



**Employment and  
Social Development Canada**

Access to Information and  
Privacy Operations Division  
140 Promenade du Portage  
Phase IV, Level 12, Mail stop 1203  
Gatineau, Quebec K1A 0J9

**Emploi et  
Développement social Canada**

Opérations de l'accès à l'information et de la  
protection des renseignements personnels  
140, promenade du Portage  
Phase IV, niveau 12, arrêt postal 1203  
Gatineau (Québec) K1A 0J9

*Your file - Votre référence*

**12 OCT. 2017**

*Our file - Notre référence*

**A-2017-00833 / EB**

Mr. Jacobus Kriek  
Matrixvisa Inc.  
260 - 22529 Lougheed Highway  
P.O. Box 1118  
Maple Ridge, British Columbia V2X 0T5

Dear Mr. Kriek:

This is in response to your request submitted under the *Access to Information Act* (the Act), received at Employment and Social Development Canada on September 8, 2017, and which reads as follows:

***"Please provide a copy of the most advertising directive or in-house advertising rules used by ESDC foreign worker section when assessing LMIA's as well as any directive or internal rules about the "job match function" that is now compulsory for all LMIA applications."***

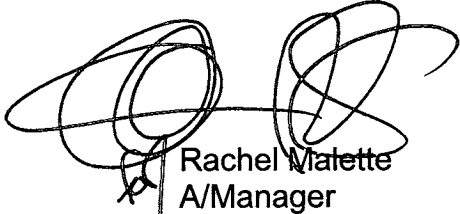
You will find attached the documents you have requested. You will note that some pages qualified for partial and total exemption pursuant to subsection 16(2) of the Act. A copy of the provision is enclosed.

You are entitled to complain to the Information Commissioner concerning the processing of your request within 60 days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to: Office of the Information Commissioner of Canada, 30 Victoria Street, 7<sup>th</sup> Floor, Gatineau, Quebec K1A 1H3.

.../2

This completes the processing of your request. Should you have any questions, do not hesitate to contact Eric Barber at 819-654-7010, or by email at [eric.barber@hrsdc-rhdcc.gc.ca](mailto:eric.barber@hrsdc-rhdcc.gc.ca).

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line extending to the right.

Rachel Malette  
A/Manager  
Access to Information and Privacy Operations

Encl.

## Temporary Foreign Worker Program

### Policy: Recruitment Efforts

#### Policy Statement

As one of the seven labour market factors considered by the Temporary Foreign Worker (TFW) Program's Labour Market Impact Assessment (LMIA), employers should demonstrate that they have made reasonable efforts to recruit and hire Canadians or permanent residents prior to seeking foreign nationals.

#### Scope

The policy applies to all streams of the TFW Program, subject to the exemption and exceptions below.

#### Exemptions

The Global Talent Stream Pilot is exempt from this policy.

There are exceptions to the recruitment and advertisement requirements for specific occupations and in particular provinces/territories. For a complete list of exceptions, refer to Annex A.

Employers hiring foreign workers in higher-skilled occupations in Quebec should consult the Facilitated Labour Market Impact Assessment Process for that province.

#### Authority (Acts, regulations and other legislation)

*Immigration and Refugee Protection Regulations (IRPR) 203(3),(e), and (g)*

203(3) An assessment provided by the Department of Employment and Social Development with respect to the matters referred to in paragraph 203(1)(b) shall, unless the employment of the foreign national is unlikely to have a positive or neutral effect on the labour market in Canada as a result of the application of subsection 203(1.01), be based on the following factors:

- (a) whether the employment of the foreign national will or is likely to result in direct job creation or job retention for Canadian citizens or permanent residents;
- (b) whether the employment of the foreign national will or is likely to result in the development or transfer of skills and knowledge for the benefit of Canadian citizens or permanent residents;
- (c) whether the employment of the foreign national is likely to fill a labour shortage;
- (d) whether the wages offered to the foreign national are consistent with the prevailing wage rate for the occupation and whether the working conditions meet generally accepted Canadian standards;
- (e) **whether the employer will hire or train Canadian citizens or permanent residents or has made, or has agreed to make, reasonable efforts to do so;**
- (f) whether the employment of the foreign national is likely to adversely affect the settlement of any labour dispute in progress or the employment of any person involved in the dispute; and
- (g) **whether the employer has fulfilled or has made reasonable efforts to fulfill any commitments made, in the context of any assessment that was previously provided under subsection (2), with respect to the matters referred to in paragraphs (a), (b) and (e).**

## Temporary Foreign Worker Program

### Policy

Recruitment is the process of finding and selecting qualified employees. Employers are required to conduct recruitment efforts to hire Canadians and permanent residents, before offering a job to a foreign national. The purpose of this policy is to identify the minimum effort that employers should be expected to make before seeking a foreign national by applying for a LMIA.

#### **Minimum Recruitment Requirement**

Employers should undertake at least three methods of recruitment, as follows:

##### **1) National Job Bank or equivalent**

Employers should advertise on the Government of Canada's Job Bank or its provincial counterpart in British Columbia, Saskatchewan, or Quebec.

##### **NOTE:**

As of August 28, 2017, all employers, irrespective of province, will be required to advertise on Job Bank.

The advertisement should be posted for a minimum of four consecutive weeks within the three month period prior to the employer applying for a LMIA. The four consecutive weeks should start from the first day the ad appears and is accessible to the general public.

Employers may choose not to use the Job Bank or its provincial counterparts if it is not considered an effective method of recruitment for the particular position being recruited; or it is not permitted as the position does not meet the Job Bank's terms of use policy and therefore cannot be posted (e.g. advertisements for fee for service physicians).

Employers who choose not to use Job Bank must submit a written rationale and explanation of the alternative method used along with their LMIA application.

##### **2) Job Match Service (requirement will come into force on August 28, 2017)**

Employers who advertise on Job Bank must make use of the Job Match Service prior to the submission of a LMIA application to ensure that they are making sufficient efforts to recruit Canadians and permanent residents.

Employers who use the Job Match Service are able to see anonymous profiles of registered job seekers which correspond to the skills and requirements outlined in their job posting. Each match outlines the ways in which job seekers correspond to the outlined requirements of the employer's advertised position and matches are rated on a star system (one to five stars).

Job seekers matched within the first 30 days of the position's advertisement (all will be Canadian citizens or permanent residents) must be invited to apply by the employer if:

- The employer is seeking to fill low-wage positions and the match candidates received a two or more star rating; or
- The employer is seeking to fill high-wage positions, and the match candidates received a four or five star rating.

## Temporary Foreign Worker Program

### 3) Additional methods of recruitment

Employers should use two or more additional methods of recruitment consistent with the normal practice for the occupation. The advertisements should be posted for a minimum of four consecutive weeks within the three month period prior to the employer applying for a LMIA. The four consecutive weeks should start from the first day the ad appears and is accessible to the general public.

Employers should demonstrate that their chosen methods of recruitment target an audience that has the appropriate education, professional experience and/or skill level required for the occupation.

#### NOTE:

As of August 28, 2017, employers from provinces with provincial job boards will be required to use Job Bank, but will be permitted to use a provincial job board as one of its additional methods of recruitment.

For the two or more additional methods of recruitment, there are specific requirements that vary by the type of position being sought:

#### High-wage Occupations

Employers seeking to fill high-wage positions should choose recruitment methods from the following:

- Print media (national or provincial/territorial newspapers, national journals, magazines with national coverage, specialized journals, professional associations magazines, newsletters, etc.);
- General employment websites (workopolis.com, monster.ca, etc.); and
- Specialized websites dedicated to specific occupation profiles (accounting, marketing, biotechnology, education, engineering, etc.).
- Participation at job fairs;
- Partnering with training institutions or offering internships;
- Use of professional recruitment agencies;
- Consultations with unions for available labour;
- Advertising through professional associations; or
- Recruitment within the company to consider internal candidates. For example, this could include a Human Resources Plan, which outlines:
  - the training opportunities for existing employees;
  - includes a list of competencies for employees;
  - workshops and/or programs for professional development and career management; or
  - specific programs to target specific employees for advancement.

As a minimum, employers should choose one method that is national in scope and easily accessed by residents of any province or territory in Canada, since people in higher-wage positions are often more mobile and willing to re-locate for work.

Employers are also encouraged to conduct ongoing recruitment efforts, including advertising the job and/or contacting underrepresented groups that face barriers to employment.

#### Low-wage Occupations (requirement will remain in force until August 27, 2017)

Employers seeking to fill low-wage positions should choose recruitment methods from the following:

- Print media (local newspapers, job boards, youth magazines etc.); and
- General employment websites (workopolis.com, monster.ca, etc.).

## Temporary Foreign Worker Program

Employers should target underrepresented groups that face barriers to employment. To do so, employers can try to recruit workers from local or provincial/territorial employment centres, and service centres for Indigenous peoples, youth, new immigrants, and persons with disabilities. Employers can also offer bursaries to attract students or youth, pursue online recruitment strategies, or undertake ongoing advertising and interviews in order to maintain a pre-screened applicant pool.

