

PERLEY-ROBERTSON, HILL & McDOUGALL LLP/s.r

Perley-Robertson, Hill & McDougall LLP/s.r.l

1400-340 Rue Albert Street Ottawa, ON K1R OA5

T: 613.238.2022 F: 613.238.8775

www.perlaw.ca



Warren L. Creates
Head of Immigration Law Group
wcreates@perlaw.ca
613.566.2839

COVID-19 and Immigration to Canada

9 APRIL 2020

The global COVID-19 pandemic has caused massive and unprecedented disruption to most business, travel, international study, and migration. Economists and business leaders, as well as government officials, are all predicting considerable long-term effects.

When compared to most other countries of the world, Canada's social safety nets are both robust and generous. Our federal and provincial governments have created responsive public policy and quickly deployed programs that recognize the value of all, and the need to protect the most vulnerable. These programs include publicly funded advanced health care, public education, and financial measures, including income subsidies, supplements and tax deferrals aimed at protecting wages, jobs and businesses.

Some of Canada's immigration programs have slowed or have been interrupted altogether. It is expected that this will be temporary, but unclear when the routine program delivery and processing times will return to pre-pandemic standards. What matters most right now is how our government leaders manage the crisis, so that we get through it with the least harm to our people and to our economy. It also matters what other countries and their nationals do now, so that healthy populations return, and

risk is minimized. The current phase that we are in can be called containment: contain the public health risk, and also the risk to business. The next phase can be called stabilization, during which business and governments achieve some level of stability, in response to the pandemic.

Canada will face the biggest government deficits since the Second World War; however, experts seem to be in agreement that we can afford this crisis. The difference is that the Second World War lasted 6 years, while this pandemic, during its worst phase, is expected to last only months. Also, this is a health crisis that has caused the economic recession, not a financial crisis that has been born out of the collapse of economic fundamentals. Finally, the government debt is occurring



Perley-Robertson, Hill & McDougall LLP/s.r.l

1400-340 Rue Albert Street Ottawa, ON K1R OA5

T: 613.238.2022 F: 613.238.8775

www.perlaw.ca

during unprecedented low interest rates: there is no better time to borrow than now.

It is to be expected that the Temporary Foreign Worker Program will undergo considerable modifications. It will be very hard for employers to justify seeking to attract foreign labour when the unemployment rate in Canada is climbing steeply each day. The program to protect the Canadian labour market --- which requires a *Labour Market Impact Assessment (LMIA)* as a pre-condition --- is likely to present insurmountable barriers for most industries, and most positions. Now more than ever is the time to consider programs that do not require any advertising to prove a gap or shortage in the labour market. Provincial nominee programs will likely also be a renewed source of valuable remedy.

The third phase of the COVID-19 pandemic --- the one that we are most eager to see the beginnings of --- is rejuvenation. As Canada's economy begins to rebound, talented labour --- including pools of immigrants --- will be all that more important in fueling our growth and contributing to the tax base. Such rejuvenation and talent will be critical to both pay for the government debt that is being used to protect our people now and also to fuel our recovery. With an aging population and one of the lowest fertility rates in the World, we have no choice but to build and operate robust immigration programs. It will also be instrumental in building resilience for when the next crisis occurs, either economic shortfalls, or another health pandemic. These are natural cycles which we need to expect, just as global warming is inevitable. Good governance, a cornerstone of Canada's Peace Order and Good Government (POGG), has always been our brand, the envy of the World, and the feature that attracts most immigrants to study, work, and settle in Canada. The perfect current display of this Canadian brand of governance is the cooperation, collaboration, and support being shown by all levels of government, no matter what the political party of our leaders.

By comparison, the divisive politics of our southern neighbor continues: the U.S. President picks fights with some governors even while that country tries to fight a common enemy in the COVID-19 virus. President Trump even initially blamed the Democrats for perpetuating the virus as a hoax, and then for not leaving the country in very good shape to fight it. President Trump then banned a shipment by 3M of respiratory masks to Canada, an order which he rescinded as a result of swift and resounding interventions by our Prime Minister, our Premiers, and even the Chairman of 3M himself. Americans have responded to the virus by purchasing more guns and ammunition, with such sales soaring an estimated 700%. While the storm continues, Canadians and our leaders calmly implement financial measures that will protect people, employers, and sow the seeds of recovery.



As all these elements highlighted above converge, we need to be thankful that Canada is a welcoming society that embraces diversity and pluralism. We not only need more and more immigrants, we truly embrace the opportunity. As Canadians watch in real time the unfolding of the pandemic, we are witness to good political leadership in Canada, compared to the chaos of our southern neighbor. We doubtlessly feel very fortunate where we live.

PERLEY-ROBERTSON, HILL & McDOUGALL LLP/s.r.l.

Perley-Robertson, Hill & McDougall LLP/s.r.l

1400-340 Rue Albert Street Ottawa, ON K1R OA5

T: 613.238.2022 F: 613.238.8775

www.perlaw.ca