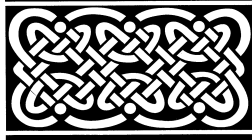


CALEDON



INSTITUTE OF
SOCIAL POLICY

Immigrants Need Not Apply

by

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October 1999

Preface

This report is the first in a series of Caledon/ Maytree papers on immigrant access to the professions and trades in Canada. The paper describes the difficulties facing immigrant professionals and tradespeople seeking employment in their field of expertise. It outlines the immigrant selection process, the social and economic costs of nonrecognition of foreign qualifications, the barriers faced by immigrants seeking licen-

sure in their occupations, and the roles of each of the stakeholders in the accreditation process.

This paper is intended to set the stage for informed discussion of possible solutions. Future papers will focus on specific stakeholders and approaches to the issue, and will seek to provide practical policy options.

Introduction

GJ is a talented industrial engineer. Now in his 40s, he graduated from a Canadian university with a Bachelor of Science degree in 1980. Since graduating, he has held increasingly senior engineering positions with several large corporations and governments in Canada. Today he earns \$87,000 as a systems engineer with a large telecommunications firm in BC.

NV is a talented civil engineer, also in his 40s. He graduated with a Bachelor of Science degree from a major foreign university in 1973. Since graduating, he has held increasingly senior engineering positions with government departments in Sri Lanka, Malaysia and New Zealand, and with the United Nations Development Programme. Today, after two and a half years of additional training and job hunting in Canada, he earns \$41,000 as a building inspector in Ontario. Though he would prefer to be recognized and to work as a professional engineer, NV feels fortunate to have work even marginally related to his qualifications [Skills for Change 1998].

In some ways, NV is right to feel lucky. As a foreign-trained engineer who, in a relatively short time, found work that is at least related to his qualifications, he is an anomaly.

Most engineers who immigrate to Canada, usually on our country's warm invitation, fully expect to practise their profession upon arrival. Many, however, end up in jobs totally unrelated to their training. Some end up with no work at all, their skills and talents wasted. The situation is repeated over and over again across the professions, and to a lesser degree in the trades.

Foreign-trained professionals and tradespeople seeking access to their occupations typi-

cally face major obstacles. Indeed, immigrant doctors driving taxis and foreign-trained chemists delivering pizzas are well-worn clichés and part of our cultural consciousness. How did this problem come to be?

Who comes to Canada?

Immigrants settle in Canada under a variety of categories or 'classes.' The federal government carefully manages the number of people admitted annually in each of these categories. Those fleeing persecution at home may remain in Canada as 'Convention' refugees. Those with close family members in Canada to sponsor them may immigrate in the 'family' class. People with substantial sums of money to invest are 'business' or 'investor' class immigrants. But by far, the largest single group of immigrants today is the 'independent' or 'skilled worker' class – those selected by Canada because of their skills or education and their anticipated contribution to the economy. Of the 174,100 immigrants accepted as permanent residents in Canada in 1998, nearly half – 81,146 – were in this category [Citizenship and Immigration Canada 1999: 3].

Prospective immigrants who wish to come as independent immigrants must meet certain primarily education- and occupation-related criteria to qualify to immigrate to Canada.¹ Canadian visa officers assess applicants using a point system. Points are awarded according to age, language ability, whether prospective immigrants have arranged employment in Canada, the type of work they intend to do here and their skills, qualifications and experience in that area. Applicants normally need at least 70 points to be considered for a visa.

The Canadian government's Occupations List details the number of points awarded for each

occupation and the required training. The number of points assigned to various occupations is intended to reflect demand in the Canadian labour market. For example, the current Occupations List awards bookkeepers one point for their occupation and an additional seven points for the training they have undergone; engineers get five points for their occupation and a further 17 for their training. The Occupations List is updated regularly to reflect Canada's changing labour market needs.²

This approach to selecting immigrants has brought many highly educated people to Canada. Of the skilled workers selected last year, fully 72 percent had university degrees. Even factoring in their dependents 15 years of age and over, the rate of university attainment among skilled immigrant households is 59.6 percent [Citizenship and Immigration Canada 1999: 90]. This rate is more than four times the rate of university graduates among Canadian-born households (13.3 percent) [Statistics Canada 1999a].³

Historically, newcomers have done well economically once they have settled in Canada. A 1995 study of the earnings of immigrants who arrived from 1946 to 1986 shows them consistently earning more than their Canadian-born peers [Akbari 1995: 120].

The picture is not so rosy, however, for professionals and skilled tradespeople who are new to Canada and whose occupations are regulated here.

