

Preparing for Administrative Monetary Penalties at Post Secondary Institutions (TFW/IMP)

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1) Overview

The purpose of the Temporary Foreign Worker program has always been to fill labour market gaps. Because of the program's inseparable connection with labour market conditions, ESDC has been involved in assessing the genuine needs of employers to fill positions for which foreign workers are being offered jobs (called a Labour Market Opinion/ LMO- now Labour Market Impact Assessment- LMIA). First ESDC examines applications (LMO/LMIA) for approval and once approved (if determined the job offer has a positive, neutral effect on Canadian labour market) temporary foreign workers (TFWS) can apply for a work permit via CIC.

The TFW program has always contained a large number of exemptions from the LMO/LMIA review process. Exemptions include occupations listed under free trade agreements (ex: NAFTA) , free mobility agreements (ex: IEC) as well as other occupations deemed to provide "significant benefit to Canada". These LMIA work permit exempt categories have become known as the International Mobility program (IMP).

Historically about 70% of Canada's TFW have entered Canada LMIA exempt.

After hitting a peak of approximately **380,000 + Temporary Foreign Workers (TFW) in 2013**. Public sentiment turned sharply against the program after the RBC scandal broke in April 2013.ⁱ The government quickly moved to ensure stricter standards for compliance, stricter rules of enforcement as well as tightening of LMIA exemption grounds (now IMP categories). In April 2014 the McDonalds scandal brokeⁱⁱ further increasing the government's needs to enforce stricter LMIA assessment, limiting access to the program with an emphasis on "Putting Canadians First".ⁱⁱⁱ

Post-secondary institutions now face a strict screening process to admit "research students" under the IMP program this is a result of the restrictions put on LMIA exemption categories (exemption codes). The fact that these "research students" do not earn money can be inconsequential as ESDC and CIC examine the "impact" of their activities on the labour market - not only revenue (putting Canadians first). Further, often the research activities conducted by "research students" benefit host institutions financially. Post-secondary institutions hiring foreign faculty (TFW) will also be held to higher standards to justify not hiring Canadians or PRs (Permanent Residents) (putting Canadians first). Many of the changes are also designed to protect foreign workers from exploitation (although these protections were aimed employers employing low skilled workers, the standard applies universally).

December 01, 2015 marks the beginning of a strict accountability regime for employers.

2) Timeline: Changes to the TFW Program:

Dec 31, 2013 : Changes begin in response to [RBC scandal](#) April 2013.

Employer Accountability/ Compliance Highlights: ([18 Program Inspection Points in total](#))^{iv}

-Employers are “required to retain any document that relates to compliance with these conditions for a period of six years, beginning on the first day of employment of the foreign national.”

-Employers subject to inspection without warrant on premises. Includes right to interview employee and employer.

-Employer Blacklist created (public) can be banned from program for two years. Can revoke previously issued work permits if found non-compliant.

Other Highlights:

-Compliance with conditions on work contract (substantially the same standard).

- Employer responsibility (reasonable efforts) to provide workplace free from abuse (physical, sexual, financial, psych).

-Long term transition plans required (TFW to Canadian/PR employment)

-Demonstrate “reasonable efforts to hire Canadians” - more advert requirements and justification.

-Pledge more criminal investigations (employer criminally responsible under the following sections IRPA)

s. 124 – employing a foreign national that is not authorized to work in Canada;

Penalty: \$50,000/ two years/ both

s. 126 – counselling misrepresentation; and

s. 127 – misrepresentation.

Penalty: \$100,000/ five years/ both

-Pledge more audits (one in four employers)

Due diligence defence applies to all the above. The only case law I find on the above sections, in practice, relates to false job offers (for money). A list of non-compliant employers can be found [here](#).^v

June 20, 2014, Changes Continue (JOINT ESDC/CIC Announcement) Response to [McDonald's Scandal](#).

