

Labour and Immigration

Immigration and Economic Opportunities

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EMPLOYER DIRECT

This form is to be completed by the employing authority of the registering company. If the questions are not applicable, please indicate N/A as a response. This form is required for us to assess your recruitment needs. Further proof or verification of request may be required. These services are made available free by Employer Direct.

Office Use Only: Date Received:
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A. Business Information

Business Name	Business Operating Name (if different):
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1. Mailing Address

P.O. Box:	City/Town:	Province/State:
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2. Website Address:

3. Primary Contact Name:	e-mail address:
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4. Position Title:	Telephone / Fax number(s):
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5. Business Start Date:	Type of Business (select all that apply): Incorporated/ Limited Partnership Sole Proprietor Other:
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6. Company Gross Revenue Previous year:

7. Industry Sector	Geographic Region of Manitoba:
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8. Number of Permanent Full time Employees

9. Describe Primary Business Activities in Manitoba:
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B. Position being Recruited

1. Number of Positions needed:	Position Title:
2. Hourly Rate of Pay:	Annual Rate:
Number of Hours per week:	Expected Start Date:
3. Describe the primary duties of the position(s):	

What is the National Occupation Classification (NOC) of the position you are recruiting?

If you are recruiting an individual(s) who is currently overseas or visiting Canada you must demonstrate to the Manitoba Provincial Nominee Program that you have exhausted all means to recruit workers locally, and that the position is an immediate need position within your business.

Will these positions meet immediate need or required for business growth?

C. Local Recruitment Activity

Is this a new position? NO YES

If NO, how long has this position been vacant? weeks: _____ months: _____ years: _____

Have you actively recruited in Manitoba to fill this position? YES NO

If YES, how many people have contacted you regarding this position? _____ What was the reason for not hiring one of them?

Has your business laid off any workers over the past year? NO YES
if YES, have the workers been recalled NO YES

Has your business ever submitted an LMO/LMIA application to ESDC NO YES

If yes, when and what was the outcome to the application?

Where have you placed advertisements for this position? (for example, Employment and Social Development Canada (ESDC) Jobbank, Newspapers, Websites. please provide copy of advertisement:

What other recruitment initiatives has your company taken to address its skill shortage?

D. Other

Are you participating in a recruitment mission that has been organized or endorsed by the Manitoba Provincial Nominee Program? NO YES

If NO, how will you be sourcing your workers?

Do you have a long term plan which identifies how you will retain workers and reduce recruitment needs for foreign workers?

Name and Contact Information of Third Party Representative (if using):

E. Declaration of the Employer

I DECLARE THAT THE ABOVE INFORMATION IS ACCURATE. I AFFIRM THAT THE OFFER OF EMPLOYMENT DOES NOT CONFLICT WITH ANY EXISTING COLLECTIVE AGREEMENTS AND THERE IS NO LABOUR DISPUTE IN PROGRESS AT THIS TIME.

please PRINT: name of a authorized signing officer:

Signing Officer _____ Signature _____

Title: _____ Date Signed: _____

Employer Engagement Approval Guidelines

1. MANITOBA PROVINCIAL NOMINEE PROGRAM (MPNP) – Employer Engagement and Strategic Recruitment Initiatives
 - Immigration and Economic Employer Engagement Strategy is a part of a Strategic Initiatives approach to increasing responsiveness to employer needs in addressing Manitoba Employers' skilled labour shortages.
 - This strategy provides a spectrum of options,
 - finding workers locally among the waves of newly-arrived skilled immigrants
 - participating in overseas recruitment missions for foreign workers,
 - educating employers about the various services available to them to strengthen and diversify their workforce, which in turn builds Manitoba's economic strength.
 - The following outlines four aspects of the Employer Engagement Strategy:
 - a) Outreach
 - b) Support for the TFW Recruitment Process, (LMIA)
 - c) Overseas Partnerships
 - d) Manitoba Start
 - e) Express Entry

Support of the TFW Recruitment Process, (LMIA)

- The Immigration and Economic Opportunities Division can help employers in the following ways:
 - Guiding employers through the foreign worker recruitment process;
 - Providing general immigration information;
 - Assisting employers with the development of international recruitment plans that fit their workplace and community needs;
 - Connecting employers with international recruitment initiatives organized or endorsed by Manitoba Immigration;
 - Connecting employers with internationally experienced workers overseas or with immigrants who are already in Manitoba and may be looking for employment
 - Facilitating applications for temporary work visas;
 - Nominating TFWs for permanent resident status through MPNP
 - Connecting employers with English language training supports;
 - Connecting employers with Diversity and Inter-Cultural Training Services;
- Employer Engagement staff guide employers in completing Labour Market Impact Assessment (LMIA) applications to ESDC upon request. Often, this assistance is in the area of helping

employers understand advertising requirements, identifying prevailing wage rates, proof-reading LMIA applications before they are submitted, assisting with Transition Plans and providing guidance and options to employers if their LMIA application is not approved.