Access to professions and trades

Many occupations – such as auto mechanics, doctors and engineers – are regulated to protect the health and safety of Canadians. Prospective employees seeking to work in one of these

regulated occupations must obtain a license from the government of the province in which they wish to work (in the case of a trade), or from the provincial occupational regulatory body (in the case of a profession). This is the case for all those seeking entry into a regulated occupation, whether trained in Canada or abroad. With the exception of interprovincially recognized 'Red Seal' trades (see below), even people who were educated in Canada and are already licensed in one Canadian province must go through the process of obtaining a new license if they wish to work in another province.

While the process can be costly and may include some additional training, it is generally possible for Canadians licensed in one province to gain recognition of their qualifications and licensure in another province with some effort. For example, lawyers must pass provincial bar exams.

Gaining recognition of foreign credentials, however, is another matter. Due largely to the unfamiliarity of regulatory bodies, employers and academic institutions with foreign educational, training, technological and professional standards, many of the immigrants most highly valued in the Occupations List face major and sometimes insurmountable barriers to obtaining occupational licensure. The result is a highly educated and experienced underclass of immigrant professionals and tradespeople who are unemployed or underemployed in Canada.

Citizenship and Immigration Canada reports that between 1991 and 1994, for example, 10,279 immigrants arrived in Canada listing civil, mechanical, chemical or electrical engineering as their intended occupation [Citizenship and Immigration Canada 1994; 1995; 1996; 1997].^{4,5} By April 1996, according to Statistics Canada, only 5,770 of the immigrants who

arrived between 1991 and 1996 were practising these professions (though how many were doing so as ‘licensed’ engineers is unknown) [Statistics Canada 1999b]. This figure means that nearly half (44 percent) of the immigrants who came to Canada between 1991 and 1994 intending to work as a civil, mechanical, chemical or electrical engineer were not so employed in 1996.

Making this comparison even more striking is the fact that Citizenship and Immigration data include only immigrants who intended to work at the time of arrival. By contrast, Statistics Canada data include all immigrants irrespective of entrance category. The number of foreign-trained engineers (who arrived between 1991 and 1996) practising in Canada in 1996 would have been even lower than the number presented by Statistics Canada, as this figure inevitably would include nonworkers at the time of arrival who since have acquired Canadian credentials. As one observer put it:

A striking feature of the [Citizenship and Immigration Canada] inflow data is the large proportion of students and “not applicable” (individuals who had not worked recently, if the occupational definitions were being followed by Immigration officers). It is conceivable that these people, after training in Canada, are the ones observed in professional occupations in the censuses while those intending to enter the professions at arrival could not get credentials recognized and ended up in the services sector [Green 1995: 346].

The mismatch between the skills and education of foreign-trained professionals and tradespeople and their actual occupations once in Canada creates substantial costs, both to individual immigrants and their families, and to Canadian governments, businesses and the economy.

According to a Price Waterhouse report commissioned by the Ontario government, failure to recognize foreign academic credentials alone (not to mention foreign work experience) results in losses to the Ontario economy due to:

- increased costs to the welfare system and social services
- losses to employers who are unable to find employees with the skills and abilities they desperately require
- costs associated with unnecessary retraining for foreign-trained individuals
- the loss of potential revenue from foreign-trained individuals who are unable to work and contribute to the tax base and other parts of the economy [1998: iii].

The same report cites an Australian study of the economic impact of not recognizing foreign credentials:

Similar to Ontario in demographic, socioeconomic, cultural and immigration characteristics, Australia quantified the loss to their national economy, due to the non-recognition of foreign degrees, as ranging from \$100 million to \$350 million (US) in 1990. This represents 200,000 immigrants who failed to gain recognition and never returned to their pre-migration occupations [1998: 1-3].

By failing to recognize foreign qualifications, Canada is forgoing the windfall to its economy of so many educated and fully qualified workers for whose education and training Canada has not paid a cent. For example, the Canadian Labour Force Development Board reports that the costs to Canada of raising and educating the immigrants who arrived between

1992 and 1997 would have been more than a billion dollars [Training and Development Associates 1999: 13].

The arrival each year of so many well-qualified immigrants also could counteract the much debated 'brain drain' of Canadian-educated workers to the US if the credentialism policies were reduced. According to Dr. Ivan Fellegi, Chief Statistician of Canada: "University educated migrants coming to Canada outnumber those leaving for the US by four to one" [1999].

