

BACKGROUND

Regional Lists of Occupations Under Pressure

The Temporary Foreign Worker program (TFW) allows employers to hire foreign workers to meet their human resource needs when Canadian workers are not readily available.

The Program is jointly administered by Citizenship and Immigration Canada (CIC) and Human Resources and Social Development Canada/Service Canada (HRSDC/SC), and operates under the authority of the Immigration and Refugee Protection Act and Regulations (IRPA).

HRSDC/SC's role with respect to the entry into Canada of temporary foreign workers is to provide employers and CIC with a Labour Market Opinion (LMO) which describes the impact the entry of a temporary foreign worker would have on the Canadian labour market. HRSDC/SC assesses employer requests against set criteria such as recruitment efforts for Canadian workers and confirms that wages and working conditions are consistent with those prevailing in Canada for the occupation. If HRSDC/SC confirms that there are not enough Canadian citizens or permanent residents available to fill the jobs, a positive LMO is issued. The foreign national can then proceed and apply to CIC for a work permit.

In some regions, and depending on the circumstances/time, labour market information may indicate that the demand for labour in certain specific occupations is greater than the available supply. To meet the pressing human resource needs of employers, HRSDC/SC have developed regional lists of occupations under pressure. For occupations found on these lists, employers will not be required to undertake lengthy or comprehensive advertising efforts before being eligible to apply to hire a foreign worker.

Employers will still be required to first advertise for Canadian workers to ensure that Canadians and permanent residents are given the opportunity to apply for available positions. However, employers will only need to advertise on the *Job Bank*, Canada's national job website for at least seven days, or conduct similar recruitment activities. For certain low-skilled occupations, employers have to satisfy both conditions.

In order to develop occupational lists, regional HRSDC/SC Labour Market information officials use both quantitative data and qualitative information specific to a region to determine if an occupation is potentially under pressure. It is the intent that as each list is developed, it will be updated at least once a year.

An employer seeking to hire a temporary foreign worker for an occupation which appears on a regional occupations list is still required to obtain an LMO from HRSDC/SC and will still need to satisfy all other Foreign Worker Program criteria (e.g. wages and working conditions) in order to receive a positive LMO (i.e. confirmation).

In 2005, Canada accepted almost 100,000 temporary foreign workers. For more information please visit: <http://www.hrsdc.gc.ca/en/epb/lmd/fw/occunderpres.shtml>