### Low-wage Occupations (requirement will come into force on August 28, 2017)

Employers seeking to fill low-wage positions should choose recruitment methods from the following:

- Print media (local newspapers, job boards, youth magazines etc.); and
- General employment websites (workopolis.com, monster.ca, etc.).

Employers should target underrepresented groups that face barriers to employment: Indigenous peoples, newcomers, vulnerable youth, and persons with disabilities. Employers should demonstrate that they have made reasonable efforts to recruit from at least two of these groups. To do so, employers can try to recruit workers from local or provincial/territorial employment centers, and service centers for Indigenous peoples, vulnerable youth, new immigrants, and persons with disabilities. Employers can also offer bursaries to attract students or youth, pursue online recruitment strategies (e.g. job boards targeting these groups), or undertake ongoing advertising and interviews in order to maintain a pre-screened applicant pool.

As a department, ESDC defines vulnerable youth as young people who face more barriers to employment, developing basic employability skills and gaining valuable job experience to assist them in making a successful transition into the labour market or to return to school. Barriers for youth include but are not limited to: challenges which are faced by recent immigration youth, youth with disabilities, lone parent youth, youth who have not completed high school, Indigenous youth, and youth living in rural or remote areas.

#### **4) Continuous efforts**

At least one recruitment effort should continue to actively seek qualified Canadians and permanent residents until the date a positive or negative LMIA is issued.

#### **5) Content of Job Advertisements**

Advertisements should ensure that a job seeker is aware of who the employer is, where they would be working, and key details of the job and working conditions that would encourage Canadians or permanent residents to apply.

The advertisement should include the:

- Company operating name
- Title of position
- Job duties (for each position, if advertising more than one vacancy)
- Terms of employment (e.g. project based, permanent position)
- Wage
  - a wage range can be used for the purposes of complying with the advertisement requirements; however, the minimum wage in the range must be the prevailing wage;
  - refer to the Wages, Working Conditions and Occupations tab to determine the established prevailing wage for the specific occupation and geographic area
- Benefits package being offered (if applicable)

## Temporary Foreign Worker Program

- Location of work (local area, city or town)
- Contact information: telephone number, cell phone number, email address, fax number, or mailing address; and
- Skills and credential requirements
- Education
- Work experience

### **Third Party Representatives or Recruiters**

Third-party representatives or recruiters can be the main contact for any job advertisements posted on behalf of the employer. However, the ad must be listed under the employer's Canada Revenue Agency Business Number. Under no circumstances can the employer recover the advertising or recruitment costs from the foreign national.

### **Additional Advertisement Efforts**

Employers may be required to conduct alternative or additional advertisement efforts, such as increased duration (length of time) or broader advertisement (whether local, regional or national). These additional efforts would be required if Employment and Social Development Canada (ESDC)/Service Canada determines that it would likely yield qualified Canadians or permanent residents who are available to work in the occupation and region.

### **Proof of Recruitment and Advertisement Activities**

Records of the employers' efforts should be kept for a minimum of six years.

Employers will also be asked to provide the results from the recruitment efforts they undertook to fill their job opening. This includes:

- The number of applications/resumes received from Canadians/permanent residents;
- The number of Canadian/permanent resident applicants interviewed;
- The number of Canadians/permanent residents offered the position;
- The number of Canadians/permanent residents hired;
- The number of job offers declined by Canadian/permanent resident applicants; and
- The number of Canadian/permanent resident applicants who were not qualified for the job. For each unsuitable Canadian/permanent resident applicant, the employer should provide an explanation as to why the candidate did not meet the requirements of the position.

## Exceptions to Minimum Recruitment Requirements

### **Academics (University Professors in Tenure Track or Non-Tenure Track Positions Submitting First Application for LMIA)**

**Description:** The position is for an academic and is not covered by any other applicable Labour Market Impact Assessment (LMIA) exemption (e.g. Canada Research Chair Positions, Visiting Professors, Post-Doctoral Fellows)

**Recruitment Requirement:** The employer must conduct recruitment efforts as per the policy described in Hiring Foreign Academics in Canada.

**Applicability:** All Provinces and Territories

### **Academics (University Professors in Tenure Track Positions Submitting Subsequent Applications for LMIAs Prior to the Completion of the Tenure Process)**

**Description:** The word "tenure" in the context of positions for university professors means permanency of appointment until voluntary resignation, retirement, death or dismissal for just and sufficient cause. Tenure can be granted to any of the three levels of professors: assistant professors, associate professors and full professors.

A tenure track can take between five and seven years to complete, based on the previous professional experience of the candidate. The period of time necessary to obtain the tenure is called the probationary appointment to tenure. Tenure track and promotion policies can normally be found in collective agreements and follow a specific but somewhat lengthy process. Once on a tenure track though the position is considered to be filled indeterminately or permanently, by the university in question. While the TFWP policy relating to minimum recruitment efforts apply when assessing the initial application for an LMIA, universities submitting subsequent (second or third) LMIA applications for a university professor with a tenure track position are exempted from doing recruitment efforts given the specific and unique character of their indeterminate employment situation.

**Variation:** Employers submitting subsequent (second or third) LMIA applications for a university professor in a tenure track position are exempted from recruitment efforts.

**Applicability:** All Provinces and Territories

### **Camp Counsellors**

**Description:** The position is for a camp counsellor who will be working in Ontario.

**Recruitment Requirement:** The employer must provide documentation (e.g. letters of offer) showing efforts to hire Canadian campers from the previous year and a commitment in writing. In addition, the employer should commit to pursue spring recruitment campaigns in high schools and post-secondary institutions.

**Applicability:** Ontario only



## Temporary Foreign Worker Program

### **Certificate of Selection from Quebec**

**Description:** Employers who intend to hire a foreign national who has been selected by Quebec as a first step to get permanent residency and who has received a Certificate of Selection in Quebec (CSQ).

**Recruitment Requirements:** Employers can be exempted from the recruitment and advertising requirement only if Service Canada determines, during the assessment of the LMIA application, that the National Occupational Classification (NOC) code used for the job offer and the description of the position is the same as the NOC code found on the CSQ.

Employers will be required to conduct all recruitment efforts, as per the minimum advertising requirements, if Service Canada determines that the NOC code listed on the CSQ is not the same as the one mentioned on the LMIA application.

**Applicability:** Quebec only

#### **NOTE:**

As of June 1, 2012, employers hiring a temporary foreign worker, who has a CSQ and who resides in the province of Quebec, may not require an LMIA. For more information on LMIA refer to **exemptions in Quebec**.

### **Collective Bargaining Agreement (CBA) that Stipulates Internal Recruitment**

**Description:** The position is part of a collective bargaining agreement that contains provisions for hiring/promoting through internal staffing processes. This pertains to cases where a temporary foreign worker started employment, as per the original approved LMIA and WP, however, through an internal hiring process – stipulated for a collective bargaining unit through a CBA – was promoted to a different occupation. In this case a new LMIA and WP would be required since the temporary foreign worker was hired in a different occupation.

**Recruitment Requirement:** In this case, internal posting for the position, as per the CBA, will suffice to satisfy minimum advertising requirements. Specifically, the employer must provide the internal posting of the opportunity for promotion. All members of the Collective Bargaining Unit must have had an opportunity to apply for the position.

It is important to note that an internal posting for a position can only be accepted as minimum advertising requirements for workplaces/positions that are covered by a CBA, which stipulates internal recruitment. This does not extend to promotions granted in other scenarios.

**Applicability:** All Provinces and Territories

### **Entertainment Sector**

**Description:** The position is for a specific occupation in the entertainment sector where a worker is often hired for a very limited number of days, in a specific location, and on very short notice.

**Recruitment Requirement:** For cases that do not fit the International Mobility Program entertainment LMIA exemptions, no advertising or recruitment is required.

**Applicability:** All Provinces and Territories

**Note:** For further information on the entertainment sector, please visit **Hiring Foreign Workers in Film and Entertainment Occupations**

## Temporary Foreign Worker Program

### **Employer Associations**

**Description:** An employer association can be authorized to advertise on behalf of one or more of its members.

**Recruitment Requirement:** An employer association advertising for positions on behalf of an employer, or a number of employers, must advertise according to the general advertising requirements for high wage positions and low wage positions as appropriate. In addition, the following documents must be submitted with the employer's LMIA application:

- a signed Appointment of Representative form, specifically authorizing the third-party representative to act on their behalf. Service Canada officers may, at their discretion, contact employers directly to confirm the authorization; and,
- a report on recruitment efforts, to demonstrate that the position was advertised, and include copies of the advertisements, the number of Canadian or permanent resident applicants, and why the applicants were not hired.

Employer associations, who are conducting advertising for more than one job for the same employer, or are advertising for multiple employers, must ensure that the advertisement includes the wage range for each job and location. The wage range must always include the prevailing wage for the position.

**Applicability:** All Provinces and Territories

### **Hiring by a Foreign Government**

**Description:** The position is with an international organization or the mission of a foreign government, but is not exempt under Section 186 (work permit not required) or Section 204 (business visitor under GATS or NAFTA) of the Immigration and Refugee Protection Regulations.

**Recruitment Requirement:** In such cases, the international organization or foreign government will have selected the foreign national according to its own process and in light of its own requirements. No advertising or recruitment is required.