Finally, there are a number of significant, though less easily quantified, human and social impacts resulting from Canada's failure to recognize the credentials of immigrants. A 1994 federal government study breaks them down as follows:

Ethnic/race relations impacts: Visible minority immigrants who find themselves shut out of their occupations feel individually and collectively alienated, victims of institutional discrimination. This alienation results in mounting tensions between themselves and members of other groups who are not excluded. Moreover, as long as minority professionals continue to be barred from practising their professions, youth from those communities will lack effective role models, perpetuating the problem [Mata 1994: 8].

Human rights impacts: Many foreign-trained professionals and tradespeople as well as immigrant agencies argue that policies and practices which limit access to accreditation and access to trades and professions contravene the protections accorded by the Canadian Charter of Rights and Freedoms [Mata 1994: 9] and provincial human rights legislation.

Immigrant integration impacts: Lack of recognition of an immigrant's occupation often leads to underemployment and reduced income. In addition, "professional accreditation barriers for immigrant women and refugee groups are often insurmountable." For women, this lack of recognition arises from factors related to both their legal entry status and the added burden many of them face due to gender and family roles. For refugees, having to present original certificates and documents in order to be accredited often makes the situation even worse. Given that many such documents may have been destroyed or lost in their flight from persecution, and the fact that they cannot return to their countries of origin to retrieve them or request new ones, "refugees may simply abandon their hopes of achieving the recognition of their professional credentials in Canada" [Mata 1994: 10].

Mental health impacts: According to the report, these impacts "may be the most harmful to society... . The 1988 Report of the Canadian Task Force on Mental Health Issues singled out the barriers to trades and professions as major factors leading to an erosion of skills, loss of technical idiom and diminishing confidence in one's capabilities." Desperation has even driven affected immigrants to conduct hunger strikes to bring attention to their situation and to instigate change [Mata 1994: 11]. The mental health problems often result in physical health problems related to stress.

In short, the massive disconnect between what Canada sets out to do with its immigration program and the reality facing many immigrants on arrival "makes a mockery of efforts by the immigration department to recruit well-educated immigrants" [Richmond 1994: 145].

A web of stakeholders

The fact that Canada fails to recognize the credentials of many immigrants is hardly news. There have been countless task forces, working groups, commissions and inquiries on the issue by all levels of government and by other stakeholders. So why does the problem persist?

Foreign-trained tradespeople and professionals face a number of significant barriers when attempting to gain access to their field in Canada:

- lack of information for newcomers about how to access a profession or trade, including licensing standards and requirements
- difficulty in gaining recognition of foreign academic credentials by Canadian academic institutions, occupational regulatory bodies and employers
- difficulty in gaining recognition of foreign work experience by occupational regulatory bodies and employers
- the absence of institutionalized, arm's-length appeals processes for those unfairly denied entry to regulated occupations
- lack of access to adequate, occupation-specific educational/training upgrading, language training and testing.

These barriers are best understood by discussing the roles of the stakeholders in the accreditation process. Any solutions to the accreditation problem must acknowledge their interests.

federal government

For most immigrants, the first official point of contact and source of information about

immigration to Canada is the local Canadian consulate or embassy. Visa officers provide prospective immigrants with basic information about living and working in Canada, and process immigration applications. In cases where applicants are applying as skilled workers, visa officers employ the point system earlier described to determine whether these prospective workers meet Canada's labour market needs.

Unless informed otherwise by a visa officer, many immigrants who are accepted as skilled workers understandably mistake the federal government's granting of 'points' for their occupation, education and training as recognition and approval of their qualifications. These immigrants assume that they then will be able to practise their profession or trade in Canada. In fact, however, the number of points granted by a visa officer and the Department of Citizenship and Immigration has no bearing on an individual's ability to practise an occupation in Canada.

Some visa officers may refer immigrants to one of several academic credential assessment services in Canada. For a fee, these agencies will assess foreign academic credentials and provide information on Canadian equivalencies. Such information may be useful for some immigrants who seek a general sense of the Canadian equivalent of their credentials; however, the assessments are little more than the particular agency's opinion. While some agencies' evaluations are more widely recognized than others, none are binding on employers, educational institutions or regulatory bodies. Most occupational regulatory bodies undertake their own independent assessments regardless of the evaluations of these agencies, and many employers are not even aware of the existence of these assessment agencies.

In some fields, there are national professional associations that evaluate the credentials of immigrants. The Canadian Council of Professional Engineers, for example, conducts evaluations of foreign credentials for a fee of \$250. Again, while the assessments may carry some weight, they are not binding on provincial regulatory bodies, which have sole authority to grant or withhold licenses.

