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The points paradigm 40 years later : an examination of Canada's immigration point system

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THE POINTS PARADIGM 40 YEARS LATER:
AN EXAMINATION OF CANADA'S IMMIGRATION POINT SYSTEM

by

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A Major Research Paper
Presented to Ryerson University

in partial fulfillment of the requirements for the degree of

Master of Arts
in the Program of
Immigration and Settlement Studies

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ABSTRACT

This study will attempt to analyze the effectiveness of the immigration point system in selecting immigrants. The development of the system within the historical context will be explored as well as the changes that have occurred since its creation until the most recent alterations. Interviews, with a range of opinions, will be analyzed to compliment secondary data to assess the impacts which have resulted from the point system through its design, operation and theory. These sources will also be used to provide suggestions and recommendations on how the point system could be improved to maximize effectiveness. Ultimately, the goal of this paper is to add to the growing body of literature surrounding this topic and to determine if the point system is indeed an effective method of selection.

Key words: Canada; immigration; point system.

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Immigration was, and continues to be, a significant and debated issue within Canadian society which is reflected in vast amount of research covering all aspects of the topic. Since the early 1990s, the deteriorating economic success of immigrants has received a great deal of attention within the literature. It has been well-established that immigrants arriving in Canada during the 1980s and 1990s experienced a significant earnings disadvantage compared to native-born Canadians. Given the value that is placed on immigration as a mechanism for economic growth, this lack of success presents a problem. Accordingly, a variety of studies have been conducted attempting to understand declining immigrant incomes focusing on issues such as foreign credential devaluation, discrimination, and economic cycles. This body of research has also produced a wide range of policy suggestions on how to rectify the difficulties faced by immigrants.

The gravity of this situation is further illustrated by the reality that even those immigrants selected by the point system based on human capital, thus their ability to achieve labour market success, have not faired as well as expected. However, the literature which explores the point system as a factor to help explain immigrant setbacks remains sparse. This suggests a disconnection between the system which selects immigrants and how well those immigrants adapt and integrate once in Canada. Given the importance placed on independent immigrants, economic growth and the benefits to society, the effectiveness of the point system presents an avenue that must be examined as a potential explanation and solution. It is necessary to determine the utility of the point system as it plays such a significant role in selecting those immigrants who are thought to have the best chances of succeeding.

This study will attempt to analyze the effectiveness of the immigration point system in selecting immigrants. The development of the system within the historical context will be explored as well as the changes that have occurred since its creation until the most recent alterations. Interviews, with a range of opinions, will be analyzed to compliment secondary data to assess the impacts which have resulted from the point system through its design, operation and theory. These sources will also be used to provide suggestions and recommendations on how the point system could be improved to maximize effectiveness. Ultimately, the goal of this paper is to add to the growing body of literature surrounding this topic and to determine if the point system is indeed an effective method of selection.

In order to accomplish this, it is necessary to first examine the previous literature regarding the immigration point system. Aspects of the point system, whether its creation, development, amendments or effectiveness, have been explored, however the literature on certain areas remains fairly limited. While there is some variation in the factors that led to the creation of the point system, there is agreement among researchers regarding changes over time. However, there is some disagreement on the best method to solve the declining incomes and inequality that immigrants are confronted with. The purpose behind reviewing the literature is to explore the previous studies and research conducted on the effectiveness of point system and to expose any possible gaps. Therefore it will be necessary to examine previous and current research on the point system, including the selection criteria and the system's evolution. Finally, the design and operation of the immigration system will be analyzed and suggestions on possible future amendments to the point system will be explored.

There is a growing body of literature concerned with the success of immigrants and their integration into the economy. Research has indicated that immigrants arriving in the 1980s and 1990s experienced a rapid decline in incomes compared to native-born Canadians, which has resulted in a large earnings gap.¹ It has been shown that immigrants' earnings were below native-born Canadians, but this gap has narrowed in recent years. However, current literature indicates that it is taking immigrants increasingly longer to close this earnings gap.² The income inequality and earnings gap have presented an issue which has recently come to be seen as a major concern due to its effects on integration.³

To explain the lower incomes many researchers point to the devaluation of human capital which includes education and work experience.⁴ To confirm this common argument Peter Li, a sociology professor at the University of Saskatchewan, used 1996

¹ Michael Baker and Dwayne Benjamin. "The Performance of Immigrants in the Canadian Labour Market." Journal of Labour Economics 12:3 (July 1994): 369-405, p.400. Naomi Alboim, Ross Finnie, and Ronald Meng. "The Discounting of Immigrants' Skills in Canada: Evidence and Policy Recommendations." IRPP Choices 11:2 (February 2005): 1-28, p.2. Jeffrey G. Reitz. "Tapping Immigrants' Skills: New Directions for Canadian Immigration Policy in the Knowledge Economy." IRPP Choices 11:1 (February 2005): 1-20, p.3-4. Chris Worswick. "Immigrants' Declining Earnings: Reasons and Remedies." C.D. Howe Institute 81 (April 2004): 1-11, p.1.

² Baker, 400. Marc Frenette and Rene Morissette. Will They Ever Converge? Earnings of Immigrant and Canadian-born. Ottawa: Statistics Canada, 2003, p.13. Peter Li. Destination Canada: Immigration Debates and Issues. Don Mills, Ontario: Oxford University Press, 2003, p.90-94.

³ David Bloom, Gilles Grenier and Morley Gunderson. "The Changing Labour Market Position of Canadian Immigrants." Canadian Journal of Economics 28:4b (November 1995): 987-1005, p.999-1000. Mary L. Grant. "Evidence of New Immigrant Assimilation in Canada." Canadian Journal of Economics 32:4 (August 1999): 930-955, passim.

⁴ Worswick, 5-6. Reitz, "Tapping Immigrants' Skills," 3-7. Alboim, 2. David Green and Chris Worswick. Immigrant Earnings Profiles in the Presence of Human Capital Investment: Measuring Cohort and Macro Effects. Revision of paper presented at the October 2002 joint John Deutsch and CIC conference on immigration, Queen's University, 2004, p.38. Li, "Destination Canada," 100. Philippe Couton. "Highly Skilled Immigrants: Recent Trends and Issues." ISUMA 3:2 (Fall 2002): 114-123, p.118-119. Jeffrey G. Reitz. "Occupational Dimensions of Immigration Credential Assessment: Trends in Professional, Managerial and Other Occupations, 1970-1996." In Canadian Immigration Policy for the 21st Century. Edited by Charles M. Beach, Alan Green and Jeffrey G. Reitz. Kingston, Ontario: John Deutsch Institute for the Study of Economic Policy, 2003, p.471-473.

census data to determine the market worth of foreign and domestic degrees.⁵ Other studies conducted have measured the cost to the economy of devaluing immigrants' skills which is estimated to be around two billion dollars annually.⁶ However, Abdurrahman Aydemir of Statistics Canada and Mikal Skuterud, an assistant economics professor at the University of Waterloo, disagree with this finding and conclude using the 1981, 1986, 1991, 1996 and 2001 Canadian Censuses that the shifting of immigrant source countries and the resulting language differences have had the greatest influence on immigrants' incomes.⁷ The shift in immigrant source countries that occurred with the creation of the point system is thought to have drastically impacted the devaluation of immigrants' education and experience.⁸ Shifting source countries also points to the issue of discrimination and while this is not considered the main cause for the widening income gap over time, it is believed to be a contributing factor.⁹

Another body of literature points to the labour market as a source of the difficulties faced by immigrants as periods of high unemployment impact immigrants the greatest.¹⁰ It is believed that during times of recession the ability of the labour market to absorb more workers is reduced, and as a result immigrants are disproportionately impacted. The difficulties faced by immigrants present a contradiction. The labour market does not

⁵ Peter Li. "Earning Disparities Between Immigrants and Native-Born Canadians." Canadian Review of Sociology and Anthropology 37:3 (August 2000): 289-311, *passim*.

⁶ Jeffrey G. Reitz. "Immigrant Skill Utilization in the Canadian Labour Market: Implications of Human Capital Research." Journal of International Migration and Integration 2:3 (Summer 2001): 347-378, p.3.

⁷ Abdurrahman Aydemir and Mikal Skuterud. Explaining the Deteriorating Entry Earnings of Canada's Immigrant Cohorts: 1966-2000. Ottawa: Minister of Industry, Statistics Canada, 2004, p.17.

⁸ Baker, 373. Green, "Immigrant Earnings Profiles in the Presence of Human Capital Investment," 38. Bloom, 997. Aydemir, 17.

⁹ Bloom, 1000. Jeffrey G. Reitz. "Immigrant Success in the Knowledge Economy: Institutional Change and the Immigrant Experience in Canada, 1970-1995." Journal of Social Issues 57:3 (Fall 2001): 579-613, p.19. Alboim, 2.

¹⁰ Green, "Immigrant Earnings Profiles in the Presence of Human Capital Investment," *passim*. Bloom, 993-994. Frenette, 15.

value the skills they bring, but the point system selects immigrants based on their human capital as it is believed their skills will assist them in the integration process.

There is a small body of research that recognizes the value of examining the system which brings immigrants to Canada as the possible source and solution to integration problems.¹¹ The construction of the point system was seen as a major turning point in Canadian immigration policy and is often explored in the context of prevalent discrimination and the post-war economy.¹² For example, K.W. Taylor relies on immigration inflows before and after the point system to prove the presence of racial discrimination and equates the new selection method to an “updated version of the head-tax scheme”.¹³ A similar argument is made by Louis Parai as he examines the distribution of Canadian immigration offices abroad post-1967.¹⁴

The factors that brought about the need for an immigration point system have also generated a great deal of research. Although a small body of literature indicates that the reform in Canada’s immigration policy can also be attributed to the desire to improve Canada’s international standing,¹⁵ the growing demand for skilled labour is often cited as

¹¹ Alan Green and David Green. “Canadian Immigration Policy: The Effectiveness of the Point System and Other Instruments.” The Canadian Journal of Economics 28:4b (November 1995): 1006-1041, *passim*. Worswick, *passim*. Erin Tolley. The Skilled Worker Class: Selection Criteria in the Immigration and Refugee Protection Act. Ottawa: Metropolis Project, 2003, *passim*. Metropolis Conversation Series. Selection of Economic Immigrants and Alignment with Labour Market Needs. Ottawa: Metropolis Project, 2006, *passim*.

¹² K.W. Taylor. “Racism in Canadian Immigration Policy.” Canadian Ethnic Studies 23:1 (1991): 1-20, p.1-10. Louis Parai. “Canada’s Immigration Policy, 1962-1974.” International Migration Review 9:4 (Winter 1975): 449-477, p.454-455. Freda Hawkins. “Canadian Immigration: A New Law and a New Approach to Management.” International Migration Review 11:1 (Spring 1977): 77-93, p.77-78. Alan Green. Immigration and the Postwar Canadian Economy. Toronto: Macmillan of Canada, 1976, *passim*.

¹³ Taylor, 7.

¹⁴ Parai, 461.

¹⁵ Patrick Ongley and David Pearson. “Post-1945 International Migration: New Zealand, Australia and Canada Compared.” International Migration Review 29:3 (Autumn 1995): 765-793, p.771. Ather H. Akbari. “Immigration ‘Quality’ in Canada: More Direct Evidence of Human Capital Content, 1956-1994.” International Migration Review 33:1 (Spring 1999): 156-175, p.158.

the driving force behind the creation of the point system.¹⁶ Declining immigration from traditional Western European countries created labour shortage problems for the booming Canadian economy. The plan to boost immigration through family sponsorship and the removal of country of origin restrictions only served to increase the number of unskilled workers.¹⁷ With a demand for skilled professionals there was a strong need to establish a system that could facilitate the movement of skilled workers into the Canadian economy.

