

Guidance/ConcessionBoothOwnersOperators

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Directive: Concession Booth Owners/Operators with Major Touring Productions

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New information is highlighted

Effective Date: 2013-11-15

1. Background

Concession booth owners, within the specific context of major touring productions/shows (e.g. Disney on Ice, Monster Jam, Ringling Brothers) are classified as NOC code 0621 – Retail Trade Managers. The job titles associated with this NOC code include concession booth owners/operators/managers.

As retail and wholesale trade managers, these individuals are responsible for planning, organizing, directing, controlling and evaluating the operations of establishments selling merchandise or services on a retail or wholesale basis. Retail and wholesale trade managers are employed by retail or wholesale sales establishments, or they may own and operate their own store.

For concession booth owners/operators/managers working in conjunction with major touring productions/shows, the foreign workers own and operate concession booths as sub-contractors of the production company. They:

- are trained in specific contractual standards on a range of topics, e.g. product knowledge, sales techniques, security, and
- may be required to purchase minimum quotas of licensed products.

At these events, concession sales represent a significant revenue stream which supports the viability of the main production/show.

2. Guidelines

ESDC/Service Canada staff must base their assessment as per IRPR, Section 203(3)(e) (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2002-227/section-203.html>) which states:

An opinion provided by the Department of Human Resources and Skills Development with respect to the matters referred to in paragraph (1)(b) shall be based on the following factor:

- e) whether the employer has made, or has agreed to make, reasonable efforts to hire or train Canadian citizens or permanent residents;

LMIA applications for concession booth owners/operators/managers associated with major touring productions/shows, should demonstrate that the approved LMIA would result in the creation or retention of employment opportunities for Canadians and permanent residents.

Example:

Employment by the host venue of local staff in roles such as:

- ticket takers
- security
- parking lot attendants
- maintenance staff
- food/beverage vendors
- employment and revenues for hotels, restaurants, transportation companies, and
- print media.

No recruitment or advertisement is required. This is equally applicable in all provinces/territories.

Note: Other scenarios may develop involving concession booth owners/operators that may qualify under this directive.

3. Exemption

This directive only applies to major touring productions or shows and does not apply to concession booth owners/operators associated with:

- a mid-way
- a travelling carnival/festival, or
- an event

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