Recognizing the growing problem of lack of access to trades and professions facing newcomers, and anticipating further difficulties as a result of an increased emphasis on skilled workers rather than family class immigrants in the mid-1990s, the federal government set up a joint federal-provincial working group on access to professions and trades. The objectives of this task force are to provide more information to prospective immigrants as they make their decision to come to Canada, and to work toward a network of provincially mandated credential evaluation services with transparent and portable credential assessments [Citizenship and Immigration Canada 1998a: 31].

To date, the partnership has resulted only in a series of fact sheets which have been distributed to visa posts, and an October 1999 national conference on qualification recognition.

Another federal government initiative, the Canadian Labour Force Development Board (a partnership among business, labour, education and training, and equity groups), has taken a leading role in the Prior Learning Assessment and Recognition movement, researching and actively promoting this inclusive approach to assessing the Canadian equivalency of foreign credentials and occupational experience.⁶ This Board can do little more than issue recommendations which the federal government and other stakeholders

are free to ignore. Moreover, the Board is slated to be shut down at the end of 1999.

provincial governments

As protectors of the public interest, provincial governments oversee the practice of professions and trades in their jurisdictions to ensure that the public is not exposed to any harm or malpractice by these occupations. The way in which occupations are regulated, however, varies widely from occupation to occupation and from province to province [Mata 1994: 13]. Provinces regulate the trades directly, while the regulation of professions is delegated by the provinces to independent occupational regulatory bodies.

Within the trades, there are two main categories: 'compulsory' and 'voluntary' trades. Compulsory trades, such as electrician or plumber, require provincial certification in order to practise, but only after an apprenticeship of up to four years. It is illegal to work in a compulsory trade without having been certified by the province or registered as an apprentice.

Voluntary trades, such as cook or plasterer, are those in which one may legally work without certification. However, certification usually is recommended anyway, as many unions and employers require it as a condition of employment [Skills for Change 1998: 14].

Each province determines independently, with the input of labour and employers, which trades to make compulsory and which to make voluntary. In theory, the provinces regulate only where necessary to protect the health and safety of the public. In practice, it is often difficult to understand the rationale used by individual prov-

inces to decide which trades to make compulsory. For example, Ontario hairstylists require compulsory certification while industrial electricians do not.

The process of certification also varies from trade to trade and from province to province, but usually involves some period of apprenticeship followed by temporary certification and an exam. Standards for apprenticeship and examinations are set by provincial advisory councils, which consist of representatives of government, labour and employers.

While each province has jurisdiction over apprenticeship and certification of trades in its territory, it is possible to gain interprovincial certification in some trades. Under the Interprovincial Standards Program, completing apprentices and those who are already certified in a trade in a province or territory may apply to write an exam developed jointly by the provinces and territories. If successful, they receive a 'Red Seal' on their certificate of qualification. They are then eligible to work in their trade anywhere in Canada. There are currently 44 'Red Seal' trades [Kitching 1998: 18].

One of the major problems facing foreign-trained tradespeople seeking certification in Canada is the lack of trade-specific language training and testing. Too often, competency testing for trades certification (written multiple choice exams) appears to test applicants' language facility rather than their practical ability to do the job.⁷

While provinces regulate the trades directly, the authority to regulate professions is usually granted, through legislation, to self-governing occupational regulatory bodies (see below). While the provinces generally allow these bodies wide leeway to set their own standards and to

develop and operate their own licensing and regulatory processes, provincial governments have the power (at least in theory) to revoke regulatory privileges should the bodies fail to fulfill their mandates. In practice, however, the provinces tend to shy away from direct intervention in professional regulatory processes, instead playing a more passive role.

Most provinces focus on academic credential assessment. Quebec, the only province with jurisdiction over immigration, has one of the most well-developed credential assessment systems in the country. Since 1983, the provincial *Division des équivalences* has been setting norms for the recognition of foreign credentials in light of Quebec equivalencies, offering translation services to immigrants and making generally recognized recommendations with respect to the equivalency of particular professional credentials. These *attestations d'équivalence* are used by applicants to seek work, entry into trades and admission to professional regulatory bodies and academic institutions [Mata 1994: 21]. However, these equivalencies are not binding on the end user.

Other provinces have established or – as in the case of Ontario – are in the process of establishing, parallel bodies, with varying degrees of success. As long as the assessments of these agencies are nonbinding, their relevance and success hinge almost entirely on their credibility with academic institutions, regulatory bodies and employers.