- LMO system transforms to Labour Market Impact Assessment (LMIA) system
- Different categories (2) of assessment created "[high wage](#)"^{vi} / "[low wage](#)"^{vii} based on provincial [median wage table](#).^{viii} Each category comes with its own strict rules for assessment.
- To be approved job offers must guarantee a particular income by type of profession (NOC code) matching the median wage offered for that position according to particular geographic region.
- \$1,000 employer fee (per application).
- [Announced intent to divide TFW program and IMP](#)^{ix} (International Mobility Program).

This included **proposed** \$230 employer compliance fee, the requirement for IMP job offers to go through CIC (approval) , correcting an imbalance between reciprocal programs exempt from LMIA process, \$100 open work permit privilege fee, re-evaluating which positions should receive LMIA exemptions (general reconsideration), [administrative monetary penalties \(AMPs\)](#) (which were proposed at \$100,000 dollar fines and ten (10) year ban from program) as well as the introduction of stronger standards for compliance.

September 25 - October 16, 2014 : Consultations with stakeholders (call for submissions).

The following list of submissions is credited by program Director Robert Judge (Director Temporary Resident Policy -CIC).

Note the absence of post-secondary participation.

Group Type		Participants
Energy	1.	Canadian Association of Petroleum Producers
	2.	(ACTIMS) GoE - Alberta Council of Turnaround Industry Maintenance Stakeholders
	3.	Petroleum Services Association of Canada (PSAC)
Food processing - Agriculture	4.	Canadian Meat Council
	5.	Foreign Agricultural Resource Management Service (FARMS)
High wage	6.	Canadian Employee Relocation Council (CERC)
	7.	Microsoft
Labour	8.	Canada's Building Trades Union Alberta
	9.	Canadian Labour Congress
Legal, Immigration Consultants	10.	Canadian Bar Association (CBA)
	11.	Howard Greenberg KPMG
	12.	Spielberg & Green
Low wage, small business	13.	Canadian Federation of Independent Business (CFIB)
	14.	Restaurants Canada
	15.	Hotels Association of Canada
Other	16.	EI Commissioner – Employers
	17.	EI Commissioner – Workers (Supplied written comments)
Quebec	18.	MIDI

Further, the discussion paper on the penalties/bans regime was sent to the following list of post-secondary institutions: UBC, Carleton, Nipissing, McMaster, Laurentian, as well as College Boreal, Cambrian College, and Athabasca, for their feedback. In terms of responses from the sector, only one response was received from an academic in the public policy school at SFU, Dominique Gross.^x The feedback from Dominique Gross mainly on ESDC's role in interpreting "broad economic interests" exemptions under the IMP – and did not at all focus on practical consequences or concerns that the new AMP regime would hold for post-secondary employers.^{xi}

January 30, 2015 (effective February 21): [More Changes](#)^{xii}

Some of the above mentioned changes take effect after consultation stage ends.

- \$230 Employer Compliance Fee Takes effect. (employers exempt if employee fits under [R 299 \(2\)](#)^{xiii} with IMM 5802 (CIC screens job offer).
- \$100 Open Work Permit Fee takes effect.
- [Employer Portal](#) (will take effect October 26, 2015).^{xiv}

June 12, 2015 (effective December 01): [AMP's](#)^{xv}

- AMP Classification Chart and penalty classification introduced. (see appendix).
- Fines up to 1 million dollars per year (\$100,000 per) and permanent ban.
- Penalties different for small and large businesses.
- Initial findings report by Minister allows an employer time to respond (due process satisfied).
- Authority to publish names of violators (employers).
- Ability of employers to self-report violations (results in reduction of penalty assessment).

3) Application/Scope of Employer Compliance

Summary: Both employers in the **IMP program** and the **TFW program** are subject to penalties and requirements. See Relevant IRPR sections below.^{xvi}

R. 209.95: Makes employers in both the IMP program R 209.2(1) and the TFW program R 209.3 (1) accountable for violations (see appendix) namely AMPs and bans from recruitment (access to TFW or IMP programs).

R. 209.2 (1) IMP Employer Compliance Conditions:

-Employer must be “actively engaged” in the business in respect of which the offer of employment was engaged.

-Employer must comply with federal and provincial laws that regulate employment and the recruitment of workers.

