



Matrixvisa Inc.

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Immigration Law and International Recruitment

Temporary Foreign Worker Program
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DEFENITON OF LABOUR SHORTAGE BY SERVICE CANADA IN ONTARIO

Dear Ms Hibberd

1. An e-mail was sent to you on 24 November 2014 but up to date we have not received a response
2. It is hoped that you can provide me with the policy of your office (Service Canada Ontario) the concept of "labour shortage"
3. As you know Service Canada does not have a single/unified definition on labour shortage across all provinces. It seem as if officers make decisions based on a whim. The actual reason for a refusal based on a claim of "no labour shortage" is never provided to employers. I am aware that since June 2014 attempts are being made by ESDC to define the concept after Service

Canada has been refusing LMO (and now LMIA's) since June 2002 without a formal definition being available.

4. My office recently received a refusal for an industrial engineer by one of your officers. The officer only referred to two websites (without pointing to the information within these websites that was used to support the decision). It was actually not a reason but just a conclusion and the employer is still in the dark about the actual reason (in terms of what information was used to support the claim of "no labour shortage"). The officer said there is not a shortage of industrial engineers in Ontario and referred to the websites Ontario Job Futures (see <http://www.tcu.gov.on.ca/eng/labourmarket/ojf/>) and the "Jobbank" (See jobbank.gc.ca) in general terms. We received information that the same "reasons" were provided to other employers.

4. According to these websites the Occupation of Industrial Engineer the outlook is "fair" and that there is a higher number of openings due to attrition (59 %) compared to other occupations. The website jobbank.gc.ca also show that the supply might weaken. See **Enclosure 1** for a printout from Ontario job futures and **Enclosure 2** for a printout from the jobbank.gc.ca

5. My practice decided to compare the results of these two websites (jobbank.gc.ca and <http://www.tcu.gov.on.ca/eng/labourmarket/ojf/>) with another known shortage, Dentists in Ontario.

- a. According to ESDC's Technical Working group (TWG) of Employment and Social Development (ESDC) there is a shortage of Dentists in Ontario. See **Enclosure 3**
- b. We then reviewed the information about Dentists on these two websites. Please see **Enclosure 4 and 5**. You would be able to see the career outlook for Dentists is also "fair" as in the case of Industrial Engineers in Ontario. If one compares the wording it seems as

if there is a bigger shortage of Industrial Engineers compared to Dentists based on the two websites used by one of your officers.

- c. The discrepancy is obvious.
6. We took a similar example to demonstrate the inaccuracy of the two websites your office rely on, CNC Machinists.
- a. Ontario job futures just indicate that the outlook is average (similar to Dentists) and jobbank.gc.ca See enclosure 6 and 7.
 - b. However the website if the Ontario exporters association indicates there is a shortage of 700 CNC Machinists.
5. Therefore the accuracy and reliability of the information of the information on jobbank.gc.ca and <http://www.tcu.gov.on.ca/eng/labourmarket/ojf/> is questioned as it is in conflict with other sources as we have demonstrated in the case of dentists and machinists.

Would you please be so kind to provide me with your formal policy on "labour shortage" so we can explain this to employers. My direct number is 416-607-6625 X 101

Respectfully yours



Cobus (Jacobus) Kriek
Member in Good Standing of ICCRC as required by the Section 91 (1) & (7) (a) Immigration and Refugee Protection Act of Canada See <http://www.iccrc-crcic.ca/home.cfm>

Enclosures

1. Ontario job futures Outlook for Industrial Engineers
2. Jobbank Outlook for Industrial Engineers
3. List of shortages according to the TWF of ESDC
4. Ontario job futures Outlook for Dentists
5. Jobbank Outlook for Dentists
6. Ontario job futures Outlook for Machinists
7. Jobbank Outlook for Machinist
8. Printout about shortage of machinists according to the website of Ontario Exporters Association