Addressing a different element of the access problem, the Citizenship, Settlement and Labour Market Services Branch of Manitoba's Ministry of Culture, Heritage and Citizenship coordinates wage assistance and training assistance for immigrants who need to retrain or gain Canadian experience in order to enter their occupation.

Provinces also are gaining some control over immigrant selection. While immigration remains under federal jurisdiction (except in Quebec), the federal government recently has negotiated agreements with several provinces for cooperation on immigration. Among other things, these agreements establish special ‘provincial nominees’ programs under which provinces may nominate, using their own criteria, a certain number of skilled immigrants (for example, 1,000 over five years in BC; 150 per year for four years in Manitoba) to fill labour market shortages [Citizenship and Immigration Canada 1998b; c].

Involving the provinces (the occupational regulators) in the immigrant selection process would seem to present an opportunity to facilitate accreditation and licensing of immigrants entering occupations where there are labour market shortages. No efforts appear to have been made, however, in this direction.

occupational regulatory bodies

Legislated into existence by the provinces, occupational regulatory bodies are autonomous, governed by practising members of the profession. The sole legislated mandate of these regulatory bodies is to protect the health, safety and welfare of citizens by ensuring that all who practise the profession meet a certain level of competence. Anyone seeking to enter a regulated profession – whether a new graduate from a Canadian university or an experienced foreign-trained professional – first must gain licensure through such a body. Occupational regulatory bodies are therefore often referred to as ‘gatekeepers to the professions.’ The ways in which they regulate professions vary:

In some professions, it is illegal to work or even use the title of the profession if you are not registered with the regulatory body. In other professions, you can do the work of the profession, but you must register with the regulatory body if you want to use the title of the profession [Ministry of Citizenship, Culture and Recreation 1998].

For foreign-trained professionals seeking licensure by a regulatory body, the first step usually is to have their credentials assessed. If the regulator considers the credentials below provincial standards, applicants will be required to acquire further education or training. If the assessment is positive and the regulator considers the credentials as on par with or better than the Canadian equivalent, applicants must take an exam or series of exams. In addition, they often are required to work for a period in Canada under the supervision of a licensed member of the profession.

The processes by which these bodies assess the foreign credentials and experience of applicants vary dramatically. Without industry-specific, national or even provincial standards for the consideration of foreign experience and credentials, each regulatory body is free to put as much or as little time and energy as it wishes into the development of structures to provide foreign-trained applicants fair and equitable access to licensure. The standards and structure for licensure for a particular profession in one province may be entirely different from those used in the same profession in another province. Indeed, that profession might not even be regulated in the other province.

Public accounting, for example, is not regulated in New Brunswick, Manitoba or Saskatch-

ewan, but is in all other jurisdictions. Audiologists and speech pathologists, on the other hand, are regulated in Ontario, Quebec, New Brunswick, Manitoba and Saskatchewan, but nowhere else in the country.⁸

Another common problem facing the foreign-trained (and anyone else seeking admission to a profession by a regulatory body) is the lack of institutionalized, arm's-length mechanisms for reviewing an occupational regulatory body's decision to refuse a license or certificate:

Some occupations, notably the health professions, are subject to legislative provisions establishing an independent tribunal to review registration decisions. Some provide for an internal review with or without a statutory appeal to the courts. Others have no intermediate appeal mechanism and may or may not provide for an appeal to the courts. The scope of the appeal also varies; for one group of professions, for example, questions of academic and experiential equivalency are expressly excluded [Cumming et al. 1989: xvi].

Where it can be proved that a regulatory body's decision was based on unfair procedures, the refused applicant for admission may appeal the decision to the courts on administrative law grounds. However, this is a costly and time-consuming process, and thus not available to the majority of foreign-trained professionals and tradespersons.

Some occupational regulatory bodies have made significant strides in developing new structures to recognize the qualifications of foreign-trained professionals in recent years. The College of Midwives of Ontario, for example, has developed an inclusive program of Prior Learning and Experience Assessment to enable immigrants whose midwifery training occurred in an

unrecognized foreign institution or a nonacademic setting to gain licensure in the profession. The majority of regulatory bodies, however, have done little or nothing to provide immigrants with a fair shot. The pivotal *Access!* report explains the problem:

The reasons behind the failure of many occupational bodies to make appropriate assessments of prior learning do not necessarily reflect an intent to discriminate. However, considerable expertise in comparative education, significant physical resource materials, and a familiarity and ongoing contact with international educational systems are all necessary to validate documents properly and make an accurate assessment of an individual's prior training. Inadequacies in each of these areas are frequently cited by licensing bodies as their reason for not evaluating prior learning either at all or in anything more than a cursory manner... .

