



September 11 2015

This letter refers to your Offer of Employment submitted for each of the foreign nationals identified in Annex A.

_____ has been selected for an inspection under the International Mobility Program (IMP) to verify your company's compliance with the conditions imposed under section 209.2 of the *Immigration and Refugee Protection Regulations* (IRPR).

An inspection, for the purpose of verifying compliance with the conditions, may entail:

- submission of any document that relates to compliance with those conditions;
- an inspection of any premise or place in which a foreign national performs work; and
- interviews with foreign nationals, other employees employed at the location and the employer.

It can be conducted from the day of issuance of the foreign workers work permit to a maximum of six years thereafter.

Section 209.5 of the IRPR identifies the circumstances for exercising the powers outlined in sections 209.6, 209.7, and 209.9 for the purpose of conducting an inspection. _____ has been selected for an inspection for the following:

- ☐ Reason to suspect that the employer is not complying or has not complied with any of the conditions set out in section 209.2 of the IRPR.
- ☐ The employer has not complied with the conditions set out in section 209.2 or 209.3 of the IRPR in the past.
- ☒ The employer is chosen as part of a random verification of compliance with the conditions set out in section 209.2 of the IRPR.



As part of the inspection process, you are required to provide the information requested in Annex A and documentation requested in Annex B in order to demonstrate your compliance with the following conditions under sections 209.2 of the IRPR:

- Wages (substantially the same as but not less favourable than provided in the offer of employment);
- Occupation (same as in the offer of employment);
- Working conditions (substantially the same as but not less favourable than provided in the offer of employment);
- Made reasonable efforts to provide a workplace that is free of abuse;
- Actively engaged in the business, in respect of which the offer of employment was made;
- Compliance with the federal and provincial or territorial laws that regulate employment, and the recruiting of employees; and
- Demonstrate that any information they provided under subparagraph 200(1)(c)(ii.1) or section 209.11 was accurate, at the time of provision.

In the context of an inspection, as per section 209.4 of the IRPR, employers are also required to meet the following conditions:

- Report at any specified time and place to answer questions and provide documents, in accordance with section 209.6 of the IRPR;
- Provide any documents that are required under section 209.7 of the IRPR; and
- Attend any inspection referred to in section 209.8, 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.

As per subsection 203(1.1) of the IRPR, if you believe that you may not have complied with any of the conditions imposed under section 209.2 of the IRPR, you may provide any additional information you determine may be evidence that your non-compliance is justified.

Should you not provide an acceptable justification, a determination of non-compliance may be made in accordance with section 209.91 of the IRPR. You will be provided with notification of this determination. Consequently, as outlined in section 209.91 of the IRPR, after a determination of non-compliance, your company's name and address will be added to the "Ineligible Employers List" on the Citizenship and Immigration Canada website.



Furthermore, any work permits issued prior to an employer's name being added to the Ineligible Employers list may be revoked.

IMPORTANT: If the documents contain personal information such as a social insurance number, the name of an employee other than the employee(s) listed in Annex A, or personal financial codes/bank account numbers, as an employer, it is your obligation to protect this information. ***Please ensure this information is redacted prior to forwarding the documents to CIC.***

You have until **11th of October 2015** to provide the requested documentation.

NOTE: Failure to submit the requested documentation by the due date may result in a determination of non-compliance with all applicable consequences.

Unless otherwise instructed, we recommend that you provide us with a scanned copy of the requested document(s) by sending an email to CIC.IMP-Investigations-RDC-PMI-Enquetes.CIC@ci.gc.ca; If you are unable to do so, please forward your documents by mail to the address below:

Citizenship and Immigration Canada
Case Management Branch – JETN 9th Floor
300 Slater Street
Ottawa, Ontario K1A 1L1
Attn: Manager, Foreign Worker Unit

If you have any questions or need further assistance, please contact CIC.IMP-Investigations-RDC-PMI-Enquetes.CIC@ci.gc.ca;

Sincerely,

Case Analyst



REDACTION INSTRUCTIONS

To ensure that supporting documents are properly redacted, you (the employer) must:

Step 1 - Make one photocopy of the original document that contains personal information.

Step 2 – Using a black marker, black out the personal information on the photocopy.

Step 3 - Make two photocopies of the blacked out copy from “Step 2” or scan the blacked out version.

Step 4 - Submit one photocopy to CIC for the review and keep one copy for your records.

ANNEX A: INSPECTION INFORMATION REQUEST

Business Operating Name.

Please complete columns D through G for the following foreign worker(s):

(A) FAMILY NAME	(B) GIVEN NAME	(C) Date of Birth (YYYY-MM-DD)	(D) Position (Title and NOC)	(E) Total # of hours worked per week	(F) Hourly Wage	(G) First day of work (YYYY-MM-DD) <i>(if applicable, last day of work)</i>

Annex B – IMP Enclosure

Please complete, sign and return this form with the requested documentation for the conditions under inspection as outlined below. The information requested relates to the foreign worker(s) listed on Annex A. Only scanned and sent by email or paper copies sent by regular mail of the original documents can be accepted. USB and disk format are not accepted.

Please note that it is the employer's obligation to protect personal information, such as a social insurance number, employee numbers (if applicable), personal financial codes/bank account numbers and insurance policy numbers. This information should not be included in the documentation submitted to Citizenship and Immigration Canada.

How to Redact

To ensure that supporting documents are properly redacted and personal information protected, you (the employer) must:

Step 1 - Make one photocopy of the original document that contains personal information.

Step 2 - Using a black marker, black out the personal information on the photocopy.

Step 3 - Make two photocopies of the blacked out copy from "Step 2."

Step 4 - Submit one photocopy to Citizenship and Immigration Canada for the inspection and keep one copy for your records.

CONDITIONS UNDER INSPECTION

1) Wages: To demonstrate compliance, please submit:

☐ A copy of the last three consecutive payroll statements for the foreign worker(s) listed, which should include at a minimum:

- (a) the total number of hours worked,
- (b) hourly wage, and
- (c) all deductions.

☐ Timesheets that correspond to the payroll statements provided

☐ Please explain any discrepancy on the payroll statements (for example, the difference between the anticipated number of hours to be worked at the time of application, and the actual total number of hours worked as indicated on the payroll records).

Where applicable, please also provide:

- ☐ Copy of a Collective Bargaining Agreement.
- ☐ Copy of a Work-sharing Agreement.
- ☐ Copy of Record of Employment, if the foreign worker(s) is/are no longer in your employ.

For each foreign worker no longer in your employ, please also specify if the worker:

- ☐ Returned to his/her country of origin
- ☐ Remained in Canada working for another employer.

2) Working conditions (non-wage related remuneration specified in the Offer of Employment:

a) Health Care Coverage: To demonstrate compliance, please submit:

- ☐ Proof the employer paid for private health insurance until the foreign worker was eligible for provincial/territorial health insurance coverage. The documentation provided as proof of payment should not include financial account numbers.

If you did not subscribe to health care coverage, please explain why not:

b) Accommodations (where applicable): To demonstrate compliance, please submit:

- ☐ If you are providing accommodations to the foreign worker, please provide a signed copy of the rental agreement detailing monthly costs. Note that the agreement must be signed by both the landlord / employer and the foreign worker(s).

c) Coverage of Transportation costs (where applicable): To demonstrate compliance, please submit:

- ☐ Proof that you paid upfront for round-trip airfare for each of the foreign worker(s) to come to Canada.
 - o Proof can be a copy of a bank processed cheque or a credit card statement, as well as a travel itinerary.

3) Occupation

To demonstrate compliance, please provide:

- ☐ Was the FW(s) employed, during the entire employment period, in the same occupation that was stated in the Offer of Employment under inspection?
- ☐ Provide a description of duties performed by the foreign workers for each occupation under inspection **OR** attach a copy of the job duties

- ☐ Complete address(es) of location of work of the listed foreign workers:

- ☐ Explain any discrepancies between job duties detailed in the Offer of Employment and the job duties performed by the FW(s). If discrepancies exist, provide your justification for the discrepancies.

4) Actively Engaged: To demonstrate compliance, please provide:

- ☐ Your Canada Revenue Agency Business number
- ☐ Your business licence or permit

Please also provide one of the following:

- ☐ An attestation by a lawyer, notary public or chartered accountant who are members in good standing within their respective professional bodies;
- ☐ An up-to-date commercial lease agreement; or
- ☐ A formal letter or a business contract from a legal business confirming the existence of a contract for a good and/or a service being provided.

5) Compliant with federal/ provincial/ territorial laws that regulate employment: To demonstrate compliance, please provide:

- ☐ Proof of registration – where required by Provincial or Territorial employment or recruitment legislation for Employers and/or recruiters;
- ☐ Workers’ compensation clearance letter – declares that the employer is registered with the workers’ compensation board and has an account in good standing;
- ☐ Other relevant official documentation, including any documentation available directly from provinces by way of information sharing agreements or information available online to the general public.

6) Reasonable efforts to provide an abuse-free workplace: To demonstrate compliance, please provide any of the following that you have in place:

- ☐ Policies and procedures that address situations of abuse in the workplace (e.g. what to do if an employee or supervisor is aware of or experiencing abuse);
- ☐ Mechanisms to address and resolve workplace abuse, which could include: complaints policies & protocols, dispute resolution mechanisms, an employee representative or contact person, employee counselling, anonymous hotlines, etc.;
- ☐ Recent training (within the last two years) provided to employees and supervisors to identify and recognize abuse, and to address it;

Name of Employer or Employer Designate (Please Print)

Signature of the Employer or Employer Designate

Date signed

Privacy Notice Statement

The information provided is collected under the authority of the Immigration and Refugee Protection Act (IRPA) and the Immigration and Refugee Protection Regulations (IRPR), for the purpose of reviewing compliance with the Offer of Employment provided in support of a work permit application.

The information may also be shared with provincial/territorial governments, where information sharing agreements exist, for the purpose of administration and enforcement of provincial/territorial legislation, including employment standards and occupational health and safety legislation, as permitted by the IRPA.

Your personal information is administered in accordance with the Immigration and Refugee Protection Act, the Immigration and Refugee Protection Regulations, the Privacy Act and other applicable laws. You have the right to the protection of, and access to, your personal information, which is described in Personal Information Banks CIC PPU 045. It is protected and accessible under the *Privacy Act* and *Access to Information Act*