



Immigration Programs to Recruit & Retain Foreign Workers

**Consulate General of Japan in
Montreal**

September 18th, 2019



Immigration, Réfugiés
et Citoyenneté Canada

Immigration, Refugees
and Citizenship Canada

Canada 

Objective

This presentation will answer:

- ✓ How to use immigration programs to hire foreign workers?
- ✓ What resources are available to help navigate the immigration system?



Temporary Worker Programs

- Temporary Foreign Worker Program (TFWP)
- International Mobility Program (IMP)
- Global Skills Strategy (GSS)

PLEASE NOTE: Policies & programs are subject to change.
Please consult www.Canada.ca/immigration for the latest updates



Immigration, Refugees
and Citizenship Canada

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Canada

Temporary Foreign Worker Program (TFWP)

ESDC Program

Temporary Foreign Worker Program (TFWP)

- ✓ Program delivered by Employment and Social Development Canada (ESDC) via Service Canada.
- ✓ Employers **must** obtain a Labour Market Impact Assessment (LMIA) to hire foreign workers. The LMIA verifies that there is a need for a temporary worker and that no Canadians are available to do the job.
- ✓ In Quebec, all applicants to the TFWP must also apply for a *Certificat de Sélection du Québec* (CAQ) at the Ministère de l'Immigration, de la Francisation et de l'Intégration (MIFI).



Temporary Foreign Worker Program (Cond't)

How to obtain a LMIA?

1. Determine Stream:

- High Wage Stream
- Low Wage Stream

LMIA Assessment Is Based On:

- Genuineness of job offer.
- Labour market factors
- Employer compliance review.
- Efforts made to recruit Canadian citizens and permanent residents.

2. Apply for a LMIA:

- Pay a \$1000 fee per position
- Demonstrate the efforts you have made to recruit or train Canadians or PRs
- Offer salaries and working conditions that meet the standards
- Pay for the TFW's transportation and health care insurance (low wage stream)



Temporary Foreign Worker Program (TFWP)

Once the employer provides an **job offer** to the foreign worker + obtains a **positive LMIA**

→ the foreign worker can then apply to IRCC for a work permit.

Foreign workers in Quebec:

- Before submitting a work permit to IRCC, all foreign workers in Quebec who fall under the TFW Program must apply for a [Certificat de selection du Quebec](#) to the Ministère de l'Immigration de la Francisation et de l'Intégration (MIFI).



How to Know if a LMIA is required or not?

First check the IRCC website:

[Find out if you need a Labour Market Impact Assessment](#)

For information about occupations and job situations which may be exempt from LMIA requirements

Still not sure? Ask the International Mobility Worker Unit:

IRCC.DNIMWU-UMITRN.IRCC@cic.gc.ca

Helps employers determine if the temporary worker they want to hire is exempt from the LMIA process, or exempt from a work permit



International Mobility Program

IRCC Program

✓ **No *Labour Market Impact Assessment (LMIA)* required**

Exemptions from the LMIA Process are based on:

- ✓ Economic, cultural or other competitive advantages for Canada
- ✓ Reciprocal benefits for Canadians and permanent residents

Employer-Specific Work Permits:

- Employer submits job offer to IRCC through the Employer Portal & pays 230\$ compliance fee.
- Worker then applies to IRCC for a work permit

Examples:

- Intra-company transferees (C12)
- NAFTA professionals (T21 to 24)

Open Work Permits:

Examples:

- Post-graduation employment (C43)
- Spouses of international students and of highly-qualified foreign workers (C41/42)
- International Experience Canada (C21)



Process when a LMIA & CAQ is NOT required

Employer: Submit an Offer of Employment

STEP 1: Create an account in the [IRCC Employer Portal](#)

STEP 2: Submit the employment offer in the Employer Portal & pay the Employer Compliance Fee of \$230 online.

STEP 3: Give the candidate the Offer of Employment Number and ask him or her to apply for their work permit

Candidate: Apply to IRCC for a Work Permit

STEP 4: Apply for a work permit by following the [instructions on the Canada.ca/immigration website](#).

A visa or an eTA will be issued automatically if the work permit application is approved.



International Mobility Program - LMIA & WP Exemptions That Could Directly Benefit Japanese Businesses

- ✓ Comprehensive and Progressive Agreement for Trans-Pacific Partnership (T52)
- ✓ North American Free Trade Agreement (NAFTA)
 - ✓ Business Visitors – WP exemption
 - ✓ Professionals (T23)
 - ✓ Intra-company transferees (T24)
 - ✓ Traders and investors (T21, T22)



International Mobility Program - Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

- The CPTPP contains provisions for the temporary entry of professionals and technicians who are LMIA exempted.
- It includes a list of specific occupations permitted under the **professionals** and **technicians** category on a country-by-country basis. Japan is one of the three countries that are eligible to this LMIA exemption.
- A list of occupations for Japan is available on: [Professionals and Technicians – T52](#).



International Mobility Program - Comprehensive and Progressive Agreement for Trans-Pacific Partnership (Cond't)

General Criteria:

- TFWs should be remunerated at a level commensurate with other similarly qualified professionals.
- TFWs must have either evidence of licensing/certification in their occupation OR evidence of study and paid work experience from the occupation field.

Language Requirements

- Either French or English pending on the purposes of the job TFWs intend to perform.

