

Mobility: immigration alert

March 2022

Canada

Changes to the British Columbia Provincial Nominee Program

The provincial Government of British Columbia is implementing, with immediate effect, key changes to the British Columbia Provincial Nominee Program (BC PNP) to prioritize certain occupations and focus sectors which are occupations that continue to be in demand in British Columbia. These changes include:

- ▶ Targeted Invitations to Apply that prioritize certain occupations in the care economy, specifically occupations on a pre-determined list of 35 in-demand health occupations and early childhood educators
- ▶ Targeted Invitations to Apply that support the province's priorities, such as supporting specific business sectors, encouraging regional immigration, facilitating strategic pilot projects, and safeguarding the integrity of the program
- ▶ There are no changes to BC PNP Tech stream
- ▶ BC PNP nominees who do not have a valid Canadian work permit must now apply for a work permit within three months of the nomination date.
- ▶ Bonus points (previously 10 points) are no longer awarded to BC PNP registrants who work in high demand occupations as defined in the British Columbia Labour Market Outlook summary. New targeted Invitations to Apply were introduced in lieu of this bonus
- ▶ The requirement of "two years of directly related work experience" under the Skilled Worker category has been eased to "two years of skilled work experience"
- ▶ The "Job Offer Form" is renamed as "Employer Declaration Form". The content of the forms is substantially the same., however the BC PNP has now emphasized in its guidance that each section on the form must be answered thoroughly (for example, responses that do not directly answer the questions in each section, or that provide vague, imprecise statements such as 'not applicable,' or 'employee on valid work permit' will be considered incomplete and the application may be refused
- ▶ Management occupations (NOC skill type 0) are no longer eligible to apply under the International Graduates category and they must qualify and apply under the skilled worker category
- ▶ Employers may now be asked to provide evidence of a genuine and bona fide effort to recruit from the domestic labour market, even if the BC PNP registrant is already working for the employer at the time of application
- ▶ Employers will need to demonstrate there is a genuine need for the job position, meaning that the offered position must align with the employer's existing line of business. Furthermore, job positions performing work that is normally performed by outside contractors may not be approved by the BCPNP
- ▶ An expanded list of eligible occupations under the entry level and semi-skilled category, specifically the addition of Healthcare Assistants and Dental Assistants

What does this mean?

These changes to the BC PNP program are at once a broadening of the PNP program and a clean-up of some of the existing program. PNP programs are designed so that provinces have flexibility to target certain occupations or sectors which are in demand occupations in the province. These changes reflect a significant change to the program, and it is strongly encouraged that employers who intend to support their employees with BC PNP applications take action to ensure their ongoing compliance within these applications.

We will continue to monitor and review future developments. Should you have any questions with respect to the change, please do not hesitate to contact your EY Law LLP professional.

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