The creation of the point system in 1967 provided a structured method of selecting immigrants and was seen as a major departure from the previous 'tap-on, tap-off' approach. The design of this selection system allowed immigration officers to objectively assess potential immigrants' admissibility through a variety of categories and ultimately allowed the government to control all aspects of immigration. The newly designed selection system was considered a success as it had altered the occupational composition inflow from unskilled to skilled workers regardless of country of origin.¹⁸ While this new system proved to be an effective means of meeting the demands for the Canadian economy at the time, the changing needs within Canada over time necessitated adjustments be made to the point system.

Prospective immigrants were judged by a variety of factors, such as education, language, age, work experience, and occupational demand. However, since the creation of the point system in 1967, the weights assigned to certain categories have shifted. Some categories have appeared while others have disappeared altogether. The chronology of

¹⁶ Li, "Destination Canada," 23. Green, "Immigration and the Postwar Canadian Economy," passim.

¹⁷ Parai, 453. Green, "Canadian Immigration Policy," 1011. Li, "Destination Canada," 23.

¹⁸ Charles M. Beach, Alan Green and Chris Worswick. The Impacts of the Point System and Immigration Class on Skill Characteristics of Immigration Inflows: The Experience of Canada. Paper presented at the Conference on Immigration: Trends, Consequences and Prospects for the United States, Chicago, September 2005, p.8. Green, "Canadian Immigration Policy," 1038. Don J. De Voretz and Dennis Maki. "The Size and Distribution of Human Capital Transfers from LCD's to Canada: 1966-1973." Economic Development and Cultural Change 28:4 (July 1980): 779-800, p.793.

these changes has been the focus for a small amount of literature, while other authors have included this information within a larger research scope.¹⁹ According to a great deal of this literature, economic recessions have been the driving force that caused the government to tightening the immigration requirements under the point system.²⁰ For example, recessions in the mid-1970s and early 1980s altered the point system and decreased immigration levels to 120,000 and 84,000 respectively by requiring all non-sponsored immigrants to have pre-arranged employment.²¹

While literature on the point system has been sparse, more attention has been given to recent changes in policy. The 1990's saw some major alterations in the operation of the point system specifically regarding those applying under the economic category. There was a noted shift from the occupation based policy to one with greater emphasis placed on human capital which included a focus on education, language, and work experience.²² Attention is also given to the shifting priorities of immigrant classes as research looks at the percentage of immigrants in each category and the overall decline in family and refugee class with a dramatic rise in the economic class.²³ Another factor

¹⁹ Green, "Canadian Immigration Policy," *passim*. Mike McWhinney. A Selection Criteria Chronology, 1967-1997: Critical Changes in Definitions, The Point System and Priority Processing. Research Paper, Strategic Research and Review Branch, Citizenship and Immigration Canada, 1998, *passim*. Tolley, 1-2. Li, "Destination Canada," 24-33. Alan Green and David Green. "The Economic Goals of Canada's Immigration Policy: Past and Present." Canadian Public Policy 25:4 (December 1999): 425-451, p.431-435. Immigration Legislative Review Advisory Group. Not Just Numbers: A Canadian Framework for Future Immigration. Ottawa: Citizenship and Immigration Canada, 1997, *passim*. Diane Francis. Immigration: the Economic Case. Toronto: Key Porter Books, 2002, p.26-30. Lorne Foster. Turnstile Immigration: Multiculturalism, Social Order and Social Justice in Canada. Toronto: Thompson Educational Publisher, 1998, p.70-73. Alan Green and David Green. "The Goals of Canada's Immigration Policy: A Historical Perspective." Canadian Journal of Urban Research 13:1 (Summer 2004): 102-139, p.116-125.

²⁰ Green, "Canadian Immigration Policy," 1015. Beach, 9. Green, "The Economic Goals of Canada's Immigration Policy," 432. Green, "Immigrant Earnings Profiles in the Presence of Human Capital Investment," *passim*.

²¹ McWhinney, 15. Green, "Canadian Immigration Policy," 1014.

²² Worswick, 3. Beach, 10. Li, "Destination Canada," 26. Green, "The Economic Goals of Canada's Immigration Policy," 437.

²³ Worswick, 3-4. Beach, 18. Couton, 115-116. Li, "Destination Canada," 80-81.

which has received some attention concerns the drop in points for admission from 75 to 67.²⁴

Changes to the immigration point system over time were ultimately necessary based on the shifting economic atmosphere the selection system was created around. However, some researchers point to the battle between long-term and short-term immigration planning that occurred with policy changes.²⁵ Regardless of the adjustments made over the decades, economists such as Alan Green, David Green, Charles Beach, and Chris Worswick recognize that the best method of measuring the point system's effectiveness is to determine if labour market demands are being met.²⁶ As the literature has shown, the point system and the subsequent adjustments have been successful in raising the skill levels of incoming immigrants and therefore indicate an effective method of selection. However, the impacts of such a selection system cannot be ignored. Despite the shift towards the economic class, there is still a disconnect between immigrants and the labour market, as seen by the declining incomes, which would ultimately suggest further changes need to be considered.

Changes in the design of the point system are clearly significant although transformations in how the system is organized and implemented have also played a key role. Nonetheless, there is only a small body of research concerned with departmental problems, resources provided to overseas offices, and fraud within the system.²⁷

Journalist and author Diane Francis finds that hiring local staff while cutting Canadian

²⁴ Citizenship and Immigration Canada. "Immigrating to Canada as a Skilled Worker" 6 November 2004, <http://www.cic.gc.ca/english/skilled/index.html>. Worswick, 3.

²⁵ Green, "The Economic Goals of Canada's Immigration Policy," *passim*. Green, "The Goals of Canada's Immigration Policy," *passim*.

²⁶ Beach, *passim*. Green, "Canada's Immigration Policy," *passim*.

²⁷ Francis, 41-42. Foster, 106.

visa officers at overseas posts presents problems of nepotism and bribery. Despite the small amount of research that has been conducted on how the point system operates, it is an important aspect of determining its utility and effectiveness.

As a result of the problems that have arisen due to the point system, research indicates that changes in design are necessary, however, little consideration is given to how the system is organized and implemented. Recommendations for future alterations of the point system focus on specific categories such as education, work experience and language.²⁸ A report by the Immigration Legislative Review Advisory Group made numerous suggestions including a newly organized four-tier point system which required basic language proficiency for all dependents of independent applicants.²⁹ However, economist Chris Worswick recommends sweeping changes including awarding more points to those with foreign education and work experience which is recognized in Canada and postponing any increase in immigration intake.³⁰

While the immigration policies of other countries are beyond the scope of this paper, some researchers have suggested the Australian point system as an example for solutions to improve Canada's selection system.³¹ However, others have recommended radical solutions in order to alleviate the pressures that immigrants place on social services. For example, Herbert Grubel, Senior Fellow at the Fraser Institute suggests

²⁸ Metropolis Conversation Series, *passim*. Tolley, *passim*. Francis, 178-183. R.G. Coulson and Don J. DeVoretz. "Human Capital Content of Canadian Immigrants: 1967-1987." Canadian Public Policy 19:4 (December 1993): 357-366, p.364.

²⁹ Immigration Legislative Review Advisory Group, 58-67.

³⁰ Worswick, 6-8.

³¹ Tolley, 6-7. Metropolis Conversation, 8-9. Paul W. Miller. "Immigration Policy and Immigrant Quality: The Australian Points System". The American Economic Review 89:2 (May 1999): 192-198, *passim*. Daniel Stoffman. Who Gets In: What's Wrong with Canada's Immigration Program – and how to fix it. Toronto: Macfarlane Walter & Ross, 2002, 188.

two-year renewable work visas for those with a valid offer of employment in Canada.³²

In the case of loss of employment immigrants would be deported if new employment was not found within three months. After four years immigrants could apply for landed status and would be eligible to apply for citizenship after another two years, therefore requiring six years of living and working in Canada before they are able to become citizens. This system of immigrant selection based on labour market opportunities would be a major departure from the current system and one that does not take into consideration other immigrant classes which focus on Canada's goals of humanitarianism and family reunification.

However, a great deal of the literature tends to focus on the changes that can be made within Canada to make adjustment and integration easier for new immigrants rather than the point system that selected them. There seems to be a consensus that if change is going to occur it must come from many levels and involve multiple stakeholders.³³ As well, the need for improving institutional capacity in order to better evaluate foreign qualifications is also recognized. For example, one study suggests the creation of incentive programs to encourage post-secondary institutions as well as regulatory bodies to use competency-based assessment tools and develop sector-specific language test.³⁴ The conclusion to be made from this literature is that the problem is not necessarily the point system as it selects the best and the brightest immigrants, but rather how

³² Herbert G. Grubel. "Immigration and the Welfare State in Canada: Growing Conflicts, Constructive Solutions." Public Policy Sources 84 (September 2005): 1-61, p.42-55.

³³ Reitz, "Tapping Immigrants' Skills," 12-13. Alboim, 20-21.

³⁴ Alboim, 26.

immigrants are perceived once in Canada suggesting the influence of discrimination in the devaluating of immigrants' human capital.³⁵

When it comes to evaluating the point system's effectiveness, the literature remains limited although there is a great deal of research focused around the time of its creation given its significant departure from previous immigration policies. Freda Hawkins is a major contributor to this historic research while more current studies have been conducted by economists Alan Green and David Green.³⁶ Examining both historic and current aspects of the point system is significant for understanding it today in its modern context. The human capital theory used by Jeffery G. Reitz, a sociology professor from the University of Toronto offers an insightful method for evaluating the success of the point system.³⁷ However, other researchers have also focused on the human capital aspect of the point system and its impacts.³⁸

In 1964, Gary Becker wrote the seminal piece of research that presented human capital as an investment and asset used to determine income.³⁹ The human capital theory stipulates that the greater the investments made, the greater the returns in the labour market as all individuals compete in the free market. Therefore, an individual's

³⁵ Reitz, "Immigrant Success in the Knowledge Economy," 19. Li, "Earning Disparities Between Immigrants and Native-Born Canadians," 305. Li, "Destination Canada," 100-105.

³⁶ Freda Hawkins. Canada and Immigration: Public Policy and Public Concern. Montreal: McGill-Queen's University Press, 1972, *passim*. Hawkins, "Canada and Immigration: Public Policy and Public Concern," *passim*. Green, "Canadian Immigration Policy," *passim*. Green, "The Goals of Canada's Immigration Policy," *passim*. Green, "The Economic Goals of Canada's Immigration Policy," *passim*.

³⁷ Reitz, "Immigrant Skill Utilization in the Canadian Labour Market," *passim*. Reitz, "Occupational Dimensions of Immigration Credential Assessment," *passim*. Reitz, "Tapping Immigrants' Skills," *passim*.

³⁸ Richard A. Wanner. "Entry Class and the Earnings Attainment of Immigrants to Canada, 1980-1995." Canadian Public Policy 29:1 (March 2003): 53-71, p.66-67. B.B. Tandon. "Earning Differentials Among Native Born and Foreign Born Residents of Toronto." International Migration Review 12:3 (Autumn 1978): 406-410, p.407; Coulson, *passim*. Li, "Destination Canada," 100-110.

