

CLEARWATER COUNTY COUNCIL AGENDA
November 25, 2014
9:00 A.M.
Council Chambers
4340 – 47 Avenue, Rocky Mountain House AB

DELEGATIONS

1. 10:15 A.M. RCMP S/Sgt Bill Laidlaw: *VERBAL REPORT*
2. 10:30 A.M. ESRD – Wade Colwell: Nordegg FireSmart Program
3. 11:00 A.M. Parkland Air Management Zone (PAMZ) – Kevin Warren, Executive Director

A. CALL TO ORDER

B. AGENDA ADOPTION

C. CONFIRMATION OF MINUTES

1. November 12, 2015 Regular Meeting Minutes

D. PUBLIC WORKS

1. Tender Award: Nordegg Lower Stuart Street
2. November 19 Meeting with Alberta Transportation: *VERBAL REPORT*

E. COMMUNITY & PROTECTIVE SERVICES

1. 10:15 A.M. RCMP S/Sgt Bill Laidlaw: *VERBAL REPORT*
2. 10:30 A.M. ESRD – Wade Colwell: Nordegg FireSmart Program
3. 11:00 A.M. Parkland Air Management Zone (PAMZ) – Kevin Warren, Executive Director
4. Request for Support – Clearwater Forest Recreational Trail Initiative
5. November 18 Meeting with Services Alberta and November 20 Meeting with Alberta Ag & Rural Development: *VERBAL REPORT*

F. MUNICIPAL

1. November 12 Meeting with Rural Health Services Review Committee: *VERBAL REPORT*
2. Policy Review – Final: Clearwater County Vehicle and Equipment Use Policy
3. Written Response from Blaine Calkins, MP Wetaskiwin

G. PLANNING

1. *TABLED ITEM*: CP Rail – Alhambra – NW 9 39 5 W5M

H. INFORMATION

1. CAO's Report
2. Public Works Director's Report
3. Accounts Payable Listing
4. Councillor Remuneration

I. COMMITTEE REPORT

1. November 13 Meeting re Community Consultation on Housing: *VERBAL REPORT* by *Councillor Duncan*

J. ADJOURNMENT

TABLED ITEMS

Date **Item, Reason and Status**

04/10/12 **Arbutus Hall Funding Request**

- To allow applicant to provide a complete capital projects plan.

STATUS: Pending Information, Community and Protective Services

Date **Item, Reason and Status**

10/28/14 **E.9. CP Rail – Alhambra – NW 9 39 5 W5M (Disposal/Proposed Subdivison of Railway right of way)**

- To obtain lot development assessments from Planning and Public Works.

STATUS: Pending Information, Planning and Public Works

11/12/14 **E.3. Kevin Leitch – Range Road 5-3A Access Road**

- To obtain further background information from applicant and Public Works.

STATUS: Pending Information, Public Works



Agenda Item

Project: Nordegg Lower Stuart Street Tender Award	
Presentation Date: November 25, 2014	
Department: Public Works	Author: Erik Hansen/ Marshall Morton
Budget Implication: <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Land and Economic Development	Goal: Council will encourage development in and around Hamlets that is complementary to the function and character of the community with a view to encouraging economic and residential development.
Legislative Direction: <input checked="" type="checkbox"/> None Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council reviews this information provided and approves awarding the Nordegg Lower Stuart Street Lot Servicing and Laneway tender to Pidherney's Inc.	
<p>Background: The Administration has tendered the Lower Stuart Street Lot Servicing and Laneway project. This project includes the construction of approximately 460m of road, the instillation of 3 sanitary and water services, surface works and landscaping.</p> <p>A Tender Opening was held on November 4, 2014 at 2:00 p.m. for the work outlined above. We received 1 bid, with Pidherney's Inc. being the low valid bidder. The cost came in \$ 29,200.00 under the engineers estimated amount of \$725,000.00.</p> <p>Typically, Public Works would be hesitant in awarding a tendered contract with only a single bid submission. Due to the multi- discipline work required, its relative small size and location, a low number of bidders was expected.</p> <p>This project is a carry-over from 2014 and would not commence until 2015. If Council approves this project, the 2015 budget will be adjusted to reflect the current tender pricing.</p>	



Pidherney's Inc.	<u>Tender Pricing.</u>	<u>Estimated Amount</u>
Construction (less Site occ.)	\$ 567,800.00	\$ 597,000.00
Contingency	\$ 45,000.00	\$ 45,000.00
Geo-Tech and Legal Survey	\$ 8,000.00	\$ 8,000.00
Utilities	\$ 10,000.00	\$ 10,000.00
Engineering	\$ 65,000.00	\$ 65,000.00
Total	\$ 695,800.00	\$ 725,000.00



Agenda Item

Project: 10:30 A.M. Delegation: Nordegg FireSmart Program Update – Wade Colwell	
Presentation Date: November 25, 2014	
Department: Community & Protective Services	Author: Tracy Haight
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area:	Goal:
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council accepts the information as presented.	
Attachments List:	

Background:

Wade Colwell, from Alberta Environment and Sustainable Resource Development will provide Council with an update on the FireSmart program in Nordegg.



Agenda Item

Project: 11:00 A.M. Delegation: Parkland Air Management Zone – Kevin Warren	
Presentation Date: November 25, 2014	
Department: Community & Protective Services	Author: Tracy Haight
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area:	Goal:
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council accepts the information as presented.	
Attachments List:	

Background:

Clearwater County is a member of the Parkland Airshed Management Zone and supports the organization through per/capita funding. Kevin Warren, Executive Director of Parkland Airshed Management Zone (PAMZ), will present the Annual Report to Council detailing activities of PAMZ.



Agenda Item

Project: Clearwater Forest Recreational Trails Initiative	
Presentation Date: November 21, 2014	
Department: Corporate Services	Author: Katie Lutz
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area:	Goal:
Legislative Direction: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council approves the request for administrative support and bookkeeping services for the Clearwater Forest Recreational Trails Initiative	
Attachments List:	

Background:

On September 08, 2014, Council discussed supporting the Clearwater Trails Initiative by providing administrative support and bookkeeping services to the committee. No formal decision was made as part of the discussion and staff requests that Council provide a formal motion indicating their support.



Agenda Item

Project: Final DRAFT Policy “Clearwater County Vehicle & Equipment Use by Staff”	
Presentation Date: November 25, 2014	
Department: CAO	Author: Ron Leaf
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Infrastructure & Asset Management	Goal: To effectively manage the financial and physical assets of the County in order to support the growth and development of the County while obtaining maximum value from County owned infrastructure and structures.
Legislative Direction: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) ____	
Recommendation: That Council approves the draft policy as presented.	
Attachments List: DRAFT Clearwater County Vehicle & Equipment Use By Staff Policy	

Background:

Council approved proposed amendments to Clearwater County’s “Vehicle Use By Staff” policy on November 12 to include direction for use of equipment by staff.

The final draft policy, “Clearwater County Vehicle & Equipment Use By Staff”, is attached for Council’s final approval.



CLEARWATER COUNTY VEHICLE AND EQUIPMENT USE BY STAFF

	<ol style="list-style-type: none">4. All incidents or near incidents involving county vehicles or equipment must be reported to the staff member's supervisor immediately and a completed incident report form submitted to the County Health and Safety Coordinator. The supervisor and/or Health and Safety Coordinator is to take appropriate action which may include the preparation of an accident report for insurance purposes, or any other action which would minimize the possibility of future accidents.5. Unless authorized by this policy, staff are not to take vehicles home.6. Staff must exercise extreme care in the use of the County vehicles to maintain safe operation and to ensure that a professional image is displayed at all times.7. Limited personal use of the County vehicles (e.g. stopping at a grocery store on the way home) is permitted providing that this use does not require extra travel or cause any disruption to operations. Personal use by staff of County equipment is not permitted unless the equipment is available through a County loan or rental program to members of the general public (e.g. spray equipment, skunk traps, etc.) Similarly, this policy does not preclude County employees from participating in municipal services or programs, such as contract spraying.8. Prior to hiring any new staff that are required to drive County vehicles; the person in charge of the hiring will check the prospective employee's driving records. An abstract may be requested at any time by management at management's discretion.9. The Community Peace Officers, Department Directors and Managers, Agricultural Services & Landcare Supervisor, Public Works Supervisors and Foremen will be permitted to take their vehicles home, provided the staff member resides within Clearwater County, the Village of Caroline or the Town of Rocky Mountain House. This practice recognizes that these staff may be called to work at unusual hours and that it is advantageous for staff to
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CLEARWATER COUNTY VEHICLE AND EQUIPMENT USE BY STAFF

<p>Vehicle Identification & Color</p>	<p>travel directly to the job site rather than going to the County office first.</p> <p>10. In cases where a staff member is on call or it can be demonstrated that taking the vehicle home is advantageous to the operations of the County other staff may be temporarily permitted to take a County vehicle home by the Department Director or the Chief Administrative Officer.</p> <p>11. During vacation time or any other time when the employee is off work for extended periods, the vehicle must be parked in the Clearwater County (Rocky) Public Works Yard and the keys left with the Fleet Supervisor or designate.</p> <ol style="list-style-type: none">1. The Clearwater County logo shall be prominently displayed on vehicles so as to be visible to the general public.2. Vehicle decals will be placed prominently on the side doors of the unit(s) in a manner that will be easily visible to the general public. Manager units will have the decals prominently placed on the side rear window of the extend-a-cab or SUV, in a manner so as not to impede the visibility of the driver.3. Any County vehicle purchased new, shall be purchased in the County color, red.4. Any County vehicle purchased used, will remain in its existing color.5. Provincial standards regarding decaling and colour for Community Peace Officer vehicles or other emergency vehicles (e.g. County fire apparatus) takes precedence over the provisions of this policy.
<p>Implementation</p>	<ol style="list-style-type: none">1. All staff are expected to conform with this Policy and the associated policies. Any deviation from the Policy requires the prior approval of the Chief Administrative Officer.



Agenda Item

Project: Briefing Note for Clearwater County from Blain Calkins, MP Wetaskiwin	
Presentation Date: November 25, 2014	
Department: Municipal	Author: Ron Leaf/Tracy Haight
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Governance & Inter-governmental Relations	Goal: Goal 5, Strategy 1: Meet with MPs at least annually
Legislative Direction: <input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input type="checkbox"/> County Bylaw or Policy (cite) _____	
Recommendation: That Council accepts the information as presented.	
Attachments List: Briefing Note for Mr. Calkins/Briefing Note for Clearwater County/Background Information re Railway Safety	

Background:

Member of Parliament, Blaine Calkins was scheduled to meet with Council on November 12, however, due to unexpected travel, Mr. Calkins was unable to attend.

The attached briefing note from Mr. Calkins addresses items that Council wished to discuss with Mr. Calkins.



Briefing Note for Blain Calkins, MP for Wetaskiwin

D1 9:00 A.M. November 12, 2014

Purpose:

The purpose of this briefing note is to inform Blain Calkins, Member of Parliament (MP) of issues that concern Clearwater County Council. Items that Council wish to discuss concern:

- Industry Canada's "Connecting Canadians" program;
- the New Building Canada Fund (NBCF);
- Temporary Foreign Worker Program;
- Rail safety
- and Canada Post Corporation lobby re: changes in postal service.

Clearwater County Council will meet with Mr. Calkins at their regular council meeting scheduled on November 12, 2014 to discuss these issues.

Background:

Industry Canada's "Connecting Canadians" Program –

Council wishes information regarding the Federal Government strategy for improving broadband internet service in rural Canada through Internet Service Providers (ISP) application.

- Council is aware of the \$305 million in funding to improve access for Canadian households in rural and remote regions of Canada. Clearwater County is one of the areas severely underserved. Council undertook a study in 2012, conducted by ViTel Consulting, that revealed that only 46 townships out of a total of 203, approximately 29.5%, were classified as "served".
- On October 15, 2014, Industry Canada initiated a call for applications for ISPs to get funding to build the needed wireless or wired infrastructure to extend and

enhance broadband connectivity to underserved households. The call for applications closes on January 12, 2015, at noon Eastern standard time.

- Spring 2015 Projects will be decided: ISP Applications to Connecting Canadians will undergo a national competitive process. Successful projects will need to deliver high-speed Internet solutions for Canadians living in rural and remote regions of the country.
- 2015 Projects begin: once projects are approved, ISPs will work to put the proposed wireless or wired infrastructure in place.
- The recent auctions for broadband spectrum did not include performance measures requiring the successful telecoms (SP) to guarantee deployment of those frequencies to serve all rural areas of Canada. (Please confirm this with Ted.)
- Telcos (ISP) must be held responsible to assist in the delivery of broadband throughout all rural Canada. Currently that are no measures in place to ensure consistent internet speeds in project areas.
- Industry Canada must link funding with a guarantee that the project will deliver results.
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New Building Canada Fund –

The March 2014, announcement regarding the \$53 billion New Building Canada Fund is appreciated. Clearwater County, along with many rural municipalities, are faced with aging infrastructure in the form of bridges and water/wastewater facilities. Although the NBCF is encouraging, Alberta municipalities could benefit from enhancements to the program. The AAMDC has reviewed the NBCF program and suggests that:

- Rework the NBCF allocation structure to make funds more accessible for small communities.
- Projects in Calgary and Edmonton such as light rail transit should qualify under the national component which would allow more “Alberta” funds to be accessed by the smaller rural and urban municipalities,
- Include local roads in the small communities’ components.
- Amend the program to provide greater assistance to municipalities rather than the province.
- Change the requirements for “national significance” as this eliminates most municipal projects.
- Match funds received to the complexity of application forms.
- Can Mr. Calkins provide insight into why the Alberta contract was not signed until September? Municipalities lost an entire construction season due to this late signing.

