



INSPECTION CASE NOTES – ESDC REFERRED

IRCC Referral #	Employer Legal Name/Business Name	ESDC Region	Date Referred to ESDC	Date Referral Received by ECIU	LMIA Exempt #
NIIS #: UCI: WP Application #: WP Validity:		EMPLOYER MAILING ADDRESS:			
<i>First Level Review to complete information below only if applicable (e.g. adverse info exists, new contact info):</i>					
PRIMARY CONTACT INFORMATION:			EMPLOYER BUSINESS ADDRESS:		
PRIOR NON-COMPLIANCE: Yes / No PRIOR TFWP/IMP COMPLIANCE ACTIVITY: Yes /No <i>If Yes, details:</i>					

CHRONOLOGY:

Note: See ESDC's ROI and IIS reports for events that occurred while ESDC had case lead.

	Case Management referred the Case to ESDC.
	Case Management received ESDC-completed inspection activity (ROI + IIS reports in NIIS + paper submissions).

SUMMARY OF FINDINGS

R209.2(1)(a)(i)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.2(1)(a)(ii)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.2(1)(a)(iii)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.2(1)(a)(iv)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.2(1)(b)(i)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.2(1)(b)(ii)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	Justification	<input type="checkbox"/>
R209.4(1)(a)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	N/A	<input type="checkbox"/>
R209.4(1)(b)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>		
R209.4(1)(c)	Compliant	<input type="checkbox"/>	Non-Compliant Concerns	<input type="checkbox"/>	N/A	<input type="checkbox"/>



1. Actively Engaged: [R209.2(1)(a)(i)]

The employer must remain actively engaged in the business in respect of which the offer of employment was made.

A) CONCERNS IN ROI:

Yes No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

<CRA Business #: Principal business activity: Number of employees: Gross Income:>

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Compare Offer of Employment to employer submissions and/or other evidence;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why.
- Consider justification(s) submitted and state whether you accept>
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

2. Compliance with F/P/T laws that regulate employment: [R209.2(1)(a)(ii)]

The employer must comply with the federal and provincial laws that regulate employment, and the recruiting of employees, in the province in which the foreign national works.

A) CONCERNS IN ROI:

Yes No



B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes

No

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

<Employer's attestation they will comply with provincial and federal laws and regulations>

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Include information on the F/T/P law that may have been violated.
- Compare Offer of Employment to employer submissions and/or other evidence;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why.
- Consider justification(s) submitted and state whether you accept>
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

3. Occupation, Wages, Working Conditions: [R209.2(1)(a)(iii)]

The employer must provide the foreign worker with employment in the same occupation as that set out in the offer of employment and with wages and working conditions that are substantially the same as — but not less favorable than — those in the same offer.

OCCUPATION

A) CONCERNS IN ROI:

Yes

No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes

No



If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

Position: NOC: Main duties:

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Compare Offer of Employment to employer submissions and/or other evidence;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why.
- Consider justification(s) submitted and state whether you accept>
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

WAGES

A) CONCERNS IN ROI:

Yes

No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes

No

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

Wage: Overtime: Alternate compensation scheme:

EMPLOYER SUBMISSIONS:

<documents + information within documents>



ANALYSIS/CONCLUSION:

<where applicable:

- Compare Offer of Employment to employer submissions and/or other evidence;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why.
- Consider justification(s) submitted and state whether you accept>
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

WORKING CONDITIONS

A) CONCERNS IN ROI:

Yes No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

If Yes in A) or B) : <insert concerns noted>

<for below, write "N/A" beside items where there are no discrepancies>

- Hours of work
- Overtime
- Alternative compensation scheme
- Benefits
- Vacation

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

Hours of work:	Overtime:	Alternate compensation scheme:	Benefits:

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Compare Offer of Employment to employer submissions and/or other evidence;



- Address discrepancies;
- Weigh evidence, state what evidence you accept and why;
- Consider justification(s) submitted and state whether you accept;
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

4. Abuse-free workplace [R209.2(1)(a)(iv)]

The employer must make reasonable efforts to provide TFWs with a work place that is free of abuse.

