

# Guide to Immigration Streams

Alberta Construction Association - May 2012

## Temporary Streams

### Temporary Foreign Workers:

Temporary Foreign Workers may stay in Canada for a maximum of four years, after which they cannot work in Canada for an additional four years. Employers hiring TFWs must provide documentation during an Employer Compliance Review to demonstrate that all previous TFWs followed the conditions of the Labour Market Opinion (LMO) under which they were hired. If they are found to be not compliant, the employer may not hire TFWs for a period of two years. See the requirements [here](#).

#### Summary of the Process to Hire a Foreign Worker

1. Advertise to find Canadians
2. Employer identifies potential foreign worker
3. Foreign worker applies to Alberta Qualification Certification Program (**Compulsory Trades only**)
4. Employer applies for LMO approval from Service Canada
5. Submit foreign worker's AIT Qualification Certification Program approval to Service Canada (**Compulsory Trades only**)
6. Give LMO employment confirmation to foreign worker
7. Worker applies for a work permit and possibly temporary resident visa at the Canadian visa office that serves their home country
8. Worker arrives in Canada
9. Inform AIT of foreign worker's arrival and schedule exam(s) (**Compulsory Trades only**)
10. Worker completes AIT exam and receives Alberta Qualification Certificate (**Compulsory Trades only**)

#### LMO and Immigration Process

- The employer must first provide proof that advertisements did not provide sufficient domestic labour (criteria for advertising on HRSDC website [here](#))
- To hire a foreign worker, a LMO from Service Canada is usually necessary
  - Certain jobs are exempt from getting an LMO. ([see here for details](#))
  - Apply for an LMO by filling out [LMO Application EMP5517](#) and send it to the nearest [Service Canada Centre](#)
  - Service Canada will issue an employment confirmation and you will receive a response in writing which you should forward to the foreign worker along with a copy of a signed job offer and employment contract
- The worker then needs to apply for a work permit from Citizenship and Immigration Canada

- Depending on their country of citizenship, foreign workers may require a temporary resident visa (TRV) to enter Canada , which they will need to apply for at the [Visa Office](#) that serves their country
- The worker will need to apply for a work permit either at the port of entry (if the employment confirmation is issued by Service Canada before entry and they do not need a TRV) or at the [Visa Office](#) that serves their country
- The candidate must present the LMO and job offer letter to receive the work permit

### **Alberta's Trade Certification Process ([see Alberta Government Guide here](#))**

- It is only necessary to obtain an Alberta certification for compulsory trades. **TFW's working in optional trades do not need to be certified.**
- Before arrival, the worker must [apply to the Qualification Certification Program](#). AIT will call previous employers to confirm work experience. Up to date contact information of previous employers must be included and a \$450 fee paid.
  - See page 6 of the guide above for minimum work experience by trade
- Alberta Advanced Education will contact previous employers to verify work experience, then issue an acceptance letter. This will take approximately 10-14 days if the application is completed properly.
- The acceptance letter must be sent to Service Canada for the LMO process
- Once in Alberta, AIT must be provided with the candidate's Alberta address, and schedule a theory exam, and if the trade requires, a practical exam.
  - A list of trades that require practical exams and exam fees are on page 7 of the guide above.
  - If the trade does not require a practical exam, the employer must provide AIT with an Employer Declaration Letter indicating that the applicant has the knowledge and skills of a certified journeyman. A sample letter is on page 8 of the guide above.
- The worker has 180 days to take the trade exam(s), and a maximum of two attempts, passing grade is 70%
  - The worker may work during those 180 days under the supervision of a qualified journeyman
  - If the worker fails the first attempt, they will get an additional 180 days to prepare for the second attempt.

## **Youth Mobility Visa**

Youth mobility visas allow citizens of 31 countries to travel and work in Canada for one year (in some cases, the visa holder can apply for an additional year extension). Yearly applications are capped by country (e.g. 5250 from the UK). Applicants working in compulsory trades would have to be certified by AIT. No LMO is required under this stream. This stream is only useful for temporary work; applicants would need to return to their home country before they could transfer to any permanent stream.

### **Eligibility:**

- Age 18-30
- Applicant can demonstrate sufficient financial resources (C\$2,500)
- Applicant purchases medical insurance covering hospitalization and repatriation for the duration of their stay

## **Permanent Streams**

### **Federal Skilled Worker Program**

The Federal Skilled Worker Program is the main federal stream for permanent residency. The Federal Government has announced their intention to change the FSWP. These changes are not yet reflected in this guide.

