

EXECUTIVE SUMMARY

A unique pilot operating since 2018 makes it easier for people in refugee circumstances with skills needed in Canada to immigrate through economic pathways. The Economic Mobility Pathways Pilot (EMPP) made small though important changes over the past five years to increase access to Canadian job opportunities for this talent pool. The number of entrants under the pilot, however, remains low. Fewer than 200 principal applicants have arrived since 2018. New EMPP federal streams and an expanded public policy underlying the pilot, both in effect in mid-June 2023, promise to broaden access in the coming years. But further steps are needed to accelerate arrivals and effective settlement for them.

The expanded pilot arrives as the global displacement figure is over 108 million. That's more than double Canada's population forced from their homes. Not far away either. After Ukraine and Syria, only Venezuela has seen more people leave its borders this century. More than 6 million Venezuelans are uprooted in Latin America and the Caribbean, many with temporary status as their only security. Canadian job opportunities could support many more people in this situation to reach a secure future.

In size and ingenuity, the EMPP is likely to grow into one of Canada's main responses to global displacement. For example, Canada recently <u>committed</u> to welcome 15,000 "migrants" from the Americas where a portion are projected to arrive under the EMPP. Canada also lifted a cap on the pilot, which signals and invites growth.

At this turning point: Are we headed in the right direction? What displacement-related barriers remain? How do Canadian employers and displaced job seekers want this pathway to grow? This policy brief outlines the main changes to the pilot and recommends next steps for equity-based growth.

SUMMARY OF RECOMMENDATIONS

EMPP Federal Skills Job Offer Stream

- Require employers to be in good standing and offer the prevailing (median) wage, as basic safeguards for workers.
- 2. Reduce the language requirements for jobs at all skill levels.

Broader economic stream (permanent and temporary pathways)

- Mainstream access across the economic stream, including permanent and temporary pathways, and improve processing times.
- Accept alternatives for proof of language, such as an attestation from employers, and for proof of education, such as the World Education Services Gateway Program assessments.
- 5. Invest in equitable access within talent pools, with a focus on improving access by women, those living in refugee camps or other remote areas, and those who are LGBTQ.
- 6. Invest in a cluster approach to large-scale recruitment and arrival support that promotes hiring 10+ candidates and effective settlement for them and their families.
- 7. Adapt programming language to focus on talent and people rather than refugee situations.

SHORT HISTORY OF THE ECONOMIC MOBILITY PATHWAYS PILOT (EMPP)

Before 2018, it would take remarkable luck and privilege for someone who was forcibly displaced to meet Canada's economic pathway criteria. These criteria included having a valid passport, valid legal status in the country of asylum and, typically, funds in a bank account in the realm of \$10,000 to \$20,000 for a family of three.

The immigration pilot that began adjusting or removing some of these prohibitive criteria is called the

Economic Mobility Pathways Pilot (EMPP). It had a simple if novel premise, that within refugee populations are talented people who could probably get jobs in Canada. It said that two things could be true about someone: They could hold a valuable skillset *and* they could be living in a tough situation after they or their family were forced to leave home for safety.

It's within Canada's self-interest to figure out how people in refugee circumstances can immigrate as skilled workers because it allows the country to welcome more people from these situations without raising refugee resettlement targets, while filling in-demand jobs.

This self-interest is important (and positive) because it informs things like how we count incoming families and what Canada and principal applicants are responsible for.

The EMPP numbers fall within the economic stream, meaning those arriving from displacement on the power of their skills don't carve away space from the humanitarian (refugee resettlement) stream. Canada's EMPP numbers are additional to resettlement commitments and should stay that way. On arrival, it's the same deal for EMPP newcomers as those arriving on other economic pathways: Canada and the provinces and territories extend settlement services and some social security (healthcare, public schools) but newcomers pay their costs of living and are generally on their own to find an apartment, transit and the rest. This too should largely remain.

Fewer than 200 principal applicants have arrived since 2018. The small numbers were somewhat deliberate, with the early years focused on 15 or so test cases. The first arrivals provided the solid proof of concept hoped for. First was a software developer who advanced as a senior member of his Waterloobased team. The second was a chef who landed with his family in Mississauga. Third was a mechanical engineer who moved rapidly from the tool floor to the engineering floor at a manufacturer in Niagara Falls.

Successes grew. Talented people arrived, found apartments, found schools for their kids, started work and got promotions at work. In a handful of cases, some found new employment swiftly when their job didn't work out. The NGO partners grew too. TalentLift, FOCUS Humanitarian Assistance, the Hebrew Immigrant Aid Society (HIAS), and Jumpstart joined original partners Talent Beyond Boundaries and RefugePoint.