-Must provide employee with same occupation as set out in employment offer.

-Must provide wages and working conditions that are “substantially the same” as set out in employment offer. (this includes the requirement to perform duties described in employment offer).

-The employer must make reasonable efforts to ensure workplace is free from abuse (various).

- 6 years from first day of employment subject to audit (keep records/ retain all related documents).

*See appendix for example compliance audit list of requirements.

R 209.3 (1) TFW Employer Compliance Conditions:

-Employer must be “actively engaged” in the business in respect of which the offer of employment was engaged.

-Employer must comply with federal and provincial laws that regulate employment and the recruitment of workers.

-Must provide employee with same occupation as set out in employment offer.

-Must provide wages and working conditions that are “substantially the same” as set out in employment offer. (this includes requirement to perform duties described in employment offer).

-The employer must make reasonable efforts to ensure workplace is free from abuse (various).

-Employer must abide by and live up to long term transition plans specific to labour market opinion application.

-Employer must assure employment results in transfer of skills knowledge according to long term transition plans specific to labour market opinion application.

- Employer must hire or train Canadians or PRs (or make reasonable efforts to do so) according to long term transition plans specific to labour market opinion application.

-- 6 years from first day of employment subject to audit (keep records/ retain all related documents).

-Caregiver specific requirements (N/A)

4) Points for Consideration for CIC/ESDC Audit Compliance:

1) **Record Keeping:** Post-Secondary institutions must keep secure accessible records for all TFW/IMP employees.

Required records may include (but are not limited to) the following:

- payslips
- proof of pay
- employment contracts
- proof of health insurance
- work permits
- record of tasks assigned
- recruitment efforts (TFW)
- timesheets
- job descriptions
- proof of workplace insurance
- proof of safeguards/ protection from abuse
- immigration history
- qualifications of employee
- advertising efforts (TFW)

What is our documentation retention policy? (6 year requirement).

2) **Responsibility:** Who will control this process?

-Ongoing monitoring required.

-Where do resources come from for AMPs if such fines occur (budget considerations)?

Is there a policy in place to ensure that the job duties, remuneration or terms of employment of any TFW are never changed without first considering whether such a change would violate the "substantially the same" condition placed on employers?

3) **Is your post-secondary compliant now?** [Self-audit, Self-reporting options exist.](#)^{xvii}The system has been set up to encourage self-reporting (reduction of four assessment points) allows institutions who self-declare to avoid amps.

4) Does your post-secondary have a policy and practices in place that demonstrate reasonable efforts to provide a workplace free of abuse? Do we have procedures in place for employees to report abuse?

5) Are the tasks employees undertaking accurately reflective of the job description submitted to CIC or ESDC?

6) Use of other means (not subject to audit) to intake "workers" in this category

7) Consider re-examining your institutional communication strategy with CIC. The lack of post-secondary participation (as stake holders) on this topic is alarming and reflective of the lack of effective communication between CIC and post-secondary institutions in Canada.

-REFERENCES:

ⁱ <http://www.cbc.ca/news/canada/british-columbia/rbc-replaces-canadian-staff-with-foreign-workers-1.1315008>

ⁱⁱ <http://www.cbc.ca/news/canada/british-columbia/mcdonald-s-accused-of-favouring-foreign-workers-1.2598684>

ⁱⁱⁱ http://www.esdc.gc.ca/eng/jobs/foreign_workers/reform/restrict.shtml

^{iv} See page 18/19 (in particular) of ESDC's [Overhauling the Temporary Foreign Worker Program](#)

http://www.esdc.gc.ca/eng/jobs/foreign_workers/reform/overhauling_TFW.pdf

^v http://www.esdc.gc.ca/eng/jobs/foreign_workers/employers_revoked.shtml

^{vi} http://www.esdc.gc.ca/eng/jobs/foreign_workers/high_low_wage/high_wage/index.shtml

^{vii} http://www.esdc.gc.ca/eng/jobs/foreign_workers/high_low_wage/low_wage/index.shtml

^{viii} http://www.esdc.gc.ca/eng/jobs/foreign_workers/reform/tables.shtml#h2.3

^{ix} <http://news.gc.ca/web/article-en.do?nid=859859>

http://www.esdc.gc.ca/eng/jobs/foreign_workers/consultations/discussion_paper.shtml

^x Email from Robert Jude (Director Temporary Resident Policy, CIC) November 28, 2015.

^{xi} Letter from Dominique Gross (SFU) to Alexis Conrad (ESDC) October 14, 2014.

^{xii} <http://www.gazette.gc.ca/rp-pr/p2/2015/2015-02-11/html/sor-dors25-eng.php>

^{xiii} <http://laws-lois.justice.gc.ca/eng/regulations/sor-2002-227/FullText.html>

^{xiv} <http://www.cic.gc.ca/english/resources/tools/temp/work/admissibility/specific.asp>

^{xv} <http://gazette.gc.ca/rp-pr/p2/2015/2015-07-01/html/sor-dors144-eng.php>

^{xvi} <http://gazette.gc.ca/rp-pr/p2/2015/2015-07-01/html/sor-dors144-eng.php>

^{xvi} <http://m.gowlings.com/knowledgecentre/article.asp?pubID=4201>

APPENDIX

- 1. Increased Scope of Inspections:**
The powers and scope of ESDC and CIC inspections.
- 2. AMP Types:**
Types and classifications of Administrative Monetary penalties
- 3. AMP Penalty Chart:**
Chart showing the severity of penalties according to infraction score.
- 4. NOC Description 4012:**
General duties, job description of “Post-secondary Teaching and research assistants, as well as pay scale.
- 5. LMIA Exemption Codes:**
A list of categories by which we can intake IMP workers.
- 6. Current Admission Process:**
An overview of our current admission process (IMP)

INCREASED SCOPE OF INSPECTIONS

The Government has also recently significantly increased the scope of its inspections. In the past inspectors were only able to review whether employers were compliant with 3 of the 21 program requirements. Since December 31, 2013, inspectors can now review all 21 program requirements when conducting their inspections.

The three program requirements inspected prior to December 31, 2013, were:

1. Have provided each foreign worker with employment in substantially the same occupation as stated in the offer of employment.
2. Have provided each foreign worker with wages that are substantially the same as those in the offer of employment.
3. Have provided each foreign worker with working conditions that are substantially the same as those in the offer of employment.

The additional 18 program requirements being inspected since December 31, 2013, are:

1. Have provided accurate information in the context of an LMIA application.
 - › This means that if employers are found to have provided false or misleading information on any part of the LMIA application they will be found non-compliant. This includes all the answers to questions provided on the form as well as more than a dozen attestations.
2. Are actively engaged in the business for which the offer of employment was made, unless the offer was made for employment as a live-in caregiver.
3. Are in compliance with federal and provincial/territorial laws that regulate employment and recruitment in the province/territory in which the foreign worker is employed.
4. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to job creation for Canadians and permanent residents.
5. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to job retention for Canadians and permanent residents.
6. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to hiring Canadians and permanent residents.
7. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to training Canadians and permanent residents.
8. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to development of skills and knowledge for the benefit of Canadians or permanent residents.
9. Have met any specific agreed-to commitments, as set out on the positive LMIA, made at the time the LMIA was issued in relation to transfer of skills and knowledge for the benefit of Canadians or permanent residents.
10. Have made reasonable efforts to provide a workplace that is free of abuse which includes:
 - › physical abuse;
 - › sexual abuse;
 - › psychological abuse; and
 - › financial abuse.

11. Retain any document that relates to compliance with these conditions for a period of six years, beginning on the first day of employment of the foreign national.
12. Report at any specified time and place to answer questions and provide documents.
13. Provide any documents required as part of an inspection.
14. Attend any inspection that is on premises.
15. Give all reasonable assistance to the person conducting the inspection and provide that person with any document or information the person requires.
16. Employers of live-in caregivers must also ensure the foreign worker resides in a private household and provides child care, senior home support care or care of a disabled person in that household without supervision.
17. Employers of live-in caregivers must also provide the foreign worker with adequate furnished and private accommodations in the household.
18. Employers of live-in caregivers must also have sufficient financial resources to pay the foreign worker the wages offered.