- In order to be eligible for the Skilled Worker Program an applicant must either have an offer of arranged employment from a Canadian employer, or work experience in a list of approved occupations (see [here](#))
- Applicants must apply using the [Federal Skilled Worker Application Package](#), and submit it to the [Case Processing Centre](#)
- Applicants are then awarded points on six criteria: Education, English/French Ability, Work Experience, Age, Arranged Employment, and Adaptability.
- Arranged employment is important both for eligibility and for points. In order to provide an offer of arranged employment the employer has to get a Arranged Employment Opinion (AEO) from Human Resources and Skill Development Canada.
  - Apply using a [EMP5275 Application](#) and send it to the nearest [Service Canada Centre](#).
  - AEO's will only be granted for full-time, permanent work (i.e no seasonal lay-offs)
  - The employer must provide proof that the business has been in operation for at least a year, and has had at least one employee for a year
  - The employer must submit the wages to be paid, HRSDC will decide if this is [comparable to the wages Canadians are paid](#). If it decides the wages are too low the AEO will not be granted
  - AEO's will only be granted if all regulatory requirements for that profession are already fulfilled (i.e. Tradespeople will already need to be certified by AIT)

### **Canadian Experience Class**

The Canadian Experience class is intended to provide a permanent stream for Temporary Foreign Workers or students with work experience in Canada.

#### **Eligibility:**

- TFWs with at least 1 year work experience, or graduates of Canadian universities with at least 1 year experience

- Workers apply while working in Canada or within one year of leaving using the [Canadian Experience Class Application Package](#) and submit it to the [Case Processing Centre](#)
- Workers must include the results of an [independent language test](#) (from an agency designated by CIC) with the application

Applicants will be judged based on work experience and language ability (as well as education for graduates). Successful applicants under the CEC will be granted permanent residence status.

## Provincial Nominee Program

The Alberta Immigrant Nominee Program (AINP) is intended to provide a permanent stream for Temporary Foreign Workers or students with work experience in Alberta. There are two main streams in Alberta - Employer Driven and Strategic Recruitment. All trades are now under the Strategic Recruitment stream.

### Employer Driven

The AINP Employer-Driven Stream is for:

- Alberta Employers who want to retain a foreign worker on a permanent, full-time basis where there is a shortage of Albertans/Canadians to fill the position.
- Foreign workers with a permanent, full-time job offer from an Alberta Employer who want to live and work in Alberta permanently.

In this stream, the Alberta Employer must make a permanent, full-time job offer to a Candidate under one of three categories:

- Skilled Worker ([see here](#))
  - Job Description is classified as NOC 0, A, or B - [See Tutorial Here](#)
  - Job follows Alberta employment and wage standards
  - Show a valid LMO
  - Prove that no Canadians were available (only required if the worker is not already working in Alberta)
- International Graduate ([see here](#))
  - Job Description is classified as NOC 0, A, or B - [See Tutorial Here](#)
  - Job follows Alberta employment and wage standards
  - Candidate graduated from a Canadian university or college
  - Candidate has a valid Post-Graduation Work Permit, with six months experience working with an Alberta employer
- Semi-Skilled Worker (not applicable for construction)

### Strategic Recruitment

In this stream, workers with certain skills apply directly to AINP; employers are not directly involved. There are currently two categories:

- Compulsory and Optional Trades ([see here](#))
  - Applies to all supervisors, foremen, and tradespeople working in a compulsory or optional trade in Alberta
  - Applicant must have a Alberta Qualification Certificate in their trade
  - AIT will issue a letter inviting the applicant to apply to the AINP Strategic Recruitment Stream
  - Applicant must be residing in Alberta at the time of application and have a valid work permit from Citizenship and Immigration Canada (CIC) in the trade in which they are certified.
  - Applicant must be either currently working in the appropriate trade for an Alberta Employer **or** have previously worked in that trade with an Alberta Employer for a minimum of six months in the past two years.
  
- Engineering Occupations ([see here](#))
  - Applicant must demonstrate related education/training and experience as an engineer, designer or drafter.
  - Applicant must be currently working or have worked within the last two years in Alberta either directly or on contract for one of the following:
    - A recognized, reputable and well-established Alberta Engineering, Procurement, and Construction (EPC) Company; and/or
    - An Alberta company that is a member of the Consulting Engineers of Alberta.
  - The occupation in Alberta must be on the [AINP Strategic Recruitment Stream – Engineering Occupations List](#).
  - If you have engineering credentials **and** you are working in an occupation under NOC 2131, 2132, 2133, 2134, 2141, 2143, 2144, or 2145, you must provide a “Letter of No Objection” from the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA) **or** show that you are registered with APEGGA as a foreign licensee.
  - If you are working in an occupation under NOC 2231, 2232, 2241 or 2253 you **do not** require a “Letter of No Objection” from APEGGA.