Immigration Registration System, or SIRS for short and ended its temporary pause on intake for Skills Immigration and Express Entry BC (EEBC) applications.^[1] With the new intake system, BC PNP will no longer institute temporary pauses on intake whenever it gets inundated with applications. Instead, SIRS will allow BC PNP to have a steady pool of candidates ready to be selected by BC PNP to be invited to apply.

BC PNP Aimed at Benefiting BC Employers

BC PNP is aimed at assisting BC businesses to attract and retain their best employees. BC employers who are hoping to keep their foreign workers on a permanent basis should look into supporting them for a provincial nomination.

For higher-skilled workers, the value of a provincial nomination is that it gives an individual an extra 600 points to add his or her overall score at the federal Express Entry stage, which can move that person to the top of the permanent resident candidate pool, resulting in a faster permanent residence application process.

For lower- and semi-skilled workers, a provincial nomination will open up a pathway to immigration for individuals with a lower level of English language skills and less post-secondary education who are otherwise unable to become permanent residents.

What This Means for Employers

An individual who wants to seek a provincial nomination must have the support of his or her employer in order to do so. The general requirements for an employer are as follows:

1. be in good standing;
2. have indeterminate, full-time employees;
3. have a history of good workplace and business practices;
4. sign an employer declaration;
5. meet domestic labour market recruitment requirements;
6. offer a job for a full-time, indeterminate position; and

7. offer a market wage rate that meets industry standards.

SIRS: General Requirements and Process

The launch of SIRS will hopefully eliminate any future temporary pauses on intake. Upon registration, individuals are given a score based on the information they provide. Then they are placed into the selection pool for the category for which they registered. The registration will remain in the selection pool for up to 12 months, during which individuals at the top of the pool will be selected and invited to apply for a nomination.^[2]

There are currently 10 BC PNP programs, 6 under the Skills Immigration stream, and 4 under the Express Entry BC stream (not to be confused with federal Express Entry).^[3] General requirements have not changed from the last update in July 2015 (for more details, see the [BC PNP Skills Immigration and Express Entry Program Guide](#)).

The major difference between the two streams is that EEBC requires the individual to fulfill both EEBC and federal Express Entry eligibility requirements at the same time.^[4]

After a registration is submitted, the registrant is assigned a score out of 200 based on both economic and human capital factors. If the overall score brings the individual to the top of the pool, he or she will receive an Invitation to Apply in the next round and, at that time, submit a full application with supporting documentation within 30 days.

If the application is approved, BC PNP will issue a nomination to the successful applicant, which then can be used by the applicant to apply to Immigration, Refugees and Citizenship Canada for final approval. While it has happened before, a provincial nominee will rarely be rejected at the federal level.

Conclusion

As SIRS is in its infant stages, it remains to be seen if BC PNP's latest revamp will achieve its goal of assisting BC employers in attracting and retaining qualified international workers and students and whether it will actually meet BC's labour market needs.

Currently, BC PNP has a backlog from the previous year under the Skills Immigration stream, which it hopes to clear by May 2016. There is, however, no backlog under the EEBC stream. We invite you to contact the author to determine whether BC PNP and which stream is the right one for you and your employee

by Linda G. Yang and Brent Ryan, Student-at-Law

[1] The news release can be found [here](#).

[2] BC PNP has published [a technical guide for SIRS](#) with instructions on how to register.

[3] EEBC includes the following 4 programs: Skilled Worker, Health Care Professional, International Graduate, and International Post-Graduate. Skills Immigration has the same 4 programs with the addition of 2 others: Entry Level and Semi-Skilled, and Northeast Pilot Project.

[4] Federal program requirements can be found [here](#).

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.

© McMillan LLP 2016