³⁹ Gary Stanley Becker. Human Capital: A Theoretical and Empirical Analysis, with Special Reference to Education. Chicago: The University of Chicago Press, 1993, *passim*.

accomplishments are based on their own self-determination and drive to succeed.⁴⁰

However, this theory fails to account for important factors such as structural opportunities and discrimination and as a result, researchers question the use of this theory to gauge immigrant success as they are not treated equally in the free market given that their credentials are discounted.⁴¹ In addition, the human capital theory has been applied to the point system, therefore family networks and social capital are not valued. The use of this theory to select immigrants further emphasizes the notion that immigrants should be self-sufficient and a benefit to society.

While there is no disagreement as to how the point system has changed over time there is some debate over the driving forces behind its creation and what adjustments should be made to improve the situation for immigrants. Ultimately, there is space within the literature for research that would analyze the point system through its creation and adjustments to establish impacts and arrive at some suggested policy solutions. In attempting to determine the effectiveness of the point system, it will be necessary to compare the goals of the immigration selection system with the outcomes. After its introduction in 1967 the point system was successful in increasing the flow of skilled workers into the Canadian economy. However, the difficulties faced by immigrants arriving in the 1980s and 1990s indicate a crisis with the immigrant selection system. The research that has explored the problems experienced by immigrants has been vast, however there has been limited work done on how to address the situation through the point system. This lack of research represents a significant gap in the literature which this major research paper intends to address.

⁴⁰ Becker, *passim*.

⁴¹ Li, "Destination Canada," 100-101. Worswick, 5.

Given the lack of research mentioned above, to thoroughly examine the effectiveness of the immigration point system, this research paper was designed to incorporate both primary and secondary sources of information. It was first necessary to explore previously published literature including peer-reviewed scholarly journals and books which calls the utility of the point system into question. This included the declining incomes, difficulties integrating into the labour market, and the devaluation of immigrants' foreign credentials. In attempting to link these problems with the current immigration point system, the literature on this topic was analyzed, including events leading up to its creation, transitional periods, and the present day system. However, a review of this literature indicated a gap in the previous research with respect to the evaluation of the organization of the current point system. While this literature does exist, it remains sparse and in order to properly assess the relevance and benefits of the point system more information was required.

To obtain the necessary knowledge to address the effectiveness of the point system, primary research was conducted in the form of interviews.⁴² A non-random sampling method was employed to select participants for the study as the subject's relevance to the research was determined by previous knowledge of the point system from work or research experience. Accordingly, there were no standard subject characteristics or specific location for recruitment as selection was non-random and subjects were not from a special population. A variety of experts were selected for participation in the study, and this included academics, government employees, and immigrant advocate groups, although not all were willing to participate.

⁴² William Lawrence Neuman. Social Research Methods: Qualitative and Quantitative Approaches. Boston: Pearson/Allyn and Bacon, 2006, Ch.8 and 10, passim.

In order to recruit interviewees initial contact with potential study participants originated from the principal investigator by email. The email introduced the principal investigator, the objectives of the study, and why they were being asked to participate. The contacts were then instructed to respond to the email if they wished to participate and a copy of the consent agreement was then forwarded to them. If the participant had no objections to the details of the consent form, they were then offered several options for a date and time to conduct the interview. The date and time of interviews were flexible and priority was given to the study participant's schedule.

Eight interviews were conducted between July 13 2006 and September 26 2006 with the following participants for the purposes of this research study. Professor Myer Siemiatycki at Ryerson University in the Department of Politics and Public Administration was selected for his contributions to the literature on immigration and as the current Program Director of Ryerson's Masters in Immigration and Settlement Studies. This interview was conducted face-to-face in his office on the Ryerson campus. By far the greatest contributor to literature on the point system is Adjunct Emeritus Professor of Economics Alan Green at Queen's University who was interviewed by phone. Also interviewed by phone was Meyer Burstein, an international consultant working primarily in the field of migration, integration, and social policy. He is the co-founder of the International Metropolis Project, before which he was the Director-General of the Strategic Research and Analysis Branch within the Department of Citizenship and Immigration.

To understand the perspective of immigrants who have used the point system, Farishta Dinshaw was interviewed by phone. Originally from Pakistan, Farishta came to

Canada in mid-2000 after applying to immigrate at the Canadian Consulate in Los Angeles. Guidy Mamann, a lawyer at the firm of Mamann & Associates, was interviewed in his office located in downtown Toronto. Mr. Mamann is certified as an Immigration Law Specialist by the Law Society of Upper Canada and has a weekly column in the *Metro News*. In order to gain a greater understanding of the point system from an operational standpoint it was important to interview those who have first hand experience. An interview was conducted by phone with a government employee who works at Pearson International Airport supervising immigration officers. In addition, a Foreign Service employee working abroad in a management position was interviewed by phone. Arne Kislenko, a former Senior Immigration Officer at Pearson International Airport in Toronto between 1989 and 2001 and Ryerson University history professor, was also interviewed.

A structured interview was conducted through which the interviewer sought direct answers and remained objective while the respondent revealed opinions and information. Face-to-face and telephone interviews were used as the survey method as they would produce a high response rate and questions could easily be followed by prompts. The advantages of face-to-face interviews outweighed the negative aspects of time and cost. However, if the travel costs associated with conducting face-to-face interviews were significant, for example, those outside of the Greater Toronto Area, then telephone interviews were conducted. This was a valid solution as the time required to conduct the interview would be minimal and the response rate would remain high. Although open-ended questions are often considered difficult to use during telephone interviews, such was not the case and this was a preferable option to e-mailing as responses would have

been limited and confidentiality could not be guaranteed. No interviews were recorded as notes were taken by hand.

The questions were open-ended with some probes and prompts, but there were no contingency questions due to the complex nature of the questions posed. There were certain disadvantages to this format of questioning, such as irrelevant detail and varying degrees of detail. However, open-ended questions served this study best as there were a variety of possible answers with great detail and this allowed for a range of personal experiences and produced unanticipated findings. The questions were not of a sensitive nature, however responding to them did pose problems for some participants based on their affiliation with certain organizations or institutions. In such cases, participants chose to limit their response to certain questions or preferred to remain anonymous. The guarantee of anonymity seemed to eliminate any potential problems of getting honest answers from potentially sensitive topics.

Interview questions were knowledge-based which reinforced the need for non-random sampling while the order of the questions followed a logical and topical sequence. Interviews consisted of three questions. The first mirrored the research question asking if the point system was an effective method of selecting immigrants as it was important to ascertain to what extent participants felt this was a topic that required further discussion. The second question addressed potential problems that have resulted from the point system's design or operation based on the respondents' work or research experience. Participants were asked what, if any, problems did they believe were created by the point system, due to the design and/or operation and implementation. In this instance, design includes categories and assigned points while operation refers to how the

system is implemented. It was necessary to make reference to the two aspects, design and operation, of the point system given the various backgrounds of participants and their differing experiences with the point system. The final question was intended to tackle the sparse literature as participants were asked how they personally would alter the point system. The main purpose behind these three questions was to obtain participants' opinions on the point system, the problems with it, and what can be done to fix it, thus questioning its effectiveness and what is required to achieve this.

The information gathered from the interviews was extremely beneficial given the gap in the literature surrounding this topic. The variety of knowledge and experience from the participants offered numerous unique ideas not included within the research and interesting recommendations. The information gathered from both the primary and secondary sources was analyzed and used to answer the research question regarding the effectiveness of the immigration point system. There are a variety of benefits from this study as the purpose of this research is to ascertain whether the point system is the best method of selecting immigrants and if amendments to the point system could improve the economic outcomes for new immigrants. Given the emphasis placed on immigration, specifically independent or economic immigrants who are the main focus of this paper, as a source of economic growth, any information that attempts to examine new avenues for potential solutions would be beneficial to both individual immigrants and Canada.

Before continuing with a discussion of the findings, it is necessary to first explore the historical background including reasons for and context in which the immigration point system was established. The following section shall explore a brief history of immigration policy in Canada in context of the evolution of the point system. There is

little doubt regarding the significant role immigration has played in Canada's history, although the objectives behind immigration policy have fluctuated with time.

Immigration from preferred source countries, namely the United Kingdom, France, the United States, Australia, and New Zealand, was seen as the ideal solution to the short-term goal of populating Western Canada.⁴³ In the post-war period, concerns shifted away from populating the country to the absorptive capacity of the labour market thus emphasis was placed on careful selection and fluctuating inflows accordingly from a high of 282,164 in 1957 to a low of 71,689 in 1961.⁴⁴ Immigration flows were to be sufficient to meet labour market demands without disrupting the market or creating high levels of direct competition for jobs.⁴⁵ Therefore, the government maintained a short-term 'tap-on, tap-off' system with little consideration for long-run or annual target figures for immigration."⁴⁶

Immigrant selection, as established by the Immigration Act of 1952, was limited based on reasons of nationality, ethnic group, occupation, unsuitability, peculiar customs and inability to meet responsibilities of Canadian citizenship.⁴⁷ Basing admission on such factors greatly contributed to the racism and discrimination within the immigration program. The discretionary powers of immigration officers were further reinforced by the new Immigration Act, which vested an unprecedented degree of decision making power in the officers.⁴⁸ Officers were required to make judgments on an immigrant's customs and habits, admissibility, and unsuitability. Differentiation based on a variety of

⁴³ Parai, 453-454.

⁴⁴ Ongley, 767. Green, "Canadian Immigration Policy," 1014.

⁴⁵ Green, "Immigration and the Postwar Economy," 32.

⁴⁶ Parai, 454.

⁴⁷ Ninette Kelley and Michael Trebilcock. The Making of the Mosaic: a History of Canadian Immigration Policy. Toronto: University of Toronto, 1998, p.324.

⁴⁸ Hawkins, "Canadian Immigration: A New Law and a New Approach to Management," 77.

factors had always been a key feature of Canada's impromptu immigration policy and this characteristic was still firmly in place following World War II.

Starting in the late 1940s and continuing into the 1950s, Canada's immigration policy became increasingly more flexible and began to develop a greater emphasis on humanitarian concerns. Canada's discriminatory immigration policy was not consistent with the role it wished to foster as a trading nation with the West Indies and Asia.⁴⁹ A prime example of Canada's attempt to foster better trade relations was the creation of the 'exceptional merit' program in 1952. The program allowed the entry of professional and skilled workers, for example nurses, from the Caribbean, who had been deemed undesirable. In addition, Canada's involvement with international institutions, such as the United Nations also contributed to the desire to improve its immigration policy. One of the most notable examples relating to humanitarian concerns is the case of the Hungarian refugees in 1956 to which the response was swift: allowing over 37,000 refugees to enter the country.⁵⁰

During the decades following the end of World War II, the economic boom in Western Europe created a demand for labour, resulting in lower levels of emigration.⁵¹ This domestic prosperity in Britain and Northwest Europe ultimately led to the general international scarcity of skilled workers.⁵² The economic development in Western Europe enticed potential immigrants to remain in their country of origin, and as a result the number of immigrants arriving from traditional source countries continued to decline. By 1961, immigration from Europe had decreased from 86.7 to 73.3 per cent of total

⁴⁹ Akbari, 1999, p.158.