Increased Detection of Abuse

The Government launched a Confidential Tip Line in April 2014 for Canadians to report abuse of the Temporary Foreign Worker Program (TFWP). More than 1,000 tips had been received to date.

In addition to the tip line, a new *Complaints* Web page has been launched to allow the public to submit tips easily and securely online.

The Government will continue to follow up on each and every complaint to make sure that employers who are breaking the rules are caught and face the consequences.

We encourage all Canadians who have concerns or information to call our anonymous and confidential tip line. Any allegation of abuse will be investigated.

To report abuse of the Temporary Foreign Worker Program, contact:

Service Canada Confidential Tip Line
1-866-602-9448 or
visit www.esdc.gc.ca/tfwp

AMP TYPES

VIOLATIONS
TABLE 1
EMPLOYER CONDITIONS

Item	Column 1 Provision	Column 2 Short-form Description	Column 3 Classification
1.	209.2(1)(b)(i)	Be able to demonstrate that any information provided in respect of a work permit application was accurate during a period of six years, beginning on the first day of the foreign national's employment	Type A
2.	209.2(1)(b)(ii) and 209.3(1)(c)(ii)	Retain any document that relates to compliance with cited conditions during a period of six years, beginning on the first day of the foreign national's employment	Type A
3.	209.3(1)(a)(iii)(C)	For employers of a live-in caregiver: have sufficient financial resources to pay wages that were offered	Type A
4.	209.3(1)(c)(i)	Be able to demonstrate that any information provided for the assessment was accurate during a period of six years, beginning on the first day of the foreign national's employment	Type A
5.	209.4(1)(a)	Report at any time and place specified to answer questions and provide documents	Type A
6.	209.4(1)(b)	Provide required documents	Type A
7.	209.4(1)(c)	Attend any inspection, unless the employer was not notified, give all reasonable assistance to the person conducting the inspection and provide that person with any required document or information	Type A
8.	209.2(1)(a)(ii) and 209.3(1)(a)(ii)	Comply with the federal and provincial laws that regulate employment and the recruiting of employees in the province in which the foreign national works	Type B
9.	209.2(1)(a)(iii) and 209.3(1)(a)(iv)	Provide the foreign national with employment in the same occupation and substantially the same, but not less favourable, wages and working conditions as outlined in the foreign national's offer of employment	Type B
10.	209.3(1)(a)(iii)(A)	For employers of a live-in caregiver: ensure that foreign national resides in a private household in Canada and provides child care, senior home support care or care of a disabled person in that household without supervision	Type B
11.	209.3(1)(b)(i)	Ensure that the employment of the foreign national will result in direct job creation or retention for Canadian citizens or permanent residents, if that was a factor that led to the issuance of the work permit	Type B
12.	209.3(1)(b)(ii)	Ensure that the employment of the foreign national will result in the development or transfer of skills and knowledge for the benefit of Canadian citizens or permanent residents, if that was a factor that led to the issuance of the work permit	Type B
13.	209.3(1)(b)(iii)	Hire or train Canadian citizens or permanent residents, if that was a factor that led to the issuance of the work permit	Type B
14.	209.3(1)(b)(iv)	Make reasonable efforts to hire or train Canadian citizens or permanent residents, if that was a factor that led to the issuance of the work permit	Type B
15.	209.2(1)(a)(i) and 209.3(1)(a)(i)	Be actively engaged in the business in which the offer of employment was made, unless the offer was made for employment as a live-in caregiver	Type C
16.	209.3(1)(a)(iii)(B)	For employers of a live-in caregiver: provide the foreign national with adequate furnished private accommodation in the household	Type C
17.	209.2(1)(a)(iv) and 209.3(1)(a)(v)	Make reasonable efforts to provide a workplace that is free of abuse within the meaning of paragraph 72.1(7)(a) of these Regulations	Type C

