

Memo on the Programme de l'expérience Québécoise for the Post-Graduate Students' Society (PGSS), McGill University

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Background

The *Programme de l'expérience Québécoise* (PEQ) is an accelerated selection program for skilled workers and university or college graduates who want to settle permanently in Quebec. The provincial *Minister of Immigration, Francisation, and Integration* issues Quebec selection certificates (QSC) to successful PEQ applicants. This certificate can be used to apply for permanent residency status in Canada. A QSC does not automatically confer permanent residency and cannot be used as a visa to enter or remain in Canada.

The PEQ has two streams: (1) foreign graduate and (2) temporary foreign worker. The discussion below will focus primarily on the foreign graduate stream.

To be eligible to apply to the PEQ, a foreign graduate must:

- (a) intend to settle and work in Quebec,
- (b) have stayed temporarily in Quebec for the primary purpose of studying and have respected the conditions of their stay,
- (c) have remained in Quebec for at least half of the duration of their studies,
- (d) hold an eligible Quebec diploma,
- (e) have an advanced intermediate knowledge of French,
- (f) commit to supporting themselves for at least a period of three months,
- (g) hold a valid passport,
- (h) be legally present in Quebec if the PEQ application is made from Quebec,
- (i) be at least 18 years old,
- (j) and obtain an attestation of learning about democratic and Quebec values.

Applicants to the PEQ have 36 months from the date of their graduation to apply and cannot have begun a new program of study in Quebec at the time they apply. If an applicant has received a bursary that includes a requirement that they return to their country, they cannot apply to the PEQ until they have done so.

The *Ministry of Immigration, Francisation, and Integration* processes applications under the PEQ on a priority basis. A decision under the current system can be expected within 20 business days.

A foreign graduate who holds a valid work permit in Canada may apply to the PEQ in the temporary foreign worker stream. Applying under the temporary foreign worker stream is generally more advantageous than applying as a foreign graduate. The temporary foreign stream requires that an applicant has worked in Quebec for 12 of the 24 months prior to their application. They must continue to hold their job at the time they apply.

Once a QSC is issued under the PEQ, it can be used to apply for permanent residency status in Canada. Permanent residency is an immigration status issued by the federal *Minister of Immigration, Refugees and Citizenship Canada*. Permanent residents have the right to live and work in Canada without any limit on their stay. It also grants the right to apply for citizenship after the permanent resident has resided in Canada for a certain time.

Proposed Changes to the PEQ

On July 9, 2020, the *Minister of Immigration, Francisation, and Integration* announced that proposed regulatory changes to the PEQ would come into force on July 22, 2020.¹ The new regulation will require QSC applicants under the PEQ to “hold full-time employment in Québec and [to hold] such employment for a period and in a skill level within the meaning of the National Occupational Classification.”²

This means that PEQ applicants who have obtained an undergraduate, master’s, or doctorate degree in Quebec are required to have *12 months of full-time work experience* in Quebec. This experience must be within the 24-month period prior to filing a PEQ application.

Proposed changes to the PEQ also require that applicant work experience must be at skill type 0, A, or B. Skill type 0 employment is *managerial*, such as work as a restaurant manager. Skill type A employment is *professional* and includes work as a lawyer or architect. Skill type B employment is *technical* and includes work that requires a college diploma or apprenticeship training, such as a plumber or chef.³

This means that full-time employment that does not require professional or technical training, such as a restaurant server or truck driver, would *not* satisfy requirements under the amended PEQ. University or college graduates who hold a post-graduation work permit at the time these changes come into force may still apply to the PEQ as a temporary foreign worker.

The *Ministry of Immigration, Francisation, and Integration* is intending to increase the processing time of applications from 20-business days to *six months*.

The regulation will come into force on July 22, 2020. Students who have a university or college diploma prior to December 31, 2020 will be eligible to apply for a QSC under the old rules. At present, appears that students finishing studies at McGill in Fall 2020 will be eligible to apply for a QSC under the former rules. McGill typically grants degrees in late February of the year following the completion of Fall studies, but the Ministry has indicated that it will accept transcripts or attestations of

¹ See Ministry of Immigration, Francisation, and Integration, “Communiqué: Programme de l’expérience québécoise (PEQ)” online: <http://www.mifi.gouv.qc.ca/fr/presse/communiqués/com20200709.html>.

² Draft Regulation, *Québec Immigration Act* (chapter I-0.1.2), *Gazette Officielle du Québec* 152:22A (2020) 1659A at paragraph 1(8).

³ Immigration and Citizenship Canada, *National Occupational Classification (NOC) System*, <https://noc.esdc.gc.ca/Home/Welcome/3aa36d634e4e4855a58821ed3adcf6a?GoCTemplateCulture=en-CA>.

successful completion of studies in lieu of official diplomas.⁴ This seems to suggest that students who finish postsecondary studies in December 2020 will be able to apply under the old system.⁵

Summary of the Proposed Changes

The PEQ system is changing in a few important ways:

1. PEQ applicants who have graduated from a Quebec university or college will need to work full-time for 12 months before applying.
2. PEQ applicants will need to have work experience that is managerial, professional, or technical. Work experience that does not require professional or technical training will not qualify for the purposes of a PEQ application.
3. Rather than the 20-business day application timeline currently in place, the *Ministry* now intends to respond to PEQ applications within six months.
4. Students who finish their studies in December 2020 will likely be able to use a transcript or attestation of completed studies to apply in lieu of a diploma. The Ministry has not been clear on this point, but their most recent web updates suggest that this is the case.

⁴ Ministry of Immigration, Francisation, and Integration, “Changes to the Programme de l’expérience québécoise (PEQ – Québec experience program)” online: <https://www.immigration-quebec.gouv.qc.ca/en/informations/news/news-2020/modifications-peq-2020.html>.

⁵ The PGSS will inform students as soon as more precise information becomes available.