A) CONCERNS IN ROI:

Yes No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

Employer's attestation they will make reasonable efforts to provide the foreign worker with a workplace free of abuse.

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Compare Offer of Employment to employer submissions and/or other evidence;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why;
- Consider justification(s) submitted and state whether you accept;
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>



5. Accuracy of information: [R209.2(1)(b)(i)]

The employer must be able to demonstrate that any information that they provided in relation to an offer of employment under R209.11 or on request of an officer during the associated work permit application [R200(1)(c)(ii.1)] was accurate.

A) CONCERNS IN ROI:

Yes No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

Same LMIA Exemption (Code) on WP Screen in GCMS as in Offer of Employment: <Yes / No>

Same Employer Name on WP Document as in Offer of Employment: <Yes / No>

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

INFORMATION WITH CONCERNS:

INFORMATION WAS SUBMITTED UNDER : < R209.11 / R200(1)(c)(ii.1) >

ANALYSIS/CONCLUSION:

<State evidence with concerns of inaccuracy. Where applicable, include:

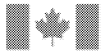
- Evidence that demonstrates employer knew it as inaccurate at the time the information was provided.
- Analysis on the impact of the inaccurate information;
- Weigh evidence, state what evidence you accept and why;
- Consider justification(s) submitted and state whether you accept;
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

6. Retention of documents [R209.2(1)(b)(ii)]

The employer must retain any document that relates to compliance with the imposed conditions

A) CONCERNS IN ROI:

Yes No



B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

If Yes in A) or B) : <insert concerns noted>

If Yes in A) or B): To Be Filled Out by Investigative Analyst:

OFFER OF EMPLOYMENT INFORMATION:

Employer's attestation they will make reasonable efforts to retain documents

EMPLOYER SUBMISSIONS:

<documents + information within documents>

ANALYSIS/CONCLUSION:

<where applicable:

- Include information on documents requested, dates.
- Compare Offer of Employment to employer submissions;
- Address discrepancies;
- Weigh evidence, state what evidence you accept and why.
- Consider justification(s) submitted and state whether you accept>
- Conclude analysis with stating that you are satisfied with compliance on this condition or that you have concern of non-compliance>

R209.4(1): INSPECTION CONDITIONS

a) Report at any specified time and place to answer questions and provide documents (R209.6) or ensure that a representative is available to provide assistance.

A) CONCERNS IN ROI:

Yes No N/A

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No N/A



If Yes in A) or B) : <insert concerns noted>

Analysis / Conclusion:

b) Provide any documents that are requested to verify compliance with specific conditions (209.7).

A) CONCERNS IN ROI:

Yes No

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No

If Yes in A) or B) : <insert concerns noted>

Analysis / Conclusion:

C) Attend any inspection referred to in section 209.8 or 209.9, unless the employer was not notified of it, give all reasonable assistance to the person conducting that inspection and provide that person with any document or information that the person requires.

A) CONCERNS IN ROI:

Yes No N/A

B) CONCERNS NOTED IN FIRST LEVEL REVIEW:

Yes No N/A

If Yes in A) or B) : <insert concerns noted>

Analysis / Conclusion:



Date	
	First Level Review Employer Compliance & Investigations Unit Case Management Branch

Date	
	Investigative Analyst Employer Compliance & Investigations Unit Case Management Branch



CASE SUMMARY

BUSINESS OPERATING NAME:

PREMISES: *(foreign worker's employment location as per Offer of Employment, employer's business address as per GCMS)*

FOREIGN WORKER NAME:

LMIA EXEMPTION:

DOB:

COB:

CITZ:

- *(If applicable: This foreign worker became a PR on YYYY/MM/DD.)*

UCI:

ISSUE: IRCC randomly selected the employer for inspection to verify the company's compliance with the conditions of the International Mobility Program. The employer has...*(briefly indicate the reason why an onsite has been requested)*

BACKGROUND: *(employer's name)* is a *(city, province)*-based company specializing in *(principal business activity indicated on Offer)*. The Offer of Employment submitted by the employer states that the company employs *(over/under 100)* individuals, and generates a gross income of *(gross income range stated on Offer)*.