AMP PENALTY CHART

TABLE 2
ADMINISTRATIVE MONETARY PENALTY AMOUNTS

Item	Column 1	Column 2		Column 3		Column 4	
	Total Number of Points	Type A Violation		Type B Violation		Type C Violation	
		Individual or Small Business (\$)	Large Business (\$)	Individual or Small Business (\$)	Large Business (\$)	Individual or Small Business (\$)	Large Business (\$)
1.	0 or 1	none	none	none	none	none	none
2.	2	500	750	750	1,000	1,000	2,000
3.	3	750	1,000	1,250	2,000	5,000	10,000
4.	4	1,000	2,000	3,000	7,000	10,000	20,000
5.	5	4,000	6,000	7,000	12,000	15,000	30,000
6.	6	8,000	10,000	12,000	20,000	20,000	40,000
7.	7	12,000	20,000	20,000	30,000	35,000	50,000
8.	8	20,000	30,000	35,000	45,000	45,000	60,000
9.	9 or 10	30,000	45,000	50,000	60,000	60,000	70,000
10.	11 or 12	40,000	60,000	60,000	70,000	70,000	80,000
11.	13 or 14	50,000	70,000	70,000	80,000	80,000	90,000
12.	15 or more	100,000	100,000	100,000	100,000	100,000	100,000

TABLE 3
PERIOD OF INELIGIBILITY

Item	Column 1	Column 2	Column 3	Column 4
	Total Number of Points	Type A Violation	Type B Violation	Type C Violation
1.	0 to 5	none	none	none
2.	6	none	none	1 year
3.	7	none	1 year	2 years
4.	8	1 year	2 years	5 years
5.	9 or 10	2 years	5 years	10 years
6.	11 or 12	5 years	10 years	10 years
7.	13 or 14	10 years	10 years	10 years
8.	15 or more	permanent	permanent	permanent

TABLE 4
COMPLIANCE HISTORY

Item	Column 1	Column 2
	Criterion	Points
1.	For Type A and Type B violations — first violation	1
2.	For Type A violations — second or subsequent violation	2
3.	For Type B violations — second violation	2
4.	For Type C violations — first violation	2
5.	For Type B violations — third or subsequent violation	3
6.	For Type C violations — second violation	3
7.	For Type C violations — third or subsequent violation	4

TABLE 5
SEVERITY OF THE VIOLATION

Item	Column 1	Column 2
	Criterion	Points
1.	The employer derived competitive or economic benefit from the violation	0 to 6
2.	The violation involved abuse of a foreign national (physical, psychological, sexual or financial)	0 to 10
3.	The violation negatively affected the Canadian labour market or the Canadian economy	0 to 6
4.	The employer did not make reasonable efforts to minimize or remediate the effects of the violation	0 to 3
5.	The employer did not make reasonable efforts to prevent recurrence of the violation	0 to 3

<http://www5.hrsdc.gc.ca/NOC/English/NOC/2011/Profile.aspx?val=4&val1=4012>

4012 Post-secondary teaching and research assistants

Post-secondary teaching and research assistants assist university professors, community college and CEGEP teachers and other faculty members in teaching and research activities at universities and colleges.

4012 Example Titles

- college laboratory assistant
- college teaching assistant
- demonstrator, laboratory – post-secondary teaching assistance
- discussion group leader – post-secondary teaching assistant
- graduate assistant – university
- laboratory assistant, college
- laboratory assistant, university
- laboratory demonstrator – post-secondary teaching assistance
- laboratory supervisor – post-secondary teaching assistant
- marker – post-secondary teaching assistance
- post-secondary research assistant
- post-secondary teaching assistant
- research assistant – post-secondary
- research assistant, university
- teaching assistant – post-secondary
- teaching assistant – university
- teaching assistant, college
- teaching assistant, university
- tutor – post-secondary teaching assistant
- university laboratory assistant
- university research assistant
- university teaching assistant

Main duties

Post-secondary teaching assistants perform some or all of the following duties:

- Organize reference materials, visual aids and other materials as required by university professors or college teachers for lectures
- Conduct seminars, discussion groups and laboratory sessions to supplement lectures
- Assist in the preparation and administration of examinations
- Grade examinations, term papers and laboratory reports.