The underlying policy framework evolved informally from 2018 until March 2022, when a public policy established the flexibility available, the economic pathways where this flexibility applied, and who was eligible for it. The public policy took important steps forward, but some steps backwards too. The steps forward included removing valid passport and legal status criteria, enabling a charitable loan to meet settlement funds criteria in lieu of personal savings in a bank account, and removing a work experience recency period in some visa pathways. And the backwards steps? One was that this exciting and important flexibility applied only to selected economic pathways. It applied to the provincial nominee programs of participating provinces and territories and two federal programs (the Atlantic Immigration Program and the Rural and Northern Immigration Pilot), but did not apply to the Express Entry programs. other federal pilots, or any work permit pathways like the Global Talent Stream. And, applicants now needed documentary proof of their refugee circumstances on top of meeting new legal standards - that they meet Canada's refugee definition and demonstrate no other durable solution. Both developments narrowed the ability for the pilot to scale up by excluding deserving employers and candidates.

THE EMPP'S GROWTH PHASE: THE NEW FEDERAL STREAMS AND OTHER KEY CHANGES

The latest <u>changes</u> broaden eligibility for employers and candidates, and split the pilot into a regional program (EMPP flexibility applied to Provincial Nominee Programs, the Atlantic Immigration Program, and the Rural and Northern Immigration Pilot) and two new federal streams. These changes are detailed below.

a. Eligibility

The EMPP is now more inclusive than before. It includes people who are living in refugee circumstances and who don't have a permanent solution where they are, and overcomes documentation barriers. As of mid-June, applicants may fall into one of the following four scenarios outlined in the table below. Just the latter two (3 and 4) require further assessment by Immigration, Refugees and Citizenship Canada (IRCC) on having no durable solution and meeting Canada's legal definition of a refugee.

Applicants in the first two scenarios, by virtue of having no further assessment of circumstances, have no geographic constraints apart from living outside Canada: An asylum seeker with UNHCR registration in the United States, Mexico or Greece? Someone with a Refugee Status Determination (RSD) who returned to their home country? All eligible.

Documentary scenarios for proof of refugee circumstances	Assessment of no durable solution by IRCC	Assessment of being a Convention Refugee or Country of Asylum class by IRCC
1) Refugee status determination (RSD) from UNHCR or a host state	Not required	Not required
Registration or other type of record with UNHCR or UNRWA	Not required	Not required
Trusted partner referral letter issued by an IRCC <u>trusted partner</u> (eg. TalentLift)	Required	Required
Temporary protection status with a host state	Required	Not required

b. EMPP Federal Skills Job Offer Stream

There are two streams constituting the new federal pathway. One, backed by a job offer, changes the EMPP landscape significantly. It's open to jobs in any part of Canada outside Quebec, includes jobs at all skill levels of Canada's training, education, experience and responsibilities (TEER) system from 0-5¹, has minimal human capital criteria apart from knowledge of one of Canada's official languages, and has no cap on applicants. And, it's a single application to the federal government. The requirements are that applicants have:

- · A full-time offer in any job (at any skill level),
- One year of paid work experience obtained any time, in any occupation,
- Some training, education or experience related to job responsibilities, but no educational credential assessment (ECA) is required,
- Language proficiency, determined by a required test, at a Canadian Language Benchmark (CLB) or Niveaux de compétence linguistique canadien (NCLC) 4 (for TEER 4-5 entry or labour jobs) or CLB/NCLC 5 (for TEER 0-3 professional or trades jobs).

These criteria for the most part are more open and flexible than those found in other economic pathways, promising many more possible job matches. The notable exception is language, which will be prohibitive for a lot of people, with a twofold problem of the high level required (CLB/NCLC 4 or 5) and a mandatory test (the IELTS for English speakers). Oddly, this level is higher than most other economic pathways within and beyond the EMPP, and less creative about the proof accepted. A recommendation to restructure the language requirement is provided below.

Which employers can participate? Every single one if the job is located outside Quebec. There are virtually no employer criteria under the new pathway. The significance of this is clearer if compared with the requirements of another

program. One <u>job-backed stream</u> of the Ontario Immigrant Nominee Program (OINP) requires employers to:

- · Offer the prevailing wage,
- · Be in business for at least three years,
- Have at least five employees who are citizens or permanent residents if inside the Greater Toronto Area (three outside this area).
- Have \$1 million in gross annual revenue inside the Greater Toronto Area (\$500,000 outside this area),
- Be in good standing with provincial authorities (i.e. no health or safety infractions), and
- Demonstrate local recruitment efforts, among other requirements.