**Applicability:** All Provinces and Territories

### **In-Home Caregivers**

**Description:** The employer is a private household or family and the position is to provide care, in a private residence, to children, seniors or persons with certified medical needs.

**Recruitment Requirement:** Employers should follow the same recruitment requirements set out for high-wage occupations or low-wage occupations, as applicable.

However, employers should know that:

- for privacy and personal security reasons, employers hiring in-home caregivers are not required to include in the job advertisement:
  - the business address (e.g. home address). However, these employers should include information regarding the location of work, such as the community, neighbourhood or major intersection, so that prospective job applicants can reasonably identify the approximate work location.
  - their full name, but rather can use their first name only or other reasonable identifier (e.g. Smith Family, Mrs. Smith, Lucie and Charles).

## Temporary Foreign Worker Program

- employers cannot under any circumstance require a caregiver to live in their home. If an employer wishes to identify the availability of optional live-in accommodation they are strongly encouraged to:
  - on Job Bank, select the following checklist option: "Optional accommodation available at no charge on a live-in basis. Note: This is not a condition of employment."; and
  - in their additional methods of recruitment and advertising, use the statement: "Optional accommodation available at no charge on a live-in basis. Note: This is not a condition of employment."

**Applicability:** All Provinces and Territories

### On-farm Primary Agriculture

**Description:** The position is related to on-farm primary agriculture, including the Seasonal Agricultural Worker Program (SAWP), Agricultural Stream, Stream for Low-wage Positions, and Stream for High-wage Positions. To determine whether the position is in on-farm primary agriculture, refer to the Primary Agriculture Policy.

**Recruitment Requirement:** Employers should advertise on Job Bank (or the provincial/territorial equivalent) and should choose at least one of the following additional methods of recruitment consistent with the normal practice for the occupation:

- recognized Internet employment sites such as Monster, Workopolis;
- local and regional newspapers, newsletters;
- ethnic newspapers and Internet sites;
- local stores, places of worship, community resource centres;
- local and regional employment centres.

Advertisements must be posted for a minimum of 14 calendar days during the three month period prior to the employer applying for a labour market impact assessment (LMIA).

For the SAWP and Agricultural Stream only:

- The employer is not required to ensure that at least one advertisement remains posted until the date a positive or negative LMIA is issued.
- The employer is not required to target underrepresented groups that face barriers to employment.
- The employer is not required to choose one method that is national in scope and easily accessed by residents of any province or territory in Canada.

**Applicability:** All Provinces and Territories

### Owners/Operators

**Description:** The owner/operator must demonstrate that he or she is integral to the day-to-day operation of the business and will be actively involved in business processes/service delivery in Canada. In such instances, greater consideration should be given to demonstration by the applicant (owner/operator) that such temporary entry will result in the creation or retention of employment opportunities for Canadians and permanent residents and/or skills transfer to Canadians and permanent residents.

**Recruitment Requirements:** No advertising or recruitment is required.

**Applicability:** All Provinces and Territories

## Temporary Foreign Worker Program

### **Religion Instructors**

**Description:** The position is for an instructor in a faith-based independent school (NOC 4217 - Other Religious Occupations). This variation only applies to situations where the provincial Ministry of Education delegates to the independent school the ability to establish the qualifications of their instructors based on religion.

**Recruitment Requirements:** Employers must advertise on the national Job Bank (or provincial equivalent), or conduct similar recruitment activities consistent with the occupation (e.g. advertising in church publications) three months prior to applying for an LMIA.

**Applicability:** All Provinces and Territories

### **Specialized Service Technicians/Specialized Service Providers**

**Description:** When the work requires a specialist having proprietary knowledge and/or experience related to the work to be performed - duration of the work is limited and there is no opportunity for Canadians to be trained.

Situations to which this variation could apply include (but are not limited to):

- (a) Service required for equipment manufactured outside of Canada and the original equipment manufacturer (OEM) does not have Canadian licensees that can do the work (equipment is generally no longer under warranty, or covered by an after sales agreement).
- (b) The work to be performed requires someone currently unavailable in Canada, with proprietary knowledge, experience and/or tools from the OEM (or an approved OEM licensee) to perform the work or to oversee and direct Canadians doing the work.
- (c) Service required for equipment that is so old (no longer in production) that customized parts have to be manufactured / or new parts reconfigured by an OEM approved technician / representative.

**Recruitment Requirements:** No advertising or recruitment is required.

**Applicability:** All Provinces and Territories

### **Warranty Work**

**Description:** When the work entails installation, inspection or repair of equipment, and the terms of the warranty require the work to be done by skilled workers designated by the manufacturer.

**Recruitment Requirements:** No advertising or recruitment is required.

**Applicability:** All Provinces and Territories

## **DIRECTIVE ON RECRUITMENT AND ADVERTISING REQUIREMENTS**

### **Effective Date**

August 28, 2017

### **1. Guidelines**

Recruitment and advertising requirements apply to all streams. Positions supporting Permanent Residence (PR) are subject to the Low-wage or High-wage Stream requirements, depending on the wage of the PR position.

The assessment of Labour Market Factor (e), *whether the employer will hire or train Canadian citizens or permanent residents or has made, or has agreed to make, reasonable efforts to do so*, is the assessment of one of the seven labour market factors. During assessment of Labour Market Factor (e) if an Officer notices discrepancies then the Officer should apply the standard of reasonableness in determining whether or not an employer has made reasonable and genuine efforts to hire or train Canadian citizens or permanent residents.

An Officer conducts an analysis of the LMIA application and the decision should reflect a reasonable and balanced approach ensuring that Officers do not base their entire assessment solely on the outcome of one of the seven labour market factors. Depending on the evidence submitted in the LMIA application, a positive overall assessment of the labour market may still be given with a negative assessment on Labour Market Factor (e). Alternatively, a negative overall assessment of the labour market may still be given with a positive assessment of Labour Market Factor (e).

### **2. Variations:**

Variations to Minimum Advertising Requirements exist for certain positions, please refer to Annex1.

### **3. Exemptions:**

Exemptions to Minimum Advertising Requirements exist for certain positions, please refer to Annex2.

#### 4. Recruitment requirements by Stream:

Requirement	Low-wage positions	High-wage positions	Primary Agriculture Sector Occupations <sub>1</sub>	
Sources	one advertisement on National Job Bank using Job Match. An alternative source may be used if the employer has provided an acceptable rationale detailing why the National Job Bank is not an appropriate source for the requested position.		one advertisement on National Job Bank or its provincial/territorial counterpart ( <a href="http://SaskJobs.ca">SaskJobs.ca</a> , <a href="http://WorkBC.ca">WorkBC.ca</a> and <a href="http://Emploi-Québec">Emploi-Québec</a> )	
	at least <b>two</b> additional <u>recruitment methods</u> that are <u>distinct types</u> and consistent with the occupation		one additional method of recruitment <u>consistent with the occupation</u>	
	at least two of the additional methods must target two different <u>"underrepresented groups"</u> .	of the two additional methods, one of them must be <u>"national in scope"</u>	<u>Low-wage<sub>2</sub></u> the additional method must target an <u>"underrepresented group"</u> .	<u>High-wage<sub>2</sub></u> the additional method must be <u>"national in scope"</u> .
Duration	all required <u>recruitment methods and sources</u> should have been advertised for a minimum of four consecutive weeks during the three months prior to the application's received date.		all required <u>recruitment methods and sources</u> should have been advertised for a minimum of fourteen consecutive calendar days during the three months prior to the application's received date.	
	of the three sources of recruitment, at minimum one must be ongoing until a decision is rendered (confirmed or refused).		ongoing recruitment is not a requirement for SAWP and Agricultural stream.	
Content	all job advertisements should include the following:  a. Company operating name b. Business address c. Title of position d. Job duties for each advertised position e. Term of employment (e.g. duration, part-time/full-time, etc.) f. Language of work g. <u>Wage</u> (a wage range can be used for the purposes of complying with the advertisement requirements; however, the minimum wage in the range must be the prevailing wage and the advertisement must include any incremental raises or performance pay or bonuses) h. Benefits package offered (if applicable) i. Location(s) of work (local area/physical address and city or town) j. Contact information: telephone number, cell phone number, email			

Requirement	Low-wage positions	High-wage positions	Primary Agriculture Sector Occupations <sup>1</sup>
	<p>address, fax number, or mailing address; and</p> <p>k. Skills requirement (includes education and work experience)</p> <p><b>For In-Home caregivers</b> employers do not need to list the business address (e.g. home address). However, these employers should include information regarding the location of work. Employers may not list their full name, but rather can use their first name only or other reasonable identifier.</p>		

<sup>1</sup> Primary Agriculture Sector Occupations includes the Seasonal Agricultural Worker Program, the Agricultural Stream, Stream for High-wage positions and Stream for Low-wage positions

<sup>2</sup> Under Primary Agriculture Sector, Low-wage and High-wage recruitment requirements are for both:

- positions as it relates to Express entries; and,
- low-wage and high-wage stream applications.