Temporary Foreign Worker Program –

Council wishes to relay the concerns it has received from local Chambers of Commerce, business and industry regarding the Temporary Foreign Worker Program (TFWP). On June 20, 2014, the Federal Government announced reforms to the program. Council would appreciate further details on those reforms and clarity on how the reforms will effect the labour shortage in Central Alberta.

Rail Safety –

Minsiter Raitt recently announced improvements to rail safety.

Council would appreciate a briefing on the significant changes regarding rail safety and transportation of dangerous goods by rail.

Canada Post Corporation –

Council has been contacted by the Canadian Union of Postal Employees suggesting that rural Canadians will be significantly impacted by the Canada Post Corporation's actions such as: elimination of door-to-door delivery, dramatically increased postage rates, and closed or downsized post offices. It is suggested that these changes will effect seniors, people with mobility issues, charities, and small businesses.

Council would appreciate the Federal Government perspective on these changes.



Briefing Paper – Background Information – Re Discussion with Blaine Calkins, MP

Project: Information Item
Transportation Safety Board of Canada Measures Aimed at Increasing Railway Safety

Attachments List:

- <http://www.tsb.gc.ca/eng/rapports-reports/rail/2013/r13d0054/r13d0054.pdf>

Background:

It has been announced that there will be new Transportation Safety Board of Canada measures aimed at increasing railway safety may include the creation of a process for increased information sharing with municipalities. A catalyst for these measures is a result of the Lac-Mégantic train derailment on July 6, 2013 where an unattended 74-car freight train carrying Bakken formation crude oil ran away and derailed, resulting in the fire and explosion of multiple tank cars. Forty-two people were confirmed dead, with five more missing and presumed dead. More than 30 buildings in the town's centre, roughly half of the downtown area, were destroyed. Initial newspaper reports described a 1-kilometre (0.62 mi) blast radius. It is the fourth deadliest rail accident in Canadian history.

These new Transportation Safety Board of Canada measures include:

- Increasing oversight by recruiting additional staff to carry out more frequent audits and creating processes for increased information sharing with municipalities.
- Requiring railway companies to meet standardized requirements for hand brake application and put into effect additional physical defenses to secure trains.
- Conducting further research on crude oil properties, behaviour and hazards and launching a targeted inspection campaign to verify the classification of rail shipments.
- Requiring certain railways, including short lines, to submit training plans to Transport Canada for review, and conducting an audit blitz of short lines to determine specific training gaps.

Given rail lines pass Clearwater County and the Town of Rocky Mountain House and surrounding areas, it is believed that specific information provided to municipalities involving the number of train movements, time of movements, and the type and quantity of hazardous materials being transported within the County will allow for greater opportunities in understanding risks and current emergency response capabilities.

The receipt of information may have positive implications to:

- public safety,



- greater understandings in areas of community risk profiles through risk assessment,
- emergency management planning and possible mitigation efforts,
- allow for better planning of road networks and transportation corridors,
- assist in determining appropriate emergency response agencies (capabilities and limitations), emergency response routing for first responders and others response/mitigation needs.

Areas that may require further discussion and/or clarification might include:

- Will railway companies be required to inform municipalities in a timely manner of any/all derailments within the municipal boundaries?
- What will be the processes of coordinating/distribution of rail car (hazardous materials) information to municipalities and the Province of Alberta when considering areas of legislated responsibilities and/or governance?
- Do the new or future measures include review of applicable regulation and standards for rail line infrastructure inspection, maintenance and replacement?
- Do the new or future measures address areas of railcar design aimed towards safety improvements to mitigate product release in derailment or collision incidents?
- Do the new or future measures address areas to reduce human error or fatigue issues that may contribute towards rail related incidents?
- Do the new or future measures address areas of adequacy of the rapidity and adequacy of response of resources for mitigation and reclamation of hazardous materials related incidents?
- Upon evaluation of the outcomes of new or future measures and when addressing areas of public safety, addressing emergency response agencies (capabilities and limitations), emergency response routing for first responders and others response/mitigation needs will there be future Federal financial contributions/assistance provided to municipalities to address rail related incidents preparedness and/or community prevention/mitigation initiatives.
- Will the intent and/or applicable areas of the new Transportation Safety Board of Canada measures extend to non-rail transportation of hazardous materials/dangerous goods?

Briefing Note for Clearwater County Council Blaine Calkins, Member of Parliament (Wetaskiwin)

Purpose:

The purpose of this briefing note is to respond to questions and concerns raised by Clearwater County Council. Items to be addressed for Council are:

- Industry Canada’s “Connecting Canadians” program;
- The New Building Canada Fund (NBCF);
- Temporary Worker Program;
- Rail safety;
- and Canada Post Corporation lobby re: changes to postal service.

MP Calkins was scheduled to meet with Clearwater County Council on November 12, 2014 at their regularly scheduled meeting but due to unexpected House of Commons travel the appearance will be rescheduled and this briefing note will be submitted in advance.

Background:

Industry Canada’s “Connecting Canadians’ Program –

As you are aware Canadians living in rural and remote areas are underserved insofar as reliable access to high-speed internet. With access to high-speed internet come new opportunities for entrepreneurship, education, healthcare and a vast array of services and a greater connectedness to the ever changing global world. Ensuring that Canadians in rural and remote communities can connect and take full advantage of the digital economy is an important priority for the Government of Canada.

- Internet speeds of 5 Mbps or faster enables reliable access to new technologies and services such as videoconferencing, cloud computing and social media.
- “Connecting Canadians” is intended to reach 280,000 Canadian homes that currently don’t have access to high-speed internet.
- Through changes made by our Government, Service Providers have a use it or lose it requirement with the spectrum they have purchased – this is meant to speed up the service to Canadians and remove the potential for asset stockpiling by providers.
- Consultative processes have been undertaken with respect to Industry Canada’s Digital Canada 150 approach.

New Building Canada Fund –

Our Government's top priorities continue to be what matters most to Canadians, jobs, economy and growth. We recognize the need for municipalities to have a stable funding framework in place to help address the infrastructure needs of our communities. World class infrastructure helps get our goods to market, connect Canadians and business with the world generating jobs and economic growth; it also reduces commuting times so that families have more time together. The New Building Canada Plan is the longest and largest in Canadian history. This funding is predictable and reliable and gives provinces, territories and municipalities more flexibility than ever to address their priorities.

- On February 13, 2014 the Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, Denis Lebel along with the Prime Minister and Parliamentary Secretary Paul Calandra announced the New Building Canada Fund
- In March of 2014, Minister Lebel provided the province of Alberta with the details of the program and instructed them to submit their list of priority projects.
- Since then 1 project has been announced (Edmonton LRT) at a value of \$150 million through NBCF
- Additionally \$250 million in P3 funding has been announced in Alberta
- To date the priority list from the provincial government has not been submitted as required by the program for funding consideration to the Minister.
- On November 10, 2014 Ministers Kenney and Ambrose announced the signing of the Gas Tax Fund agreement with Alberta (\$2.3B over 10 years) - allocated on per capita basis, stable funding for projects such as public transit, water and sewage, roads and bridges, tourism and recreation.

Temporary Foreign Worker Program –

The Government through the Minister of Employment and Social Development made changes to the Temporary Foreign Worker Program (TFWP) in response to egregious abuses by some employers. Our Government's approach focuses on ensuring every Canadian that wants a job has first opportunity and the TFWP should be utilized as a last resort. The challenges that exist are between balancing our business's needs, our national needs and the realities of a tight labour market. Alberta is unique in that unemployment is drastically lower than most other provinces therefore; businesses are in a hiring noose straddled by an already exhausted talent pool that is not replenishing at a rate comparable to the rapid growth of the labour market.

- The TFWP is meant to be a last and limited resort, but too many employers have become reliant on it and have built their business model around it.

- Included is a booklet that outlines the reforms.
- I expect to see changes in the near future to the immigration system to address the labour issues and reduce the red tape surrounding the TFWP so that the program is more efficient.
- Currently the Government of Canada is working with the Government of Alberta on reforms to the Provincial Nominee Program as a compliment to reforms already announced. (NOTE: Details are forthcoming)

Rail safety –

Our Government has always made the safety and security of our public a top priority, the tragic incident in Lac Megantic highlighted the need to ensure our rail system was the safest in the world. Transport Canada indicates that over 30 million shipments of dangerous goods are made by rail in Canada and 99.999 percent of them reach their destinations without incident. However, changes were needed to strengthen the system overall and ensure that railway companies and short lines were doing everything they could be doing in order to ensure maximum safety.

- Our Government has amended the Railway Safety Act creating tougher legal and monetary penalties for companies who break the law, increasing protection for potential whistleblowers, and mandating that each railway have an executive who is legally accountable if safety measures are not adhered to.
- Additionally one of the measures will require shippers and railways to carry additional insurance, ensuring they will be able to bear the financial cost of any potential accident while saving taxpayers from having to foot the bill.
- As recommended by the final Transportation Board report looking into the Lac Megantic disaster, our Government amended the regulations requiring railway and short rail train cars to have added handbrakes installed for added safety.
- 10 new auditors have been hired to compliment the almost 105 investigators Transport Canada employs.
- Transport Canada requires emergency response assistance plans for crude oil shipments, tougher standards for DOT-111 tank cars used to haul crude oil has been put in place, and risk assessments for key railway routes used to carry dangerous goods.

Canada Post –

Canada Post provides a valued service to Canadians unfortunately Canadians have been using their services less and less. As a result Canada Post has had to adjust their services and restructure their prices through their Five - point plan for sustainability.

- Since 2008, mail volumes have dropped almost 25% per address

- two thirds of Canadian households already receive their mail and parcels through community mailboxes, grouped or lobby mailboxes or rural mailboxes
- Five-point plan includes **Community Mailboxes**, a **new approach to pricing**, **expanding convenience through postal franchises**, **streamlining operations** and **addressing labour cost**.

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Improving Clarity, Transparency and Accountability of the Temporary Foreign Worker Program

To offer greater clarity and transparency, the Temporary Foreign Worker Program (TFWP) is being re-organized into two distinct programs. This will reduce confusion and better reflect the major differences between the various streams.

The TFWP will now refer to only those streams under which foreign workers enter Canada at the request of employers following approval through a new Labour Market Impact Assessment (LMIA). The new International Mobility Programs (IMP) will include those streams in which foreign nationals are not subject to an LMIA, and whose primary objective is to advance Canada's broad economic and cultural national interest, rather than filling particular jobs. These new categories will improve accountability, with Employment and Social Development Canada being the lead department for the TFWP, and Citizenship and Immigration Canada the lead department for the IMP.

Temporary Foreign Worker Program Objective: Last resort for employers to fill jobs for which qualified Canadians are not available	International Mobility Programs Objective: To advance Canada's broad economic and cultural national interest
<ul style="list-style-type: none"> • Based on employer demand to fill specific jobs 	<ul style="list-style-type: none"> • Not based on employer demand
<ul style="list-style-type: none"> • Unilateral and discretionary 	<ul style="list-style-type: none"> • Base largely on multilateral/bilateral agreements with other countries (e.g. NAFTA, GATS)
<ul style="list-style-type: none"> • Employer must pass Labour Market Impact Assessment (formerly LMO) 	<ul style="list-style-type: none"> • No Labour Market Impact Assessment required
<ul style="list-style-type: none"> • Lead department ESDC 	<ul style="list-style-type: none"> • Lead department CIC
<ul style="list-style-type: none"> • No reciprocity 	<ul style="list-style-type: none"> • Based largely on reciprocity
<ul style="list-style-type: none"> • Employer-specific work permits (TFWs tied to one employer) 	<ul style="list-style-type: none"> • Generally open permits (participants have greater mobility)
<ul style="list-style-type: none"> • Majority are low-skilled (i.e. farm workers) 	<ul style="list-style-type: none"> • Majority are high skill / high wage
<ul style="list-style-type: none"> • Last and limited resort because no Canadians are available 	<ul style="list-style-type: none"> • Workers & reciprocity are deemed to be in the national economic and cultural interest
<ul style="list-style-type: none"> • Main source countries are developing countries 	<ul style="list-style-type: none"> • Main source countries are highly developed

In the interest of greater transparency and accountability, data for the TFWP and IMP have been re-organized so that Canadians can accurately compare statistics on the two distinct programs going back 10 years. Of the 221,273 foreign nationals entering Canada in 2013, 62 percent (137,533) came in under the IMP, the other 38 percent, or (83,740), came in under the TFWP.

The following tables provide historical data (2003-2013) on overall numbers of foreign nationals working in Canada by program stream.