It is good to shed some of these criteria, like requiring employers to be in business for three years, which shuts out start-ups and even new offices of international firms. But others – the good standing and prevailing wage criteria – are important to safeguard workers.

c. EMPP Federal Skills Without a Job Offer Stream

There is also a more limited stream, capped at 150 spots, that is similar to Express Entry where admission depends on human capital and does not require a job offer. Applicants must have at least one year of work experience in the last three years in a highly skilled TEER 0-3 job, obtain an educational credential assessment (ECA), have or obtain settlement funds (grants or gifts are allowed but charitable loans are not), and have a language level of CLB/NCLC 7 – which is full fluency, with academic writing ability.

Some of these requirements are not coherent. Why would someone's inability to get an original transcript from Afghanistan or other country, for the purpose of an educational assessment, impact their eligibility for this stream but not the job offer stream? And, why would a charitable loan to meet settlement funds requirements be less acceptable in the eyes of this stream than a gift? True, a charitable loan must be repaid (on a generous timeline) but the presumption of this pathway is that, on the basis of their human capital, applicants would quickly enter the workforce and be able to repay it. Just as concerning is the approach of creating the shadow of an existing set of

¹ Under the TEER 0-5 system, jobs at skill level 0 are primarily management roles; at 1 and 2 are professional or supervisory roles, usually requiring university, college or apprenticeship education; at level 3 are primarily roles in the trades; and at levels 4 and 5 are entry-level or labour roles, usually requiring high school education or less and on-the-job training.

programs. IRCC could have injected EMPP flexibility into the Express Entry programs, none of which require a job offer, but instead created this parallel stream. The result is inequitable access. Consider that other international talent can apply to more than one program under Express Entry and can compete for a possible 109,020 places in 2024. And yet, a competitive applicant living as a refugee who cannot meet one requirement, like a valid passport, is sidelined to a shadow program with a cap of 150 that requires near-perfect English or French fluency.

d. Other changes

There is no longer a cap or quota under the EMPP, apart from the 150 places under the no job offer stream. As many eligible applicants with job offers are now welcome under the pilot as the overall economic program levels allow. This is a powerful message about displaced talent, that they are as deserving within the economic stream as others.

Finally, the Educational Credential Assessment waiver in the new job offer stream is extended to two other federal pilots, the Atlantic Immigration Pilot and the Rural and Northern Immigration Pilot. This is a welcome change, and only builds the case to extend the waiver to all programs, like the Provincial Nominee and Express Entry programs.



RECOMMENDATIONS FOR EQUITY-BASED GROWTH OF THE EMPP

EMPP Federal Skills streams

1. Maintain basic safeguards for workers

The new federal job offer stream needs basic safeguards in place for workers. **Participating employers should be in good standing and offer the prevailing wage.** These are simple but effective tools to protect workers and keep out unsavoury employers, like those with outstanding health or safety infractions and those who would pay below market wages if allowed.

These safeguards are the norm. All Canada's job-backed economic pathways, temporary and permanent, require employers to meet the prevailing (median) wage. The EMPP pathway would be the sole exception. This risks depressing wages for the displaced talent pool, and devaluing their skills. It sends a message that people who come from a refugee situation can be paid less than any other international worker.

2. Reduce language requirements

The language requirements in the new federal streams (CLB/NCLC 4-7) will be prohibitive for many people who are otherwise qualified, and who have the language level needed by an employer. This will be especially true for applicants in Latin America where there is less emphasis on learning English or French than in other parts of the world. Yet this is a region where Canada recently committed to supporting displacement through the EMPP in a trilateral statement with Spain and the United States.

Lower, more flexible language requirements exist in other economic pathways. For example, the Ontario Immigrant Nominee Program (OINP) Employer Job
Offer: Foreign Worker stream for upper skill levels does not require applicants to meet a minimum language level at all. Neither does the Newfoundland and Labrador Nominee Program Skilled Worker stream, for upper skill levels. IRCC does not apply language requirements in work permit applications backed by a Labour Market Impact Assessment (LMIA) at any skill level.

With a menu of language options, Canada chose the most restrictive one for a flagship pathway. A better way forward might be to replicate the levels in the Newfoundland and Labrador nominee program for the federal job offer stream: No language requirement for the more highly skilled jobs at TEER 0-3, and CLB/NCLC 4 for jobs at TEER 4-5. This provides deference to employers to assess the right language level for more highly skilled jobs. The rationale for a higher bar in more entry-level and labour jobs (TEET 4-5) is that language can be an assurance for someone's ability to understand health and safety rules and to advocate for themselves in the workplace.

