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Make Immigration Work For You
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/ Presentation Overview

- I. Hiring Foreign Workers
- II. Compliance
- III. Foreign Workers Bringing their Spouses
- IV. Methods of Obtaining the Work Permit
- V. Changing Employers Listed on the Work Permit

Hiring a Foreign Worker

- Temporary Foreign Worker Program (TFWP)
 - Labour Market Impact Assessment (LMIA)
- International Mobility Program (IMP)
 - North American Free Trade Act (NAFTA)
 - General Agreement on Trades in Services (GATS)
 - Working Holiday
 - Intra Company Transfer (ICT)

Hiring A Foreign Worker - TFWP

- Higher Skilled Occupations – LMIA
 - 4 weeks minimum advertising on Job Bank and two or more additional methods of recruitment – (better to do more ads for longer than 4 weeks)
 - Must keep copies of all ads posted and they must remain active until a decision has been made regarding the LMIA
 - LMIA – must complete Impact on the Canadian Labor Market Form and Employer Transition Plan or LMIA and Permanent Residence form
 - Maximum term of 4 years (2 years initially)
 - Application fee for each application is \$1,000 – employer fee

Penalties For Breaking The Rules

- Beginning in fall 2014, the Government may impose the following for breaking TFWP rules:
 - Fines of up to \$100,000 (depending on the severity of the offence)
 - Suspension and revocation of LMIA
 - Publication of employer on the “Blacklist”
 - Ban from the TFWP
 - Further investigation, fines and/or jail time for criminal offences

Hiring A Foreign Worker

International Mobility Programs (IMP)

- By exempting some foreign nationals from needing a Labour Market Impact Assessment (LMIA) before being able to work in Canada, the IMP aims to provide competitive advantages to Canada and reciprocal benefits to Canadians.
- The IMP provides benefits to the applicants such as labour mobility where the candidates are not locked in to a specific employer.
- Programs that fall under the IMP are:
 - NAFTA
 - GATS
 - Working holiday
 - ICT

IMPS and the New Compliance Form and Fee

- As of February 21, 2015 the government of Canada now requires all IMP's to complete an Employer Compliance form and pay an additional fee of \$230
- The Employer Compliance form and fee must be completed and submitted prior to the foreign national crossing the Canadian border. If not, the foreign national will not be approved for a work permit

Foreign Workers And Spouses

- A foreign worker in skilled positions who wish to bring their spouse can do so by applying for an open spousal work permit
- As of February 21, 2015, applicants who apply for an open work permits including open spousal work permits are required to pay both the work permit fee of \$155 and the additional open work permit fee of \$100

Methods Of Obtaining The Work Permit

- Apply Online
- At the Consulate
- At the border
 - Driving or Flying
 - If driving, ensure the applicant does not need a visa to enter Canada

Changing Employers On A Work Permit

- Foreign workers who have an LMIA **cannot** change employers if they do not have a new LMIA for the new employer
- Foreign workers who fall under NAFTA will be able to change their employers
 - Border
 - Online

Conclusion

We provide the following immigration law services:

- **Temporary Status** – Work Permits, Study permits, Visitor Visas, LMIA's, Intra-Company Transfers, NAFTA (Professional), GATS, Spousal Work Permits, Criminal rehabilitation, Restoration of Status, NAFTA Work Permits
- **Permanent Status** – Express Entry PR, Live in Caregiver PR, Canadian Citizenship, US Green Card and US Citizenship

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THANK YOU!

QUESTIONS?

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