⁵⁰ Kelley, 340. Hawkins, "Canada and Immigration: Public Policy and Public Concern," 114.

⁵¹ Ongley, 786.

⁵² Green, "Immigration and the Postwar Canadian Economy," 36.

immigrants arriving in Canada.⁵³ The labour demands coincided with Canada's willingness to accept greater numbers of European refugees due to the fact that refugees were being selected on the basis of the existing labour market requirements.⁵⁴ However, this was not a long-term solution and in order for Canada to meet the future demands of a growing economy the government was required to look elsewhere for immigrants.

Within Canada the economy was characterized by a steady increase in national income and sustained by high levels of investment and defense expenditures as well as a doubling of the gross national product.⁵⁵ This also included increased capital investment by government, technological changes and population growth which spurred expansion in production, manufacturing and other consumer goods. One of the main outcomes of the expanding Canadian economy was the increased demand for workers which reflected the needs of the evolving labour market. Over time, as the economy changed, the preference shifted from unskilled agriculturalists and other primary industry workers towards skilled professionals, manufacturing and other white-collar jobs. In order to fill the gaps in the Canadian labour market, the government relied heavily on immigration and attempts were often made to "link immigration to the manpower requirements."⁵⁶ However, in some cases the needs of the labour market could not be met quickly through immigration and the government turned towards temporary migrant worker programs, such as Caribbean nurses, domestic workers, and seasonal farm labourers.⁵⁷ Another long-standing issue that compounded this problem was emigration to the United States.

⁵³ Parai, 470.

⁵⁴ Green, "Immigration and the Postwar Canadian Economy," 29.

⁵⁵ David Corbett. Canada's Immigration Policy: A Critique. Toronto: University of Toronto Press, 1957, p.168.

⁵⁶ Parai, 463.

⁵⁷ Ongley, 778.

Between 1851 and 1951, for every 100 immigrants who arrived, 80 emigrated compared to after 1951 where only 50 out of 100 emigrated.⁵⁸ While emigration to the United States had decreased, concern over quality became more important than quantity.

Another method used by the government to increase immigration flows was through family sponsorship. Between 1946 and 1947, the government removed the term family dependent and allowed a wider range of relatives, regardless of age, to become eligible for sponsorship in Canada.⁵⁹ By removing the stringent requirement of family-dependents, the government was able to increase arrivals and the size of the labour force while maintaining a preferred European and North American descent. However, the pressure from the labour market continued to increase and forced the government to widen its sponsorship category even further, and ultimately the government granted access to any European immigrant who had the necessary skills and adaptability for Canadian society.

As a result of this 'open-door' policy, the number of sponsored and unsponsored immigrants created a backlog of applications in the European offices. In 1955, the total backlog of applications had reached 77,158, but rose to 131,785 by 1959.⁶⁰ However, the second problem associated with the sponsorship movement was that the majority of those immigrants arriving under the program were unskilled in that they did not possess the necessary skills and education to adapt to the Canadian labour market.⁶¹ The government attempted to curb this sponsorship movement in 1959 by allowing only dependent family

⁵⁸ J. Herd Thompson and Morton Weinfeld. "Entry and Exit: Canadian Immigration Policy in Context (in A Revolution Inside Canada: Immigration and the New Canadians)." Annals of the American Academy of Political and Social Science 538: (March 1995): 185-198, p.190.

⁵⁹ Ibid.

⁶⁰ Hawkins, "Canada and Immigration: Public Policy and Public Concern," 122.

⁶¹ Akbari, 157.

members to be sponsored but faced an immediate backlash from immigrant communities. If the government wanted to reconcile the demands of the immigrant communities with that of the Canadian labour market, it would be necessary to establish a more fair and accurate method of determining those able to enter the country. This problem was further highlighted with the introduction of the Bill of Rights in 1960 which eliminated discrimination by reason of race, colour, national origin, religion or sex and to promote freedom of equality, speech, religion and press.⁶² If Canada was truly interested in the protection of rights and promoting freedoms, the preferences and methods of selecting immigration would need to be revised.

Ultimately, the government changed its policy and in 1962 Order in Council P.C. (1962-86) was passed which established new principles for immigration. This included: universality, admission without regard to the nationality, race, colour or creed of immigrants, family reunion, humanitarian concerns, and an immigration policy corresponding to manpower requirements as well as economic and social policies.⁶³ This shift, while maintaining a short-term focus, represents a dramatic departure from previous immigration policy that would focus on an individual's personal characteristics and their ability to establish themselves.⁶⁴

Officers could admit anyone from anywhere providing they had met certain skills or educational standards. Without clear guidelines for selection, immigration officers had no basis for rejection criteria or how to interpret the labour market's needs.⁶⁵ The discretionary powers of individual officers created a problem when selecting immigrants

⁶² McWhinney, 92.

⁶³ Hawkins, "Canadian Immigration: A New Law and a New Approach to Management," 79.

⁶⁴ Green, "The Economic Goals of Canada's Immigration Policy," 431. Parai, 456-460.

⁶⁵ Green, "Immigration and the Postwar Canadian Economy," 40.

and ultimately made an immigration system without overt discrimination unobtainable. It was not until 1967 that a truly universal assessment system was established through Order in Council P.C. 1967-86. The point system was an effort to limit the discretionary power of immigration officers by providing detailed guidelines for evaluation. To be accepted under the point system, independent applicants were required to gain 50 out of the 100 available points for education, occupational demand, specific vocational preparation, age, arranged employment, language, personal suitability, and destination. All points were fungible and no one category could be a deciding factor for applicants.

This development also saw the creation of a new immigrant entry class, nominated relatives, who received bonus points based on their family connections in Canada.⁶⁶ Family class applicants were admitted to Canada based solely on kinship ties and were not assessed under the point system. Despite the establishment of the new system the number of immigrants evaluated under the point system remained minimal in the beginning as it was the family class that received top priority. However actual numbers are difficult to determine given that accompanying dependents are also included with principal applicants. Regardless of the number of immigrants selected, the new system was to be kept up-to-date with quarterly revisions to the points assigned for specific occupations. The notion that immigration policy could be micromanaged further emphasizes the focus on short-term goals rather than long-term planning. The creation of the point system also illustrated the role of immigration as an economic policy tool given the concentration placed on managing the skill composition.⁶⁷

⁶⁶ Green, "The Economic Goals of Canada's Immigration Policy," 431. Li, "Destination Canada," 23.

⁶⁷ Green, "The Goals of Canada's Immigration Policy," 120.

The aim of this new system was to satisfy Canada's demand for skilled labour while remaining objective during selection and therefore it is necessary to determine to what extent the new policy was successful. A study by Green and Green explores the success of the point system in altering the skill composition of immigrant arrivals. Using the quarterly distribution of intended occupations and immigration class, they discover that the policy changes in 1967 shifted inflows from less skilled towards skilled professionals.⁶⁸ They also found that while the point system was effective in overall occupational control, this was not the case for minor adjustments to points. In regards to education, the number of immigrants reporting to have a university degree by 1970 was 19 per cent which surpassed the Canadian born population at 5 per cent.⁶⁹ The intended impacts of the point system can also be influenced by the inflow of unskilled immigrants in other categories, therefore it is necessary to consider this factor.

Another effect which can be attributed to the point system is the reversal of emigration trends. Canada experienced a net gain of "professionals, technical, managerial and entrepreneurial occupations from the United States."⁷⁰ By emphasizing education and professional qualifications Canada was able to attract and keep more immigrants than in previous historical periods. A significant consequence which resulted from the point system is in regards to the shift in immigrant sending countries. Given that the new policy did not discriminate based on country of origin, immigrants from all over the world had the opportunity to immigrate to Canada. Between the periods 1951 to 1960 and 1961 to 1966, with annual average intake of 157,484 and 115,567 respectively, the West Indies increased from 0.7 to 2.1 per cent of immigrants, while Asia rose from

⁶⁸ Green, "Canadian Immigration Policy," 1038.

⁶⁹ Akbari, 166-167.

⁷⁰ Li, "Destination Canada," 25.

1.8 to 4.5 per cent and Africa and the Middle East jumped from 2.0 to 4.5.⁷¹ It has been estimated that human capital transfer from the least developed countries (LDC) between 1961 and 1973 was in the range of \$1 to \$2.4 billion.⁷² The impact of human capital transfers are vast even when one considers that “30% of the increase in Canadian professional and technical manpower in the key fields of engineering, managers, physicians, and nurses resulted from the post-1966 immigration flow from LDCs.”⁷³

It is evident that the introduction of the point system was a dramatic departure from the immigration policy in operation. While Canada attempted to respond to the decreasing supply of labour through various measures such as the family class, the shifting demand for skilled labour required an innovative solution. The creation of the point system allowed the necessary skilled labour into the country while at the same time legitimizing Canada’s immigration policy around the world. Given the critical transformation of how immigrants were to be selected, it is not unexpected to see the striking results in skilled labour, education levels and country of origin. The point system was created with a specific purpose and was evidently successful in achieving the desired outcomes. However, it is apparent that Canada’s immigration objectives have changed with time and therefore it is necessary to observe how this has influenced the point system over the decades.

In light of this discussion, the following section will highlight the modifications to the point system which have taken place since its creation. The point system was considered a success as it halted the flow of unskilled labour however it was not without

⁷¹ Parai, 469. Asia includes Ceylon, China, Hong Kong, India, Japan, Pakistan, Philippines, and Taiwan. Africa includes Algeria, Egypt, Iran, Israel, Lebanon, Malta, Morocco, Saudi Arabia, South Africa, Syria, Tunisia, and Turkey.

⁷² DeVoretz, 792.

⁷³ Ibid.

its problems. The first complication that became apparent with the point system involved the occupational demand category in which applicants could receive up to 15 points based on the current labour market supply within a specific field. However even immigrants who received zero due to over supply of certain jobs, could still obtain enough points to reach the pass mark of 50.⁷⁴ While this setback could have potentially created greater competition within the Canadian labour market, a shift in public policy favoured restrictive immigration as a result of a downward slide in the business cycle.⁷⁵ The government's solution involved reducing the overall level of immigration inflows while at the same time making it more difficult for immigrants to come to Canada through the point system.

In 1974, the point system was adjusted to decrease the number of successful independent applicants. Immigrants were now required to obtain a minimum of one point under the occupation demand category or their application would be rejected.⁷⁶ This was a departure from the original system as no single category could be conclusive. To ensure in-demand workers were still able to immigrate, 'designated occupation' was added which augmented the ten points for arranged employment.⁷⁷ While this amendment resolved the problem of over-supply within certain job categories, the economic down-cycle still created greater competition. To address the labour market conditions, the government introduced a ten-point penalty for independent applicants who did not have prearranged employment.⁷⁸ Seven years after its introduction, the point

⁷⁴ Green, "The Economic Goals of Canada's Immigration Policy," 432.

⁷⁵ Akbari, 158. Green, "The Economic Goals of Canada's Immigration Policy," 432.

⁷⁶ Green, "Canadian Immigration Policy," 1036.

⁷⁷ McWhinney, 14.

⁷⁸ Green, "The Economic Goals of Canada's Immigration Policy," 432.

system was adjusted to address problems with its design and immediate economic concerns.

