

Government Streams for Hiring Foreign Workers

Information Obtained: March 2014

Citizenship and Immigration Canada (CIC) manages the following six Canadian immigration programs for foreign workers seeking to live and work in Canada, either temporarily or as permanent residents:

- ✓ The BC Provincial Nominee Program (BC PNP)
- ✓ Temporary Foreign Worker Program (TFWP)
- ✓ Canadian Experience Class (CEC)
- ✓ Federal Skilled Worker Program (FSWP)
- ✓ Federal Skills Trades Class (FSTC)

Foreign workers can find out whether they are eligible for these programs using the Come to Canada Wizard: <http://www.cic.gc.ca/ctc-vac/cometocanada.asp>

1. The BC Provincial Nominee Program (BC PNP)

BC PNP is operated by the Province of B.C. in partnership with the federal government through Citizenship and Immigration Canada (CIC). BC PNP may be a good choice if you have already tried to hire - but are unable to find - a Canadian worker to fill a permanent position. Consider the BC PNP if you are interested in:

- hiring a foreign worker from outside of Canada,
- retaining a temporary foreign worker who is already on your staff, or
- hiring an international student who has recently graduated from a Canadian post-secondary institution.

BC Provincial Nominee Program contact info:

Tel: 604-775-2227

E-mail: PNPInfo@gov.bc.ca

Business PNP E-mail: bus.imm@gov.bc.ca

2. Temporary Foreign Worker Program (TFWP)

The federal government's Temporary Foreign Worker Program allows eligible foreign workers to work in Canada for an authorized period of time if employers can demonstrate that they are unable to find suitable Canadians/permanent residents to fill the jobs and that the entry of these workers will not have a negative impact on the Canadian labour market. Employers from all types of businesses can recruit foreign workers with a wide range of skills to meet temporary labour shortages.

In the majority of cases, there are four steps involved in hiring a temporary foreign worker from outside Canada. The need to complete each step will depend on the specifics of the job offer and the foreign worker's country of citizenship and last permanent residence:

- Determine if you require an LMO (employment confirmation) - some categories of work do not require LMOs pursuant to international agreements, such as the North American Free Trade Agreement or the General Agreement on Trade in Services, and government policy. If you believe the job offer is exempt from an LMO you may want to seek verification of the LMO exemption from CIC by contacting the Temporary Foreign Worker Unit in Toronto.
- Apply for an LMO from Service Canada (if required) - Service Canada provides an LMO to the employer and CIC. Categories of occupations generally requiring LMOs include: high-skilled occupations, lower-skills occupations, seasonal agricultural workers, and live-in caregivers. If required, employers must complete

an application for an LMO and submit to Service Canada (as of December 31, 2013 there are new forms for this process, old forms will no longer be accepted). Employers are required to pay a non-refundable fee of \$155 for each position requested to cover the cost of a Labour Market Opinion (LMO).

Service Canada considers the following factors in an LMO application (among other):

- ✓ The occupation in which the foreign worker will be employed
- ✓ The wages and working conditions offered to the foreign worker
- ✓ The employer's advertisement and recruitment efforts to hire Canadians/permanent residents
- ✓ The associated labour market benefits that may occur from hiring the foreign worker (e.g. transfer of a new skills/knowledge, creation/retention of jobs, etc)
- ✓ Consultations with organized labour if the position the foreign worker will fill is part of a bargaining unit
- ✓ Determination if the entry of the foreign worker is likely to affect the settlement of an ongoing labour dispute

For certain occupations, the employer may also be required to submit an employment contract which will be considered as part of the LMO assessment. Note: a positive LMO does not guarantee that a work permit will be issued.

- Advise the foreign worker(s) to complete the work permit application, which is then processed by CIC - In most cases, foreign workers are required to apply for and obtain a permit to work temporarily in Canada. The length of time it takes to process work permit applications may vary depending on the location where the application is submitted. If their overseas application for a work permit is approved in principle, foreign workers will receive a letter explaining that they are eligible for a work permit. Foreign workers are required to present the letter to a Border Services Officer at a port of entry when seeking to enter Canada.
- A Border Services Officer at a port of entry issues the work permit.

Learn more: www.cic.gc.ca/english/resources/publications/tfw-guide.asp

Temporary Foreign Worker Program contact info:

Tel: 416-954-7954

E-mail: TFWU-Toronto-UTET@cic.gc.ca

3. Canadian Experience Class (CEC)

The CEC was created to help people take part in the Canadian economy who have post secondary education from a recognized Canadian institution and/or worked in Canada for some time, have good English or French skills, the right kind of work experience, and familiar with Canadian society. It is generally open to individuals who:

- Do not plan to live in Quebec
- Have at least 12 months of full-time (or an equal amount in part-time) skilled work experience (managerial or professional jobs or technical/ skilled trades) in Canada in the three years before they apply,
- Have gained their work/study experience in Canada with the proper authorization
- Applicants must meet the minimum language requirements for their job, and the results of their language test must not be more than two years old on the application date,
- Applicants must apply while working in Canada or within one year of leaving their Canadian job.

Learn more: <http://www.cic.gc.ca/english/immigrate/cec/index.asp>

Come to Canada Wizard: <http://www.cic.gc.ca/ctc-vac/getting-started.asp>

4. International Student Program (ISP)

Foreign students enrolled full-time at participating publicly funded post-secondary institutions, or in certain programs at private post-secondary institutions, are eligible for an **Off-Campus Work Permit**. This permit allows students to work for an employer off-campus for up to 20 hours a week while class is in session, and full-time during scheduled breaks in the academic calendar.

Foreign students who have completed a program of at least eight months at a participating Canadian university or college may apply for a **Post-Graduation Work Permits**. This permit allows international students who have completed their studies to work for an employer in Canada for up to three years, depending on the length of their course of study.

Learn more: <http://www.cic.gc.ca/english/hire/student.asp>

5. Federal Skilled Worker Program (FSWP)

Federal skilled workers (FSW) are chosen as permanent residents based on their ability to settle in Canada and take part in our economy. They are assessed on their:

- English and/or French skills;
- Education;
- Work experience, and
- Other factors that have been shown to help them prosper in Canada.

The rules to apply for an FSW can change from time to time without notice. Be sure to keep checking their website below.

Between May 4, 2013, and April 30, 2014, CIC will consider no more than 5,000 complete FSW applications for processing. Within the 5,000 cap, they will consider no more than 300 applications per eligible occupation for processing in the indicated time frame.

FSWP is open to applicants in the following National Occupational Classifications at skill type 0 (management occupations) or skills level A (professional occupations) or B (technical occupations and skilled trades):

- Engineering Managers (NOC major group 02);
- Financial and Investment Analysts (NOC major group 11);
- Professional occupations in natural and applied sciences (NOC major group 21);
- Therapy and assessment professionals (NOC major group 314), and
- Technical occupations in health (NOC major group 32).

FSWP applicants must have at least one year of continuous paid work experience, in one of the eligible occupations above or have a valid offer of arranged employment (when an applicant has received a permanent job offer from a Canadian employer that has been approved by Human Resources and Skills Development Canada.

CIC is also planning to implement a new **Expression of Interest (EOI)** program in late 2014 for transition to the new system in January 2015. Under the EOI model, CIC will more fully screen applicants for qualifications, and only invite the most qualified candidates, including those with in-demand skills or with job offers, to apply for a visa. CIC is partnering with Canadian employers so they will be ready to find candidates in the EOI pool to meet their skills requirements when the domestic labour force cannot.

Learn more: <http://www.cic.gc.ca/english/immigrate/skilled/index.asp>

Learn more about the Expression of Interest Program:

<http://www.cic.gc.ca/english/department/media/backgrounders/2013/2013-10-28b.asp>

6. Federal Skilled Trades Class (FSTC)

The Federal Skilled Trades Program is for people who want to become permanent residents based on being qualified in a skilled trade. It is open to applicants in the following National Occupational Classifications (NOC):

- Industrial, Electrical and Construction Trades ([NOC Major Group 72](#));
- Maintenance and Equipment Operation Trades ([NOC Major Group 73](#));
- Supervisors and Technical Occupations in Natural Resources, Agriculture and Related Production ([NOC Major Group 82](#)), and
- Processing, Manufacturing and Utilities Supervisors and Central Control Operators ([NOC Major Group 92](#)).

Between May 4, 2013 and April 30, 2014, CIC will consider no more than 3,000 complete FST applications for processing. Within the 3,000 cap, no more than 100 new applications for certain jobs will be considered for processing each year. There is no sub-cap for other skilled trades.

Applicants under this stream need to meet the following criteria:

- Plan to live outside the province of Quebec;
- Meet the required levels in English or French for each language ability (speaking, reading, writing, and listening);
- Have at least two years of full-time work experience (or an equal amount of part-time work experience) in a skilled trade within the five years before applying;
- Meet all job requirements for that skilled trade as set out in the National Occupational Classification (NOC), and
- Have an offer of full-time employment for a total period of at least one year or a certificate of qualification in that skilled trade issued by a provincial or territorial body.

Learn more about the National Occupational Classifications:

www5.hrsdc.gc.ca/NOC/English/NOC/2011/Welcome.aspx

Learn more about the Federal Skilled Trades Class:

www.cic.gc.ca/english/immigrate/trades/index.asp

This information was obtained in March 2014 from provincial and government websites. For updated information, please visit respective program websites.