Overseas Partnerships

- Employer engagement strategies include assisting employers with ethical and planned recruitment initiatives.
- In order to best address the need for employers to find efficient, ethical and cost-effective ways to recruit temporary foreign workers, Manitoba has forged agreements with numerous international partners.
- Government agencies in France, Germany, Iceland and Mexico offer free-of-charge services to identify candidates for specific job openings.
- The MOU signed by Manitoba and the Philippines establishes clear guidelines on recruiting in that country.
- Consistent with WRAPA, the costs of foreign worker recruitment must be borne by the employer not the workers.
- Employer Engagement connects employers to our overseas partners throughout the year on an ad-hoc basis as employer needs arise.
- Employer Engagement coordinates foreign worker recruitment events with overseas partners for Manitoba employers.
- After employers are successful in recruiting foreign workers, Employer Engagement links eligible foreign workers to permanent immigration pathways, such as the Manitoba Provincial Nominee Program and Express Entry.

Manitoba Start

- Each year thousands of internationally educated and experienced skilled workers, trades people and professionals choose to move to Manitoba.
- Manitoba START is the government-supported agency that prepares immigrants to enter the local labour market.
- Manitoba START provides information and guides provincial nominees (including spouses and adult children) or other recently landed newcomers to take advantage of Manitoba's immigrant employment and settlement services by determining which services meet their personal needs upon arrival;
- Manitoba START's employment programs involve newcomers in meeting with trained facilitators and other adult job-seekers.
- Employment specialists at Manitoba START help Manitoba employers to find experienced and qualified employees among an active client pool.
- Manitoba START works closely with Employer Engagement to meet the shared needs of immigrants and employers - matching skilled workers with local labour market demand.

Express Entry

- Manitoba employers now have a direct role in recruiting economic immigrants through CIC's new electronic system Express Entry. Express Entry manages applications for permanent residence under certain economic immigration programs.
- Express Entry will give employers more recruitment options and help them better respond to labour shortages where there are no available Canadian citizens or permanent residents.
- Job Bank "matches" eligible employers with Express Entry candidates who meet their job description. There is no LMIA fee for permanent residence applications.
- In the majority of the cases, permanent residence applications will be processed in six months or less. Jobs offered to Express Entry candidates will be subject to the Labour Market Impact Assessment (LMIA) requirements in place at that time. In most cases, employers will need an LMIA from ESDC. An employer may use an existing LMIA to hire their temporary foreign worker permanently.

1. MPNP Strategic Recruitment Initiatives for Employers – Eligibility Criteria

a. Employer Eligibility:

Eligible employers must

- Successfully register their business under WRAPA
- Provide documentation they have a business established in Manitoba and registered as a corporation, limited partnership or sole proprietorship;
- Employer is not currently on the ESDC suspension list or has not been assessed a fine for breaking the rules of the TFW Program
- Employer is not recruiting for positions that are temporary or seasonal in nature
- Employer is not offering commission based employment
- Have been active in business in Manitoba for a minimum of three years immediately preceding the application; if the business is newly established, its impact must have a significant benefit to the province related to job creation and demonstrate sustainability in the labour market (contractual)
- The work must be done in Manitoba or originate in Manitoba;
- The business must be a commercial business and not a home based business.
- Must have a positive history
- Employment Agencies recruiting workers for placement with other employers are not eligible
- Employer is not seeking to sell their business or portions of their business to a foreign national
- There must be an established employer – employee relationship and the employee cannot be in a partnership or proprietor relationship (i.e. Owner Operator in trucking industry, partnership in a restaurant) with the employer
- Employers are required to disclose third party representatives providing assistance during the recruitment and immigration process; however, Employer Engagement will only

communicate directly with the employer regarding the assessment of eligibility. The Integrity and Qualifications Assessment Unit may be called to assist where the assessment process requires additional document integrity clarification/review.

- Have revenues of a minimum of \$250,000 in the immediate three years preceding the application;
- Have a minimum of 10 number of full time employees in the immediate 3 number of years preceding the application;

b. Position Eligibility:

- Positions must be NOC 0 A, B, C
- If positions are NOC C, and the wage rate is less than Manitoba's median wage, the employer must consider additional factors to assist low wage earners, such as (but not limited to) access to affordable housing. Employers must also pay the fees for the TFW's work permit (\$155) and pay for the transportation costs (i.e. airfare) of the TFW's to the work location in Canada and back to their place of permanent residency (if required). In addition, if public transportation is not available in regional areas, the employer will provide reasonable access to transportation for a reasonable period of time until the worker can obtain their own means of transportation.
- If positions are NOC C, and wages are less than Manitoba's median wage, the employer must provide assistance in aspects of settlement by coordinating integration into the community. Settlement assistance can include, information on registering for MHSC, schooling (for children if applicable), banking, etc.
- Starting wages should not be less than \$13.50 per hour
- Positions must be for long term full time employment and meet the wages and working conditions offered to Canadians and /or Permanent residents
- There is no training component to the position. Selected workers will be able to commence work in the position upon securing a work permit and arriving in Manitoba.
- The offer of employment is related to the assessed occupation of the foreign worker
- The position(s) are urgently required by the Manitoba-based employer who has made the foreign worker a long term full time job offer in Manitoba.
- If the position(s) require licensure or certification, the intended candidate must apply to the regulatory body to have their qualifications and skills assessed and/or pass an examination.