The release of the Green Paper by the Department of Manpower and Immigration in 1974 sparked a national debate, thus ensuring that immigration issues remained a priority. A new Immigration Act was passed in 1976 which came into effect in 1978 and was an attempt by the government to address short-term concerns while concentrating on other immigrant classes including the establishment of the business class. The new legislation clearly defined the main goals of Canada's immigration policy as follows: family reunification, meeting international obligations towards refugees, and economic growth in all Canadian regions.⁷⁹ These objectives were reinforced by the commitment to bring in a certain number of refugees each year rather than only during an international crisis. Despite the greater focus on humanitarian concerns the economic goals associated with immigration still received attention.

To meet the new economic objectives of Canada's immigration policy the government turned to independent immigrants as the entry class became exclusively connected to the labour market. A stronger emphasis was placed on the specific vocational preparation category by increasing the maximum points by five to 15 which lowered the personal suitability points. At the same time the education factor was reduced by eight points which were assigned to a new category: experience.⁸⁰ Independent immigrants were now to be assessed on their potential impact on the labour market through the first occupation list, Canadian Classification and Dictionary of

⁷⁹ Ibid.

⁸⁰ Ibid, 433.

Occupations.⁸¹ At this time it was important to ensure that immigrants, especially economic immigrants, were a benefit and not a drain on the economy.

While the new Immigration Act addressed immediate concerns regarding the labour market and absorptive capacity with short-term solutions, it also introduced the commitment to yearly targets.⁸² This was the first attempt by the government to consider long-term planning for immigration. The results of these policy changes created further restrictions for independent applicants and decreased the number of immigrants arriving under the point system. However, the reduction in the number of immigrants assessed under the point system caused the overall skill level of immigration inflows to decrease based on occupational categories.⁸³ While economic growth and developed had driven immigration policy in the past, the 1976 Immigration Act emphasized the need to protect the labour market from immigration inflows.

Between 1978 and 1980, the economy rebounded, resulting in the removal of the ten-point penalty for those applicants without prearranged employment, however this was followed by a major recession causing the penalty to be reinstated. To address this short-term problem, the government made plans in 1982 to drastically reduce inflows in the following year. Independent applicants were immediately required to have pre-arranged employment to gain entry into Canada and all designated categories were abolished.⁸⁴ The stringent regulation allowed the government to control independent immigration levels but at the same time this caused an increase in the number of family and refugee class immigrants. In the midst of this economic downturn the new government of Brian

⁸¹ Foster, 70.

⁸² Ibid.

⁸³ Green, "Canadian Immigration Policy," 1038.

⁸⁴ Ibid, 1015.

Mulroney established the priorities for the future of Canada's immigration program: economic and population growth.⁸⁵

In order to address the new objectives, it was necessary for the government to revisit the current organization of the immigration program and, for the first time, a long-term approach was adopted. In 1985, as the recession subsided, the government focused on increasing inflows under the family class as it was seen as the solution to Canada's aging population.⁸⁶ To achieve economic growth through immigration, the government recognized the need to lift the pre-employment condition placed on independent applicants. On January 1, 1986 the restrictions placed on the independent class in 1982 were lifted⁸⁷ and as a result the number of economic immigrants arriving in Canada rose from 83,402 in 1985 to 152,098 in 1987.⁸⁸ To maximize the economic potential from immigration the government established two new business immigrant categories: investor and entrepreneur. However, these categories are beyond the scope of this paper given that these immigrants are only partially assessed under the point system. Nonetheless, the new priorities recognized that immigration policy could be used to address long-term goals such economic expansion through capital and trade.

Once again the shifting intentions also brought about changes to the immigration point system. The new regulations came into force on February 8, 1986, and saw the elimination of the assisted relative category which previously offered five points. However, relatives were still able to receive a 'kinship bonus' of ten points, not included

⁸⁵ Francis, 29.

⁸⁶ Ibid.

⁸⁷ McWhinney, 2. Green, "The Economic Goals of Canada's Immigration Policy," 432.

⁸⁸ Immigration Legislative Review Advisory Group, 55.

within the point system.⁸⁹ The amendments also saw the removal of the destination category and the introduction of the levels category at a maximum of ten points. The new levels category was an attempt to incorporate absorptive capacity into the point system. Other changes included an increase in the maximum number of points for language, while occupational demand was decreased. The shift in points placed greater emphasis on language while diminishing the focus of selecting specific skills to match labour market demands.

The declining interest in selecting immigrants based on the needs of the labour market was brought about by the emphasis placed on demographic goals. As a result of this focus and pressure from lobby groups, in 1988 the government expanded the family class which allowed this category to grow and to reach 44 per cent of the 254,321 annual immigrant intake in 1993.⁹⁰ However, in 1989, the three-year Demographic Review conducted by the government revealed that immigration could not meet the desired demographic goals set out by the previous policy. It was also in 1989 that the overall number of immigrants was set to rise when the government announced annual immigration targets would be set at 250,000 or one per cent of the population.⁹¹ This commitment by the government illustrated that immigration would no longer be directly connected to the labour market and would not be used as a short-term solution.

The idea that immigration policy would operate irrespective of economic downturns was seen as a dramatic departure from the previous policy, which responded directly to economic conditions. This attempt at long-term planning was short lived as a recession in the early 1990s caused the reversal of this policy. In 1991, the government

⁸⁹ McWhinney, 21.

⁹⁰ Li, "Destination Canada," 82.

⁹¹ Francis, 29.

reintroduced the 'designated occupation' list which gave immigrants who matched the list ten points and higher priority processing.⁹² Applicants who matched the list and were willing to settle in the province where they were needed would benefit from an additional 20 points.⁹³ This micromanagement approach is often referred to as 'designer immigration'⁹⁴ and it was at this time that the immigration focus started to shift towards the economic component as the concessions made for the family class in 1988 were reversed. The renewed significance of immigration as an economic policy tool was further established through new regulations in 1992.

The new regulations, introduced by the Conservatives, established the power to control the make-up of immigration flows and reject applicants once certain category targets had been reached. In addition, the government proposed to use these new measures to reduce the proportion of family class immigrants from 44 per cent by 1995.⁹⁵ Despite the government's commitment to the economic class, these regulations were never implemented but further changes were made to the design of the point system with minor adjustments favoring education with a two point increase. However, one major alteration to the point system included the lowering of the pass mark from 70 to 67 to facilitate the movement of independents into Canada.⁹⁶ This was important given that the government also had a renewed interest in reaching inflows of 250,000 in 1993 despite poor labour market conditions, thus reflecting the value being placed on immigration. The significance of immigration is further reinforced by the overseas promotion budget

⁹² Immigration Legislative Review Advisory Group, 55. Green, "The Economic Goals of Canada's Immigration Policy," 434.

⁹³ Foster, 72.

⁹⁴ Ibid, 72.

⁹⁵ Green, "The Economic Goals of Canada's Immigration Policy," 434. Li, "Destination Canada," 82.

⁹⁶ Citizenship and Immigration Canada.

of the Immigration Department as it increased from \$500,000 in 1994 to \$2 million in 1995.⁹⁷ The government became concerned over the number of self-selected immigrants and declining control over composition inflow whereas in 1994 only 13 per cent of immigrants were principal applicants of the economic class.⁹⁸ In order for the new Liberal government to regain control of the immigration program, a new comprehensive plan for the future was drafted.

“Into the 21st Century: A Strategy for Immigration and Citizenship” was introduced in 1995 and established a framework for how future immigration policy was to operate. Immigration levels were targeted at one per cent of the population, refugee management would be placed in a separate system, and family and independent inflows would be equal.⁹⁹ The immigration goals set out by the Liberal party in power developed a strong focus on long-term planning thus abandoning the principle of absorptive capacity. Radical changes to the point system also occurred at this time as there was a dramatic rise in the maximum points available for education, language, and personal suitability¹⁰⁰ and points were no longer awarded for occupational demand. Skilled occupations were divided into four categories each with a different pass mark: professionals (52), skilled administrator (52), technical (47) and trades (45).¹⁰¹ The objective of this was to ensure that trades and technicians would not be disadvantaged under the point system.

These changes illustrate the re-shifting of Canada’s immigration policy to an economic focus with an apolitical nature as the emphasis is placed on the development of a more skilled and flexible workforce. In the past, immigration policy fluctuated based

⁹⁷ Foster, 106.

⁹⁸ Stoffman, 87.

⁹⁹ Green, “The Economic Goals of Canada’s Immigration Policy,” 435.

¹⁰⁰ Green, “The Goals of Canada’s Immigration Policy,” 127.

¹⁰¹ Ibid.

on economic cycles regardless of the political party elected from the closed-door method before 1967 to an open-door approach post-1967, while 1978 saw the development of restrictive policy until the designer immigration in the 1990s. Since its creation, the point system has emphasized certain aspects of human capital as criteria for selection.

However, the mid-1990s increased this priority and placed greater attention on the skills that immigrants bring thereby improving their ability to integrate. The importance placed on human capital as a selection criterion became increasingly significant with the passing of the Immigration and Refugee Protection Act in 2002.

This new act gave greater attention to the independent class and shifted further away from the gap-filling model, a system originally based on the intended occupations of immigrants and the labour demands within Canada. The Act further entrenched the focus on human capital and flexible skills as points allotted for education, language, age, and adaptability were increased; these factors were thought to positively influence integration.¹⁰² As the desire to accept immigrants able to adjust and settle quickly without society incurring additional costs increased, so too did the priority for economic class immigrants. The new system was also designed with a focus on manageability and transparency. With the exception of the shifting pass mark from 75 to 67 the point system has remained unchanged since the 2002 Immigration Act.

The changes and transformations to the point system emphasize the need to explore the effects which have thus resulted. The subsequent section will analyze the impacts which have resulted from the point system so as to determine if the system has been an effective selection method. In the past, changes to the point system were made in response to short-term problems and shifting immigration goals. However, over time the

¹⁰² Li, "Destination Canada," 102.

focus has shifted towards long-term solutions to meet certain needs. While these problems have often been a result of fluctuating economic conditions and changing immigration policy, the point system itself has also been responsible for previous adjustments. The transition from the occupational demand model to the human capital focus is by far one of the greatest changes to the point system since its creation. The system now emphasizes aspects of human capital such as education, language, and transferable skills. In order to determine whether the point system is an effective method of selecting immigrants, it is important to consider the impacts of its utilization and the influence of the system in three ways, through its design, operation and implementation, and in theory.

The first aspect to consider is the design of the point system, including the six selection factors and the points which are allotted to each category. Education, which has the highest number of points at 25, is given a great deal of attention in the literature and was frequently mentioned by study participants. One interviewee commented on the lack of balance between points awarded for certain educational attainments, for example, a three year diploma receives 22 points which is only three points less than a PhD. It was also recognized that within the workplace not all degrees are valued equally, however under the point system they are worth the same. Another participant found that having the point system skewed towards higher education ignores applicants' capabilities and gives rise to a debate on specialists versus generalists and who will adapt better. However, one of the most commonly cited problems surrounding education, in both the literature and the interviews, is the exclusion of less educated applicants.

Numerous researchers and interviewees recognized that the points allotted for level of education exclude those at the lower end of the job market or trades that do not require formal training or education. This has created two problems in that the demand for these jobs is not being met and those immigrants determined to migrate will do so through illegal channels.¹⁰³ This situation was demonstrated in March 2006 as the media called attention to the deportations of illegal Portuguese construction workers and their families. Despite the ongoing industry demand for construction workers and calls for a moratorium, the deportations continued. In this particular case the point system was unable to supply the necessary workers to meet the demands of the labour market. In the past, the government has created specific programs to meet certain demands, as seen through the Seasonal Agricultural Worker Program and the Live-in Caregiver program. While the point system creates shortages in some areas it also establishes an oversupply in others.

In recent years, professional occupations in natural and applied sciences have dominated the occupational groups of landed immigrants. Within this group, engineers are the leading profession as 15,000 immigrants declared this as their intended occupation in 2000 out of 118,878 labour market participants.¹⁰⁴ Compared to the number of engineers graduating from Canadian universities, the annual intake of immigrant engineers is double the domestic supply. One participant noted that applicants with engineering degrees have the right credentials to gain points under the system, but ultimately this produces an unbalanced occupational inflow. This creates a problem of

¹⁰³ Foster, 75.

¹⁰⁴ Couton, 117.

oversupply and increased competition in the Canadian labour market. However, this situation is further complicated by the issue of foreign credential recognition.

The devaluation of foreign credentials has been occurring since the point system was implemented, however, at that time immigrants were successful because they possessed higher levels of education than native-born Canadians. The rapid increase of native-born education levels in the 1970s removed this advantage and along with other factors has had a negative impact on immigrants' incomes.¹⁰⁵ Today, a foreign degree, on average, is thought to have a return value equal to less than one-third that of a degree obtained at a Canadian institution.¹⁰⁶ Explanations for this devaluation are thought to be due to employers' lack of familiarity with foreign credentials, professional licensing bodies, discrimination, and overall reduced quality of education. The difficulties faced by immigrants regarding credential recognition and the process of accreditation were noted by various study participants. They highlighted that while education is a useful selection factor it does not mean that successful applicants will have the opportunity to enter their field once in Canada. The system appears contradictory in that immigrants are selected for their education, however it is not valued once they have arrived.

It appears that education, while significant within the point system, is not given the same value within Canadian society, although the discounting of foreign credentials is not uniform as the negative impacts are diminished based on country of origin such as the United States and Western European countries.¹⁰⁷ While this reality points to discriminatory aspects of Canadian recognition of foreign credential, language plays a significant role in determining immigrant success in the labour market. The literature

¹⁰⁵ Reitz, "Occupational Dimensions of Immigration Credential Assessment," 471.

¹⁰⁶ Alboim, 13.

¹⁰⁷ Tolley, 2. Alboim, 14.

also supports this idea that language proficiency has a significant influence on earnings regardless of educational attainment.¹⁰⁸ As one interviewee commented, language ability ultimately determines employability. The participant indicated that this lack of connection between education and language ability within the point system presented a dilemma.

Within the point system, language ability receives the second highest number of points at 24, divided between 16 for first official language and eight points for second official language. Applicants are awarded points for their level of proficiency based on speaking, writing, listening and reading according to the Canadian Language Benchmarks. For those applicants who choose not to take an approved language test, they are required to submit written proof of language ability. The shift in immigrant source country since the implementation of the point system has meant a move towards countries where English is not the primary language or widely spoken by the population. The literature indicates an increase in the difficulties immigrants face when integrating into the labour market due to decreased English language ability.¹⁰⁹ This signifies that language is an important selection factor within the point system.

While this helps explain why English and French proficiency is given a high priority within the point system, language ability is also a major component of human capital. Research has shown that knowledge of official languages has a positive impact on immigrant earnings and is considered the best indicator of economic success.¹¹⁰ As a result, one participant suggested the current language requirements were far too weak given the financial costs and divisions created within society. They further commented

¹⁰⁸ Li, "Destination Canada," 110.

¹⁰⁹ Li, "Earning Disparities Between Immigrants and Native-Born Canadians," 203. Aydemir, 17.

¹¹⁰ Li, "Destination Canada," 110. Tolley, 3.

that immigrants who maintain their national language and do not learn English undermine and devalue what it means to be Canadian. Other interviewees focused on the eight points allotted to second language ability and found that these points were generally irrelevant as few immigrants speak both languages but these points could be used to offset first language ability. Several participants commented that the current standardized language tests are responsible for the poor language proficiency of independent immigrants yet, numerous interviewees noted the significance of language in adjusting to Canadian society and determining employability.

Another factor which contributes to human capital and is used to determine immigrant success in Canada is work experience. A maximum of 21 points are available based on years of work experience: four years or more receives 21 points whereas one year receives 15 points. Work experience must be within Skill Type 0 (managerial) or Skill Level A or B (requiring university, college, or apprenticeship experience) and have been gained within the past ten years.¹¹¹ Applicants are required to determine their skill type and level by consulting the National Occupational Classification List (NOC). The work experience category is unique in that a failure to receive points in this category results in the automatic refusal of the skilled worker application. Participant opinions on the mandatory one year work experience were divided. One interviewee commented that overall one year of work experience is irrelevant as there is no measure of the quality of work done. As well, it was noted that rejecting an applicant with a PhD because he or she did not have a year of work experience would be senseless. Another participant highlighted that this requirement indicates there is still an element of selecting for skills, like previous versions of the point system.

¹¹¹ Citizenship and Immigration Canada.

Ultimately, work experience is used to gauge immigrants' success in integrating into the labour market and society. However, like education, this category does not differentiate but rather assumes that all work experience is equal. Within the Canadian labour market such is not the case as pre-migration work experience is severely discounted. Some research suggests that one year of foreign experience is worth one-third of a Canadian year of work, but others suggest that the value is actually closer to zero.¹¹² The reasons behind the devaluation are thought to be due to unfamiliarity, assumed inferiority, and discrimination. Numerous interviewees pointed to the fact that while the point system selects immigrants based on their experience such does not mean they will have the opportunity to enter that field as they may not meet local standards.

A variety of participants also noted that immigrants receive a double disservice. In addition to their skills not being valued, immigrants often face employers who demand Canadian work experience. One subject in particular commented that industry does not want to hire immigrants with foreign credentials; they want people with Canadian education and Canadian experience. The inability of immigrants to transfer their human capital to the Canadian labour market can be viewed as a loss on three accounts; a brain drain for the sending country, brain waste for the receiving country, and brain abuse for immigrants. The discounting of immigrant skills and foreign credentials places immigrants at a disadvantage, a reality ignored by the human capital theory. Therefore, judging immigrant success on the human capital model presents a problem as structural barriers such as discrimination and unequal treatment impact immigrants negatively, as not all individuals competing in the free market have the same advantages.

¹¹² Alboim, 13. Green, "Immigrant Earnings Profiles in the Presence of Human Capital Investment," 38; Reitz, "Immigrant Skill Utilization in the Canadian Labour Market," 21.

However, the labour market is not seen as the only example of prejudice. Some researchers and interviewees believe the point system itself has created a bias towards certain immigrants. As some participants noted, there is a clear class bias imbedded in the point system as people who do not live in an English or French-speaking country and have little access to education will not be accepted through the system. That said, someone who has high standing within those societies would have access to the necessary language, education, and settlement funds required and therefore would easily reach the minimum number of points. As a result, the point system has also been referred to by one research as an updated version of the Chinese head tax, as only those that can afford to come are accepted.¹¹³ One interviewee commented on how the point system selects local elites which demonstrates Canada's economic selfishness but this strategy fails to meet labour market needs.

Another bias within the point system that was highlighted by one subject was sexism, as women face a particularly difficult challenge when applying as a skilled worker. Skills such as homemaking and childrearing are not valued under the human capital model. In the early 1990s, 40 per cent of principal applicants were women but by 2000 this had fallen to 24 per cent. It would appear that the shift to a human capital focus has made it increasingly difficult for women as principal applicants.¹¹⁴ Nevertheless, because most male principal applicants are accompanied by their spouse, the gender ratio seems balanced. While it appears that there is a certain degree of bias within the point system, one participant felt that selection based on age could also be classified as discrimination.

¹¹³ Taylor, 6.

¹¹⁴ Couton, 121.

The fourth factor under the point system is age, in which applicants between 21 and 49 years of age receive ten points. However, immigrants will incur a two point penalty for every year above or below the range, therefore zero points are awarded to those who are younger than 17 and older than 53.¹¹⁵ Participant views on the age limits were divided as two subjects noted that 49 is too old and a limit in the upper 30s would be more appropriate. A small amount of literature agrees with this idea as younger immigrants will have more 'working years' in Canada.¹¹⁶ Studies have also shown that age at immigration does influence economic success as younger immigrants are more likely to acquire Canadian experience.¹¹⁷ However, another interviewee commented that shifting the age points does very little to change the age structure of the population and ultimately this is a useless factor, as migration is generally done at a lower age. The points assigned to the age category have remained virtually unchanged since the creation of the point system signifying its value although this is not true for other categories such as arranged employment.

In the past, the arranged employment category has been used as a tool to control the inflow of economic immigrants. While immigration policy has shifted away from short-term solutions, one participant believes this category could be used again in the same manner in the future. Applicants are awarded ten points if they have a valid job offer confirmed by Human Resources and Skills Development Canada (HRSDC). Some interviewees felt this category invited deception into the system as family members could issue a bogus offer of employment. As well, these ten points bring the validity of the

¹¹⁵ Citizenship and Immigration Canada.

¹¹⁶ Worswick, 7.

¹¹⁷ Joseph Schaafsma and Arthur Sweetman. "Immigrant Earnings: Age at Immigration Matters." Canadian Journal of Economics 34: 4 (November 2001): 1066-1099, *passim*. Tandon, 410.

employer into question and therefore the legitimacy of the offer should also be considered. However, one participant commented on the significance of arranged employment given that work experience and education are discounted further suggesting that not enough emphasis is placed on the first job. The majority of participants believe this factor has a positive impact on labour market success and adaptability.

The real measure of adaptability is the final selection category in which applicants can gain a maximum of ten points from five factors worth five points. These factors include accompanying dependents' education, Canadian work experience, Canadian education, points for arranged employment, and family relationship. Allotting points for these achievements is seen as valuable given that education and experience gained in Canada have positive impacts on immigrant earnings.¹¹⁸ In the past, family ties and networks have been a strong indicator of immigrant success as improving quality of life and securing a future were motivating factors.¹¹⁹ However, one participant gave exception to the points assigned for family relationship as there is no consideration given to how much support will be offered by those relatives. The adaptability factors included in the point system are those which are perceived to have a positive influence on immigrant success even though they represent a significant departure from the previous category of personal suitability.

The personal suitability category allowed visa officers to judge immigrants during an interview based on their job search skills and positive attitude towards growth and change among other factors.¹²⁰ Three participants commented that the current system is dehumanized as immigrants possess unique personal qualities that cannot be quantified

¹¹⁸ Tolley, 5.

¹¹⁹ Foster, 173.

¹²⁰ Green, "The Goals of Canada's Immigration Policy," 128.

within the point system. They also recognized that this type of discretionary power in the former system encouraged fraud and corruption; the new category is designed to be a more objective means of assessing immigrant adaptability. Ultimately, the design of the point system can produce a wide variety of results and impacts however it is necessary to look beyond the design alone to the operation and implementation of the system.