TABLE 1: Canada - Entries* of Temporary residents not subject to Labour Market Impact Assessment by sub-status 2002-2013*****

Yearly sub-status	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
International Mobility Programs												
NAFTA	13,422	11,680	11,517	11,877	13,359	14,083	15,567	14,986	17,500	18,557	19,868	19,806
Other FTA	385	265	288	308	357	375	517	469	507	657	735	777
International agreements	2,829	3,189	4,871	1,461	1,698	2,108	2,681	2,312	1,313	972	841	776
Provincial agreements	0	0	0	0	0	0	0	359	1,571	2,519	4,353	6,429
GATS	1,684	617	502	434	521	636	602	370	358	326	282	285
Workers - International arrangements subtotal	18,320	15,751	17,178	14,080	15,935	17,202	19,367	18,496	21,249	23,031	26,079	28,073
Reciprocal employment	19,100	20,944	24,790	31,413	34,173	35,964	44,623	48,944	54,275	59,208	63,586	58,939
Employment benefit	7,643	7,882	7,841	8,173	9,951	10,113	10,850	10,074	13,405	14,514	15,453	15,730
Spouse/common law partner	2,804	3,491	4,389	5,194	6,314	8,158	9,856	9,249	9,130	10,776	12,253	15,251
Research and studies related	3,465	3,373	3,460	3,650	4,017	5,171	6,221	6,626	7,022	9,712	11,294	15,791
Other Canadian interests ¹	4,716	1,311	1,135	1,778	1,624	1,486	1,436	1,536	1,808	1,959	2,231	2,145
Workers - Canadian interests subtotal	37,728	37,001	41,615	50,208	56,079	60,892	72,986	76,429	85,640	96,169	104,817	107,856
Other work permit holders without LMO subtotal²	4,734	985	1,064	886	945	1,302	1,149	1,344	1,025	875	1,522	1,604
International Mobility Program Total	60,782	53,737	59,857	65,174	72,959	79,396	93,502	96,269	107,914	120,075	132,418	137,533
International students Total	76,290	69,215	65,512	67,404	71,379	73,770	79,264	84,870	95,257	98,394	104,829	111,841
Humanitarian population Total	34,696	32,607	26,138	20,427	23,798	29,592	37,953	34,194	24,965	26,547	21,417	10,992
Total	171,768	155,559	151,507	153,005	168,136	182,758	210,719	215,333	228,136	245,016	258,664	260,366

¹ Persons in the Canadian Interests category are temporary residents with work permits without LMO. The term "Canadian interests" is used to describe certain categories of workers who are deemed to provide a social, cultural or economic benefit to Canada.

² Data group under this category includes Permanent resident applicants in Canada. This category includes an increasing number of individuals with open work permits awaiting final PR approval through the LCP category and Bridging Open Work Permits.

TABLE 2: Canada - Entries* of Temporary Foreign Worker work permit holders by sub-status 2002-2013***

Yearly sub-status	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Temporary Foreign Worker Program												
Information Technology Workers	830	1,050	1,298	1,760	2,130	2,971	3,190	2,687	2,867	612	213	29
Other high-skilled workers with LMO ³	23,254	21,969	22,453	24,049	26,201	30,042	31,992	26,414	22,471	23,889	28,084	27,643
High-skilled workers Total	24,084	23,019	23,751	25,809	28,331	33,013	35,182	29,101	25,338	24,501	28,297	27,672
Live-in Caregiver Program	4,664	5,007	6,624	7,103	9,050	12,930	11,848	8,740	7,521	5,878	6,242	4,671
Seasonal Agricultural Worker Program	18,622	18,698	19,049	20,282	21,253	22,571	24,188	23,386	23,933	24,693	25,710	27,566
<i>Low Skill Pilot Program - Primary agriculture⁴</i>	123	341	430	877	2,231	3,170	4,513	4,844	5,161	6,209	6,632	7,099
<i>Low Skill Pilot Program - Other</i>	2,145	1,985	2,355	2,892	4,298	12,139	21,147	14,167	8,961	8,763	13,709	16,315
Low Skill Pilot Program subtotal	2,268	2,326	2,785	3,769	6,529	15,309	25,660	19,011	14,122	14,972	20,341	23,414
Other low-skilled workers with LMO ⁵	1	2	0	2	1	6	4	1	3	2	1	0
Low-skilled workers Total	25,555	26,033	28,458	31,156	36,833	50,816	61,700	51,138	45,579	45,545	52,294	55,651
Other Total⁶	192	142	161	223	323	299	349	225	222	345	373	417
Temporary Foreign Worker Program Total	49,831	49,194	52,370	57,188	65,487	84,128	97,231	80,464	71,139	70,391	80,964	83,740

³ Other high-skilled workers with LMO include some Live-in Caregiver Program and Seasonal Agricultural Worker Program

⁴ Intended occupation: NOC 8431, 8432, 8611, 8251, 8252, 8254, 8256

⁵ Other low-skilled workers with LMO include some Information Technology Workers

⁶ This group includes workers that do not fall into the high skill or low skill occupation categories

Source: Citizenship & Immigration Canada, RDM Preliminary 2013 Data

* Entries includes both initial entries and re-entries

** This chart does not include data on general visitors or on any work-permit exempt foreign nationals who can work in Canada (e.g., business visitors, diplomats, visiting military, clergy, etc.) and who have not been issued a visitor record upon entering Canada.

*** Data for 2013 are preliminary estimates and are subject to change. For 2002-2012, these are updated numbers and different from those of Facts and Figures 2012.

A temporary resident who has been granted permanent resident status on or before the observation date (December 1) is excluded from the count from their grant date onwards. Temporary residents are grouped according to the principal reason for residing in Canada during the calendar year.

TABLE 3: Canada - Temporary residents* not subject to Labour Market Impact Assessment present on December 1st by sub-status 2002-2013*****

Yearly sub-status	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
International Mobility Program												
NAFTA	11,532	11,161	11,462	12,172	13,224	14,229	15,974	16,318	19,251	21,748	23,927	25,192
Other FTA	341	314	308	356	412	452	603	628	632	786	959	1,059
International agreements	2,014	2,337	3,125	1,828	2,209	3,124	4,053	3,973	2,100	1,417	1,078	1,022
Provincial agreements	0	0	0	0	0	0	0	1,120	5,417	9,935	11,502	12,985
GATS	2,328	1,219	629	448	448	532	511	414	334	263	246	229
Workers - International arrangements subtotal	16,215	15,031	15,524	14,804	16,293	18,337	21,141	22,453	27,734	34,149	37,712	40,487
Reciprocal employment	16,377	18,635	23,544	28,457	30,854	32,747	40,941	52,837	59,690	64,892	68,121	68,298
Employment benefit	6,563	7,215	8,111	9,122	11,045	11,765	12,709	13,325	15,325	24,494	37,557	48,961
Spouse/common law partner	5,484	8,126	10,544	12,682	14,767	17,974	21,178	23,310	23,520	26,014	29,424	35,647
Research and studies related	5,321	5,838	6,648	7,817	9,625	12,015	15,764	22,835	28,719	36,202	44,761	58,106
Other Canadian interests ¹	1,882	1,130	1,076	1,190	1,405	1,518	1,429	1,438	1,408	1,490	1,820	1,925
Workers - Canadian interests subtotal	35,627	40,944	49,923	59,268	67,696	76,019	92,021	113,745	128,662	153,092	181,683	212,937
Other work permit holders without LMO subtotal²	735	1,487	1,919	1,962	1,976	2,507	2,149	2,239	2,305	3,551	5,491	6,166
International Mobility Program Total	52,577	57,462	67,366	76,034	85,965	96,863	115,311	138,437	158,701	190,792	224,886	259,590
International students Total	150,287	159,419	164,506	166,846	169,812	175,642	177,645	195,760	217,882	239,044	265,414	293,503
Humanitarian population Total	120,866	126,231	117,887	102,629	92,601	90,729	103,916	113,087	108,911	103,717	95,875	79,013
Total	323,730	343,112	349,759	345,509	348,378	363,234	396,872	447,284	485,494	533,553	586,175	632,106

¹ Persons in the Canadian Interests category are temporary residents with work permits without LMO. The term "Canadian interests" is used to describe certain categories of workers who are deemed to provide a social, cultural or economic benefit to Canada.

² Data group under this category includes Permanent resident applicants in Canada. This category includes an increasing number of individuals with open work permits awaiting final PR approval through the LCP category and Bridging Open Work Permits.

TABLE 4: Canada - Temporary Foreign Worker work permit holders present
on December 1st by sub-status 2002-2013*****

Yearly sub-status	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Temporary Foreign Worker Program												
Information Technology Workers	1,310	1,391	1,652	1,981	2,327	3,064	3,571	3,557	3,889	1,777	761	218
Other high-skilled workers with LMO ³	15,018	16,566	17,713	19,552	22,222	29,374	38,199	38,102	29,420	27,383	32,652	41,488
High-skilled workers Total	16,328	17,957	19,365	21,533	24,549	32,438	41,770	41,659	33,309	29,160	33,413	41,706
Live-in Caregiver Program	11,972	13,854	17,372	20,350	24,379	33,675	38,423	39,559	36,364	28,519	23,109	16,927
Seasonal Agricultural Worker Program	18,594	18,696	18,909	20,250	21,259	22,454	24,070	23,442	23,969	24,669	25,789	27,889
<i>Low Skill Pilot Program - Primary agriculture⁴</i>	112	339	422	405	1,075	1,849	2,826	3,414	3,722	4,448	5,430	6,056
<i>Low Skill Pilot Program - Other</i>	1,192	1,239	1,443	1,872	3,232	11,488	26,730	33,813	25,317	21,209	24,539	33,757
Low Skill Pilot Program subtotal	1,304	1,578	1,865	2,277	4,307	13,337	29,556	37,227	29,039	25,657	29,969	39,813
Other low-skilled workers with LMO ⁵	159	12	1	1	0	3	3	3	5	5	2	1
Low-skilled workers Total	32,029	34,140	38,147	42,878	49,945	69,469	92,052	100,231	89,377	78,850	78,869	84,630
Other Total⁶	152	103	128	199	265	260	334	319	277	303	368	480
Temporary Foreign Worker Program Total	48,509	52,200	57,640	64,610	74,759	102,167	134,156	142,209	122,963	108,313	112,650	126,816

³ Other high-skilled workers with LMO include some Live-in Caregiver Program and Seasonal Agricultural Worker Program

⁴ Intended occupation: NOC 8431, 8432, 8611, 8251, 8252, 8254, 8256

⁵ Other low-skilled workers with LMO include some Information Technology Workers

⁶ This group includes workers that do not fall into the high skill or low skill occupation categories

Source: Citizenship & Immigration Canada, RDM Preliminary 2013 Data

* This chart does not include data on general visitors or on any work-permit exempt foreign nationals who can work in Canada (e.g., business visitors, diplomats, visiting military, clergy, etc.) and who have not been issued a visitor record upon entering Canada.

** Present statistic measures the number of temporary residents with a valid document on December 1st of the observation year.

*** Data for 2013 are preliminary estimates and are subject to change. For 2002-2012, these are updated numbers and different from those of Facts and Figures 2012.

A temporary resident who has been granted permanent resident status on or before the observation date (December 1) is excluded from the count from their grant date onwards. Temporary residents are grouped according to the principal reason for residing in Canada during the calendar year.

In 2013, temporary foreign workers (who required an LMIA) that entered Canada numbered 83,740, or about 0.44 percent of the national Labour Force, which is approximately 19 million.

TABLE 5: Entries of Foreign Workers as a Percentage of Canada's Workforce		
Yearly Status	2013	% of Canadian workforce (19m)
LMO Exempt		
NAFTA	19,806	0.10
Other FTA	777	0.004
International agreements	776	0.004
Provincial agreements	6,429	0.03
GATS	285	0.001
Reciprocal employment	58,939	0.31
Employment benefit	15,730	0.08
Spouse/common law partner	15,251	0.08
Research and studies related	15,791	0.31
Other Canadian interests	2,145	0.01
Other workers without LMO	1,604	0.008
LMO Exempt Workers Total	137,533	0.72
LMO Required		
Live-in caregiver program	4,671	0.02
Seasonal agricultural worker program	27,566	0.14
Low skill	23,414	0.12
High skill	27,672	0.14
LMO Required Total	83,740	0.44
Foreign workers Total	221,273	1.16

Publicly Reporting More Data

To further increase transparency and accountability beginning in fall 2014, EDSC will publicly post data on the number of temporary foreign workers approved through the TFWP on a quarterly basis and will post the names of corporations that receive positive LMIA's.

Reforming the Temporary Foreign Worker Program

Ensuring Canadian Workers Come First: Restricting Access to the Temporary Foreign Worker Program

Using Wage Instead of National Occupation Classification

The TFWP will now be administered based on wage instead of the National Occupational Classification (NOC). Wage is a more objective and accurate reflection of skill level and labour need in a given area. Temporary foreign workers being paid under the provincial/territorial median wage will be considered low-wage, while those being paid at or above will be considered high-wage.

TABLE 6: Median Hourly Wages by Province/Territory

Province/Territory	Wage (\$/hr)
Newfoundland and Labrador	\$20.19
Prince Edward Island	\$17.26
Nova Scotia	\$18.00
New Brunswick	\$17.79
Quebec	\$20.00
Ontario	\$21.00
Manitoba	\$19.00
Saskatchewan	\$21.63
Alberta	\$24.23
British Columbia	\$21.79
Yukon	\$27.93
Northwest Territories	\$32.53
Nunavut	\$29.96

Source: Labour Force Survey, 2013

The primary categories under the former TFWP were:

- **High-skilled workers:** includes occupations that typically require post-secondary education and/or formal certification, specifically managerial, scientific, professional and technical positions as well as the skilled trades. These occupations are coded at NOC skill type O or NOC skill level A or B.
- **Low-skilled workers:** includes occupations that usually require lower levels of formal training, such as a high school diploma or a maximum of two years of job-specific training, such as general labourers, food counter attendants, and sales and service personnel. These occupations are coded at the NOC C or D skill level. It is important to note that not all low-skilled occupations classified according to NOC codes are low-paying (e.g. oil and gas drilling workers).
- **Seasonal Agricultural Worker Program:** allows for the entry of foreign workers from Mexico and a number of Caribbean countries to meet the temporary, seasonal needs of agricultural producers when there are shortages of available Canadians.
- **Agricultural Stream:** allows employers to hire temporary foreign workers from any country for on-farm primary agricultural positions for a maximum of 24 months when Canadian citizens are not available. Many of the requirements of the Agricultural Stream mirror the Seasonal Agricultural Workers Program since working conditions for the temporary foreign workers are similar.
- **Live-in Caregiver Program:** enables qualified temporary foreign workers to come to Canada when Canadians are not available to provide unsupervised and full-time care for children, seniors or people with disabilities in the private residence of those persons for whom they are hired to care.