The employer was *(insert inspection trigger)* selected for an inspection under the International Mobility Program to verify the company's compliance with conditions imposed under section 209.2 of the IRPR.

(provide details regarding noncompliance concerns, and indicate specific program conditions which may have been violated)

EXAMPLE: The employer has not provided documentation to demonstrate compliance with the conditions of the International Mobility Program. IRCC was unable to confirm that the employer is actively engaged in the principal business activity indicated on the Offer of Employment. As such, IRCC has concerns that the employer may be noncompliant with sections 209.2(a), 209.2(b), and 209.4(1) of the IRPR.

209.2 (1) An employer who has made an offer of employment to a foreign national referred to in subparagraph 200(1)(c)(ii.1) must comply with the following conditions:

(a) during the period of employment for which the work permit is issued to the foreign national,

(i) the employer must be actively engaged in the business in respect of which the offer of employment was made, unless the offer was made for employment as a live-in caregiver,



(ii) the employer must comply with the federal and provincial laws that regulate employment, and the recruiting of employees, in the province in which the foreign national works,

(iii) the employer must provide the foreign national with employment in the same occupation as that set out in the foreign national's offer of employment and with wages and working conditions that are substantially the same as — but not less favourable than — those set out in that offer, and

(iv) the employer must make reasonable efforts to provide a workplace that is free of abuse; and

(b) during a period of six years beginning on the first day of the period of employment for which the work permit is issued to the foreign national, the employer must

(i) be able to demonstrate that any information they provided under subparagraph 200(1)(c)(ii.1) or section 209.11 was accurate, and

(ii) retain any document that relates to compliance with the conditions set out in paragraph (a).

209.(4)(1) An employer referred to in section 209.2 or 209.3 must

(b) provide any documents that are required under section 209.7.)

INSPECTION PERIOD: YYYY/MM/DD – YYYY/MM/DD

- (If applicable, include: The inspection period was written incorrectly on the inspection letter as YYYY/MM/DD – YYYY/MM/DD.)*

RELEVANT OFFER OF EMPLOYMENT INFORMATION:

Principal business activity –

Job title –

NOC –

Employment location –

Expected start date –

Duration –

Hours of Work –

Wage –

Overtime rate –

Overtime hours starts after -

Duties –

Benefits –



Vacation -

DOCUMENTATION REQUESTED:

POTENTIAL INTERVIEWEES:

(include the names of any individuals whom you would like interviewed, such as the foreign worker, the primary contact, the owner, etc. Note: JA's/IA's should have a specific reason for requesting an interview with specific individuals).

ENCLOSED DOCUMENTS:

- i) Inspection package sent to the employer on (YYYY/MM/DD).
 - *(If applicable, include: Please note that the inspection period indicated on Annex A is not correct.)*
- ii) Offer of Employment
- iii) *(If applicable, any documentation sent by ESDC NOT including printouts available in NIIS)*

CHRONOLOGY:

- DDMMYYYY The employer submitted an Offer of Employment for *(foreign worker's name)* to Immigration, Refugees and Citizenship Canada via the online Employer Portal.
- DDMMYYYY *(foreign worker's name)* was issued a work permit pursuant to the Offer of Employment submitted on DDMMYYYY.
- DDMMYYYY *(employer's name)* was randomly selection for inspection to verify the company's compliance with the conditions of the International Mobility Program. The inspection was referred to ESDC for initiation.
- DDMMYYYY ESDC contacted the employer by phone. ESDC informed the employer that the company had been selected for inspection under the International Mobility Program.
- DDMMYYYY ESDC initiated the inspection by mail.

Approved by:
Reviewed by:
Originator:
Date:

Modified by :
3/4



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Decisions Unit – Immigration Division
Reviewer: