



“Beyond the Border” Skilled Trades Mobility System

Background

In Canada, according to BuildForce Canada more than 210,000 skilled trades workers will be required by 2020 to backfill aging demographics and economic demand. The predicted number of new entrants into the system from existing labour sources will leave serious shortfalls for industry. There are no provisions in NAFTA or any other bi-lateral agreement for the expedited flow of skilled trades workers between the United States and Canada for the construction industry or large manufacturing applications.

The United States is experiencing improving labour market conditions from the depth of the 2008 and 2009 Recession. There are pockets where highly skilled workers are unavailable for work due to issues with local training and education systems.

Both countries are moving into a period of infrastructure renewal and energy system changes – both highly labour intensive construction cycles. According to the Major Projects Management Officer there are more than 700 billion dollars of planned investment in Canada’s energy sector in the next decade.ⁱ According to the Council on Foreign Relations (CFR) there is 2.3 trillion dollars of required infrastructure upgrades in the United States in the next decades.ⁱⁱ

Policy or legislative requirement

It is assumed in the United States legislative change (as part of the Comprehensive Immigration Reform) would be required. In Canada, it is unlikely legislative change would be required – regulatory ministerial order could facilitate these changes – a pilot program in Alberta (with workers from Illinois) required no legislative change at the provincial or federal level. It was an annex to the Temporary Foreign Worker Program between the Federal and Provincial jurisdiction which flows from the Immigration and Refugee Protection Act (IRPA). It is assumed both jurisdictions would review potential options and

The mechanics

Participants in this program would be required to apply and successfully obtain a **Nexus** card and be a “trusted traveler” by the United States and Canada. This minimizes security risks and ensures participants are pre-screened by law enforcement agencies in both countries. It also ensures participants are admissible to both Canada and the United States prior to arriving at a border port.

There will be a list of preapproved select occupations determined by Employment and Skills Development Canada (ESDC) and Citizenship and Immigration in Canada (CIC) and Department of Labor in the United States. DOL and ESDC will have to make labour market impact assessments mandatory in certain geographic areas to protect the integrity of local labour markets and resident workers.

Entry into Canada

The process will be the same as the “NAFTA WORK PERMIT”. Skilled trades person presents either an employment letter from a construction contractor or large mega project owner and/ or a dispatch travel letter by their building trades union sending them to pre-arranged employment in Canada. CBSA would facilitate the application for the permit at the port of entry as is the case for a NAFTA visa.

This is temporary work – the project comes to an end (as outlined in employment letter or dispatch letter) and the worker returns to the United States.

Entry into the United States

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Accreditation and licensing

Each jurisdiction would retain the right to enforce local licensing requirements for that marketplace for various occupations. Many Canadian provinces have existing processes in place for recognizing US credentials. Many US jurisdictions do not have licensing requirements in the skilled trades. This process remains unchanged. The state, provincial or local jurisdiction makes a decision on the licensing. For example, the Ontario College of Trades assesses domestic and international applications for licensing in Ontario.

Summary

This system would operate like the TN VISAs as a part of NAFTA for select occupations without the long and politically risky renegotiation of NAFTA occupations. Beyond the Border already has a mandate to work on issues to facilitate jobs and growth from the Executive Branch in both countries. A trial period could be established – recommend two years for maximum result based measurement.

ⁱ http://www2.mpmo-bggp.gc.ca/MPTracker/search_chercherRes.aspx

ⁱⁱ <http://www.cfr.org/infrastructure/encouraging-us-infrastructure-investment/p27771>

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