Research assistants perform some or all of the following duties:

- Conduct literature reviews, surveys, laboratory experiments and other research for use in scholarly publications
- Compile research results and assist professors in the analysis of results and the preparation of journal articles or papers.

Post-secondary teaching and research assistants specialize in a subject matter based on their field of study.

Employment requirements

- Enrolment in a university or college program is required.

Median Regional Pay Scale for NOC 4012

Ontario	11.25	21.98	42.00	<u>Note</u>
<u>Hamilton--Niagara Peninsula Region</u>	11.54	27.00	39.40	<u>Note</u>
<u>Kingston - Pembroke Region</u>	11.25	25.00	38.46	<u>Note</u>
<u>Kitchener--Waterloo--Barrie Region</u>	11.25	19.57	38.00	<u>Note</u>
<u>London Region</u>	11.25	22.60	43.21	<u>Note</u>
<u>Muskoka-Kawartha Region</u>	11.25	21.98	42.00	<u>Note</u>
<u>Northeast Region</u>	11.25	21.98	42.00	<u>Note</u>
<u>Northwest Region</u>	N/A	N/A	N/A	<u>Note</u>
<u>Ottawa Region</u>	11.25	23.56	48.90	<u>Note</u>
<u>Stratford--Bruce Peninsula Region</u>	N/A	N/A	N/A	<u>Note</u>
<u>Toronto Region</u>	11.25	19.57	42.00	<u>Note</u>
<u>Windsor-Sarnia Region</u>	N/A	N/A	N/A	<u>Note</u>

LMIA EXEMPTION CODES

R205 Canadian interests

a) Significant benefit	<u>C10</u>
i) Entrepreneurs	<u>C11</u>
ii) Intra-company transferees (including GATS)	<u>C12</u>
iii) Emergency repairs or repair personnel for out-of-warranty equipment	<u>C13</u>
b) Reciprocal employment	<u>C20</u>
i) Youth Exchange Programs	<u>C21</u>
ii) Exchange Professors, Visiting Lecturers	<u>C22</u>
c) Designated by Minister	
i) Research	<u>C31</u>
i.1) Educational Co-op – post-secondary	<u>C32</u>
i.2) Educational Co-op – secondary level	<u>C33</u>
ii) Competitiveness and public policy	
A. Spouses of skilled workers	<u>C41</u>
B. Spouses of students	<u>C42</u>
C. Post-grad employment	<u>C43</u>
D. Post-doctoral Ph.D. fellows and award recipients	<u>C44</u>
E. Off-campus employment	See ' <u>Students</u> '
F. Medical residents and fellows	<u>C45</u>

Typical VRO Visa Process Post-Secondary

1. Advise on how to proceed

Advise on suitable registration/immigration Stream -Student/Visitor/Worker
(RCIC/RISIA support) – Relevant post-secondary dept.

OUTSIDE REACH OF AMP ESDC/CIC AUDITS

2. Student Letter of Permission from home university.
(Student)

3. Internal registration fee (if applicable)
(Student)

4. Student is registered in system as_____.
(Reg Office)

5. Issue letter of acceptance (LOA) or notice of registration.
(Reg Office)
(Reg Office)

6. Transmit LOA To student abroad (required for visa)
(Reg Office/Faculty)

7. Apply for Study Permit.
(Student)

2. Letter of Invitation from Prof/Supervisor
(Faculty)

3. Student is registered in system as_____.
(Reg Office)

4. Apply for TRV/eTA
(Student)

SUBJECT TO AMP + AUDITS

2. Student Letter of Permission from home university/sign work contract. If applicable
(Student)

3. Internal registration fee (if applicable)
(Student)

4. Student is registered in system as_____.
(Reg Off/SGPS/HR)

5. Offer of employment + \$230 Fee CIC Employer Portal. Receipt forwarded to faculty/student.
(Employer Comp Account)
HR or Reg office or RCIC

6. Apply for Work Permit.
(Student)