c. Worker Eligibility:

- Selected workers must meet the basic eligibility requirements of the Manitoba Provincial Nominee Program, including (but not limited to) employment history of minimum 3 years directly related to the position offered and CLB 4 English language.
- Skills of the selected workers must match the position being offered and meet the requirements as set out by the MPNP.

- Selected workers must not have stronger ties to other provinces through previous employment, previous completion of education and/or close family members.
- Selected workers and accompanying dependents (if applicable) must meet the admissibility requirements to enter Canada as permanent residents.

d. Overseas Recruitment Eligibility:

- Employers must demonstrate proof of ongoing advertising completed within the 60 of days / 2 months preceding the application which was at least 1 month (4 consecutive weeks) in duration.
- If applicable, employers must provide outcomes to previously submitted LMIA/LMO's going back a minimum of 3 of years.
- Employers must provide a long term and short term Human Resource Plan which outlines their need for workers, their activities that support retention of workers, and their work plan for integration of immigrants in the workplace.
- Employers must agree to recruit through an established government-to-government partnership facilitated by IEO and/or through international recruitment fairs in which IEO has agreed to participate.
- Employers must demonstrate proof they have contacted Manitoba Start and have engaged with the Job Matching Unit, and provide results of that process.
- Employers must directly engage in the recruitment of workers.
- Third party recruiters must be declared at the initial stage of employer engagement in this process
- Workers recruited overseas cannot be required to work with a specific recruiter unless as a requirement through a foreign government (i.e. Philippines POEA) and cannot be required to work with a third-party immigration representative as a condition of recruitment or as a condition of applying to the MPNP.
- Employers must register under Manitoba Worker Recruitment and Protection Act (WRAPA)
- Employers must be in compliance with provincial and federal laws that regulate employment and recruitment into Manitoba / Canada.

2. MPNP Strategic Recruitment Initiatives for Employers – Reviewing the Request

- The assessment process allows IEO to qualify the employer's need for recruiting internationally trained workers with support from the MPNP.
- The purpose of the review is to determine employer eligibility and which recruitment options best serve employers in meeting their skill shortages.
- When considering employer needs, critical factors should be reviewed which include MPNP priorities, current labour market needs, and industry sector(s) specific demands.

- As part of this assessment, the MPNP may consider and propose job-matching opportunities that may not involve an overseas recruitment initiative, including candidates who are being considered by the MPNP, have already been nominated by the MPNP and are on their way to Manitoba, and/or candidates who have been referred to Express Entry.
- Staff will assess requests and conduct interviews with employers at which time employers may be asked to provide additional documentation to support the application which includes, (but is not limited to): financial statements, previous recruitment efforts, Canada Revenue Agency notice of assessment, business licence, human resource plans, proof of advertising, etc.
- The assessment process will be guided in two directions:
 1. Assess the employer and genuineness of the business;
 2. Assess the need of the employer against current labour market information

MPNP Strategic Recruitment Initiatives

Processes & Criteria for Supporting Employers in International Recruitment

1. Employer registers successfully under WRAPA Business Registration Process
 - if not, employers is notified accordingly with general local recruitment information
2. Employer submits both Parts A and B of the *Strategic Recruitment Information* form (SRI)
 - if employer submits only Part A, only step 4 a & b are needed
3. Employer has applied for and received a positive LMIA and requests support for international recruitment
 - employer may be referred directly to Strategic Recruitment/or to Employer Direct supports
4. IEO representatives will review SRI to determine next steps
 - is recruitment information clear, accurate and complete
 - i. if not, return to employer, refer to Employer Direct supports
 - ii. whether yes or no, should employer be referred to Jobs and the Economy
 - are recruitment needs appropriate to be referred through Manitoba START's JMU in Winnipeg (position required is skilled job at prevailing wage rates located in Winnipeg; or could attract a Manitoba START client to relocate)
 - i. if not, refer back to Employer Direct supports to connect employer with other and/or regional employment service
 - ii. if not, but position is skilled and in-demand at prevailing wage rate, consider referring directly for Strategic Recruitment or for Employer Direct Supports

- iii. or consider declining request for supported overseas recruitment for jobs that are too low skilled, too low paid
- has the employer made sufficient effort to hire through Manitoba Start's JMU, or regional employment service, but was unsuccessful
 - i. if not, put request for supported overseas recruitment on hold pending potential for successful local recruitment effort
- if so, consider referring employer for Employer Direct Supports