The primary categories under the new TFWP are:

- **High-wage:** positions at or above the provincial/territorial median wage; examples of high-wage occupations include managerial, scientific, professional and technical positions as well as the skilled trades.
- **Low-wage:** positions below the provincial/territorial median wage; examples of low-wage occupations include general labourers, food counter attendants, and sales and service personnel.
- **Primary Agricultural Stream:** includes positions related to on-farm primary agriculture such as general farm workers, nursery and greenhouse workers, feed lot workers and harvesting labourers, including under the Seasonal Agricultural Workers Program, which enables the entry of foreign workers from Mexico and a number of Caribbean countries to meet the temporary, seasonal needs of agricultural producers.
- **Highest-demand, highest-paid or shortest-duration:** Labour Market Impact Assessments for in-demand occupations (skilled trades), highly paid occupations (top 10%) or short-duration (120 days or less) entries will be provided within a 10 business day service standard. As for all requests to hire temporary foreign workers, LMIA's would only be granted after a rigorous review of all of the elements of the employer's application in each of these cases.
- **Live-in Caregiver Program:** no change.

New Labour Market Impact Assessment

The labour market test that allows employers to bring temporary foreign workers to Canada is being transformed from a Labour Market Opinion (LMO) to a new Labour Market Impact Assessment (LMIA) process that is more comprehensive and rigorous. Employers must provide additional information, including the number of Canadians that applied for their available job, the number of Canadians the employer interviewed, and explain why those Canadians were not hired. Employers must now also attest they are aware of the rule that Canadians cannot be laid-off or have their hours reduced at a worksite that employs temporary foreign workers.

New and better sources of labour market information will be used to determine if there are Canadians who could fill these positions (see pages 15-16 for more information).

LMIA's are conducted and processed by Employment and Social Development Canada (ESDC). ESDC will refuse to process applications when there are concerns that temporary foreign workers may or will have a negative effect on the Canadian labour market.

Cap on Low-Wage Temporary Foreign Workers

The Temporary Foreign Worker Program (TFWP) was created as a last and limited resort to allow employers to bring foreign workers to Canada on a temporary basis to fill jobs for which qualified Canadians are not available. However, since there was no specific limit on the number of temporary foreign workers that a company could hire, over time many employers built their business model on the program.

For example, of the 12,162 employers who used the TFWP in 2013, 2,578 employers have a workforce of over 30 percent temporary foreign workers. Perhaps most striking, 1,123 employers have a workforce composed of 50 percent or more temporary foreign workers.

TABLE 7: Percentage of Employer Workforce that is Temporary Foreign Workers

Number of employers ¹ by percentage of workforce made up of temporary foreign workers in 2013 ²		
TFW %	Number of employers	Estimated TFW entries
All	12,162	20,235
>=10%	6,097	16,278
>=30%	2,578	9,678
>=50%	1,123	4,522

¹ This data table shows the percentage of employers' total workforce that is made up of temporary foreign workers. It is not broken down by work site. The cap will be applied by work site.

² Excluding primary agriculture, live-in caregivers and employers with a total workforce of fewer than 10 workers.

These numbers clearly show that the TFWP is no longer being used as it was intended to be used – as a last and limited resort to allow employers to bring foreign workers to Canada on a temporary basis to fill jobs for which qualified Canadians are not available. Reforms are needed to end the growing practice of employers building their business model on access to the TFWP.

Accordingly, the Government of Canada is introducing a cap to limit the proportion of low-wage temporary foreign workers that a business can employ. The cap will significantly restrict access to the TFWP, while ensuring that Canadians are always considered first for available jobs, reducing employer reliance on the program and increasing wages offered to Canadians. It is expected that this measure alone will cut in half the number of low-wage temporary foreign workers once fully implemented.

Employers with 10 or more employees applying for a new LMIA are subject to a cap of 10 percent on the proportion of their workforce that can consist of low-wage temporary foreign workers. This cap will be applied per worksite of an employer and is based on total hours worked at that worksite.

To provide employers who are above the 10 percent cap time to transition and adjust to this new cap, it will be phased in over the next couple of years. For those employers that currently have a low-wage temporary foreign worker workforce that is above the cap, effective immediately, when those employers apply for a new LMIA they will be limited at 30 percent or frozen at their current level, whichever is lower. The Government may consider lowering the cap further in the future.

This transition measure will be further reduced to 20 percent beginning July 1, 2015 and reduced again to 10 percent on July 1, 2016. Temporary foreign workers currently working at work sites over the cap will be allowed to continue working at those sites until their existing work permits expire.

This ensures that large employers with multiple locations cannot be over their limit for low-wage temporary foreign workers at any one of their locations. For example, a large employer with an overall national workforce comprised of 5 percent temporary foreign workers cannot justify bringing in larger volumes of foreign workers at specific locations and having the temporary foreign worker staff at those locations exceed the cap.

The cap sends an important message – temporary foreign workers cannot be used as a business model and employers must do more to recruit, hire and train Canadians. This measure will help drive down the overall number of low-wage temporary foreign workers in Canada and end the distortion in the labour market caused by their prevalence in some sectors and regions.

TABLE 8: Expected Reduction in Temporary Foreign Workers

Province/Territory	2013 Total Low Wage Entries	30% cap Year 1	20% cap Year 2	10% cap Year 3
Newfoundland and Labrador	673	174	232	254
Prince Edward Island	396	358	372	377
Nova Scotia	680	173	234	327
New Brunswick	938	621	682	775
Quebec	2,211	565	747	1,155
Ontario	4,419	684	989	1,369
Manitoba	735	142	420	481
Saskatchewan	1,388	455	565	704
Alberta	14,307	5,247	7,160	8,407
British Columbia	5,227	1,217	1,819	2,362
Nunavut	11	–	5	5
Northwest Territories	73	32	44	47
Yukon Territory	41	10	15	15
Canada Total	31,099	9,678 (31% reduction from 2013)	13,284 (43% reduction from 2013)	16,278 (52% reduction from 2013)

* Does not include primary agriculture, live-in caregiving and employers with a total workforce of fewer than 10 workers

Refusing Applications in Areas of High Unemployment

Effective immediately, Employment and Social Development Canada will refuse to process certain Labour Market Impact Assessment applications in the Accommodation, Food Services and Retail Trade sectors. Specifically, any applications for positions that require little or no education or training will not be processed in economic regions with an unemployment rate at or above six percent.

For many youth, these jobs are their first opportunity to participate in the labour market and each time an employer hires a temporary foreign worker in one of these jobs it potentially deprives a Canadian from that all-important first job. This measure will reduce the number of TFWs by approximately 1,000 each year.

Employer applications will not be processed if they meet **all** of the following criteria:

- applying for an LMIA in a Statistics Canada economic region with an annual unemployment rate over 6%;
- seeking an LMIA in a specific occupation identified under North American Industry Classification System as Accommodations & Food Service or Retail Sales (NAIC 72, 44, 45); and
- seeking an LMIA in an occupation in one of the selected National Occupational Classification Codes (see below table) skill level "D" occupations.

NOC Code	Title
6641	Food Counter Attendants, Kitchen Helpers and Related Occupations
6661	Light Duty Cleaners
6611	Cashiers
6622	Grocery Clerks and Store Shelf Stockers
7611	Construction Trades Helpers and Labourers
8612	Landscaping and Grounds Maintenance Labourers
6672	Other Attendants in Accommodation and Travel
6663	Janitors, Caretakers and Building Superintendents
6662	Specialized Cleaners
6651	Security Guards and Related Occupations

The labour market information used to identify unemployment rates in economic regions is based on annual data from the Labour Force Survey (LFS) from Statistics Canada and will be posted on the Temporary Foreign Worker Program website.

Reducing the Duration of Work Permits set out in Labour Market Impact Assessments

Effective immediately, the duration of work permits set out in Labour Market Impact Assessments (LMIAs) will be limited to a maximum of one year for all low-wage positions, rather than the 2-year duration that existed previously. Employers of low-wage temporary foreign workers must reapply every year for an LMIA, better accommodating for changes in labour market conditions that might have occurred.

Reducing the Length of Time a Temporary Foreign Worker Can Work in Canada

To ensure foreign workers are coming in on a truly temporary basis and that the program is used as a last and limited resort, and to encourage employers to make even greater efforts to hire and train Canadian workers before seeking temporary foreign workers, the Government will reduce how long a temporary foreign worker in the low-wage stream can work in Canada. This measure will not apply to temporary foreign workers currently in Canada on valid work permits.

Changing the Provincial/Territorial Temporary Foreign Worker Annexes

Five provincial/territorial governments (Alberta, British Columbia, Ontario, Nova Scotia and Yukon) currently have annexes to their immigration agreements with the Government that establish Labour Market Impact Assessment (LMIA) exemptions in their jurisdiction. In these cases, the provinces and territories may propose LMIA exemptions for certain occupations and pilot projects involving exemptions to the LMIA process can be initiated.

The purpose of these annexes was never to create a scenario where employers could hire temporary foreign workers without seeking to hire Canadians first. However, over time there has been a significant increase in the number of temporary foreign workers coming to Canada through these agreements and a number of cases have come to light where companies have used these provisions to bring in temporary foreign workers without giving Canadians the first chance at available jobs.

Accordingly, the Government has given notice that it is changing the existing agreements. As a result, more employers will be subject to the new, more rigorous LMIA before being able to hire TFWs. Any new agreements with provinces and territories will be much more limited in scope and better ensure that Canadians are always given first chance at available jobs.

Transition Plans for High-Wage Positions

Employers who want to hire temporary foreign workers in high-wage occupations will be required (with limited exceptions) to submit transition plans with their Labour Market Impact Assessment (LMIA) application to ensure that they are taking steps to reduce their reliance on temporary foreign workers over time. This underscores the purpose of the program – which is to operate as a last and limited resort to address immediate labour needs on a temporary basis when qualified Canadians are not available.

The transition plans are in addition to the existing recruitment and advertising requirements that employers must meet to ensure that Canadians are given the first chance at available jobs. Transition plans will oblige employers of high-wage temporary foreign workers to help Canadians obtain in-demand skills through activities like investing in skills training or taking on more apprentices, or an employer can provide proof that they are helping a high-skilled temporary foreign worker transition to becoming a permanent resident of Canada.

Employers will also be required to undertake additional recruitment activities, including reaching out to organizations serving groups traditionally underrepresented in the workforce (e.g. new immigrants, Aboriginal people, youth, Canadians with disabilities) to fill available jobs. Employment and Social Development Canada will assist employers by providing them with contacts at these organizations.

Employers will need to report on the success of their transition plan should they ever reapply to hire high-wage temporary foreign workers. Employers must also report on the results of their transition plan if they are selected for an inspection.

By requiring employers to undertake measures that go above and beyond previous requirements to hire Canadians, the number of high-wage temporary foreign workers is expected to decrease.

Highest-Demand, Highest-Paid and Shortest-Duration Occupations

LMIAs for highest-demand occupations (skilled trades), highest-paid occupations (top 10 percent) or short-duration work periods (120 days or less) will now be provided within a 10-business-day service standard. As is the case for all requests to hire temporary foreign workers, LMIAs would only be granted after a rigorous review of all of the elements of the employer's application in each of these cases. This service standard will be met by processing these applications first, not by reducing the thoroughness of these LMIAs.

Highest-demand occupations

Initially, the 10-day service standard for highest-demand occupations will be limited to the skilled trades where the wage offered is at or above the provincial/territorial median wage. Positions in the skilled trades are essential to the development of major infrastructure and natural resource extraction projects, which are vital to Canada's economic growth. Over time, other occupations may be added based on evidence from more and better labour market information.

Highest-paid occupations

The 10-day service standard will also be available to employers requesting temporary foreign workers in the highest-paid occupations that offer wages in the top 10 percent of wages earned by Canadians in a given province or territory such as Physicians. This wage level indicates that a temporary foreign worker is the highest-skilled in their occupation and that those skills are not easily found in the Canadian labour market.

Shortest-duration occupations

Finally, the 10-day service standard will also be available for employers seeking temporary foreign workers for a short duration, defined as 120 calendar days or less in any occupation where the wage offered is at or above the provincial or territorial median wage. Positions falling under this category include those related to repairs to manufacturing equipment and warranty work. Renewal of short-duration LMIAs will not be permitted, except in exceptional circumstances.

Foreign Pilots in Canada

In recent years, concerns have been raised that some airlines are excluding Canadian pilots from seasonal jobs by requiring job applicants to already be trained on specific types of planes (type rating) before they are hired, which is counter to general industry standards of airlines paying for and ensuring pilots obtain their training on the specific airline's planes after they have been hired.

The Government of Canada consulted widely on this issue, and most stakeholders agreed that seasonal variations in fleet capacity should not stop airlines from training pilots for specific aircraft. It was noted that many airlines successfully contract flight time, pilot training and other training elements, such as

flight simulator time, with other airlines or with aircraft manufacturers in order to meet their training requirements. There was a consensus that there is no shortage of Canadian commercial pilots who could be trained to fly specific types of aircraft.

Based on stakeholder consultations, the following changes are being made for airlines requesting foreign pilots through the Labour Market Impact Assessment (LMIA) process.