Our concern here not only is that the assessment procedures in some professions are showing evidence of unfair or unequal treatment of some candidates; it is also that current procedures have the potential to be applied in a way that results in unfair or unequal treatment – and that is the broader issue. Much appears to depend on the personal information received by the assessors, upon the inclinations of the assessors, *and upon the human resources needs of the occupation* [emphasis added]. These factors can, and do, change. The standard of competence required for entry, however, should not [Cumming et al. 1989: xiii-xiv].

Ten years later, with little movement within most of these bodies, many observers suspect that the root of the problem lies in the regulatory bodies' focus on this secondary (and non-mandated) agenda: controlling the supply of

licensed professionals. A 1998 brief by the Canadian Ethnocultural Council charges that:

Through the creation of artificial, arbitrary or unnecessary accreditation criteria, some associations have found that they could restrict the numbers of practising professionals or tradespeople. By controlling the supply they could increase demand and thereby bring financial benefit to their members [1998: 1].

educational institutions

In order to be licensed or certified in their profession or trade in Canada, many newcomers find they must upgrade or ‘Canadianize’ their academic credentials to meet Canadian academic or occupational standards. However, the number and nature of courses they need to take at a Canadian postsecondary institution to gain Canadian equivalency depend entirely on the institution to which they apply to do the upgrading.

Canadian academic institutions do not share a systematic approach to the assessment of credentials, either foreign or domestic. Outside of Quebec, even if one of the independent academic credential assessment services has assessed a particular applicant’s credentials, each university generally insists on conducting its own assessment based on its own criteria and approach to foreign credentials. As with occupational regulatory structures, there is a lack of consistency not only from province to province, but also from institution to institution and faculty to faculty.

Another result of the very ad hoc approach by which foreign credentials are assessed is the failure of many institutions to develop fair means of assessing credentials that are not from major

institutions in the US or western Europe. The *Access!* report summarizes the problem:

Although most universities and colleges ... already have some means for assessing prior education of applicants from countries having high and sustained rates of immigration to Canada, many institutions appear to have ... little capacity for assessing educational credentials of individuals who may lack complete documentation or have arrived from countries having low or irregular rates of immigration to Canada [Cumming et al. 1989: xiix].

As the Price Waterhouse report points out: “The lack of a systematic approach ... means there are no assurances that foreign-trained individuals receive fair and consistent assessments” [1998: i].

Foreign-trained professionals and tradespeople also often face difficulty having their foreign work experience taken into account by some academic institutions. While many community colleges have instituted a form of prior learning assessment that gives advanced standing to prospective students with foreign or informal training or experience, most universities lag far behind in this area [Council of Ontario Universities 1998: 5].

One reason why advanced standing is so important to foreign-trained professionals and tradespeople is that it reduces the length and cost of retraining. The more education or retraining required of the applicant, the higher the cost in terms not just of tuition, but perhaps more importantly of foregone wages. And there is no public financial support available for such retraining today – no grants, no loans. The cost of retraining thus presents a significant barrier to many immigrant professionals and tradespeople who, due to financial pressures, may have little

choice but to abandon hopes of entering their own occupation and instead take the first unskilled, low-wage job available.

A number of academic institutions also provide credential assessments to immigrants, employers, regulatory bodies and others. These assessments may be respected by some employers and regulatory bodies, but not by others. Because each institution sets its own standards and processes for credentials assessments, these vary greatly among institutions. Other academic institutions within the same province may refuse to recognize another institution's assessments [Training and Development Associates 1999: 50]. Indeed, a university faculty may reject the assessment of another faculty within the same university.

Further complicating matters is the lack of consistency of the assessments made by universities, other credential assessment organizations and professional bodies [Training and Development Associates 1999: 50].

But perhaps the most problematic factor is that "assessment products [currently available in Ontario] do not generally meet the needs of employers, educational institutions, and occupational regulatory bodies" [Price Waterhouse 1998: vi].

employers

It is impossible to make any detailed observations about common practices among employers with respect to their assessment and hiring of foreign-trained job seekers. Some progressive employers have developed ad hoc procedures for evaluating the foreign credentials and experience of immigrants, but most employers make no effort to extend equal consideration to

foreign-trained job seekers. There simply is not any data on this amorphous group of independent bodies. Yet employers are central to the entire process.