## 5. Procedure:

5.1 To determine the completeness of the application (handled during Triage).

If the application	Then
<p>is missing one or more recruitment source</p> <p>- and-</p> <p>the employer indicated on the application form that he/she did not attempt to recruit Canadians/ Permanent residents for the position,</p>	<p>consult the <u>Notice - Waiving an employer from meeting the TFWP's minimum advertising requirements</u> to determine if they meet any of the criteria to waive minimum recruitment.</p> <p><b>If yes</b>, proceed to step 5.6 to document the reason.</p> <p><b>If no</b>, determine if a variation (<u>Annex A</u>) or an exemption (<u>Annex B</u>) applies or determine if the employer indicated on the application form that he/she did not attempt</p> <p><b><i>if the variation or exemption applies and/or the Employer has provided a rationale</i></b>, proceed with assessment.</p> <p><b><i>if the variation or exemption does not apply and no rationale was provided</i></b>, the application is deemed incomplete (refer to the <u>Incomplete Application Directive</u>)</p>

**5.2 Determine if the employer meets the requirements for each source:**

**5.2.1. Determine if the employer meets the Job Bank requirements.**

<b>If the application</b>	<b>Then</b>
includes a National Job Bank advertisement  -or-  for Primary Agriculture sector applications, a National Job Bank advertisement or a provincial/territorial job board	proceed with assessment
is missing a National Job Bank advertisement but has a rationale  -or-  for Primary Agriculture sector applications, is missing a National Job Bank or provincial/territorial job board advertisement but has a rationale	review the rationale (including any <u>waiving</u> , <u>variation</u> or <u>exemption</u> explanation) and assess if the rationale is reasonable.  If the rationale is reasonable, proceed with assessment.  If the rationale is not reasonable, the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u> .

**5.2.2 Determine if the employer meets the Job Match requirements (excl. Primary Agriculture Positions). For information on how to use Job Match refer to the Job Match Training.**

<b>If the application</b>	<b>Then</b>
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If the application	Then
<p>is for a low-wage or high-wage position, and the employer did not use Job Match</p>	<p>contact the employer to obtain a rationale as to why the Job Match service was not used.</p> <p>If the employer indicates that he was not aware of this new requirement, educate the employer on the Job Match service requirement and advise that a one-time exception will be granted. This one-time exception will be available until December 31, 2017. Inform the employer that the use of Job Match will be required on any future LMIA application.</p> <p>If the rationale is reasonable, notate the conversation in an Employer note and proceed with assessment.</p> <p>If the rationale is not reasonable, the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p> <p><b>Note:</b> For situations where the employer has submitted multiple applications at different times, the officer must assess whether the employer was educated on their requirement and then determine if they would have had sufficient time to implement the changes prior to submitting supplementary applications. If they did have sufficient time to implement, then the rationale is no longer reasonable.</p>
<p>is for a low-wage position, and according to the Job Match Activity report, the number of invitations to apply sent by the employer is equal to or exceeds the number of matched profiles rated two stars or more during the first 30 days using Job Match</p> <p>- or -</p> <p>is for a high-wage position, and according to the Job Match Activity report, the number of invitations to</p>	<p>proceed with assessment.</p>

If the application	Then
<p>apply sent by the employer is equal to or exceeds the number of matched profiles rated four stars or more during the first 30 days using Job Match</p>	
<p>is for a low-wage position, and according to the Job Match Activity report, the number of invitations to apply sent by the employer does not equal or exceed the number of matched profiles rated <b>two</b> stars or more during the first 30 days using Job Match</p> <p>- or -</p> <p>is for a high-wage position, and according to the Job Match Activity report, the number of invitations to apply sent by the employer does not equal or exceed the number of matched profiles rated <b>four</b> stars or more during the first 30 days using Job Match</p>	<p>the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p>

**5.2.3 Determine if the employer meets the additional methods of recruitment requirements:**

If the application	Then
<p>is for a low-wage position, and the additional methods of recruitment:</p> <ul style="list-style-type: none"> <li>* target <b>two</b> different underrepresented groups;</li> <li>* are distinct types; and,</li> <li>* are consistent with the occupation</li> </ul>	<p>proceed with the assessment.</p>
<p>is for a low-wage position, and the additional methods of recruitment:</p>	<p>the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p>

<ul style="list-style-type: none"> <li>* did not target two different underrepresented groups;</li> <li>* are not distinct types; or,</li> <li>* are not consistent with the occupation</li> </ul>	
is for a high-wage position, and the additional methods of recruitment are consistent with the occupation and at least one of the additional methods of recruitment is national in scope	proceed with the assessment.
is for a high-wage position, and the additional methods of recruitment are not consistent with the occupation, or at least one of the additional methods is not national in scope	the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5</u> .

**5.3 Determine if the employer meets the requirements for recruitment duration.**

<b>If the application is</b>	<b>Then</b>
<p>for high/low-wage and the <u>required recruitment methods and sources</u> were advertised for a minimum of four consecutive weeks during the three months prior to the application received date</p> <p style="text-align: center;">- or -</p> <p>for Primary Agriculture Positions and the <u>required recruitment methods and sources</u> advertised for a minimum of 14 calendar days during the three months prior to the application received date</p>	proceed with assessment.

If the application is	Then
<p>for high/low-wage and the <u>required recruitment methods and sources</u> have not been advertised for a minimum of <b>four</b> consecutive weeks during the three months prior to the application received date</p> <p>- or -</p> <p>for Primary Agriculture Positions and the <u>required recruitment methods and sources</u> have not been advertised for a minimum of <b>14</b> calendar days during the three months prior to the application received date</p>	<p>review the duration discrepancy with the employer and assess if the employer's rationale is reasonable.</p> <p><b>if the rationale is reasonable</b>, continue with assessing the recruitment requirements.</p> <p><b>if the rationale is not reasonable</b>, this advertisement does not meet the recruitment requirements; proceed with assessing other advertisements provided.</p>
<p>for high or low-wage, and the ongoing recruitment effort was continued until the decision is rendered</p>	<p>proceed with assessment.</p>
<p>For high or low-wage, and the ongoing recruitment effort was not continued until the decision is rendered</p>	<p>the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p>
<p>for any application type, and the employer submits recruitment which falls outside of the three months prior to the application's received date</p>	<p>review if this is consistent for the industry and supported by evidence of reasonable and appropriate efforts (e.g. ski/snowboard instructors, CEO applications, etc.).</p> <p><b>If consistent</b>, proceed with assessment.</p> <p><b>If not consistent</b>, the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p>

#### 5.4. Determine if the employer meets the requirements for advertisement content

The objective is to ensure that the content provided in the advertisement is in line with the position being sought through TFWP to ensure that the labour market was properly tested.

If	Then
the advertisements contain the required content and the application is consistent with the content of the ongoing advertisement	proceed with assessment.
any of the following are missing from any of the required advertisements: - company operating name - business address - title of position - job duties - terms of employment - language of work - wage information - benefits - location of work (local area/physical address, and city or town) - contact information - skills requirement (includes education and work experience)	review the content discrepancy with the employer and assess if the employer's rationale is reasonable.  E.g. Does the missing element(s) make the advertisement not clear or misleading to potential applicants? Would inclusion of the missing element likely attract other potential applicants?  <b>if the rationale is reasonable</b> , continue with assessing the recruitment requirements.  <b>if the rationale is not reasonable</b> , this advertisement does not meet the recruitment requirements; proceed with assessing other advertisements provided.
the content of any of the required advertisements received with the original application or during discussions with the employer are significantly different from the content of the ongoing advertisement	review the content discrepancy with the employer and assess if the employer's rationale is reasonable.  <b>if the rationale is reasonable</b> , continue with assessing the recruitment requirements.  <b>if the rationale is not reasonable</b> , this advertisement does not meet the recruitment requirements; proceed with assessing other advertisements provided.
the employer participated in alternate methods of recruitment (e.g. job fair) but did not provide details of the method (e.g. date)	this source does not meet the recruitment requirement; proceed with assessing other advertisements provided.  If no other alternate methods were provided,

If	Then
and is unable to demonstrate that the method was targeting an audience that is <u>consistent with the occupation</u>	the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u> .
the employer has an advertisement in a language other than French or English	<p>this advertisement should not be considered to have met the recruitment requirements, proceed with assessing other advertisements provided.</p> <p>If no other alternate methods were provided, the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians. Proceed to <u>step 5.5</u>.</p>

## 5.5 Determine the outcome of the assessment

Based on all of the recruitment evidence provided and assessed, determine if the employer has made a reasonable effort to hire Canadians/Permanent residents for the position(s) and if the hiring of a foreign national(s) for this position would have a positive, neutral or negative impact on the labour market (LMF (e)). Things to consider in your assessment include:

- Has the employer made reasonable efforts to hire Canadians/Permanent residents?
- Did they provide the required recruitment evidence and if not, provide a relevant rationale for the stream being applied under?
- Did they satisfy all of the requirements for each source (e.g. duration)? If not, did they provide a rationale to substantiate their decision?
  - If yes, the employer has filled the requirement of Labour Market Factor (e) – Reasonable Efforts to Hire Canadians.
  - If no, the employer has failed to meet Labour Market Factor (e) – Reasonable Efforts to Hire Canadians.