To determine the full impacts of the point system it is important to analyze and explore how it operates and how it is implemented around the world. Management of the point system is the responsibility of Citizenship and Immigration Canada (CIC) but implementation of the system is conducted within Canadian embassies abroad. Several participants commented that the problems with the point system are not created through the categories or design but how the system is implemented. For example, one interviewee felt that the point system has not been managed effectively by CIC and they have failed to adjust the points and pass mark to properly reflect shifting priorities. However, three subjects highlighted the difficulties that governments face when attempting to manage immigration as its actions are thought to reflect its view of immigrants. They felt a false connection is often made between managing the point system and the supposed dislike of immigrants. This creates a challenge for any government to implement change and emphasizes that the political ideology of the party in power has little influence of immigration policy. Changes generally favour immigrants - for example, the reduction of the Right of Permanent Residence Fee by 50 per cent on May 2, 2006.

Another participant pointed to the problems associated with the assessment process whereby applicants supply documentation when they apply and are then forced to update

this information when their application is reviewed. To address this situation CIC recently announced that beginning September 1, 2006 skilled workers will only be required to provide supporting documentation when their application is to be reviewed.¹²¹ The purpose of this change is to simplify the application process while reducing the repetitive duplication of documents. While the documentation is only required once the application has reached the front of the queue, applicants must still meet the criteria twice: when they apply and when their application is reviewed. A participant gave the example of those potential immigrants who may wish to submit an application while they gain their work experience and acquire the necessary settlement funds. Many applicants may wish to do this given the long delays and processing times at Canadian embassies, however they are unable to as they must meet all criteria at the time they submit their application.

Processing times represent another problem for skilled worker applicants, as in the last year the average processing times for all regions was just over five years.¹²² Two interviewees noted that a variety of problems are created by this disproportionate backlog. The long delays and processing times generate anomalies not only in how the system operates but also for immigrants who, for example, may have a job offer at the time but face an employer who is not prepared to wait five years. In addition, excessive delays can also reduce Canada's competitive advantage as an immigrant destination. Any future attempts to change the design of the point system would not come into effect for many years as applicants are assessed by the criteria in place when they file their application. Therefore, the backlog of applications must be cleared before any possible

¹²¹ Citizenship and Immigration Canada.

¹²² Citizenship and Immigration Canada.

changes could be made. The issues of processing time and delays are not as problematic for some areas of the world compared to others.

One participant noted how Canada's immigration program favours certain regions of the world by lower wait times and threshold. For example, European visa offices process 30 per cent of applications within 28 months while the process takes 54 months in Asia, and 47 in Africa and the Middle East.¹²³ It is important to note that the volume of applicants also greatly influences processing times given that resources and staff placed at posts abroad varies greatly by location. The same interviewee also felt there was a great deal of discrepancy in how the system is applied in different areas of the world as there appears to be a measure of corruption or personal discretion from visa officers. This idea is further reinforced by country of origin statistics which indicate that in 1999 more than half of new immigrants came from only 55 countries.¹²⁴ While this may indicate favouritism towards certain regions, it is possible that source country is influence by other factors such as political, economic, or social conditions. Another participant disagreed and commented that while such discrepancies were possible under the previous Immigration Act, after 2002 this is no longer the case. Nonetheless, issues of fraud and corruption go beyond favouring certain regions.

Malfeasance within the department is a serious issue and something that occurs frequently. For example, between October 1998 and September 1999, 34 departmental investigations were conducted in Canada and another 85 cases abroad for a wide range of misconduct on the part of staff.¹²⁵ Allegations included accepting bribes, preferential treatment, fraud, soliciting sex to process an application, counterfeiting visas, harassment,

¹²³ Ibid.

¹²⁴ Stoffman, 136.

¹²⁵ Francis, 42.

assault, and irregular procedures.¹²⁶ One interviewee noted that these problems are further compounded by the reduction of Canadian visa officers and increased local-hires as they are more vulnerable to threats, bribes or nepotism. Another issue of fraud, as noted by a participant, involves 'backdoor applicants' who are normally failed refugee claimants who then apply and are accepted through the point system while still in Canada. This is problematic as people are being rewarded for abusing the system. Ineffective management, processing times, backlogs, and corruption within the department indicate there are serious problems in how the point system is implemented and operated at home and abroad, which ultimately places a question mark on the overall effectiveness of the system.

Since the implementation of the point system, aspects of human capital have been incorporated into the selection criteria along with a variety of other factors. The changes to the Immigration and Refugee Protection Act in 2002 however brought the human capital focus to the forefront and established it as the driving force behind immigrant selection. A system based on education, language ability, and transferable skills has meant a movement away from the occupational demand model. As several participants noted, this organization is problematic as it is purely speculative with no connection to market realities. They also commented that the point system selects those immigrants that are believed to be employable believing they can be shaped once in Canada. However, some researchers found that the occupational demand model is flawed and that it is difficult to micromanage the immigration program by predicting employment shortages.¹²⁷ As well, it does not take into account the diversity of regions within Canada

¹²⁶ Ibid, 43.

¹²⁷ Metropolis Conversation Series, 3.

and the reality that many immigrants never work in their field.¹²⁸ As a result, greater emphasis has been placed on human capital attributes that are believed to help immigrants integrate into the labour market and society.

Researchers who attempt to measure immigrant success often look at economic performance and the benefits to society. Those who were assessed based on their human capital are perceived as a greater asset as they will be more productive and contribute more to society.¹²⁹ This helps explain why there has been an increased focus on shifting the inflow of immigrant classes with greater emphasis being placed on the economic category. Accordingly, there are high expectations for these immigrants as they have been selected because they possess the necessary abilities to successfully establish themselves in Canada. In addition, their incomes should be higher and they should have lower rates of social assistance usage than any other immigrant class given their greater amount of human capital¹³⁰ the idea being that investment in human capital will result in greater returns in the labour market. Therefore, this theory which links human capital to earnings is used to evaluate the economic success of immigrants.

This presents a problem as the human capital model assumes that all individuals are competing equally in the free market yet, as several participants noted, there are various structural inequalities and barriers which immigrants face. Numerous researchers and participants commented on immigrants being selected based on their human capital but their inability to transfer this into higher earnings.¹³¹ For example, visible minority immigrant men earn \$3,100 to \$7,100 less annually than native-born Canadians and these

¹²⁸ Immigration Legislative Review Advisory Group, 56.

¹²⁹ Li, "Destination Canada," 122.

¹³⁰ Citizenship and Immigration Canada.

¹³¹ Worswick, 5. Immigration Legislative Review Advisory Group, 56.

figures are larger for women.¹³² Research has found that employers lack the ability to assess these credentials and skills while race and gender influence how human capital is evaluated.¹³³ In light of these difficulties, one interviewee felt that the point system could not be based purely on human capital alone as the system does not operate in a vacuum and in reality there are a variety of artificial barriers. Ultimately, this leads one to question why the human capital model has been incorporated into the point system and used as the main factor for selection.

Some participants commented on the selfish and self-interested nature of Canada's immigration program as Canada has long been accused of selecting only the best and the brightest. However, opinions on whether this is a legitimate approach were divided. Some interviewees noted that the goals of immigration policy need to be realistic meaning Canada cannot accept all of the world's poorest people. As well, there must be some self-interest within the system as the country needs people that will benefit the economy and have the desire to improve their lives. This idea, echoed in the literature, stipulates that if Canada only accepts a limited number of immigrants then only those with the best chance of succeeding should be selected.¹³⁴ It can be further argued by those in favor of using immigration to increase human capital that Canada does not have to pay for this investment¹³⁵ and it is required to offset the brain drain to the United States.¹³⁶ The point system has been an effective means of increasing the content of human capital in the knowledge economy but the impacts and costs must also be considered.

¹³² Li, "Destination Canada," 111.

¹³³ Reitz, "Tapping Immigrants' Skills," 5. Li, "Destination Canada," 112.

¹³⁴ Stoffman, 79.

¹³⁵ Green, "The Economic Goals of Canada's Immigration Policy," 442.

¹³⁶ Couton, 121.

For some participants, this issue presented a moral and ethical dilemma in which Canada was seen as robbing poor and developing countries of those with the highest human capital. Using the human capital model is a reflection of the concentration on how Canada can benefit from immigration. However, one interviewee noted that if this policy should be based on self-interests then perhaps the problem is located in the interests Canada chooses to pursue. For example, the point system targets those with higher education although this fails to meet the reality of labour market needs. Another participant felt that the current point system is responsible for the suffocation of human capital and ultimately the system selects the best, but a society cannot be based on only lawyers and doctors. As the point system goes from theory to practice, it is evident that it does not necessarily meet the goals of Canada's immigration policy or the expectations of those accepted immigrants.

The impacts of the point system have been discussed above however one aspect that should not be overlooked is the disillusionment many skilled workers face upon arrival in Canada. As one participant commented, immigrants are confronted with a double-disservice as they are forced into the low end of the labour market while at the same time their expectations are not being met. Having been selected by certain factors gives many immigrants a false understanding of the importance of these criteria once in Canada. This issue becomes more problematic as many immigrants may accept the devaluation of their credentials and poor job prospects for their children's future, however, there is also an emerging trend in which immigrants are choosing to return home.¹³⁷ The intention of the point system is to select those immigrants that have the ability to succeed in Canadian

¹³⁷ Metropolis Conversation Series, 4.

society, therefore, if immigrants choose to return to their country of origin this places a great deal of uncertainty and doubt on the utility of the selection system.

In light of the issues that have arisen from the point system, whether through its design, operation and implementation or theoretical base, it is not surprising that the system's effectiveness has been questioned. Some researchers and study participants go beyond this and suggest that the point system is not required at all, a proposal based on the long-term outcomes for family and refugee class immigrants. While it is clear that economic immigrants outperform other categories, over time the earnings of all groups converge as the family and refugee class immigrants ultimately catch up to the independents.¹³⁸ An interviewee made the comparison between second generation immigrants from the economic class and the family class highlighting that if both do equally well then the means for selecting the first generation will have no bearing on future success. However, an immigration policy focused strictly on the second-generation would be problematic and as a result the vast majority of participants and researchers alike do believe the point system is a necessary immigration tool.

Under the Immigration and Refugee Protection Act of 2002, the first objective with respect to immigrants is "to permit Canada to pursue the maximum social, cultural and economic benefits of immigration."¹³⁹ With this goal in mind, the selection of permanent residents under the economic class "is on the basis of their ability to become economically established in Canada."¹⁴⁰ Given the goals and objectives Canada has set for immigration and the economic class, it appears that the point system has been

¹³⁸ Francis, 61. Wanner, 66-67.

¹³⁹ Citizenship and Immigration Canada, Government of Canada. Immigration and Refugee Protection Act. Ottawa: Government Printing Office, 2002.

¹⁴⁰ Ibid.

successful in reaching the desired outcomes albeit with some undesirable results as well. When asked if they believed the immigration point system was an effective method of selecting immigrants, the majority of respondents answered yes, however with varied reasoning. As one participant cited, the point system does what it was designed to do and it can effectively produce the desired results with the correct modifications. Another interviewee commented on the need for a system that is objectively able to assess diverse people from all over the world, and while not everyone is included within this group, there are other avenues that can be used to gain admission to Canada. The bulk of the literature tends to agree that despite the difficulties the point system remains an effective means of selecting immigrants.

Independent applicants are the main focus when it comes to assessing the effectiveness of the point system as there are higher expectations for this immigrant category. Comparing immigrant categories within the Canadian labour market is considered a legitimate means for determining immigrant success. Research indicates that economic class immigrants do outperform family and refugee class immigrants, which ultimately satisfies the objectives of the point system.¹⁴¹ However, while the system has proven to be a successful tool, it is not without its problems. As such, participants and the literature have made suggestion on ways in which the point system could be amended, through its design, the ways in which it is organized and implemented, or the theoretical base. Modifications to the point system would serve to increase the efficiency of the system and to ensure that independent immigrants have the necessary information and chances to achieve their potential in Canada, which would ultimately produce the maximum social, cultural, and economic benefits of immigration.