Employers play a crucial role by providing the all-important 'Canadian experience' required for certification or licensure in many trades and professions [Mata 1994: 24], and after accreditation by providing permanent employment. Unfortunately, employers face many of the same problems as regulatory bodies. Employers frequently do not recognize or have the expertise to assess the foreign academic credentials and work experience of immigrants [Price Waterhouse 1998: ii]. Jeffrey Reitz of the University of Toronto describes the situation this way:

[Independent immigrants] have been selected for their skills, but then Canadian employers don't know how to use those skills. Canadian employers have had difficulty evaluating foreign educational credentials. They are uncertain about the relevance of foreign experience and work histories in Canada, and they don't know how to help immigrants apply that experience. They can't help foreign professionals get Canadian certification. They wonder whether immigrants know the ropes of today's complex market, the business practices and unwritten codes that take time for newcomers to learn [1998: 162].

Faced with a lack of Canadian experience, employers often take comfort in the simple fact of Canadian accreditation, even where such accreditation is neither legally required nor essential to job performance.⁹

Immigrants themselves consistently cite the demand for 'Canadian experience' as a major barrier to employment in their profession:

There is a vicious circle in which some employers hire immigrants only when they can show they have ‘Canadian experience,’ but they cannot obtain that experience without the proper credentials, which may require several years of further study, apprenticeships, internships, and Canadian certification [Richmond 1994: 145-6].

When immigrants lower their expectations and seek work below their qualifications, they often find themselves in a Catch-22 situation. Some employers will not hire them because they are ‘overqualified’ for the position for which they are applying, yet they are barred when they seek access to their actual occupation.

unions

As noted, organized labour plays a role in setting standards for certification and practice in unionized trades, through participation in provincial advisory councils. However, the influence wielded by labour in these councils varies widely. In Ontario, some construction unions have a great deal of influence in the councils, while others complain that the councils seldom meet and there is therefore little opportunity to effect change. Moreover, many of these councils do little beyond maintaining current, sometimes inequitable, practices and systems.

Further confounding systematic analysis of their role is the diversity among unions themselves. Like employers, some unions are actively engaged in the issue of access to trades for foreign-trained workers, while others are all but unaware that it is an issue.

Barriers to the certification of foreign-trained tradespeople have not thus far been a pri-

ority for the unions. However, their focus may be changing. A recent paper by the Canadian Labour Congress entitled “Bargaining for Equality” includes a bargaining checklist with a wide range of objectives including: “fair assessment of prior learning, foreign credentials, work/volunteer experience and skills” [1998: appendix].

nongovernmental organizations

A variety of largely community-based efforts have sought to provide remedial help and support to foreign-trained immigrants. In the past, many of these efforts were geared simply to finding jobs for immigrants, regardless of suitability or sustainability. Today, however, nongovernmental organizations are beginning to build on the existing skills and education of immigrants and help them find suitable jobs.

There are a small number of particularly hopeful initiatives. For example, Skills for Change has developed a mentorship program to help foreign-trained professionals access selected occupations by linking them with mentors working in the industrial and corporate sectors [Silkowska-Masior and Szajkowski 1998].

Unfortunately, such programs are relatively few and participation is limited. Unless efforts are made to institutionalize and replicate these initiatives on a larger scale, they will have little systemic impact. Moreover, most of these programs focus on the skills and knowledge deficits of the immigrant and seek to address these deficits. This ‘remediation’ may be an important part of the equation, but it is not the whole answer. Institutions that control entry to the regulated professions need to adopt a similar deficit-cutting approach with respect to their lack of knowledge and ability to recognize foreign cre-

dentials and experience. While some regulatory bodies have made progress in this direction, there is still a great distance to travel.

Conclusion

The diversity of stakeholder interests, and their often jealously guarded independence, make the search for systemic solutions to the accreditation problem extremely difficult. Indeed, the persistence of the problem in the face of so many studies could tempt even the sunny optimist to despair.

But perhaps our failure to improve significantly the situation of foreign-trained professionals and tradespeople stems from a faulty approach. Perhaps we have placed too much emphasis on the deficits of immigrant professional and tradespeople, and too little on the human capital represented by these newcomers. Perhaps stakeholders have spent too much energy vigorously defending their jurisdiction and authority, and too little seeking the best interests of both the Canadian economy and the immigrants we have welcomed to this country.