Effective July 1, 2014, airlines must:

- meet the minimum advertising requirements for high-wage occupations; and
 - › specify the following criteria in their job postings:
 - › no more than a maximum of 4,000 flight hours for a First Officer and 5,000 hours for a Captain as required experience;
 - › possess a valid commercial pilots' licence;
 - › require English and/or French language proficiency;
 - › include industry standard medical testing requirements for commercial flight;
 - › state both the legal and common names of the airline operating in Canada;
- not include as an essential or asset requirement the necessity of holding a type rating for a specific type of aircraft. However, requiring applicants to have experience flying equipment that is similar in configuration and complexity to the airline's fleet is considered acceptable;
- indicate when training bonds will be applied and they must cover a minimum of two years employment;
- negotiate a transition plan with ESDC documenting the airline's future efforts and commitment to decrease the reliance on foreign pilots while increasing its complement of Canadian/permanent resident pilots. The transition plan will be reviewed by ESDC for progress and can affect the outcome of future LMIA applications; and
- submit LMIA applications a minimum of three months before the first day of work to ensure Program officers can thoroughly review the application. Any exception to this timeline must be requested prior to the LMIA being submitted.

Better and More Labour Market Information

The new Labour Market Impact Assessment will be made more effective with the introduction of more and better labour market information.

New Job Matching Service

A new enhanced Job Matching Service will allow Canadians to apply directly through the Canada Job Bank for jobs that match their skills and experience. As employers applying for temporary foreign workers must post their jobs on the Job Bank website, the new Job Matching Service will be able to match unemployed

Canadians with employers offering available jobs that match their skills in their region. Furthermore, program officers will be better aware of the number of potential applicants and how closely their skills align with the available job, which will allow for more rigorous assessment of LMIA applications.

Statistics Canada Quarterly Job Vacancy Survey

To provide better information on job vacancies in Canada, Statistics Canada will conduct a new Quarterly Job Vacancy Survey at a cost of \$8 million per year. This survey will collect information on occupations in-demand, job openings, the duration of job vacancies, educational requirements for occupations and other pertinent data.

The data will be collected from up to 100,000 employers, compared to 56,000 households previously. The previous survey's information is only accurate at the provincial level; however, the new Wage Survey will include a sample size large enough to provide reliable data broken down by province/territory and by Statistics Canada Economic Region.

This information will contribute to research on emerging skills shortages. This survey will be launched in spring 2015.

Statistics Canada Annual National Wage Survey

Statistics Canada will also conduct a new annual National Wage Survey at a cost of \$6 million per year. The data will be collected from up to 100,000 employers, and will provide reliable data broken down by province/territory and by Statistics Canada Economic Region. There are no data sources currently available that provide this level of detail.

The new Wage Survey will help program officers better assess whether wages being advertised to Canadians are consistent with the prevailing wage for that occupation. This will ensure that the position is offered to Canadians at a wage that is attractive to Canadians. The annual National Wage Survey will be launched in spring 2015.

Better Use of Existing Government Data

The survey data will be supplemented by information from the Employment Insurance (EI) program and other internal sources to accurately determine the availability of qualified Canadian workers. For example, program officers will know if employers requesting temporary foreign workers have recently laid-off Canadian workers. Additionally, program officers will be able to determine if employers are requesting temporary foreign workers in regions where there are unemployed Canadians with the appropriate skills. Furthermore, EI data can be used to help match unemployed workers with available jobs.

Stronger Enforcement and Tougher Penalties

Increasing the Number and Scope of Inspections

Given concerns over abuse of the Temporary Foreign Worker Program (TFWP), the Government is making a significant investment in its TFWP inspection regime.

Despite the fact that the Low Skill TFW Pilot Project was created in 2002, no inspections were done at that time. In recent years, the Government began conducting inspections, and there is now a dedicated team of inspectors for the TFWP at Employment and Social Development Canada (ESDC). Nevertheless, an additional investment into the TFWP inspection regime is required to ensure stronger enforcement.

Effective immediately, the Government is massively increasing the number of inspections so that one in four employers using temporary foreign workers will be inspected each year. These inspections will be as a result of tips, employers being deemed high-risk and random audits.

In addition to massively increasing the number of inspections, the Government has recently significantly expanded the authority of inspectors to better catch employers who are breaking the rules. As of December 31, 2013, ESDC and Citizenship and Immigration Canada (CIC) were granted additional inspection powers to:

- immediately inspect complaints of possible rule breaking;
- conduct warrantless on-site visits;
- interview temporary foreign workers and other employees with their consent;
- strengthen the criteria as part of the Labour Market Impact Assessment (LMIA) process by, for example:
 - › extending from two to six years the period during which ESDC and CIC can verify the wages, working conditions and occupations provided to previously employed temporary foreign workers at the time of a new LMIA or work permit application;
- compel employers to provide documents for the purposes of verifying their compliance with the rules of the program;
- impose a new condition on employers to make reasonable efforts to provide a workplace free from abuse; and
- ban employers who break the rules.

Under these expanded and strengthened authorities, employers must also keep all documents related to their applications, including recruitment documents like résumés, for six years. This allows the Government to verify whether the employer followed the rules of the program both at the time they applied and after the temporary foreign worker arrived. Furthermore, as of fall 2014, ESDC will be able to compel banks and payroll companies to provide bank records and payroll documents to help inspectors verify that employers are complying with the rules of the TFWP.

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

More Criminal Investigations

Employers suspected of criminal activities under the *Immigration and Refugee Protection Act* (IRPA) are referred to the Canada Border Services Agency (CBSA). Investigations in the Temporary Foreign Worker Program could lead to charges under the following sections of the IRPA:

- s. 124 - employing a foreign national that is not authorized to work in Canada;
- s. 126 - counselling misrepresentation; and
- s. 127 - misrepresentation.

The CBSA is receiving new financial resources to increase its capacity to investigate suspected cases of offenses by employers under the IRPA. The new financial resources for the CBSA will allow additional criminal investigations to be conducted every year. This will better ensure that employers suspected of criminal activities under the IRPA face the full legal consequences of their actions. There are very serious criminal sanctions including fines and jail time for employers found to be in violation of the IRPA. For example:

- Employers who employ “a foreign national in a capacity in which the foreign national is not authorized ... to be employed (s. 124)” can be fined up to \$50,000 and imprisoned for up to two years or both.
- Employers who intentionally misrepresent or withhold information or provide false information to contravene the IRPA (i.e. lie on their Labour Market Impact Assessment application about their efforts to hire Canadians) can be fined up to \$100,000 and imprisoned for up to five years or both.

Furthermore, employers found guilty of human trafficking can be fined up to \$1 million and imprisoned for up to life, or both. These penalties are not only applicable to the employer, but also may be applied to persons who aid or abet individuals in coming into Canada in contravention with the Act.

An example of a case that resulted in a conviction occurred after a CBSA investigation revealed that an individual produced fraudulent employment offers and worked as an immigration consultant without a licence between September 2008 and June 2009. He continued to commit immigration fraud between October 2011 and June 2012 by using several aliases. He purported himself as a representative for a number of Winnipeg-based companies, made fraudulent job offers to foreign nationals and issued forged Government of Canada documents. In October 2012, he was sentenced to four years and six months in prison and also ordered to pay more than \$380,000 in restitution.

Improved Information Sharing

The Government will improve its ability to collect and share information between government departments and other levels of government to make sure that employers who break the rules are caught.

The Minister of Employment and Social Development has written to all provincial and territorial governments requesting that existing information sharing agreements be strengthened, or that new information sharing agreements are quickly concluded where none currently exist.

Better information sharing between the Canada Border Services Agency and other federal government departments will help ensure that EDSC is aware of employers that are not complying with the ***Immigration and Refugee Protection Act or related Regulations (IRPR)***, for example are under investigation by a law enforcement agency. Employment and Social Development Canada will not process any LMAs for employers that are under investigation until the investigation is complete and the employer is found to have not broken any rules.

The federal government is also taking steps to significantly improve the level of information sharing between different levels of government. While the federal government is responsible for determining whether an employer is facing a legitimate labour shortage and is justified in hiring a temporary foreign worker, the provinces and territories have primary responsibility for establishing and enforcing health and labour standards, such as safe working conditions, for all workers, including temporary foreign workers. Provinces also have primary responsibility for laws governing recruiting of workers.

The benefits of information sharing agreements between the federal government and the provinces and territories are clear. For example, employers who violate provincial labour laws, health and safety standards or recruiting laws will face greater scrutiny and oversight from Temporary Foreign Worker Program (TFWP) inspectors as these would be considered high-risk employers. Likewise, the federal government will share information with the provinces and territories on employers who break the rules of the TFWP to allow provinces and territories to follow up and prioritize their investigations on matters, namely labour laws, health and safety standards and laws governing recruiting.

Further, in order to be allowed to employ temporary foreign workers, employers must comply with provincial laws that regulate employment, and the recruiting of employees, in the province in which the foreign national works. Better information sharing between the federal government and the provinces/territories will result in the federal government being better informed when employers are in violation of provincial/territorial laws and prevent them from accessing temporary foreign workers.

Currently, ESDC has information sharing agreements with Alberta, Manitoba, British Columbia and Saskatchewan. These existing agreements will be strengthened and new agreements will be put in place with the remaining provinces and territories.

TFWP roles and responsibilities:

ESDC	CIC	CBSA	Province/Territories
<ul style="list-style-type: none"> Issues Labour Market Impact Assessment to employers and conducts investigations. 	<ul style="list-style-type: none"> Assesses applications for work permits submitted by temporary foreign workers, which if granted, authorizes them to work in Canada and can also conduct investigations of employers. 	<ul style="list-style-type: none"> Determines eligibility and admissibility at the port of entry when temporary foreign workers arrive in Canada and issues work permits. Also conducts investigations and executes removal orders, as required, under the <i>Immigration and Refugee Protection Act</i>. 	<ul style="list-style-type: none"> Establish and enforce health and labour standards. Establish and enforce laws on recruitment.

Blacklist, Suspension and Revocation

If an employer breaks the rules, or is suspected of breaking the rules, of the Temporary Foreign Worker Program (TFWP), Employment and Social Development Canada has the authority to suspend or revoke the employer's Labour Market Impact Assessment (LMIA). LMIAs are suspended when an employer is suspected of breaking the rules and LMIAs are revoked when, following an investigation, an employer is in fact found to have broken the rules.

Employment and Social Development Canada (ESDC) will not process any LMIAs for employers that are under investigation until the investigation is complete and the employer is found to have not broken any rules.

In addition to revocation, if an employer breaks the rules of the program, they will be banned from the TFWP and fined.

Rationale for suspending or revoking a Labour Market Impact Assessment:

Suspended LMIA	<ul style="list-style-type: none"> • LMIA is suspended pending a thorough investigation of the employer. • Unused positions tied to a suspended LMIA will be put on hold. • Processing of applications for new or extended work permits based on the LMIA is also suspended until the LMIA suspension is lifted. • Foreign nationals already working for the employer may continue working.
Revoked LMIA	<ul style="list-style-type: none"> • LMIA is permanently canceled. • LMIA cannot be used by any temporary foreign worker to obtain a work permit from CIC. • CIC will revoke work permits tied to the LMIA.

What does this mean?

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Revoked LMIA	<ul style="list-style-type: none"> • LMIA is permanently canceled. • LMIA cannot be used by any temporary foreign worker to obtain a work permit from CIC. • CIC will revoke work permits tied to the LMIA.

Since early 2014, the names of employers whose LMIA's are suspended or revoked are being added to a public **Blacklist website**. Beginning in fall 2014, the Blacklist will include the names of any employer who has been suspended as well as any employers who has been found in violation of the TFWP rules and what consequences they face.

In addition, employers found to have broken the rules as a result of investigations conducted by Citizenship and Immigration Canada will now be disclosed on the employer Blacklist. This is another part of the Government's efforts to improve the clarity, transparency and accountability of the TFWP.

Monetary Fines for Employers Who Break the Rules

Beginning in fall 2014, the Government will impose fines of up to \$100,000 (depending on the severity of the offence) on employers who break the rules of the Temporary Foreign Worker Program (TFWP). As part of the Government's efforts to improve the transparency and accountability of the TFWP, the Government will publicly disclose the names of employers who have been fined and the amount of that fine on the Blacklist.

These new significant fines will help ensure that the TFWP is used as intended – as a last and limited resort when Canadians are not available. These new fines would be in addition to fines that can already be imposed on employers convicted of offences under the *Immigration and Refugee Protection Act* (IRPA).

The following chart provides examples of the penalties that can be applied based on the nature and severity of the offence; this is not an exhaustive list:

Offence	Potential Sanctions(s)
Breaking the rules of the TFWP	<ul style="list-style-type: none"> • LMIA suspended • LMIA revoked • Name of employer published on the "Blacklist" • Fine • Banned from the TFWP
Criminal offence under IRPA	<ul style="list-style-type: none"> • LMIA suspended • LMIA revoked • Name of employer published on the "Blacklist" • Fine • Banned from the TFWP • Referred to CBSA for further investigation, could face fines and jail time
Criminal offence under <i>Criminal Code</i>	<ul style="list-style-type: none"> • LMIA suspended • LMIA revoked • Name of employer published on the "Blacklist" • Fine • Banned from the TFWP • Referred to the appropriate law enforcement agency, such as the RCMP, for further investigation, could face fines and jail time.

Raising the Fee

Labour Market Impact Assessment Fee of \$1,000

Employment and Social Development Canada is making significant changes to the Temporary Foreign Worker Program (TFWP), which will substantially increase the cost of delivering the program. The costs for administering the TFWP, including all of the reforms outlined above, will be borne entirely by employers who use the program, not by taxpayers. As a result, the LMIA fee is increasing from \$275 to \$1,000 for every temporary foreign worker position requested by an employer.

The following chart illustrates the increase of the fee over the past few years:

Year	Assessment Fee
1973 - 2013	\$0
April 2013	\$275
June 2014	\$1,000

The fee will be evaluated on an ongoing basis, and necessary adjustments will be made to ensure that it continues to fully cover the costs of the TFWP.

Additionally, Employment and Social Development will be seeking the authority to impose an estimated \$100 privilege fee on employers applying for LMIAs to offset the costs of Government of Canada investments in skills and job training.