Broader economic stream (permanent and temporary pathways)

Mainstream EMPP provisions across all economic immigration programming and improve speed

Someone's refugee situation should not dictate their immigration future if they have the skills and ambition to contribute economically. Candidates living in refugee situations should have access to Canada's entire economic immigration programming – permanent and temporary pathways – and equally fast processing times as other applicants. This is not yet where we are. But it wouldn't be difficult to get there.

The EMPP now applies to a selection of permanent residence pathways but does not include temporary work permits. This matters because work permits are fast. As long as international talent can get to Canada more quickly with a work permit than those moving under the EMPP (who are ineligible for work permits), candidates in refugee situations face a structural disadvantage. Employers consistently name speed as the most important factor in their pursuit of international hiring. The majority will choose the talent group who can get here faster. The fastest visa pathway is the Global Talent Stream (GTS) open to in-demand talent primarily in IT and engineering. GTS work permits can be processed in two weeks. Other work permits for all sectors, backed by a Labour Market Impact Assessment (LMIA), can be processed in two to four months. The EMPP applications take six months. Short of expanding work permit eligibility, EMPP applications should be processed in three months to uphold competitiveness. If work permits

are made available to EMPP applicants, they (and all Canadian work permits) should have a two-week standard.

Another reason that mainstreaming matters is because boutique or standalone programs are easy for future governments of any stripe to axe, but equity-based changes are not. The EMPP pathway could be closed or capped. But deeper, equity-based changes that embed access across the entire suite of economic immigration programming would be practically and politically difficult to cut. It would be like rolling back measures for women or any other equity-deserving groups.

Canada can mainstream access by implementing the following changes that overcome displacementrelated barriers across all economic immigration pathways:

- Extend access to all work permit pathways, by waiving the "ability to leave" requirement for work permits or issuing a temporary residence permit (TRP) in conjunction with a work permit, and implement a two-week processing standard;
- Extend application of the EMPP to all permanent residence economic immigration programming, including the Express Entry programs and the Self-Employed Persons program;
- Extend eligibility to applicants who are inside Canada at the time of a permanent residence application, if they first arrived on a work permit from displacement.



In parallel to making work permits accessible to displaced talent, Canada should create a permanent residence pathway for newcomers working in more entry-level or labour jobs (TEER 4-5). This pathway could be incorporated into the federal Canadian Experience Class, which now welcomes only those with more highly skilled work experience (TEER 0-3). This broader access to permanent residence would benefit all newcomers who arrive on work permits for essential jobs.

As these mainstreaming steps are taken, Canada can begin to phase out both streams of the EMPP federal pathway. Displaced talent will be better served if they can equitably compete for all space in economic immigration programming.

4. Accept alternatives for proof of language and education

Proving knowledge of English or French in many pathways including the new EMPP pathway requires an in-person test. It can be a headache for some, and impossible for others. English speakers must take the IELTS test administered by the British Council. Each local office sets its own rules for proof of identification, some of which exclude people who can't get formal ID due to their displacement. British Council tests can be physically difficult to access too. TalentLift looked into what it would take for a nurse who lives in a remote refugee camp in Ethiopia to write the test: Air travel to the capital, accommodation, an estimated \$300 USD test fee, and government travel permission. On top of these barriers, the test adds as much as two months for studying and taking the test to the front end of a visa process. As noted above, the longer your visa timeline, the less viable it is for Canadian employers to hire you.

There are reasonable alternatives to the British Council IELTS. Canada could replace tests altogether with an attestation from employers confirming that the applicant has the language to perform the job, as some provinces allow under their nomination programs. At the very least, Canada could accept remote tests by a provider like Duolingo.

On proof of education, Canada has now introduced a waiver for the educational credential assessment (ECA) in certain pathways. **The waiver or a reasonable alternative, such as ECAs without original documents available through the World** Education Services <u>Gateway Program</u>, should be universally acceptable across economic pathways.

5. Invest in equitable access in practice

As access on paper broadens, access in practice should be an increasing focus. IRCC, UNHCR and NGOs can invest in ways to deepen equity of access within talent pools. Priority groups include women, those living in refugee camps or other remote areas, and those who are LGBTQ.

There are promising strategies in use now. TalentLift partners with UNHCR in Ethiopia where many people live in refugee camps in remote border areas. The UNHCR team uses **in-person events to raise awareness about the EMPP** and to guide job seekers to register a profile with TalentLift, where they become visible to Canadian employers. RefugePoint has supported **recruitment missions** by Canadian healthcare employers directly to camps in Kenya, enabling more large-scale recruitment than what virtual interviews might achieve. These practices merit resources and replication.