¹⁴¹ Citizenship and Immigration Canada.

A discussion on the impacts of the point system highlights the need for certain changes to how this system is designed and operated. The following section shall explore various suggestions and recommendations which could serve to increase the overall effectiveness of the system. In 1996, an Advisory Groups was formed to review policies and legislation on issues relating to immigrants and refugees. The report produced, entitled "Not Just Numbers: A Canadian Framework for Future Immigration", made 172 recommendations to replace existing legislation and proposed creating a simplified, easily verifiable, and objective point system. Numerous suggestions relating to the economic class were made yet not all were included in the new Immigration and Refugee Protection Act in 2002. While the majority of study participants and the literature find the point system to be an effective selection method, it is not without its criticisms, which include suggested amendments and modifications. A great deal of the recommended adjustments focused on the design of the point system including specific categories and the point assigned but also new factors that could be incorporated into the system. There were limited suggestions on how to change the theoretical aspect of the point system however a variety of recommendations were provided regarding ways to improve the operation of the system.

Research shows that those immigrants who enter under the economic class, and are therefore generally highly educated, are more occupationally mobile than other immigrant classes which would indicate education as a key selection criteria.¹⁴² One participant felt that education points should be awarded based on the value of the degree on a scale of 25 points. For example, if a PhD is worth 25 points under the system, then a high school education would receive one and a university undergraduate degree would be

¹⁴² Green, "The Economic Goals of Canada's Immigration Policy," 446.

allotted 12.5. However, it has been widely suggested that points be awarded based on their Canadian equivalency in order to increase the effectiveness of the point system.¹⁴³ The same suggestion has also been made in regards to work experience as numerous participants and researchers question why points are rewarded for work experience given that the return is so low in the labour market.¹⁴⁴ This would involve determining the value of foreign degrees and work experience and allow immigrants to understand how their credentials would be evaluated in Canada before they arrive.

Within the literature, language is often considered the best indicator of immigrant success in the labour market which led many participants to question why more points are not allotted to this factor. At 24 points, the language category represents almost a quarter of the total points available however a third of those points are assigned to second official language ability. Accordingly, numerous interviewees suggested eliminating the second official language ability aspect and focusing strictly on an immigrant's first official language aptitude. A few of the interviewees were highly critical of the overseas assessment test and recommended the entire process be improved. They felt that immigrants who were deemed fluent by the system were anything but, suggesting the standards need to be raised. Alternatively, some participants proposed having language instruction classes within the country of origin thus allowing immigrants to improve their language skills before coming to Canada. Another participant insisted that language was a factor that could easily be influenced by changes in the point system, and if points were raised, language schools could be established to ensure these points were obtainable.

¹⁴³ Worswick, 7. Metropolis Conversation Series, 5.

¹⁴⁴ Metropolis Conversation Series, 5. Worswick, 7.

The same participant also maintained that a factor such as age could not be easily manipulated by the point system; changing the points awarded based on age will not lower the average age of immigrants. Still, others felt that lowering the age can increase the likelihood of younger applicants and therefore the number of working years in the labour market.¹⁴⁵ It is also argued that younger immigrants are able to integrate and adapt more quickly and have greater opportunities for further education and training. When it came to other factors that influence adaptability, a great deal was mentioned surrounding the points allotted for family in Canada. Research has shown that family connections provide valuable resources and networks which can assist new immigrants.¹⁴⁶ However, one interviewee recalled previous versions of the point system in which the points varied based on the relations of the family members in Canada and suggested this differentiation would be beneficial.

While some research and participants made recommendations that would involve reintroducing factors previous incorporated in the point system, there was also a variety of suggestions for categories which have never been included, namely factors that would determine and influence adaptability. Suggestions varied between interviewees and included the amount of settlement funds, property ownership in Canada, ability to qualify for a license in their profession, support from community organizations, and future plans to study in Canada. Another frequent recommendation involves assessing the language ability of accompanying dependents of economic class immigrants, both to increase labour market participants and to avoid unnecessary language costs.¹⁴⁷ There are many objections to this proposal as this could result in the favouring of married couples if

¹⁴⁵ Worswick, 7

¹⁴⁶ Tolley, 5. Foster, 173.

¹⁴⁷ Tolley, 5. Immigration Legislative Review Advisory Group, 66.

points were awarded based on a dependent's language ability. It is apparent that there are a variety of suggestions on how to improve the design of the point system, however they are not without their own impacts.

The shift away from the occupation-based point system towards a human capital focus was seen as a way to strengthen the selection system yet participants noted two problems which have arisen and need to be addressed. Firstly, the criticisms and drawbacks of using the human capital theory are vast although the recommendations on how this could be improved were limited. One interviewee suggested that other aspects of capital should also be considered such as social and individual capital which account for one's networks and creativity. As mentioned above, research has shown that social capital does have a positive influence on immigrant success. However, other participants felt that social capital could not be effectively incorporated into the point system and aspects related to human capital were a more objective assessment tool and therefore this is the best method to employ.

The second issue arose from the notion that it is necessary to consider labour market demands and economic cycles. Accordingly, there were suggestions that because this is not acknowledged in the current point system, greater emphasis should be put on responding to employers' needs by increasing the benefits of employee sponsorship.¹⁴⁸ This could be established through a temporary foreign workers program that would allow the private sector to determine demand based on the workers they require and eliminate the devaluation of foreign credentials.¹⁴⁹ One participant commented that such a program could work in theory but that operational issues plaguing the point system, such as

¹⁴⁸ Worswick, 8

¹⁴⁹ Metropolis Conversation Series, 7.

immigrant backlogs, create barriers and would need to be addressed. However, amendments to the point system itself cannot be disconnected from operational changes that must also occur.

While there are a variety of suggestions on how the design of the point system could be changed, there are also various recommendations on how the operation of the system could be improved as well. The current immigration backlog, estimated to be roughly 500,000 for skilled workers, is seen as a major barrier to enacting any new changes that may improve the system.¹⁵⁰ One solution to this problem, as suggested by a few participants, is to change the pass mark based on the number of applicants received. In this way the pass mark would act as a screening mechanism more than the criteria itself and could better respond to supply and demand problems. Another interviewee commented that the standards should be raised permanently to reflect Canada's reputation as a highly desirable country. However, another participant felt that Canada's competitive advantage is reduced due to extremely long processing times. The application process is another issue which one subject felt was problematic, insisting that applicants should not be required to meet the criteria at two distinct points in time but rather only when their application is reviewed. Another interviewee focused on applicant determination and recommended that this be conducted by well-trained Canadian officials and not local-hires as a method to improve corruption and fraud issues.

While there are obviously a great number of proposals on how to improve the effectiveness of the point system through design and operation, researchers and study participants also suggest looking to an international example for ideas. The Australian point system is frequently cited given its similarity to Canada's immigration program

¹⁵⁰ Ibid, 6.

with a focus on human capital attributes. However, there are some significant differences. For example, the Australian system does select for human capital, but the main emphasis is on occupation and points are assigned based on the required amount of training. Points for education are only awarded to degrees granted from an Australian institution and credential assessment is conducted before immigration.¹⁵¹ In addition, the Australian system assesses the accompanying spouse according to the same criteria as the principal applicant.¹⁵² While one participant felt pre-credential assessment could be useful, another interviewee commented that Canada lacks the institutional capacity at this time to manage such a system. It has been suggested that, like Australia, Canada could take advantage of the large international student population as a source of immigrants which would eliminate challenges tied to credential recognition and language.¹⁵³

Numerous participants suggested that a process which allowed international students to change their immigrant status upon completion of their study and accepting a job offer would be beneficial. Increasing the focus on international students is seen as a way to raise the level of human capital, meet the labour demands within Canada and benefit economically from immigration. However, many participants pointed-out that it is the less-educated applicants who cannot gain entry through the system, but it was recognized that this problem could not be easily be rectified by the point system. Several commented that alternative programs could be established or used to complement the point system and meet labour demands including the Provincial Nominee Program and temporary workers. One participant suggested reintroducing immigration categories such as the assisted relative or designated class as it would create more avenues for immigrants

¹⁵¹ Tolley, 6. Metropolis Conversation Series, 8.

¹⁵² Tolley, 7.

¹⁵³ Metropolis Conversation Series, 8.

to enter Canada. Other interviewees recommended decreasing the number of family class immigrants thus allowing a greater number of independent immigrants to enter in a given year.

Since the creation of the point system, there has been an on-going battle between the economic and family class whereby the latter has generally received priority. However, as greater emphasis was placed on economic growth in the knowledge economy and thus human capital, the independent class became increasingly important. While some participants and researchers suggest an increase in the economic class at the expense of the family category, many others insist that this is unrealistic. The balance between these two classes is considered to be cyclical in nature as economic immigrants will often sponsor other family members and that a large increase of independents will cause an increase in the family class four years later.¹⁵⁴ Ultimately, it is necessary for all immigration priorities to be taken into consideration before any changes or alteration can be made to the point system. There are a wide variety of options which can be considered and explored in the future to continue pursuing the development of the point system in a positive and effective manner.

The goals of Canada's immigration program have varied greatly over the decades, from nation-building and absorptive capacity to economic growth and human capital. The creation of the point system offered a fair and methodical process of selecting immigrants and can easily be classified as one of the paramount developments in immigration policy in Canada. Despite the shifting policy objectives, almost 40 years later the point system still exists and remains relatively unchanged. This topic deserves a considerable amount of attention given the significant role this system plays in selecting

¹⁵⁴ Stoffman, 136. Couton, 116.

the best and the brightest immigrants from around the world. Furthermore, in light of the recent research that indicates immigrants are having increased difficulties integrating into the labour market, including those selected under the point system, the need to reexamine the effectiveness of the system has never been greater.

To assess the degree to which the point system is an effective method of selecting immigrants, it was necessary to understand the purpose and context in which this system was created. The various changes that have been applied to the system over the years demonstrate that the point system is responsive to external factors and therefore a useful immigration tool. The extent to which the point system is an effective selection tool was determined by analyzing the impacts that result from its use and to what point the goals and objectives for the system are being met. Ultimately, the point system does what it was design to do as it selects those with the best chances of establishing themselves in Canadian society. The wide array of negative effects and operational difficulties indicates that while it is an valuable system, there is much that can be done to enhance and improve the overall effectiveness of the point system.

However, it is difficult to ascertain if future amendments to the point system could increase the economic success of immigrants. It is clear that changes to certain aspects of the point system's design, such as an increase to the points awarded for language ability, could potentially improve labour market outcomes for immigrants. Nonetheless, it is important to realize that for the system to produce noticeable outcomes, the point system must be altered in a significant manner. This ultimately becomes problematic as even a small change to improve the selection system has the potential to produce not only the desired outcomes but a variety of unwanted results as well, as seen in the 1970s and

1980s. Therefore, it is necessary to thoroughly understand the implications from any alternations to the point system given that it is an effective means of producing desired results. Accordingly, further research could be directed at assessing the on-going impacts of the system as well as attempting to determine if such policy recommendations as mentioned above could be used to increase the economic success of immigrants.

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