Protection of Temporary Foreign Workers

While in Canada, temporary foreign workers have the same rights and protections as Canadian workers under applicable federal/provincial/territorial employment standards and occupational health and safety laws. The Temporary Foreign Worker Program (TFWP) has a number of provisions to ensure the well-being of temporary foreign workers during their stay in Canada.

Temporary foreign workers need to know their rights and where to go for help if they are facing exploitation or abuse. All temporary foreign workers coming into Canada will receive an information package from the Canada Border Services Agency at their port of entry. This package will outline their rights and responsibilities and will provide information on whom to contact should they believe their rights are being violated. Under these reforms, information will also be made available to temporary foreign workers at convenient locations, such as ports of entry, Service Canada offices, visa offices and application centres and non-governmental organizations that support foreign workers.

The issue of legal recruitment is primarily a matter of provincial jurisdiction and passing on recruitment fees to temporary foreign workers is a violation of labour laws in some provinces. To improve protections for temporary foreign workers, the Minister of Employment and Social Development has written to all provincial and territorial governments encouraging provinces with laws governing unscrupulous recruiters to strengthen them, and encourage provinces without laws governing unscrupulous recruiters to implement them as quickly as possible.

The provinces and territories also have primary responsibility for establishing and enforcing health and labour standards, such as safe working conditions for all workers, including temporary foreign workers. These rules and regulations govern areas including work hours, overtime pay, sick or vacation leave and health and safety standards. All temporary foreign workers have the same rights as Canadian citizens in filing a complaint against an employer under provincial labour standards codes.

The countries of temporary foreign workers participating in the Seasonal Agricultural Workers Program station government representatives in their consulates across the country so that they can assist the workers in a variety of situations and serve as interpreters when needed. Before the workers' departure to Canada, these foreign governments organize information sessions to ensure that workers understand the program and their rights and responsibilities.

We encourage all temporary foreign workers who have concerns or information to call our tip line at 1-866-602-9448 or to visit the Complaints Web page at www.esdc.gc.ca/tfwp.

On-Farm Primary Agriculture and Live-in Caregiver Exemptions

On-farm primary agriculture, including the Seasonal Agricultural Worker Program (SAWP), is exempt from the following measures, as there are proven acute labour shortages in this industry and the unfilled jobs are truly temporary:

- LMIA fee
- Cap on low-wage temporary foreign workers
- 1-year LMIA duration
- Reduction in the period that a low-wage temporary foreign worker will be allowed to remain in Canada (SAWP only)

Live-in Caregiver Program (LCP) is exempt from the following measures:

- Cap on low-wage temporary foreign workers
- 1-year LMIA duration
- Reduction in the period that a low-wage temporary foreign worker will be allowed to remain in Canada

All other measures including stronger enforcement and tougher penalties apply to on-farm primary agriculture, SAWP and LCP.

Reforming the International Mobility Programs

International Mobility Programs

The International Mobility Programs (IMP) include all streams of work permit applications that are LMIA-exempt under one umbrella. 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.

For example, labour mobility is a key part of the North American Free Trade Agreement (NAFTA). NAFTA provides reciprocal benefits, allowing foreign nationals in certain occupations from partner countries to work in Canada without the requirement of a labour market test like the LMIA, but also allow Canadians to work abroad with similar privileges. While about 12,000 Americans worked in Canada through the NAFTA professional occupation provision in 2011, the number of Canadians working in the United States through the same provision more than tripled that, with about 39,000 in all.

As part of the review of the Temporary Foreign Worker Program, the Government of Canada committed to introducing a series of reforms for those workers who are exempt from the LMIA process to ensure these exemptions continue to promote Canada's economic and labour market interests.

The renamed International Mobility Programs (IMP) will include a new fee for work permits through IMP, a new employer compliance system on par with the system being put in place for the TFWP, and additional changes to specific IMP streams.

New Fee and Employer Compliance System for the International Mobility Programs

Many foreign nationals can apply for work permits without requiring an assessment of the labour market. However, employers are not required to submit any information directly to the Government of Canada regarding job offers made to LMIA-exempt foreign workers, limiting CIC's ability to monitor employers.

Under the reforms, employers hiring through IMP will be required to submit the job offer and other relevant information to CIC. Foreign nationals will not be able to apply for a work permit until their employer has done so.

A robust compliance system, featuring inspections of thousands of employers hiring LMIA-exempt foreign workers each year, will also be put in place to monitor employers. Inspections could lead to penalties being levied against employers who are not following the rules, as well as bans from hiring foreign nationals and even criminal investigation when warranted.

This system will be made possible by the collection of a new compliance fee of \$230 per work permit, once authorities are in place. The fee will apply in cases where the work permit is employer specific and LMIA-exempt. This ensures that those using the program will pay its costs, rather than Canadian taxpayers.

New Privilege Fee for Open Work Permit Applicants

Some LMIA exemptions allow for foreign nationals to apply for open work permits. This includes, for example, young people entering Canada through the International Experience Canada (IEC) initiative, international students who have graduated and received a post-graduation work permit, and some foreign nationals who are working in Canada while they wait for their application for permanent residence to be finalized. Having an open work permit is a unique privilege, as it does not tie the foreign national to one specific employer in Canada.

There is, however, often inadequate information available about the types of jobs open work permit holders take while in Canada and what effect they may have on the labour market.

To respond to this, Citizenship and Immigration Canada will be imposing a \$100 privilege fee on holders of open work permits as soon as possible. These fees will allow for improved data collection on the employment of open work permit holders. In addition, the funds collected will be used to increase awareness among and promote participation of Canadians in opportunities to live and work abroad, and to provide information to foreign nationals with open work permits and their employers to promote the transition to permanent residence through the new Express Entry system that is coming online in 2015.

With these measures, the Government of Canada will be able to compile better information and develop an improved understanding of the role of open work permit holders in the Canadian labour market. Increased awareness and participation of Canadians in reciprocal opportunities will enhance the economic and social benefits of the International Mobility Programs.

Changes to Specific Exemptions

The Government of Canada is undertaking a comprehensive review of the IMP, with a view to ensuring that all streams under this program should remain LMIA-exempt. Streams that do not warrant an exemption will be reclassified under the Temporary Foreign Worker Program and workers will require an LMIA. Additionally, the Government is making the below changes to specific exemptions; these changes involve adjusting several specific exemptions to ensure they continue to operate as intended and in Canada's best interests.

International Experience Canada (IEC)

International Experience Canada consists of 32 agreements with partner countries that allow young Canadians to live and work abroad for up to two years without meeting labour market or many of the other strict requirements to work and travel in other countries, while providing reciprocal opportunities for youth from those countries to do the same in Canada. It is the largest sub-category of the International Mobility Programs, with about 54,000 young people entering Canada in 2013. The number of spots available for each country is negotiated each year.

However, the imbalance between the number of young people from partner countries participating in IEC and the number of young Canadians participating is the most serious concern for this initiative. IEC agreements are based on providing reciprocal opportunities for young people coming to Canada and for young Canadians going abroad. However, the number of young Canadians going abroad has been stagnant in recent years, and there are several countries to which virtually no Canadians apply to go.

To remedy this, CIC will enhance its efforts through increased promotion of the program to make young Canadians aware of the opportunities it presents, and by working with partner countries to reduce administrative barriers to Canadian participants. At the same time, we will review each mobility agreement on a country-by-country basis to ensure the rate of reciprocity is improved.

Intra-company transferees with specialized knowledge

Companies are able to transfer Canadians to overseas branches and foreign nationals to their Canadian branch without a labour market impact assessment. Exemptions for intra-company transferees are also explicitly stated in some trade agreements that Canada is a party to, such as the North American Free Trade Agreement and the General Agreement on Trade in Services. There is some evidence, though, that these provisions have been misused. For example, in some situations, foreign nationals were able to enter Canada for jobs that may not have been as specialized as the program intends, as suggested by providing wages lower than the Canadian prevailing wage for their occupation.

To address this, guidelines have been put in place to better define “specialized knowledge” and officers will compare an applicant’s intended salary to the prevailing Canadian wage for that job to ensure that the applicant is truly specialized in his or her field. The new guidelines also clearly state that these types of workers cannot receive training in Canada that would result in the displacement of Canadian workers. A wage floor has been imposed for foreign nationals from countries that Canada does not have a free trade agreement with, set at the prevailing wage for the worker’s occupation and region of destination.

As a result, foreign nationals entering Canada using this labour market test exemption will be highly-skilled and truly bring specialized knowledge to Canada. Some may be candidates to apply for permanent residence here. These provisions will continue to greatly benefit Canadian companies with operations abroad, allowing them to compete globally and to provide jobs in Canada.

Canada-Quebec Accord

The Canada-Quebec Accord has governed Quebec’s role in the selection of foreign nationals destined for the province since 1991. The Accord states, “Québec’s consent is required in order to admit into the province any temporary foreign worker whose admission is subject to Canada’s requirements relating to the availability of Canadian workers.” These reforms will be implemented in Quebec; however, as the TFWP is jointly administered, it may take longer to implement some of the reforms.

Timeline of Measures Coming into Force

Activity	Implementation Date
LMIA Fee	Effective immediately
Introduction of Cap	Effective immediately
High-Wage Transition Plans	Effective immediately
Launch enhanced Tip Website	Effective immediately
New guidelines for intra-company transferees with specialized knowledge	Effective immediately
10-day Processing Times for certain occupations	Effective immediately
Information Sharing Agreements between CIC, CBSA, and ESDC to be completed	Autumn 2014
Monetary fine regime to come into force	Autumn 2014
Criminal Investigations	Autumn 2014
Negotiate and implement all other Information Sharing Agreements with provinces	March 2015
Implement expanded inspection regime	March 2015
Begin data collection for the Wage and Vacancy surveys	Spring 2015
Limit Duration for low-wage TFWs	Summer 2015
Begin utilizing administrative data as part of the LMIA evaluation process	Summer 2015
Compliance fee for employer-specific work-permits	Summer 2015
Fee for open WP holders	Summer 2015
Strengthening compliance system for employers of LMIA-exempt foreign workers	Summer 2015
Measures Compelling Documents from third parties	Late 2015

Past Reforms to the Temporary Foreign Worker Program

Flexibility on Prevailing Wage Ended

Beginning in April 2012, employers were given the flexibility to pay temporary foreign workers up to 15 percent below the prevailing wage for a high-skilled occupation, and 5 percent below the prevailing wage for a low-skilled occupation, provided they could demonstrate that the wage being paid to a temporary foreign worker was the same as that being paid to their Canadian employees in the same job and in the same location. This flexibility was ended in April 2013.

The prevailing wage flexibility was introduced to ensure that temporary foreign workers were compensated at the same wage as Canadians working in the same occupation in the same location. The wage flexibility was ended and employers are now required to always pay temporary foreign workers at or above the prevailing wage for that occupation in that region.

Advertising

As of July 2013, employers have been required to make greater efforts to recruit Canadians first before requesting to hire temporary foreign workers. The new advertising requirements doubled the length and reach of employers' advertising efforts, increasing Canadians awareness of and ability to apply for available jobs.

All employers are now required to advertise their positions in Canada for a minimum of four weeks, rather than the previous two weeks. The four-week requirement applies to all advertising methods used by the employer. Employers are required to continue actively seeking qualified Canadians to fill the advertised position(s) from the time their application is submitted to when it is approved.

Employers are also required to conduct additional recruitment activities. Prior to July 2013, employers were required to advertise on the Government of Canada's national Job Bank website or an equivalent provincial/territorial website, plus one additional method of recruitment consistent with the advertising practices for the occupation.

Now, employers are required to use two additional methods of recruitment beyond the national Job Bank. One of these methods needs to be national in scope if hiring for a high-wage occupation. Employers hiring for low-wage occupations need to demonstrate that they have made efforts to hire Canadians from under-represented groups in the work force, such as youth or Canadians with disabilities.

Over the years, the Temporary Foreign Worker Program's advertising requirements have increased and expanded:

	Low-Skill Stream		High-Skill Stream	
	Recruitment method	Length of time	Recruitment method	Length of time
2006	<ul style="list-style-type: none"> • Job Bank or equivalent provincial/territorial site • one additional method 	14 days	<ul style="list-style-type: none"> • Job Bank or equivalent provincial/territorial site • one additional method 	14 days
2013*	<ul style="list-style-type: none"> • Job Bank • two additional methods • demonstrate efforts made to hire Canadians from under-represented groups (e.g. Aboriginal people, Canadians with disabilities, new immigrants) 	Minimum of 4 weeks	<ul style="list-style-type: none"> • Job Bank • two additional methods (one of which needs to be national in scope) 	Minimum of 4 weeks

* The 2013 requirements apply to new low-wage and high-wage streams.

To meet advertising requirements, employers must conduct recruitment activities consistent with the normal practice for the occupation.

For example, employers can advertise:

- on recognized employment websites such as Monster or Workopolis;
- on the website of a professional association;
- in national newspapers, professional journals or newsletters; and
- in local and regional employment centres.

Employers who wish to use the program must comply with strict criteria to ensure that Canadians have first chance at available jobs. Before seeking to hire temporary foreign workers, employers must clearly demonstrate that they made significant and genuine efforts to recruit or train Canadians and they could not find Canadians to meet their labour and skills needs.

If an employer breaks the rules of the program, they will face significant consequences, including fines and being banned from the program. There are also serious criminal sanctions, including additional fines and jail time, if employers lie on their Labour Market Impact Assessment applications about their efforts to hire Canadians.

Language Requirement

Since April 2013, English and French are the only languages that can be identified as a job requirement, both in advertisements by employers intending to hire temporary foreign workers and in Labour Market Impact Assessment applications.