Canada has much to gain from allowing its immigrants to realize their full potential and much to lose from failing to do so. As complicated as the tangled web of stakeholder interests appears, there are just two points of view that really count: the needs of the Canadian economy, and the skills and education of immigrants. As Jeffrey Reitz observes: “Helping Canadian employers deal with the real and very practical problems of using the new global workforce could be a low-cost way of dramatically improving returns from our investment in immigration” [1998: 162].

Reports of an impending shortage of skilled labour are prompting some action by the federal government, though to date the focus has been on making it easier for employers to recruit new workers from overseas [Tam 1999]. It is to be hoped that the same impetus will lead to action on the home front to allow those already here to practise the occupations for which they are qualified.

Immigrants come to Canada with knowledge and skills, hopes and aspirations. It is clearly in the interests of all to allow these immigrants – whom Canada has selected and who have themselves chosen Canada – to realize their full potential.

Endnotes

1. Quebec, unlike the other provinces, retains jurisdiction over immigration. Immigrants to Quebec may have to meet different requirements than those faced by immigrants to the rest of Canada: “The *Canada-Quebec Accord* gives Quebec sole responsibility for selecting independent immigrants and refugees abroad who are destined for Quebec” [Citizenship and Immigration Canada nd].
2. Although it is perhaps not updated frequently enough to reflect Canada’s rapidly changing labour market. For example, the Occupations List being used today to select immigrants who may not arrive in Canada until next year was published in 1997 and reflects 1996 Census data – a four-year lag.
3. The overall rate of university graduates among *all* categories of immigrants, including refugees, family class immigrants and independents is also substantially higher than that for the Canadian-born in the same age group: “In 1996, the proportion of men with a university degree was twice as high among recent immigrants as among the Canadian born: 36 percent versus 18 percent. Similarly, recent immigrant women were also more likely than Canadian-born women to have completed their university

education: 31 percent compared with 20 percent” [Badets and Howatson-Leo 1999].

4. The limitations of existing data sets from Citizenship and Immigration Canada and Statistics Canada combined with the vast range of accreditation and licensing practices across the country, make it difficult, if not impossible, to assess accurately the number of foreign-trained professionals and tradespeople prevented each year from entering their occupations. The engineering example is presented here, with all of its limitations, for the purpose of illustration only.

5. An additional 4,954 immigrants arrived in 1995 with the intent of working as a civil, mechanical, chemical or electrical engineer [Citizenship and Immigration Canada 1998d]. We focus on the years 1991 to 1994 for purposes of comparison with 1996 Census data. Immigration data for 1995 and 1996 are not included in the comparison because immigrant professionals who arrived in those years were unlikely to be practising their profession in Canada by 1996. This exclusion will result in the Statistics Canada figure being even more inflated than indicated in the text, as the Statistics Canada data include the few immigrants who arrived in 1995 and early 1996 who were able to immediately enter their profession.

6. Prior Learning Assessment and Recognition is “a process of identifying, assessing and recognizing what a person knows and can do. PLAR should give equal value to learning and skills whether these skills come from school, community work, on-the-job training or other life experiences” [Canadian Labour Force Development Board 1997].

7. Some attempts have been made to address this problem. The Ontario government, for example, funded Mohawk College in Hamilton to develop a practical, demonstration-based test for auto mechanics to replace the standard written multiple choice exam [Training and Development Associates: 33-34]. Unfortunately – perhaps because of the expense of this approach (practical testing is much more costly than written testing) – little has been done by the province to adopt it on a wider scale and develop similar testing procedures in other trades, despite the pilot’s success.

8. Changes are starting to happen in this regard, in part as a result of the 1994 Agreement on Internal Trade to which all provinces, territories and the federal government are

signatories. Chapter 7 of the Agreement, which deals with labour mobility, requires each province or territory, as well as the federal government, to “mutually recognize the occupational qualifications required of workers of any other Party and to reconcile differences in occupational standards” [Art. 708]. Each party is to seek compliance with this commitment, through “appropriate measures,” by “its other governmental bodies and by non-governmental bodies that exercise authority delegated by law” (i.e., regulatory bodies) [Art. 703.1(b)]. In June 1999, for example, Canada’s provincial and territorial engineering regulatory bodies signed an Inter-association Agreement on Mobility of Professional Engineers within Canada to remove barriers to the movement of licensed engineers between provinces [Hawthorne 1999].

9. An interesting exception to this mindset is in the Information Technology (IT) field, where huge and growing demand for software engineers and the like is encouraging IT employers to seek employees outside of Canada. Perhaps because it is still very new, the IT sector remains largely unregulated, allowing foreign-trained software engineers to enter their occupation in Canada relatively painlessly.

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