6. Invest in a cluster approach with large-scale recruitment and arrival support

Canada should consider incentivizing large-scale recruitment, including by providing dedicated support to employers and communities anticipating a certain volume of EMPP arrivals.

Policy analysts Naomi Alboim and Karen Cohl discuss a <u>"cluster" approach</u> with dedicated liaison workers to create pre- and post-arrival supports for larger numbers.

Employers supported by TalentLift have shared the importance of relocation and arrival support that is not general or reactive, but individualized and proactive. One main difference facing displaced talent is that they generally have fewer personal resources (financial, social) compared to economic newcomers of other backgrounds. TalentLift has learned that a case-management approach to relocation and the first weeks after arrival is important to set people up for success – and to promote continued recruitment. At TalentLift, this takes the form of a dedicated team member responsible for settlement planning, guiding key arrival tasks, and solving problems with families. An enthusiastic member of an employer team may be able to drive families to appointments, dig up all

the paperwork requirements, and anticipate needs before problems arise, but the time commitment may dampen the will or ability to hire in greater numbers.

Canada could fund organizations to provide specialized relocation and arrival support for large-scale arrivals (10+) in a single community.

Another way to incentivize large-scale recruitment is to offer hiring grants to employers to offset the costs of recruitment missions and/or visas and relocation, including transitional housing. This could be modelled on the federal apprenticeship grant of \$10,000 per apprentice hired.

7. Adapt the language we use

The EMPP is successful for individuals and employers because it focuses on skills. If it didn't, the EMPP would belong in the humanitarian stream, where economic or workplace fit doesn't determine entry. This skills focus should be the anchor for the language that's used to talk about applicants - their value, potential, and aspirations – because so often language informs policy choices. Consider for example the policy decision, to date, to keep EMPP flexibility within permanent residence and not temporary residence pathways. The rationale is always rooted in protection and vulnerability, as in, people who are refugees are too vulnerable to have temporary status in Canada. Yet, excluding displaced job seekers from work permits has limited EMPP arrivals. Is that in the best interests of people who could leave a refugee situation? Alternatively, people who have the skills to make a living in Canada could enter Canada quickly with temporary status, access health and public schools for their kids, and apply for permanent residence after arrival through any economic program with mainstreamed EMPP provisions.

Candidates have shared their desire to be recognized by Canada, and Canadian employers, for their talent instead of their vulnerability. During a focus group discussion with displaced candidates living in Ecuador, we asked what they want employers in Canada to know about them and others like them who are displaced from Venezuela.

What we heard from focus group participants:

- "People are very resilient, hard-working and very strong."
- "They have an adaptability. They're multifunctional because they've learned different skills."
- "They can do different things, not only what they're trained for."
- "They take adversity as an advantage to grow."
- "Very proactive."
- "Very skilled people, and always willing to learn."
- "When you're surviving as long as we all have been, you have a particular skill which is figuring out any kind of problem because there's no one else who can, and you have very limited resources – you learn to be resourceful, and you learn to solve enormous problems."
- "You value all opportunities."

In focus group discussions in Ethiopia (Jaffar 2023), candidates shared aspirations like:

- "I'm an artist and a carpenter. My dream is to be an engineer."
- "My wish is to join a telecom in human resources."
- "My dream job is to support individuals in finding their way into entrepreneurship."
- "I have a dream of becoming a gynaecologist."

To shift our language, we can try where possible to swap "refugee" for "displaced talent," and we can emphasize people first, as in "talented people in refugee situations" or "a carpenter in displacement."

While people are in a refugee situation, services that address vulnerability are life-saving. However, mobility options are life-saving too, and there will be many, many more of them if we give people the chance to be seen as talented individuals with much to offer and don't define them by their present situation.



CONCLUSION

The current EMPP framework is an opportunity for a lot more talented people in displacement to find job opportunities in Canada and to relocate with their families. Secondary benefits will multiply, like encouraging upskilling, and discouraging the dangerous journeys people take when they feel hopeless about their options. Canada has implemented many changes to the EMPP based on important feedback from candidates, employers, and NGOs. However, there remain unnecessary barriers facing candidates in refugee situations that others don't face — that will limit their eligibility and their competitiveness in the eyes of hiring teams.

Canada's Minister of Immigration, Refugees and Citizenship, Sean Fraser, has argued eloquently while championing the EMPP that we don't have to accept a world where millions who face danger at home become stuck in refugee camps or in cities with few rights or opportunities. We also don't have to accept less than full and equitable access to Canada's economic immigration programming for this talent pool. The recommendations here will bring Canada closer to this future.

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