Hiring Foreign Workers in Alberta

International Mobility and Exchange Programs

Some countries like Germany, France, United Kingdom, South Africa, USA, Venezuela, and India have mobility programs that allow Canadian companies to hire skilled and non-skilled foreign workers without the employer having to undergo the process of submitting an application to obtain an LMO approval in Canada.

For instance, the German-Canadian Young Workers Exchange Program (YWEP) offers German youth between 18–35 the opportunity to obtain a temporary job in Canada for up to 12 months. This program welcomes professionals and university graduates who have either gained a professional qualification through apprenticeship or vocational training at a college of further education or who have graduated from the university or a technical college. The German Employment Agency ZAV will recruit the skilled and non-skilled workers for Alberta employers and will help them to obtain work permits through the Canadian Embassy in Berlin. For further information on the YWEP program, please visit: https://www.infoport.ca/geo/bins/content_page.asp?cid=1483-1485-1486

Local Independent Recruitment Companies

If you do not wish to undertake the application process yourself, or have concerns about traveling to a foreign country to interview candidates, you can hire the services of a consulting recruitment company to do the work for you. An important consideration when using third-party agents (e.g. recruiters, immigration consultants, lawyers and labour brokers) is that it will not speed up the application process or influence wage rates. The fee structures for most agencies are different. Some agencies may charge a flat fee of $2,000 to $10,000 for each foreign worker and other agencies charge a fee, plus a percentage of the foreign worker’s compensation.

Extension of Employment

Provincial Nominee Program (PNP). Alberta employers can retain their already hired foreign workers by assisting them in obtaining permanent immigration status in Canada through the Provincial Nominee Program. For further information on the PNP, please visit: http://www.alberta-canada.com/pnp/ or call the Foreign Worker Information Line at: 1-877-427-6419 (toll free within Alberta) or 780-427-6419 (outside Alberta), or submit an enquiry to: immigration.info@gov.ab.ca

Employers are eligible to apply for an LMO extension. The application form can be downloaded at: http://www.hrsdc.gc.ca/en/epb/lmd/fw/forms.shtml

LMO exempt categories: http://www.cic.gc.ca/english/work/exempt-2.html


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Certification requirement information: http://www.tradesecrets.gov.ab.ca


Work permit exemptions: http://www.cic.gc.ca/english/work/exempt-1.html

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Other Mobility Programs Available

There are other mobility/exchange international programs available in the United Kingdom, South Africa, USA, Venezuela, and India.

Options for Alberta Employers

- Temporary Foreign Worker Program
- Mobility Programs
- Local Independent Recruitment Companies
- Extension of Employment

GETTING STARTED ONLINE


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Finding workers in Alberta has become increasingly difficult

Finding workers in Alberta has become increasingly difficult through the past few years. The process of hiring foreign workers is not a quick and easy task, however it may be a viable alternative and worth the effort. Many Alberta companies now employ workers from Germany, United Kingdom, Mexico, Chile, Holland, Poland, India and other countries.

Any Alberta company is eligible to hire skilled and non-skilled foreign workers to work in Canada under a work permit for a limited time period of up to three years. Once foreign workers start working in Alberta, employers can retain them by assisting them in extending their work permit or in obtaining permanent immigration status through the Provincial Nominee Program (PNP) that is administered by the Government of Alberta.

This booklet has been developed to provide employers with a summary of the available options.

Temporary Foreign Worker Program

An Alberta employer will need to complete and submit an LMO application with all its supporting documents by fax to the Service Canada Centre. The approval process can take approximately 3 to 6 months from the moment an application has been received, to the date the foreign worker(s) starts working for the employer in Canada. An LMO application can be downloaded at: http://www.hrsdc.gc.ca/en/epb/lmd/fw/forms.shtml

Prior to recruiting any foreign worker, it is recommended the employer applies for an LMO pre-approval through Service Canada. On the application forms employers need to indicate that the application is a request for pre-approval and the foreign worker information blank. If employers are planning to hire more than one foreign worker with the same job description, they will only need to submit one LMO application form. The employer does not need to have the names of the foreign workers available at the moment of applying for the LMO. The only information that is required is the job description of each occupation for which they are planning to hire a foreign worker. It takes approximately 10 weeks to obtain a pre-approval and employers have 6 months from the date of approval to recruit and bring foreign workers to Canada.

There are international agreements /programs (e.g. NAFTA, GATS, and CCFTA) that entitle some occupations to be LMO exempt. For instance, if employers are planning to hire a person from Mexico or USA for a job that is listed under the NAFTA agreement, they will not need to apply for an LMO. To obtain a confirmation letter or a more formal employment contract, the employer will need to obtain a Labour Market Opinion (LMO) and the certification/ qualification assessment from the foreign worker. Once the employer has received the LMO confirmations they must send a copy of the following documents to each of the foreign workers recruited who will be given two chances to take the exams within the first 180 days of work in Canada; and Service Canada will grant an LMO for a work permit: LMO confirmation, job offer for a work permit: LMO confirmation, job offer (the exact same one used for the LMO application), and the certification/qualification assessment letter. A formal job offer to a foreign worker can be made with a written letter and a formal employment contract.

For job offers, visit: http://www.cic.gc.ca/english/work/employer-2.html

The foreign worker will then apply for a work permit at the closest Canadian Embassy, High Commission or Consulate in their country. In some countries, the foreign worker can obtain a work permit directly at a Service Canada office, and in other countries, the foreign worker will only be able to obtain a work permit when they arrive at a port of entry in Canada. This process could take anywhere from a few days to several weeks.

As soon as employers have received confirmation of the LMO approval they can start recruiting the foreign workers. Once foreign workers have been recruited, employers will need to send their name(s) and information to Service Canada who will issue a separate LMO confirmation letter for each recruited foreign worker. Since the permanent residents for the job. The job offer must demonstrate that they have conducted reasonable efforts and still have on-going recruitment mechanisms to hire Canadian citizens and permanent residents for the job. The job offer must also be genuine and the wages and working conditions must be the same as Albertans working in the same occupation. In most cases, employers are asked to provide copies of actual advertisements in media such as local, provincial and/or national newspapers; recognized Internet job banks; job-specific and professional publications; and job orders/postings at post-secondary or apprenticeship training institutions. Evidence of the recruitment of Canadians through other means such as job fairs, co-operative education programs and apprenticeships may also be acceptable. Options for employers to advertise their positions include: Canada’s national Job Bank website: http://jobbank.gc.ca; Alberta’s website: http://www.alberta-canada.com/jobs/index.cfm, and the employer’s corporate website.

Foreign worker applies for a work permit at a Canadian visa office outside Canada.

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Some positions however require supplementary advertisement efforts such as newspapers, professional journals, newsletters, other Internet advertising, and/or trade, union, or association publications. For detailed information visit website: http://www23.hrdc- dmr.gc.ca/2001/e/generic/matrix.pdf

Employers will also need to obtain a qualification and certification assessment from the local regulatory professional, technical, or trade organization/association related to the occupation prior to submitting an LMO application. If an employer is hiring compulsory tradespeople, they need to be aware that the foreign worker will be given two chances by Alberta Apprenticeship and Industry Training to challenge qualification certificate exams within the first 180 days of work in Canada; and Service Canada will grant an LMO for an initial period of 6 months until the foreign worker passes the exams.

Information on certification requirements in compulsory Alberta trades can be obtained at: www.TradeSecrets.gov.ab.ca

Temporary Foreign Worker Program continued

HRSDC/Service Canada does an LMO assessment.

The main criteria for obtaining an LMO approval is that the employer must demonstrate that they have conducted reasonable efforts and still have on-going recruitment mechanisms to hire Canadian citizens and permanent residents for the job. The job offer must also be genuine and the wages and working conditions must be the same as Albertans working in the same occupation. In most cases, employers are asked to provide copies of actual advertisements in media such as local, provincial and/or national newspapers; recognized Internet job banks; job-specific and professional publications; and job orders/postings at post-secondary or apprenticeship training institutions. Evidence of the recruitment of Canadians through other means such as job fairs, co-operative education programs and apprenticeships may also be acceptable. Options for employers to advertise their positions include: Canada’s national Job Bank website: http://jobbank.gc.ca; Alberta’s website: http://www.alberta-canada.com/jobs/index.cfm, and the employer’s corporate website.

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Immigration Programs and Services

A quick reference on the Government of Alberta’s Immigration Programs & Services available to new immigrants, please visit: http://www.hre.gov.ab.ca/cps/r de/schg/hrs/hs.xsd/163.html

Recruitment Help

Some Government of Canada international offices abroad can help employers recruit foreign workers. This help may include: advertising, providing interview facilities and giving advice on the local laws and conditions which may affect Alberta companies’ recruitment.

Medical Benefits and Insurance

Employers are expected to cover this expense from the moment a foreign worker starts working for them in Alberta until the foreign worker is eligible to apply for provincially regulated health insurance. Employers hiring foreign workers through a mobility program are not required to cover their medical insurance.

Termination

Should the foreign worker not meet the expectations as outlined in the position description, employers can terminate the employment contract and the foreign worker must return to the home country. If the foreign worker however finds another employer who would be interested in hiring them, then an employer who can apply for a new LMO for the foreign worker.

Accommodation

It is expected that employers will arrange affordable accommodation for the foreign workers. They are not however expected to pay for it. They can rent or even purchase an apartment or house or some of their employees might be willing to rent a few rooms or basement apartment.

Travel Costs

Skilled foreign workers are expected to pay for their own travel expenses. For non-skilled workers, the employers are expected to pay for the travel costs. Skilled and non-skilled foreign workers hired through a mobility program will be required to pay for their own travel expenses.

Option 1...