This measure was introduced to prevent employers from advertising a position where the applicant's skills in a foreign language are not linked to a genuine job requirement. This ensures that language cannot be used by an employer to exclude qualified Canadians from being able to apply because they would prefer to hire temporary foreign workers.

The language restriction ensures that Canadians are given every opportunity to apply for available jobs. Exceptions can be made in rare and specialized circumstances, notably when the employer can demonstrate that another language is essential for the job, such as for a tour guide or translator.

Preventing Outsourcing of Canadian Jobs

As of July 2013, all employers applying for a Labour Market Impact Assessment (LMIA) are required to respond to additional questions on their use of temporary foreign workers to ensure that the Temporary Foreign Worker Program (TFWP) is not used to facilitate the outsourcing of Canadian jobs. This new measure was introduced as a result of concerns in spring 2013 about a situation where temporary foreign workers were alleged to be displacing Canadian workers whose positions were ultimately being transferred to another country.

The following questions were added to the LMIA application form:

1. Will the entry of these temporary foreign workers lead to job losses, now or in the foreseeable future, for Canadians and/or permanent residents as a result of layoffs, outsourcing, offshoring or other factors related to utilizing temporary foreign workers?
2. Is this job offer related to an activity, contract or a subcontract that will facilitate outsourcing or offshoring?

These questions help ensure that no Canadian workers are displaced as a result of outsourcing. Employers are also required to sign a declaration attesting that hiring temporary foreign workers will not result in outsourcing or offshoring.

For all LMIA applications, the TFWP assesses the impact that hiring a temporary foreign worker will have on Canada's labour market based on available labour market information for the region and occupation. These additional questions ensure that program officers have the information they need to make decisions regarding LMIA applications.

An LMIA application is rejected if hiring a temporary foreign worker would result in the outsourcing of Canadian jobs. An LMIA application is also rejected if the assessment indicates that hiring a temporary foreign worker will have a negative impact on the Canadian labour market or if an employer has not complied with the program requirements.

If an employer does outsource or offshore Canadian jobs following the hiring of a temporary foreign worker, they will be found to have broken the rules and face consequences, including fines and being banned from the program. There are also serious criminal sanctions, including additional fines and jail time, if the employer is found to have lied on their Labour Market Impact Assessment application.

Protecting Temporary Foreign Workers from Abuse and Human Trafficking

The Government has taken action to protect vulnerable foreign workers from the risk of abuse and exploitation in sex trade related businesses. Launched in 2012, the National Action Plan to Combat Human Trafficking includes measures to improve the protection of vulnerable foreign nationals through better prevention and detection at an early stage. These measures include preventing sex trade related businesses from accessing the Temporary Foreign Worker Program, recognizing that temporary foreign workers in sex trade related jobs faced a high risk of exploitation and abuse.

Since July 2012, Employment and Social Development Canada no longer processes Labour Market Impact Assessments from employers linked to the sex trade to prevent them from hiring temporary foreign workers. Also, Citizenship and Immigration Canada no longer processes work permit applications from temporary foreign workers intending to work for sex trade related businesses.

The restrictions apply to strip clubs, escort services and massage parlours as well as other businesses linked to the sex trade. Through collaborative partnerships and preventative action, these measures strengthen Canada's National Action Plan to Combat Human Trafficking.

Live-in caregivers

Measures currently in place to protect vulnerable workers under the Live-in Caregiver Program (LCP) include:

- assessing of the genuineness of the job offer to foreign live-in caregivers related to the employer's ability to pay the wages offered, the need for caregiving and the suitability of accommodations;
- putting in place a standardized LCP employment contract with mandatory clauses and more scrutiny of non-standard LCP employment contracts;
- establishing program requirements through the LMIA process related to hours of work, overtime and maximum deductions for room and board;
- requiring employers to pay foreign live-in caregivers' one-way airfare to Canada;
- requiring employers to review and adjust foreign live-in caregivers' wages at least annually to ensure they continue to meet the prevailing wage for the occupation; and
- urgent LMIA and WPs processing for foreign live-in caregivers who are working in abusive and/or exploitive situations.

Glossary

Accelerated-Labour Market Opinion (A-LMO): a streamlined approach to processing Labour Market Opinions for high-skilled occupations. This process has been terminated.

Blacklist: a public list containing the names of employers who have had a Labour Market Impact Assessment suspended or revoked, or who have been fined under the Temporary Foreign Worker Program.

Food Services Sector: as classified under **North American Industry Classification System (NAICS 722)**, which is defined as establishments primarily engaged in preparing meals, snacks and beverages, to customer order, for immediate consumption on and off the premises.

Free-Trade Agreements: an agreement between two or more countries to establish a free trade area where commerce in goods and services, and occasionally capital and labour, can be conducted across their common borders, without tariffs or hindrances.

High-wage: wages that are at or above than the provincial/territorial median wage.

Human trafficking: the recruitment, transportation, harbouring and/or exercising control, direction or influence over the movements of a person in order to exploit that person, typically through sexual exploitation or forced labour.

Inspection: an investigation of an employer under the Temporary Foreign Worker Program to verify employer compliance with the Program.

Job Bank: is the Government of Canada's one-stop **job listing website** which assists the Government in gathering labour market information.

Labour Market Impact Assessment (LMIA): a more comprehensive test of the impact that hiring temporary foreign workers would have on the labour market and Canadian workers using more and better labour market information. The LMIA is replacing the Labour Market Opinion.

Labour Market Opinion (LMO): an assessment of the impact that hiring a temporary foreign worker is likely to have on the Canadian labour market. The LMO is being replaced with the Labour Market Impact Assessment.

Low-wage: wages that are less than the provincial/territorial median wage.

P/T Median-wage: the rate above which half a province's or territory's workers are paid and below which the other half are paid.

National Occupational Classification (NOC): nationally accepted reference on occupations in Canada, which organizes over 40,000 job titles into 500 occupational group descriptions. Previously, the Temporary Foreign Worker Program used the **NOC** coding system to determine the specific skill level of an occupation. [[hyperlink to NOC website](#)]

Primary agriculture: Work in the primary agriculture sector means work that is performed within the boundaries of a farm, nursery or greenhouse and involves:

- the operation of agricultural machinery;
- the boarding, care, breeding, sanitation or other handling of animals, other than fish, for the purpose of obtaining animal products for market, or activities relating to the collection, handling and assessment of those products; or
- the planting, care, harvesting or preparation of crops, trees, sod or other plants for market.
- the provision of feed lot services;

Work in the primary agriculture sector does not include work involving

- the activities of agronomists or agricultural economists;
- landscape architecture;
- the preparation of vegetable fibres for textile use;
- activities related to commercial hunting and trapping; or
- veterinary activities.

The below table provides a full list of valid NOC codes for primary agricultural occupations:

NOC 2006	Occupational Title
8251	Farmers and Farm Managers
8252	Agricultural and Related Service Contractors and Managers
8253	Farm Supervisors and Specialized Livestock Workers
8254	Nursery and Greenhouse Operators and Managers
8256	Supervisors, Landscape and Horticulture
8431	General Farm Workers
8432	Nursery and Greenhouse Workers
8611	Harvesting Labourers

Offshoring: shifting a business function from one country to another country.

Outsourcing: involves moving production outside of a company.

Prevailing wage: identified as the median hourly wage for an NOC in a specified geographical area.

Revocation: A Labour Market Impact Assessment can be revoked when an employer is proven to have broken the rules of the Temporary Foreign Worker Program.

Skilled Trade: The below table provides a full list of valid NOC codes for skilled trade occupations:

NOC 2006	NOC 2011	Occupation Title
7212	7202	Contractors and supervisors, electrical trades and telecommunications occupations
7215	7204	Contractors and supervisors, carpentry trades
7219	7205	Contractors and supervisors, other construction trades, installers, repairers and servicers
7271	7271	Carpenters
7216	7301	Contractors and supervisors, mechanic trades
7217	7302	Contractors and supervisors, heavy equipment operator crews
8211	8211	Supervisors, logging and forestry
8221	8221	Supervisors, mining and quarrying
8222	8222	Contractors and supervisors, oil and gas drilling services
8241	8241	Logging machinery operators
8252/8253	8252	Agricultural service contractors, farm supervisors and specialized livestock workers
9211	9211	Supervisors, mineral and metal processing
9212	9212	Supervisors, petroleum, gas and chemical processing and utilities
9214	9214	Supervisors, plastic and rubber products manufacturing
9231	9231	Central control and process operators, mineral and metal processing
7351/7352	9241	Power engineers and power systems operators
9424	9243	Water and waste treatment plant operators
7231	7231	Machinists and machining and tooling inspectors
7261	7233	Sheet metal workers
7263	7235	Structural metal and plate work fabricators and fitters
7264	7236	Ironworkers
7265	7237	Welders and related machine operators
7241	7241	Electricians (except industrial and power system)
7242	7242	Industrial electricians
7243	7243	Power system electricians

7244	7244	Electrical power line and cable workers
7245	7245	Telecommunications line and cable workers
7246	7246	Telecommunications installation and repair workers
7251	7251	Plumbers
7252	7252	Steamfitters, pipefitters and sprinkler system installers
7253	7253	Gas fitters
7311/7317	7311	Construction millwrights and industrial mechanics
7312	7312	Heavy-duty equipment mechanics
7313	7313	Refrigeration and air conditioning mechanics
7314	7314	Railway carmen/women
7315	7315	Aircraft mechanics and aircraft inspectors
7318	7318	Elevator constructors and mechanics
7371	7371	Crane operators
7372	7372	Drillers and blasters - surface, mining, quarrying and construction
7373	7373	Water well drillers
8231	8231	Underground production and development miners
8232	8232	Oil and gas well drillers, servicers, testers and related workers
9232	9232	Petroleum, gas and chemical process operators

Stream: stream is a sub-category or program, which has specific requirements that must be met by the employer.

Suspension: A Labour Market Impact Assessment can be suspended when an employer is alleged or suspected of having broken the rules of the Temporary Foreign Worker Program.

Temporary Foreign Worker: a foreign national allowed into a country to work for a limited period of time.

Work permit: if granted, authorizes a temporary foreign worker to work in Canada. It sets out conditions for the worker, such as the type of work they can do, where they can work and how long they may work in Canada. Work permits can be employer-specific or open.

- An employer-specific work permit names the specific employer the worker may work for and it may require an LMIA.
- An open work permit does not tie the worker to a specific job offer or employer in Canada and does not require an LMIA.



Agenda Item

TABLED ITEM: CP Rail - Alhambra- NW 9-39-5 W5	
Presentation Date: November 25, 2014	
Department: Planning & Development	Author: Marilyn Sanders
Budget Implication: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept. <input type="checkbox"/> Reallocation	
Strategic Area: Land and Economic Development	Goal: Council will encourage development in and around hamlets that is complimentary to the function and character of the community with a view to encouraging economic and residential development.
Legislative Direction: <input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation (cite) _____ <input checked="" type="checkbox"/> County Bylaw or Policy (cite) <u>Rail Right-of-Way Disposal Policy</u>	
Recommendation: Administration is recommending Council approve Option 6, to lease 25 metres of land to the Church and retain the remainder of the land in the County's name.	
Attachments List: Aerial photographs	

Background:

At the October 28th meeting the following was presented to Council:

In 2005 Clearwater County Council approved the plan to dispose of the abandoned CP Rail Line to adjacent land owners, which was purchased by Clearwater County from Canadian Pacific Railway. This project has been passed through several hands and is now in its tenth year of processing. In July of 2005 Clearwater County adopted the Rail Right-of-Way Disposal Policy. Policy 10 is specific to the hamlets and it states: “ *The right of way lands within the hamlets of Condor and Alhambra will be considered on an individual basis separate from this policy. Council will determine how and if lands will be disposed.*”

The property in question is in Alhambra. The proposed Block 6 contains 3.08 acres consisting of two residential lots, a public institution (church) located on the south side of the land and the vacant rail way lands on the north side.

On October 17, 2014 it was proposed to the landowners to consolidate 12 metres of the rail way lands to the north of their properties. Landowners Bradley Loomer and Jason Cable have agreed to this proposal. Albert Stolte, representing the Cornerstone Christian Fellowship Church has rejected the proposal stating a prior indication from Council granting 25 metres to the Church.

Council subsequently asked for further research and options.

A site inspection was carried out by Public Works and Planning staff. The site inspection indicated the railway bed and all lands south being higher developed lands. The manufactured home dwelling, meeting room and shed behind the dwelling for the church property are either partially or wholly located on the railway lands. Mr. Cable is utilizing the railway lands to park extra vehicles on.

The lands lying north of the railway bed are lower in elevation. There appears to be a drainage path located at the north side of the railway bed, flowing west to east. The land appeared to rise slightly to the adjacent street to the north. Shots were not undertaken at the time of inspection to determine the extent of the elevation change. However, it would appear that fill, ditching of the street and lot contouring would resolve drainage/low area concerns to make the land developable.

There would appear to be various options available to Council to consider:

Option 1 (create 3 new lots):

Proceed with the proposed subdivision, consolidating 12 metres (39 ft) of land to the north side of the adjacent properties and creating three new residential parcels as originally proposed.

- | | |
|-----------|---|
| Positive: | Create 3 new lots for residential development |
| Negative: | Church property constrained |
| | 3 new private septic systems |
| | Encroachments would need to be removed |
| | Easterly new lot would be slightly less than minimum because of road widening |
| | Existing residential lots continue to be substandard size |
| | Requires ditching, fill and lot contouring to ensure positive drainage off lots |

Option 2 (25 m consolidation with green space):

Amend the proposed subdivision, consolidating 25 metres (82 ft) of land to the north side of the adjacent properties and keep the remaining land as green space. Leave remaining land as is – green space owned by the County.