## 5.6. Documenting the employer's recruitment efforts in FWS

During assessment, any conversation(s) with the employer or third party which relates to recruitment must be documented in the LMIA notes or the appropriate section of the FWS page for Recruitment Details. **Note:** Do not use acronyms.

### 5.6.1 Recruitment Details

Go to the "Recruitment Details" screen in FWS and fill out the following information:

Has the employer attempted to recruit Canadians / permanent residents for this job?

If **no**, enter the justification provided by the employer (e.g. a variation exempted the employer from having to recruit).

If **yes**, enter the following details for all advertisement copies and recruitment efforts used to assess the LMIA:

- the advertisement source details (website, newspaper, job fair etc.)
- the advertisement name or ID number (if applicable)
- dates advertised (or start (from) date + end (to) date/printed date ("ongoing" if applicable)
- if for Job Bank:
  - o the Job match requirement details:
    - Met/or not met
    - Number of matches via Job Match
    - Number of applicants invited to apply for the position through Job Match
- Employer's overall recruitment efforts:
  - o Number of applications/resumes received from Canadians/permanent residents
  - o Number of Canadian/permanent resident applicants called or interviewed
  - o Number of Canadians/permanent residents offered the position
  - o Number of Canadians/permanent residents hired
  - o Number of Canadian/permanent resident applicants who applied but were not interviewed or offered the position. For each unsuitable Canadian/permanent resident applicant, enter or upload into FWS the employer's rationale as to why each candidate did not meet the requirements of the position. Do not write the names of the candidates into FWS. Redact the names before uploading documents and use terms such as applicant #1 or candidate A.
  - o Number of job offers declined by Canadian/permanent resident applicants
- stream-specific requirements such as "national in scope" or "targets X underrepresented group" (upload a screen shot of the Job match Activity Report to support the findings)

Example:

Sample note for a Low-wage position	Sample note for a High-wage position
<p>1) National Job Bank: Job ID #. Posted from Oct 20, 2015 to Jan 23, 2016. Ongoing Job Match requirements:</p> <ul style="list-style-type: none"> <li>▪ Met</li> <li>▪ Number of Matches: 10</li> <li>▪ Number of applicants invited to apply for the position through Job Match: 10</li> </ul> <p>2) Community Centre Job Board Posted from Oct 20, 2015 to Jan 23, 2016 Targets vulnerable youth underrepresented group</p> <p>3) aboriginalcareers.ca Posted from Oct 20, 2015 to Jan 23, 2016 Targets Indigenous persons underrepresented group</p>	<p>1) National Job Bank: Job ID #. Posted from Oct 20, 2015 to Jan 23, 2016. Job Match requirements:</p> <ul style="list-style-type: none"> <li>▪ Not met</li> <li>▪ Number of Matches: 5</li> <li>▪ Number of applicants invited to apply for the position through Job Match: 0</li> <li>▪ Rationale: Did not know about Job Match requirement</li> </ul> <p>2) Professional Designation Sites like <a href="http://www.cpasource.com">www.cpasource.com</a> Posted from Oct 20, 2015 to Jan 23, 2016 Ongoing</p> <p>3) Workopolis Posted from Oct 20, 2015 to Jan 23, 2016 National in scope.</p>
<p><b>Overall Recruitment Efforts (incl. Job Bank):</b></p> <ul style="list-style-type: none"> <li>▪ Number of applications/resumes received from Canadians/permanent residents: 8</li> <li>▪ Number of Canadian/permanent resident applicants called or interviewed: 5</li> <li>▪ Number of Canadians/permanent residents offered the position: 2</li> <li>▪ Number of Canadians/permanent residents hired: 1</li> <li>▪ Number of Canadian/permanent resident applicants who applied but were not interviewed or offered the position: 3               <ul style="list-style-type: none"> <li>• Applicant 1: Did not show for interview.</li> <li>• Applicant 2: Applicant references were not positive.</li> <li>• Applicant 3: Was fired from previous job for stealing.</li> </ul> </li> <li>▪ Number of job offers declined by</li> </ul>	<p><b>Overall Recruitment Efforts (incl. Job Bank):</b></p> <ul style="list-style-type: none"> <li>▪ Number of applicants invited to apply for the position through Job Match: 10</li> <li>▪ Number of applications/resumes received from Canadians/permanent residents: 10</li> <li>▪ Number of Canadian/permanent resident applicants called or interviewed: 8</li> <li>▪ Number of Canadians/permanent residents offered the position: 1</li> <li>▪ Number of Canadians/permanent residents hired: 0</li> <li>▪ Number of Canadian/permanent resident applicants who applied but were not interviewed or offered the position: 2               <ul style="list-style-type: none"> <li>• Applicant 1: Personality clashes.</li> <li>• Applicant 2: Applicant lied about meeting the education requirements.</li> </ul> </li> <li>▪ Number of job offers declined by Canadian/permanent resident applicants:</li> </ul>



Canadian/permanent resident applicants: 1	0
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## 6. Definitions

**Recruitment:** Recruitment is the process of finding and selecting qualified employees.

**Types of recruitment methods:** Officers must use judgement when assessing if the following methods satisfy the conditions for recruitment and must document in FWS the reasoning for their determination.

Method	Exceptions/Considerations	Examples of Source/Evidence
General employment websites	N/A	Monster, Workopolis, LinkedIn, etc.  Copy of the ads with dates
Provincial or territorial job board	Can be used as an additional method of recruitment	SaskJobs.ca, WorkBC.ca, Emploi-Québec  Copy of the ads with dates
Online classifieds	N/A	Kijiji, Craigslist, etc.  Copy of the ads with dates
Specialized websites which are dedicated to specific occupation profiles/ advertising through professional associations	N/A	Accounting, marketing, biotechnology, education, engineering, etc.  Copies of the ads including dates
Local, regional and national newspapers or newsletters	N/A	Napanee Beaver, Globe and Mail, etc.  Copies of the ads including dates
Local stores, places of worship, band offices and community resource centres	Could possibly be used for underrepresented group recruitment depending on the venue	Community centre on a reserve  Copy of ads including dates
Local, regional and P/T employment centres	Likely not sufficient to meet the underrepresented groups requirement as not focused specifically on a particular group	Evidence that may be provided but not limited to: • Copy of the ad with date range posted

	Exception: regional employment centres may be acceptable in such places where a specific targeted source does not exist e.g. a service that is accessible/accommodation for persons with disabilities	
Magazines and journals	N/A	National journals or magazines, specialized journals, professional associations' magazines
Participation at job fairs, university recruitment venues, etc.	Will not meet the duration but still acceptable as an additional method	Confirmation from the venue of the event
Partnering with training institutions or offering paid internships	Will likely not meet the duration but still acceptable as an additional method	Contracts, emails confirming the agreement, posters, etc.
Use of professional recruitment agencies for hiring Canadians/Permanent Residents where consistent with the occupation being filled (other than regular job postings)	Will likely not meet the duration but may still be acceptable as an additional method  Recruiters in some provinces must be licenced (e.g. AFTA, etc.)	Various – Further analysis is required on this. In the interim, should this form of recruitment be submitted, please send to POB for analysis.
Consultations with unions for available labour	N/A	Emails, posters on union sites,
Recruitment within the company	N/A	Internal posters, emails to all staff (or all eligible staff)

**National in scope:** the method of recruitment should have the capacity to post and search advertisements for work locations across Canada, as opposed to referring to individual, regional sub-sites.

**Underrepresented Groups:** are defined as groups that face barriers to employment and are: Indigenous persons, vulnerable youth<sup>1</sup>, new immigrants and persons with disabilities.

<sup>1</sup> ESDC defines vulnerable youth as young people who face more barriers to employment, developing basic employability skills and gaining valuable job experience to assist them in making a successful transition into the labour market or to return to school. Barriers for youth include but are not limited to: challenges which are faced by recent immigration youth, youth with disabilities, lone parent youth, youth who have not completed high school, Indigenous youth, and youth living in rural or remote areas.

Activities to target these groups will be held to the same standards as regular recruitment and advertising activities (quality of the content and timeframe) and can include:

- connecting with local or provincial/territorial centres, organizations, support groups for vulnerable youth, Indigenous persons, new immigrants or persons with disabilities
  - advertising job vacancies on their public job boards (whether online or in the centres)
  - participating in information sessions on employment opportunities
  - offering bursaries or apprenticeship opportunities to vulnerable youth
  - advertising on a website designated to help underrepresented groups to find employment
  - in the majority of situations, listing underrepresented groups as eligible candidates on a job posting that is available to all applicant types does not meet the program criteria for targeting underrepresented groups.

**Ongoing recruitment:** at least one recruitment effort should continue to actively seek qualified Canadians and permanent residents until the date a positive or negative LMIA is issued. In some situations, gaps of a few days may be acceptable (e.g. 2-3 day delay in Job Bank renewal approval).

**Acceptable alternative:** is an effective method of recruitment for the particular position being recruited. If an employer is looking to hire a physician then National Job Bank may not be the most effective method of recruitment but Canadian association of physician assistants is an acceptable alternate.

**Consistent with the occupation:** targets an audience that has the appropriate education, professional experience and/or skill level required for the occupation. For example if an employer is looking to hire a miner it is reasonable for the employer to advertise on a mining related website (<http://www.infomine.com/>), however if the employer advertises on aviation job search (<http://www.aviationjobsearch.com/pilot>) as one of the two recruitment methods then that is not consistent.

**Distinct types:** if employers choose two online methods to meet the “additional methods of recruitment” requirement, they must each have unique value and reach different audiences or be high-value recruitment methods (sites designed solely for recruitment). Where employers advertise on multiple websites of the same type or not designed for recruitment, the combined advertisements should be considered only as one additional method of recruitment. Example: jobs advertised on both Kijiji and Craigslist.

SaskJobs.ca, WorkBC.ca and Emploi-Québec can be used as one of the additional methods of recruitment.

**Unfamiliar sources:** determine the source's legitimacy and effectiveness based on how many of the following statements are true:

- the source's purpose, target audience and history is clear and concise (see the "About" section on most website);
- the source's contact information, and that of other job postings can be validated through online searches and other means;
- the source is tailored to Canadian citizens and permanent residents;
- the source does not require registration or fees to search for jobs or submit job applications;
- the source contains numerous job postings which are recent and represent multiple employers that are known or can be identified through online searches and other means; and/or,
- the Website functions properly without any broken links or errors and is easy to navigate.

The employer's use of the source can be considered as part of their recruitment efforts only if the source is determined to be legitimate.

## 7. Annexes

### 7.1 Annex A Variations

**Variations replace the regular program requirements.**

Where not indicated otherwise in the below variations, the advertisements must meet all other recruitment requirements (e.g. duration, content, etc.).

Academics (University Professors in Tenure Track or Non-Tenure Track Positions Submitting First Application for LMIA)	<p><b>Variation:</b> The employer must conduct recruitment efforts as per the policy described in Hiring Foreign Academics in Canada.</p> <p><b>Recruitment and Advertising variation for Academics:</b></p> <ul style="list-style-type: none"> <li>•Advertise vacant positions in Canada;</li> <li>•Make sure any vacant position</li> </ul>	<p><b>Applicability:</b> all provinces and territories</p>
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	<p>advertised abroad is also advertised simultaneously in Canada;</p> <ul style="list-style-type: none"> <li>•Advertise for a reasonable length of time (about a month) to allow broad exposure of the vacancy to Canadians and permanent residents;</li> <li>•Demonstrate that the advertising medium used - web, print or electronic - is effective in attracting appropriate candidates for the position;</li> <li>•Include in the advertisement this statement: "All qualified candidates are encouraged to apply; however Canadians and permanent residents will be given priority;"</li> <li>•Meet all conditions of applicable collective agreements;</li> </ul>	
Camp Counsellors	<p><b>Variation:</b> The employer must provide documentation (e.g., letters of offer) showing efforts to hire Canadian campers from the previous year and a commitment in writing. In addition, the employer should commit to pursue spring recruitment campaigns in high schools and post-secondary institutions.</p>	<p><b>Applicability:</b> Ontario only</p>
Collective bargaining agreement (CBA) that stipulates internal recruitment	<p><b>Variation:</b> in this case collective bargaining agreement (CBA) variation, an internal posting for a position can be interpreted as meeting the minimum advertising requirements for workplaces/positions that are covered by a CBA that stipulates internal recruitment.</p> <p>It's important to note that, as indicated in the description, this variation only applies to cases where a temporary foreign worker has already started employment, as specified on the LMIA and work permit, but is being considered for a promotion to a different occupation (thus requiring a new LMIA) following the stipulated internal advertisement.</p>	<p><b>Applicability:</b> All Provinces and Territories</p>

	<p>Such an internal posting would not necessarily limit exposure to the broader Canadian labour market in this case, since other workers covered by the CBA (e.g. those who are junior to a position being advertised) would also have access to the opportunity via the internal advertisement.</p>	
Foreign Commercial Airline Pilots	<p><b>Variation:</b> seasonal variations in fleet capacity should not stop airlines from training pilots for specific aircraft.</p> <ul style="list-style-type: none"> <li>• meet the minimum advertising requirements for high-wage occupations; and</li> <li>• specify the following criteria in their job postings:               <ul style="list-style-type: none"> <li>◦ no more than a maximum of 4,000 flight hours for a First Officer and 5,000 hours for a Captain as required experience;</li> <li>◦ possess a valid commercial pilots' license;</li> <li>◦ require English and/or French language proficiency;</li> <li>◦ include industry standard medical testing requirements for commercial flight;</li> <li>◦ state both the legal and common names of the airline operating in Canada.</li> </ul> </li> </ul>	<b>Applicability:</b> All Provinces and Territories
Employer Associations	<p><b>Variation:</b> An employer association advertising for positions on behalf of an employer, or a number of employers, must advertise according to the general advertising requirements for high-wage and low-wage occupations.</p> <p>In addition, the following documents must be submitted with the employer's LMIA application:</p>	<b>Applicability:</b> All Provinces and Territories

	<ul style="list-style-type: none"> <li>• a signed Appointment of Representative form;</li> <li>• a report on recruitment efforts, to demonstrate that the position was advertised, and include copies of the advertisements, the number of Canadian or permanent resident applicants, and why the applicants were not hired.</li> </ul> <p>Employer associations, who are conducting advertising for more than one job for the same employer, or are advertising for multiple employers, must ensure that the advertisement includes the wage range for each job and location. The wage range must always include the prevailing wage for the position.</p>	
In-Home Caregivers	<p><b>Recruitment Requirement:</b> Employers should follow the same recruitment requirements set out for high-wage occupations or low-wage occupations, as applicable.</p> <p>However, employers do not need to list the business address (e.g. home address). However, these employers should include information regarding the location of work. Employers may not list their full name, but rather can use their first name only or other reasonable identifier.</p>	<p><b>Applicability:</b> All Provinces and Territories</p>

Primary Agriculture	<p><b>Variation:</b> For all primary agriculture positions:</p> <ul style="list-style-type: none"> <li>• Employers should advertise on Job Bank (or the provincial/territorial equivalent) and should choose at least one of the additional methods of recruitment consistent with the normal practice for the occupation</li> <li>• Advertisements must be posted for a minimum of 14 calendar days during the three month period prior to the employer applying for a labour market impact assessment (LMIA)</li> </ul> <p>For primary agriculture positions under High-wage and Low-wage Stream:</p> <ul style="list-style-type: none"> <li>• The additional method of recruitment for low-wage positions/stream must also target underrepresented groups. The additional method of recruitment for high-wage positions/stream must also be national in scope</li> <li>• One of the sources of recruitment must be ongoing until a decision is rendered (confirmed or refused)</li> </ul>	<b>Applicability:</b> All Provinces and Territories
Religious Instructors	<p><b>Variation:</b> The minimum recruitment requirement for NOC 4217 – Other Religious Occupations is that employers must advertise on the national Job Bank, or conduct similar recruitment activities consistent with the occupation (e.g. advertising in church publications) for three months prior to applying for an LMIA. Additional advertising, although encouraged, is not required.</p>	<b>Applicability:</b> All Provinces and Territories

## 7.2 Annex B Exemptions

Global Talent Stream	<b>Exemption:</b> Employers will be asked to describe their ongoing recruitment efforts, including advertising the job and contacting	<b>Applicability:</b> all Provinces and Territories
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	underrepresented groups that face barriers to employment, as part of their GT stream application.	
Academics (University Professors in Tenure Track Positions Submitting Subsequent Applications for LMIA's Prior to the Completion of the Tenure Process)	<b>Exemption:</b> Employers submitting subsequent (second or third) LMIA applications for a university professor in a tenure track position are exempted from recruitment efforts.	<b>Applicability:</b> all Provinces and Territories
Certificate of Selection from Quebec (Quebec only)	<b>Exemption:</b> Employers who intend to hire a foreign national, who has received a Certificate of Selection in Quebec (CSQ) as a first step to get permanent residency, could be exempted from providing proof of recruitment if Service Canada determines that the National Occupational Classification (NOC) code and description used for the job offer is the same as the NOC code found on the CSQ. If the position offered does not correspond, the employers will be required to conduct all recruitment efforts to fulfill the minimum recruitment requirements.	<b>Applicability:</b> Quebec only  <b>Note:</b> Employers hiring a temporary foreign worker, who has a CSQ and who resides in the province of Quebec, may not require an LMIA (See <u>LMIA exemptions in Quebec</u> for further information.)
Entertainment Sector	<b>Exemption:</b> For cases that do not fit the International Mobility Program entertainment LMIA exemptions, no advertising or recruitment is required.	<b>Applicability:</b> All Provinces and Territories
Hiring by a foreign government (all provinces)	<b>Exemption:</b> In such cases, the international organization or foreign government will have selected the foreign national according to its own process and in light of its own requirements. No advertising or recruitment is required. Walmart would be considered a multinational organization or company, as opposed to an international organization. Examples of international organizations include the United Nations, the World Trade Organization, and the North Atlantic Treaty Organization. Please refer to the following	<b>Applicability:</b> All Provinces and Territories

	link for more information on international organizations: <a href="https://stats.oecd.org/glossary/detail.asp?ID=1434">https://stats.oecd.org/glossary/detail.asp?ID=1434</a> .	
Owners/ Operators	<b>Exemption:</b> No advertising or recruitment is required.	<b>Applicability:</b> All Provinces and Territories
Professions admissibles au traitement simplifié	<b>Exemption :</b> to follow	<b>Applicability:</b> Québec
Specialized Service Technicians/Spec ialized Service Providers	<p><b>Exemption:</b> The intent of this variation is to cover situations that require the expertise of specialized workers for the repair / maintenance of equipment. The variation should only apply to positions intended to service equipment and should not be expanded to other types of work (e.g. would not cover someone who operates equipment/machinery).</p> <p>It should be noted that IRCC has an existing LMIA exemption for repair personnel for out-of-warranty equipment, which may make this variation redundant. Information on this exemption can be found here: <a href="http://www.cic.gc.ca/english/resources/tools/temp/work/opinion/repairs.asp">http://www.cic.gc.ca/english/resources/tools/temp/work/opinion/repairs.asp</a></p> <p>No advertising or recruitment is required.</p>	<b>Applicability:</b> All Provinces
Warranty Work	<p><b>Exemption:</b> The warranty work variation is different from the specialized service variation because it is specifically related to situations where the position is for work, which under the authority of a warranty, must be done by skilled workers designated by the manufacturer. The specialized service variation has no such requirement.</p> <p>No advertising or recruitment is required.</p>	<b>Applicability:</b> All Provinces

2017

## Job Match Training for TFWP

At the end of this training, you will be able to:

- Understand the Job Match function
- Understand how to access and navigate the internal Job Bank website
- Understand how this new functionality impacts your day to day work

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## 1.0 What is Job Match?

Job Match is a Job Bank function that allows employers and job seekers to be matched based on their respective needs and profiles. This allows employers to be matched with qualified candidates through the Job Bank website, giving them easy access to a pool of potential candidates suited to the position they are advertising for. When employers see a matched job seeker profile that fits the position, they can invite them to apply through the system.

## 2.0 What it means for you?

Job Match will allow you to:

- Access the Job Bank Internal Module and search specific Job Id's;
- Verify that an employer has attempted to recruit Canadians / permanent residents by verifying that they have viewed and invited strong matches to apply to the position; and
- Assess and verify advertisement and recruitment details through the Job Match function.

For more information on TFWP Recruitment and Advertising, please refer to the [Directive on Recruitment and Advertising Requirements](#).

## 3.0 How to access Job Match?

- In order to access Job Match, you must:
  - Sign in to the [Job Bank Internal Module](#);
  - Enter your sign in information; and
  - Click the Sign-in button.
- Once you have signed in, you will be greeted by the "Dashboard – Summary" page;
- Refer to "[Figure 1](#)" for further clarification.

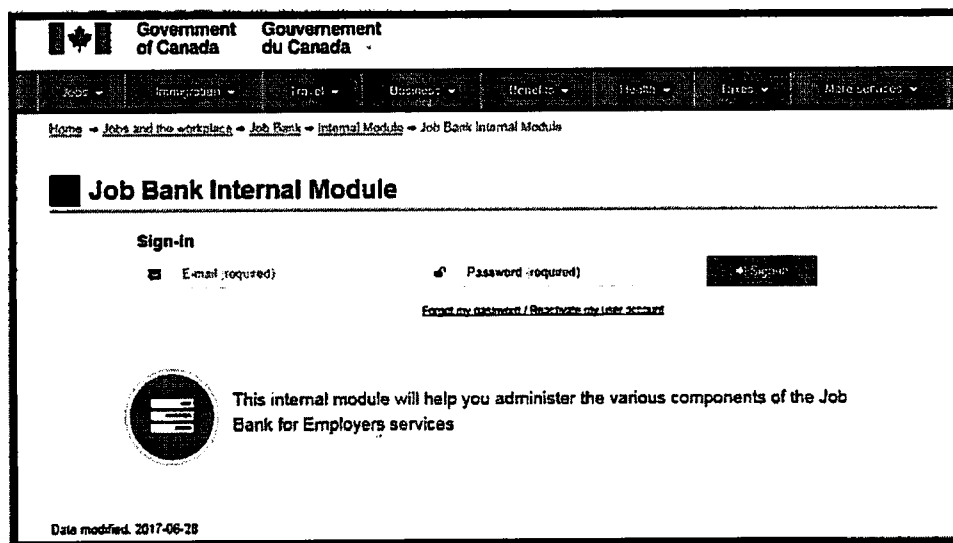


Figure 1: Job Match Sign-in

## 4.0 How to Search Job Postings?

In order to search specific advertisements:

- Select the "Job Match for Employers" tab on the Dashboard;
- Enter the Job ID provided by the employer on their LMIA application.

Refer to "Figure 2" for further clarification.

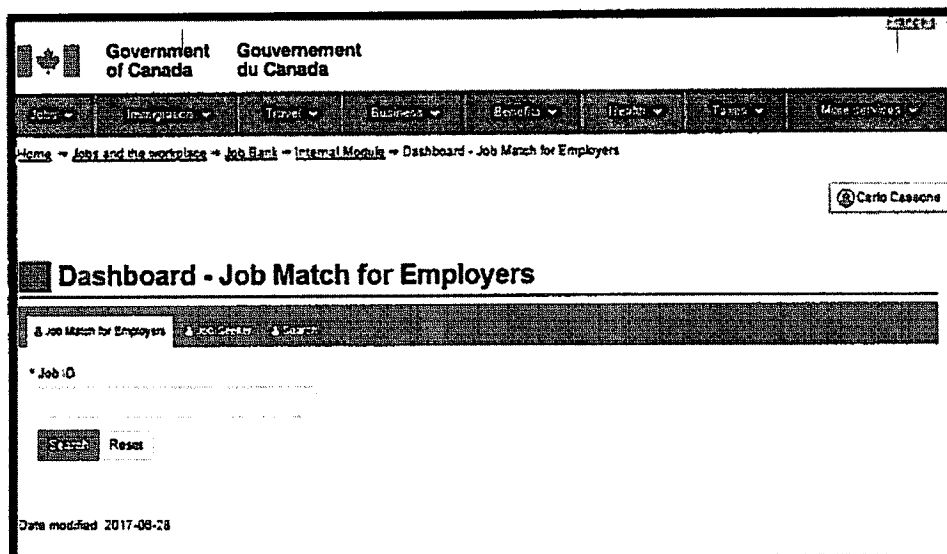


Figure 2: Job ID Search

## 5.0 Job Match Functionality

After searching a specific Job ID, the employer's advertisement and recruitment information becomes available through the following tabs/pages:

- Job posting tab;
- Activity report tab; and
- The Matching Profiles tab.

### JOB POSTING PAGE:

This page includes all of the details and information included on the job advertisement, allowing you to verify the employer's advertisement and recruitment information such as the:

- Status of the job advertisement;
- Advertisement details;
- Job details;
- Job requirements; and
- Application details.

Refer to "Figure 3" for further clarification.

Job posting
Activity report
Matching profiles

JOB 609997
Post job posting
Consulting record record to 5297-43-12 - 11.31.27 (post approved date)

### Tool design draftsman - EXPIRED

Posted on 2017-03-10 by Wilson Tool Canada

**NOC:** 2253 - Drafting technologists and technicians  
**Days to be posted:** 00  
**Job location:** 120 Van Kirk Drive Brampton, ON L7A 1B1

#### Job details

9 Brampton, ON  
 \$ 22.50 : Hour for 35 Hours / Week  
 1 Vacancy  
 Permanent, Full time

☐ As soon as possible  
☒ Employment conditions: Morning, Day, Evening, Weekend  
 # 609997  
 A Job Bank

#### Job requirements

**Languages**  
English

**Education**  
Secondary (high) school graduation certificate

**Experience**  
1 year to less than 2 years

**Transportation/Travel Information**  
Own vehicle, Public transportation is available

**Work Conditions and Physical Capabilities**  
Fast-paced environment, Work under pressure, Tight deadlines, Attention to detail, Ability to distinguish between colours, Combination of sitting, standing, walking

**Personal Suitability**  
Excellent written communication, Team player, Organized

**Additional Skills**  
Supervise and train other drafting personnel, Prepare construction specifications, costs and material estimates, Prepare contracts and tenders, Read and interpret blueprints

**Area of Specialization**  
Moulds, tools, dies, jigs and fixtures

**Computer and Technology Knowledge**  
Internet, Desktop applications, Word processing software, Image editing software, SolidWorks software, MS Office, MS Windows, CATIA

**Specific Skills**  
Prepare engineering designs and drawings, Develop and prepare design sketches, Write technical reports, Write specifications, Estimate costs and materials, Complete documentation packages and drawing sets, Examine drawings for conformity and errors

#### How to Apply

By e-mail  
recruiting@wtoolcanada.com

Advertised until  
2017-08-30

Figure 3: Job posting and Advertisement details

## ACTIVITY REPORT PAGE:

The Activity report page provides you with a summary of Employer and Job Seeker activity. This function allows you to see the number of interactions that have taken place between the Employer and the Job Seekers. You can view Employer and Job Seeker activity within the First 30 Days and 31+ Days the job has been advertised.

### Employer Activity:

- Invitations to apply sent:
  - Refers to the number of matched Job Seekers that the Employer has invited to apply to the advertised position.
- Profiles Viewed:
  - Refers to the number of matched Job Seeker profiles the employer has viewed.
- Profiles Rejected:
  - Refers to the amount of matched profiles the Employer has rejected.

### Job Seeker Activity:

- Refers to the number of Job Seekers that are interested in applying or have viewed the job posting.

### Job Market Information:

- This section is located on the right side of the screen, and includes:
  - Market Trend; and
  - Median Wage information.

### Summary of Matching Job Seekers:

- Job Match uses a 5 star rating system (1 star is the lowest possible match, 5 stars is the highest possible match). Job Seekers matched to the position are assigned 1-5 stars depending on their profile's match to the advertised job requirements.
- This section summarized the number of matches that have taken place from 1 to 5 stars within the first 30 day, 31+ days for Canadian Job Seekers and 31+ days for Express Entry Candidates

Refer to "**Figure 4**" for further clarification.



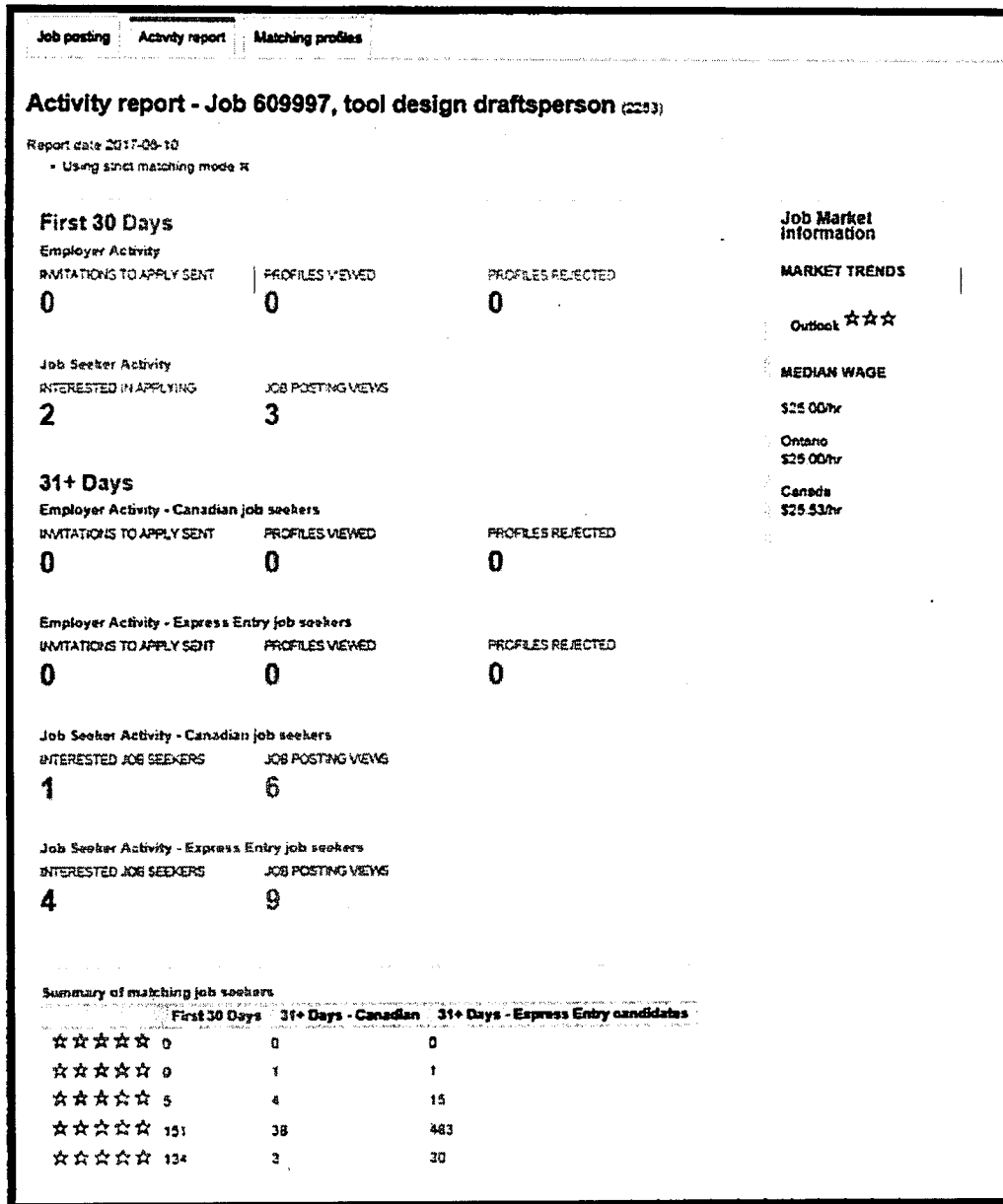


Figure 4: Activity Report Page (Job Matching Summary)

## MATCHING PROFILES PAGE:

- This screen allows you to view all of the Job Seeker profiles that have been matched to the advertised position (Refer to "Figure 5").
- On this page you can verify if an employer has viewed, invited or rejected specific matches.
  - A ✓ indicates that an interaction has occurred; and
  - A ✗ indicates that an interaction has not occurred.
- This function allows you to verify whether or not an employer has attempted to recruit Canadians / permanent residents by verifying if they have invited strong matches to apply to the position.
- The small paper icon to the left of each profile opens a comparison chart (Refer to "Figure 6"). This compares the Job Seekers profile to the advertised job requirements:
  - A ✓ indicates that the requirement was a match; and
  - A ✗ indicates that the requirement was not a match.

Dashboard - Job Match for Employers							
Job Match for Employers							
Job ID: 609997							
Search Reset							
Job posting Activity report Matching profiles							
Matching profiles - Job 609997, tool design draftsman (2253)							
Showing 1 to 10 of 583 entries							
	Profile	Score	Education	Experience	Viewed	Invited	Rejected
	12E1BA4	★★★★★	✗	✓	✗	✗	✗
	1414CB3	★★★★★	✗	✓	✗	✗	✗
	12CABA9	★★★★★	✓	✓	✗	✗	✗
	12CF7BF	★★★★★	✓	✓	✗	✗	✗
	12CB1A6	★★★★★	✓	✓	✗	✗	✗
	12E37F6	★★★★★	✓	✓	✗	✗	✗
	13733B8	★★★★★	✗	✓	✗	✗	✗
	127F1C8	★★★★★	✓	✓	✗	✗	✗
	126E238	★★★★★	✗	✓	✗	✗	✗
	136B0FA	★★★★★	✗	✓	✗	✗	✗

Figure 5: Matched Profiles and Matching Criteria

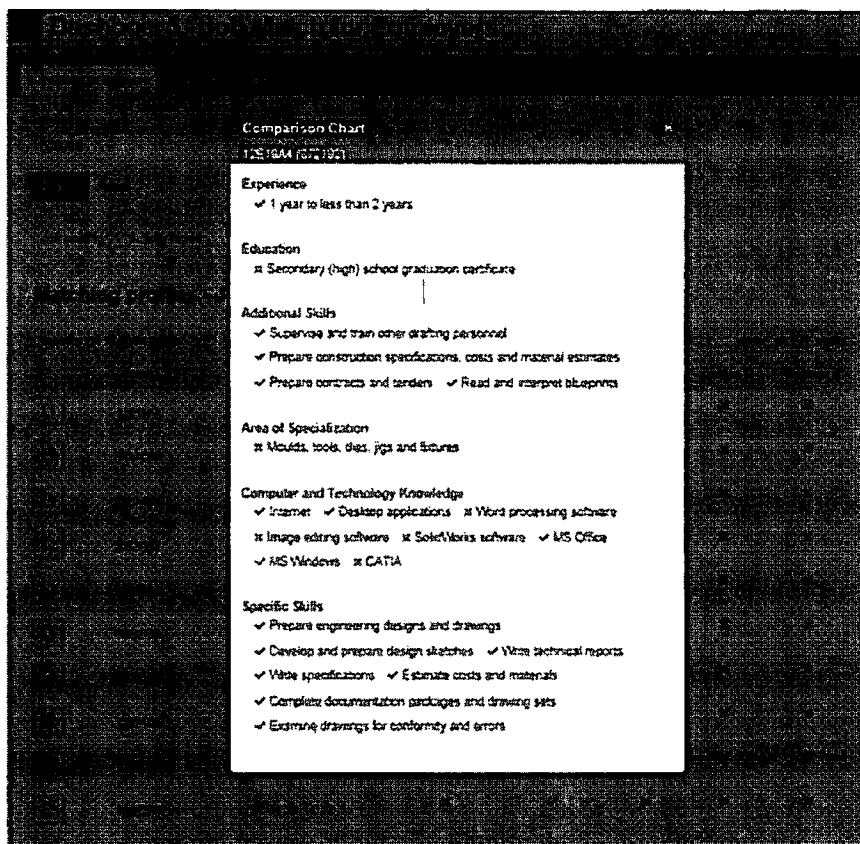


Figure 6: Comparison Chart