Length of stay

- **1 year** with possible extension if the applicant is able to provide documentation that satisfies the processing officer of their need to have their stay extended.

Spousal Provision: An open work permit may be issued to the spouse if the principal applicant is, for instance, a citizen of Japan.



International Mobility Program - North American Free Trade Agreement (NAFTA)

- The NAFTA facilitates temporary entry for business persons who are citizens of the U.S., Mexico and Canada and who are involved in the trade of goods or services, or in investment activities.
- It removes the need for a Labour Market Impact Assessment (LMIA) for all business persons covered by the Agreement.
- In the case of a [business visitor](#), it removes the need for a work permit.
- For professionals and intra-company transferees can apply at the port of entry (POE).
- For more information, consult [International Mobility Program: North American Free Trade Agreement \(NAFTA\)](#)



Global Skills Strategy: Four Pillars

Two-week Service Standard	Work permits for high-skilled talent (NOC 0 & A occupations) will be processed in two weeks or less.	IRCC	Non referral
Work Permit Exemptions	Skilled workers and top research talent are able to come work in Canada for short periods with less red tape.		
Dedicated Service Channel	Departmental staff are ready to guide employers through the immigration process to help meet their specific needs.		
Global Talent Stream (ESDC)	Global talent applications from Canadian employers in 10 business days while tracking benefits for Canadians on job creation, knowledge and skills training investments.	ESDC	Referral-based



Global Skills Strategy : Pilar 1

TWO-WEEK SERVICE STANDARD

Purpose	To provide two week work permit processing for high-skilled workers under the International Mobility Program, their spouses and family members, as well as those under the Global Talent Stream.
Eligibility Criteria	<ul style="list-style-type: none">• E-Application submitted outside of Canada; and• Foreign national has an employer-specific job offer in a managerial or professional position and is exempt from the requirement for a Labour Market Impact Assessment; or,• Foreign national has obtained a Labour Market Impact Assessment through ESDC's Global Talent Stream.
Expected Outcomes	<ul style="list-style-type: none">• Improved speed and responsiveness in case processing;• Greater predictability for both employer and prospective employees;• Canadian employers gain an edge in recruitment;• Canadian workers benefit from knowledge transfer and new economic opportunities.



Global Skills Strategy : Pilar 2

SHORT-TERM WORK PERMIT EXEMPTIONS

Purpose	To allow short-term entry for high-skilled workers (up to 30 days) and researchers (up to 120 days).	
Eligibility Criteria	High-skilled workers: <ul style="list-style-type: none">• Foreign nationals in professional and managerial occupations (NOC skill type 0 or skill level A);• Coming to perform work for up to 15 or 30 consecutive calendar days and have not been granted an exemption under this public policy in the last 6 or 12 months (depending)	Researchers: <ul style="list-style-type: none">• Coming to perform research at a Canadian publicly-funded, degree granting institution or affiliated research institution;• Coming to perform work for up to 120 days and have not been granted an exemption under this public policy in the last 12 months
Expected Outcomes	<ul style="list-style-type: none">• Reduced administrative burden on employers and research institutions that need workers on a short-term basis to meet deadlines, expand operations or perform research.	



Global Skills Strategy: Pillar 3

DEDICATED SERVICE CHANNEL

Purpose	<p>The Dedicated Service Channel (DSC) provides select employers making significant investments in Canada or top academics with personalized client service at IRCC to facilitate their immigration needs.¹ Eligible companies are linked with a dedicated “account manager” who can provide the following range of services:</p> <table> <tr> <th>IN-SCOPE SERVICES</th><th>OUT OF SCOPE SERVICES</th></tr> <tr> <td> <ul style="list-style-type: none"> ✓ Provide strategic information and guidance on a wide range of available immigration programs. ✓ Case-specific advice and troubleshooting (where authorized). ✓ Provide status updates on an application. </td><td> <ul style="list-style-type: none"> x Assessing Labour Market Impact Assessment exemptions. x Processing of applications. x Faster processing (unless foreign national meets the eligibility criteria for two-week processing of work permits and visas, where applicable). </td></tr> </table>	IN-SCOPE SERVICES	OUT OF SCOPE SERVICES	<ul style="list-style-type: none"> ✓ Provide strategic information and guidance on a wide range of available immigration programs. ✓ Case-specific advice and troubleshooting (where authorized). ✓ Provide status updates on an application. 	<ul style="list-style-type: none"> x Assessing Labour Market Impact Assessment exemptions. x Processing of applications. x Faster processing (unless foreign national meets the eligibility criteria for two-week processing of work permits and visas, where applicable).
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Access to the DSC	<p>Only companies or research chairs that are referred by designated referral partners, established via bilateral (IRCC-referral partner) or trilateral (IRCC-ESDC-referral partner) Memoranda of Understanding (MOUs), can access the DSC.</p>				
Expected Outcomes	<ul style="list-style-type: none"> • Firms are incentivized to invest in and/or relocate to Canada. • Firms are provided with tailored client service and information to navigate the immigration system. 				

¹ The DSC is not responsible for processing applications.



IRCC Ressources for Employers

Hiring Foreign Workers

Detailed information on the IRCC [website](#).

The Employer's Roadmap

Hiring & Retaining Internationally Trained Workers

This guide is available [online](#).



THE EMPLOYER'S ROADMAP
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