- | | |
|-----------|--|
| Positive: | Church property would encompass existing development |
| | All lots would have same rear lot extension |
| | Drainage would continue as is – no ditching required |
| Negative: | Green space would need to be maintained by County |
| | 1 residential lot will continue to be substandard size |
| | Encroachments will continue to be an issue to be addressed |

Option 3 (full extension for church, 12m for Loomer & Cable, create 1 new lot):

Amend the proposed subdivision:

- * extending the east boundary of the church property all the way north to the street thus consolidating the entire western portion into the church property;
- * consolidate 12 metres (39 ft) of land with the Loomer and Cable properties;
- * create one residential lot north of the Loomer and Cable properties;
 - Positive: Create 1 new lot for residential development
Residential lots acquire originally accepted additional land
 - Negative: 1 new private septic system
Existing residential lots continue to be substandard size
Requires ditching, fill and lot contouring to ensure positive drainage off lot

Option 4 (full consolidation):

Amend the proposed subdivision, consolidating full lot extensions with all 3 existing lots.

- Positive: Allows for future expansion of Church and parking space
Residential lots meet minimum parcel size
- Negative: Requires a drainage easement to be registered

Option 5 (25m extension for church, 12m for Loomer & Cable, create 1 new lot; create green space):

Amend the proposed subdivision:

- * consolidating 25 metres (82 ft) of land to the north side of the church property;
- * consolidating 12 metres (39 ft) of land to the north side of the 2 residential lots;
- * create one residential lot north of the 2 existing residential lots; and
- * keep the remaining land north of the church land as green space owned by the County.
 - Positive: Create 1 new lot for residential development
Church property would encompass existing development
 - Negative: 1 new private septic system
Existing residential lots continue to be substandard
Requires ditching, fill and lot contouring to ensure positive drainage off lot

Option 6 (lease existing land):

Do not proceed with the proposed subdivision. Lease the existing 25m of land to the church, retain remainder.

- Positive: Temporarily meets Church's needs
- Negative: Church property constrained
Building setback issue not resolved
Residential lots remain substandard
Encroachments likely to continue

Planning and Development prefers Option 4 (full consolidation).

Public Works prefers Option 1 (create 3 new lots); or Option 3 (full extension for church, 12m for Loomer & Cable, create 1 new lot).

RECOMMENDATION:

Administration is recommending Option 6 lease 25 metres of land to the Church and retain the remainder of the land in the County's name.

OPTION 1
12m consolidation with 3 lots
Create 3 new residential lots

Road widening



OPTION 2
25m Consolidation with all lots

Leave County Owned
Green Space

Church
0.81 ac. to 1.37 ac

Loomer

1,093m² to 1,842m²

Cable

765m² to 1,309m²



Hamlet of Alhambra
Abandoned CP Lands Project



OPTION 3
Full consolidation with church lot
12m consolidation with 2 lots
Create 1 new residential lot



Hamlet of Alhambra
Abandoned CP Lands Project



**OPTION 4
Full Consolidation**

Road widening

Church
0.81 ac. to 1.97 ac

Loomer
1,093m² to 2,637m²

Cable
765m² to 1,874m²



**Hamlet of Alhambra
Abandoned CP Lands Project**



OPTION 5
Partial Consolidation
Create 1 new residential lot



Hamlet of Alhambra
Abandoned CP Lands Project



Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of2014.....

Name of Councilor / Board Member

EARL GRAHAM

Payment Periods

January February May June
 March April July August
 September October November December

Supervision Rate - \$550.00 Monthly
 Reeve Supervision Rate - \$850.00 Monthly

5/05

Date	Type of Meeting Attended	First 4 Hours \$152.00	Next 4 Hours \$121.00	Next 4 Hours \$121.00	Regular Council Meeting \$276.00	Lunch \$16.00	Mileage @ \$0.54 / km
Oct 4/14	HUB Opening	✓					22
Oct 6/14	ICC	✓	✓				92
Oct 6/14	Library			✓			22
Oct 8/14	SPDG (GOVERNANCE)	90					90
Oct 9/14	MPC	✓	✓				92
Oct 9/14	CAROLINE H.S. Church			✓	OK		22
Oct 14/14	COUNCIL				✓		92
Oct 14/14	A.G. SOCIETY			✓			22
Oct 15/14	West View Lodge						
Oct 16/14	TRI COUNCIL				✓		92
Oct 17/14	CAAMDC	✓	✓	✓			22
Oct 20/14	SPDG	✓					92
Oct 23/14	APAR. Jansen	✓	✓			✓	923
Oct 24/14	✓	✓	✓				
Oct 25/14	✓	✓	✓			✓	

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Remuneration Calculation

over

Westview	1 @ 72.00 =	72.00			
12	Meetings @ \$152.00=	1824.00	2166.	Kms @ \$0.54=	1169.64
12	Meetings @ \$121.00=	1452.00	2	Lunch @ \$16.00=	32.00
3	Meetings @ \$276.00=	828.00			
	Supervision=	550.00		Receipts: Park Pass \$39.20	
	TOTAL=	4726.00		Hotel \$373.30	
				TOTAL=	1614.14

Signature {Councilor / Board Member}

[Handwritten Signature]

Earl
DAVID THOMPSON GATE
311 STEPHEN AVENUE
FIELD, BC V0A1G0
2503436324

gc.ca
gc.ca

SALE

MID: 17322721788
TID: 500 REF#: 00000002
Batch #: 162
10/23/14 09:12:33
APPR CODE: 070832
VISA
*****7862C ***

AMOUNT \$39.20

APPROVED

VISA
AID: A0000000031010
TVR: 00 00 00 80 00
TSI: F8 00

=====
:
:
25

THANK YOU
PLEASE COME AGAIN

CUSTOMER COPY

Sales Receipt

Transaction #: 67429
Date: 23/10/2014 10:12:24 AM
Cashier/Caissier: 13 Register/Caisse #: 13

Item	Description	Amt/Mnt
20003	NP FG Day /PN FG par jour 2 @ \$19.60	\$39.20
	2014/10/26	
	Sub Total/Sous-Total	\$37.33
	GST/TPS	\$1.87
	Total	\$39.20

Char 0.00
Total \$39.20

Thank-you for shopping
Merci d'avoir fait un achat

Mountain Park LODGES

The Marmot Lodge
86 Connaught Drive
Jasper, Alberta Canada T0E 1E0
Toll Free: 1-888-852-7737
GST # R102588316

Folio # 562316
Arrival Thursday Oct 23, 2014
Departure Saturday Oct 25, 2014
Nights 2
Room Type Standard Double
Room # 111

Earl Graham

Rocky Mtn House, AB
CANADA

Total GST: 17.14
Total PST: 13.44

<u>Tax Summary</u>	
PST & Svc Chg	\$13.44
GST	\$17.14
DMF	\$6.72
Service Charge	\$0.00
Total Taxes	\$37.30

<u>Charge Summary</u>	
Total Charges	\$336.00
Taxes	\$37.30
Payments	-\$373.30
Total Due	\$0.00

<u>Date</u>	<u>Description</u>	<u>Price</u>	<u>Qty</u>	<u>Extended</u>	<u>Room Tax</u>	<u>GST</u>	<u>DMF</u>	<u>Total</u>	<u>Balance</u>
				<u>Cost</u>				<u>Charge</u>	
Thu 10/23/14	Nightly Chg. - Room 111	168.00	1	168.00	6.72	8.57	3.36	186.65	186.65 I
Fri 10/24/14	Nightly Chg. - Room 111	168.00	1	168.00	6.72	8.57	3.36	186.65	373.30 I
Sat 10/25/14	Guest Payment VISA	-373.30	1	-373.30	0.00	0.00	0.00	-373.30	0.00 I

Guest Signature: _____

Did you enjoy your stay with us? Please post your comments on tripadvisor.com .

We look forward to seeing you again!!

Mountain Park Lodges - P.O. Box 1200, Jasper, Alberta, T0E 1E0 - 1-888-852-7737 - www.mpljasper.com

Reservation Confirmation



The Marmot Lodge
86 Connaught Drive
Jasper, Alberta Canada T0E 1E0
Toll Free: 1-888-852-7737

Confirmation #	562316
Arrival	Thursday Oct 23, 2014
Departure	Saturday Oct 25, 2014
Nights	2
Room Type	Standard Double
Adults	1
Teens	0
Children	0

Earl Graham
Rocky Mtn House, AB
CANADA

We look forward to seeing you on:

Thursday Oct 23, 2014

Thank you for choosing Mountain Park Lodges. **Please note our Check-In time is 4:00PM** and all cancellations must be received 48 hours prior to your arrival date.

Charge Summary

Total Charges	\$336.00
Taxes	37.30
Payments	0.00
Total Due	\$373.30

Room Rate Detail

<u>Description</u>	<u>Charge</u>	<u>Quantity</u>	<u>Total Charge</u>
Rack Rates	168.00	2	\$373.30
Total Room Charge			\$373.30

Mountain Park Lodges ~ P.O. Box 1200 ~ Jasper, Alberta Canada T0E 1E0 ~ 1-888-852-7737

Confirmation Printed On: 09/24/2014

Last Revised: 09/24/2014 8:59AM

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of ...2014.....

Name of Councilor / Board Member ..**Jim Duncan**.....

Payment Periods

January	February	May	June
March	April	July	August
September	<u>October</u>	November	December

Supervision Rate – \$550.00 Monthly
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$152.00	Next 4 Hours \$121.00	Next 4 Hours \$121.00	Regular Council Meeting \$276.00	Lunch \$16.00	Mileage @ \$0.54 / km
Oct 1	Rec Board	X					40
Oct 2	FCSS Outcomes Workshop	X					40
Oct 6	Ag Rec Facility	X					40
Oct 8	FCSS Board Meeting	X					40
Oct 10	St. Dom Award Ceremony	X					40
Oct 14	Regular Council				X		20
Oct 14	Pow Wow					X	20
Oct 16	Tri-Council Meeting	X	X				40
Oct 17	CAAMDC	X	X	X			40
Oct 22	Regional ASB Conference	X	X	X			40
Oct 24	ASB	X					40
Oct 28	Council Organizational				X		40
Oct 29	West Frazer Tour	X	X				40
Oct 30	Landcare Board	X					40

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Remuneration Calculation

<u>11</u>	Meetings @ \$152.00=	<u>1672.00</u>	<u>520</u>	Kms @ \$0.54=	<u>280.80</u>
<u>6</u>	Meetings @ \$121.00=	<u>726.00</u>	<u>1</u>	Lunch @ \$16.00=	<u>16.00</u>
<u>2</u>	Meetings @ \$276.00=	<u>552.00</u>			
	Supervision=	<u>\$550.00</u>			
	Sub Total=	<u>3500.00</u>		Sub Total=	<u>296.80</u>
	TOTAL=	<u> </u>		TOTAL=	<u> </u>

Signature {Councilor / Board Member} Jim Duncan

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of ...2014.....

Name of Councilor / Board Member Curt Maki

Payment Periods

January

February

May

June

March

April

July

August

September

October

November

December

Supervision Rate - \$550.00 Monthly
Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$152.00	Next 4 Hours \$121.00	Next 4 Hours \$121.00	Regular Council Meeting \$276.00	Lunch \$16.00	Mileage @ \$0.54 / km
Oct 6	Museum / VIC	✓					70
Oct 9	DTHS Award	✓					-
Oct 14	Council				✓		70
Oct 16	Tri Council	✓	✓				70
Oct 23	Community futures	✓					110
Oct 28	Council				✓		

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Remuneration Calculation

<u>4</u>	Meetings @ \$152.00=	<u>608.00</u>	<u>320.</u>	Kms @ \$0.54=	<u>172.80</u>
<u>1</u>	Meetings @ \$121.00=	<u>121.00</u>	<u>0</u>	Lunch @ \$16.00=	<u>-</u>
<u>2</u>	Meetings @ \$276.00=	<u>552.00</u>			
	Supervision=	<u>550.00</u>			
	TOTAL=	<u>1831.00</u>		TOTAL=	<u>172.80</u>

Signature {Councilor / Board Member} Curt Maki

Clearwater County

Councilor and Board Member Remuneration Statement

For the Year of ...2014.....

Name of Councilor / Board Member Theresa Leary

Payment Periods

January February May June
 March April July August
September October November December

Supervision Rate – \$550.00 Monthly
 Reeve Supervision Rate - \$850.00 Monthly

Date	Type of Meeting Attended	First 4 Hours \$152.00	Next 4 Hours \$121.00	Next 4 Hours \$121.00	Regular Council Meeting \$276.00	Lunch \$16.00	Mileage @ \$0.54 / km
Sept 3	Library Finance Meets	✓					14
Sept 4	PRL	✓					198
Sept 8	Council				✓		14
Sept 11	MPL	✓					14
Sept 15	ALP	✓	✓				14
Sept 16	Library Board Finance	✓					14
Sept 17	Senior Housing	✓					14
Sept 17	Pam 2		✓				161
Sept 22	Council				✓		14
Sept 24	AUMA	✓				✓ 16 ⁰⁰	230
Sept 26	Auma	✓	✓				—
Sept 27	Auma	✓	✓				230
Sept 30	ALP	✓	✓				14

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Remuneration Calculation

<u>10</u>	Meetings @ \$152.00=	<u>1520.00</u>	<u>931</u>	Kms @ \$0.54=	<u>502.74</u>
<u>5</u>	Meetings @ \$121.00=	<u>605.00</u>	<u>1</u>	Lunch @ \$16.00=	<u>16.00</u>
<u>2</u>	Meetings @ \$276.00=	<u>552.00</u>			
	Supervision=	<u>550.00</u>			
	TOTAL=	<u>3227.00</u>		TOTAL=	<u>518.74</u>

Signature {Councilor / Board Member} Theresa Leary