Manitoba's Worker Recruitment and Protection Act

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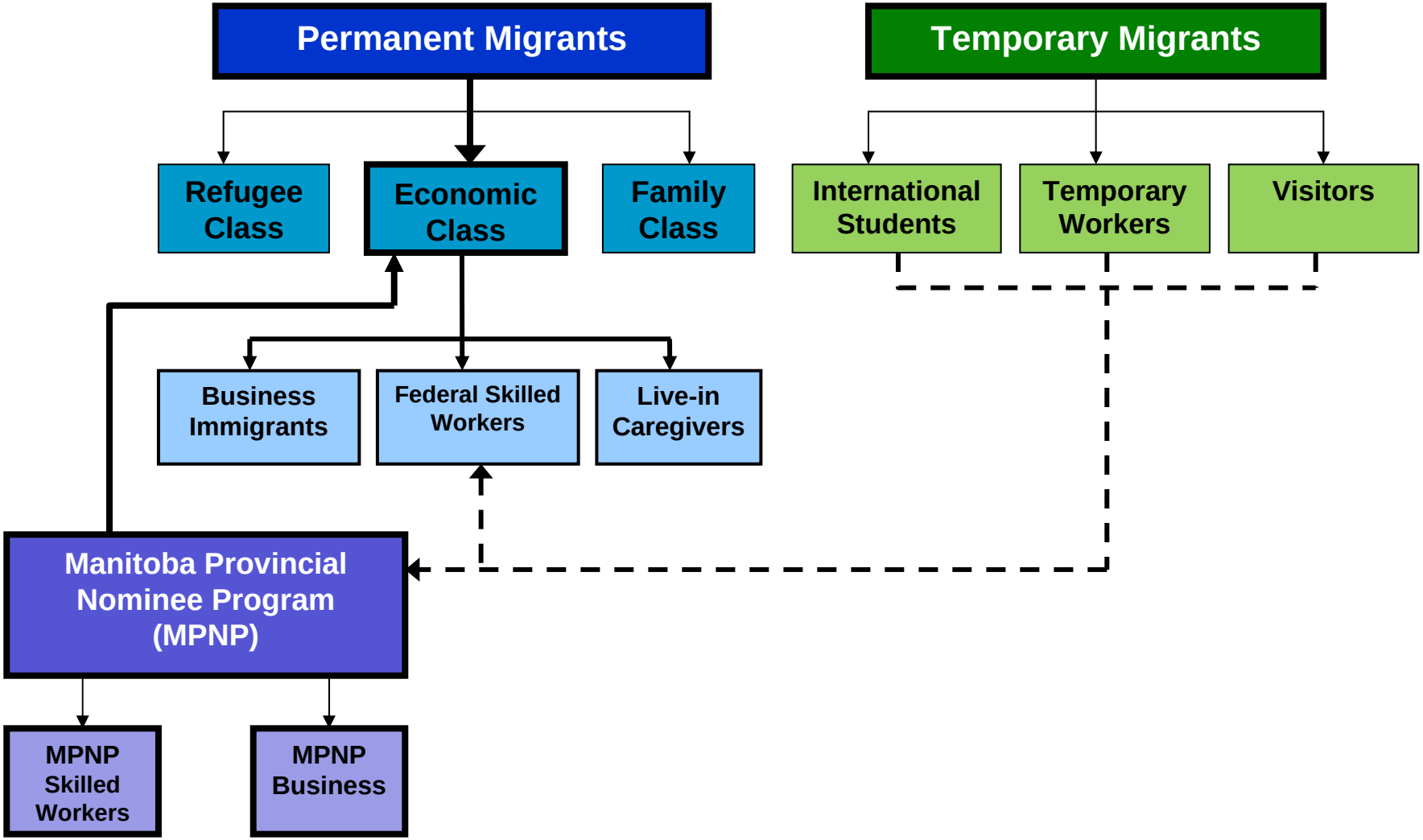
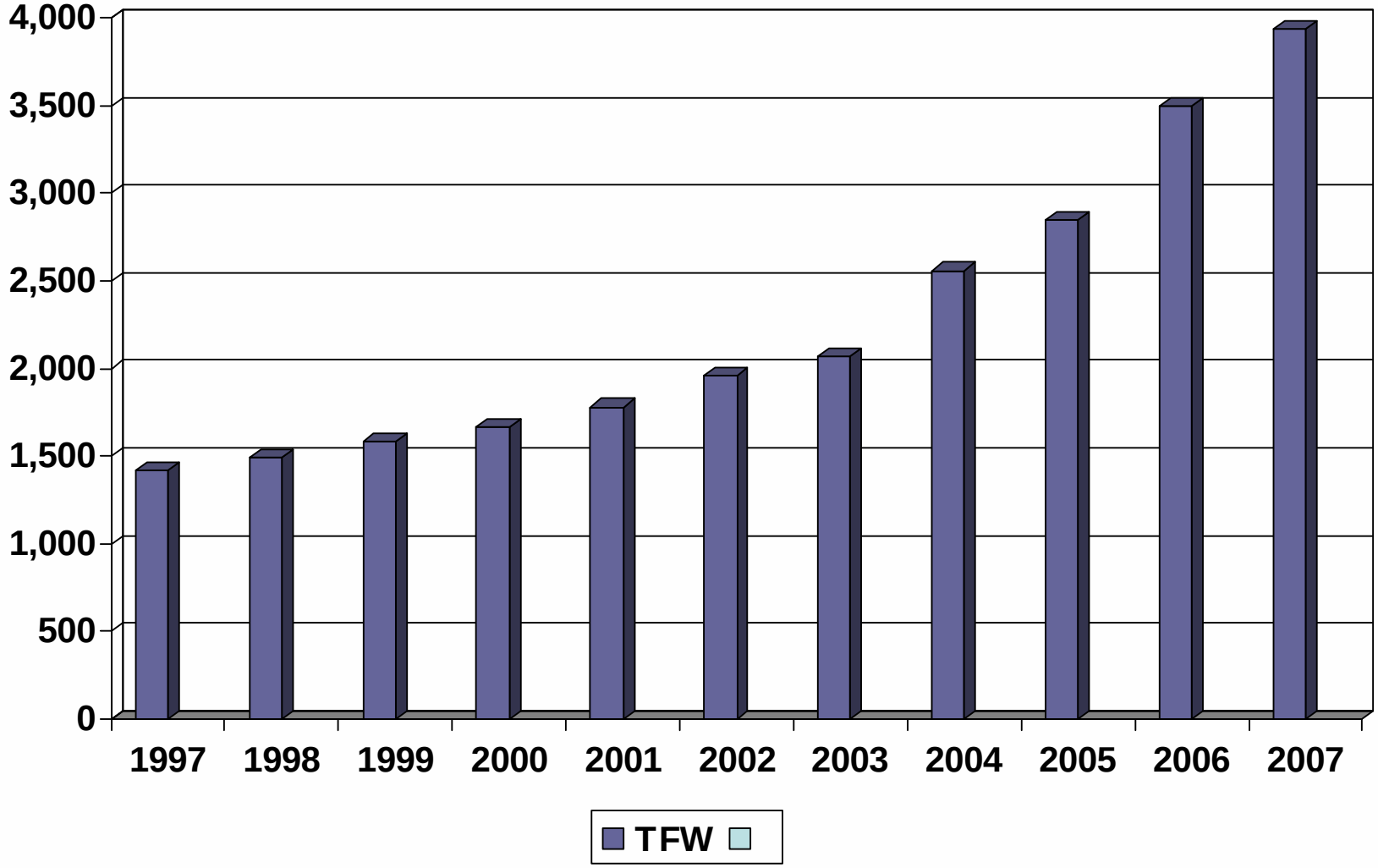
How Immigrants Come to Manitoba



Manitoba Temporary Foreign Workers



Source: Citizenship and Immigration Canada

Provincial Challenges with TFW Employment

1. Recruiters that charge recruitment fees.
2. Lack of information on TFWs.
3. Employers that breach the conditions of their employment contracts (reduction of wages, hours, etc).
4. TFWs unaware of their rights and responsibilities.

Worker Recruitment and Protection Act (WRAPA)

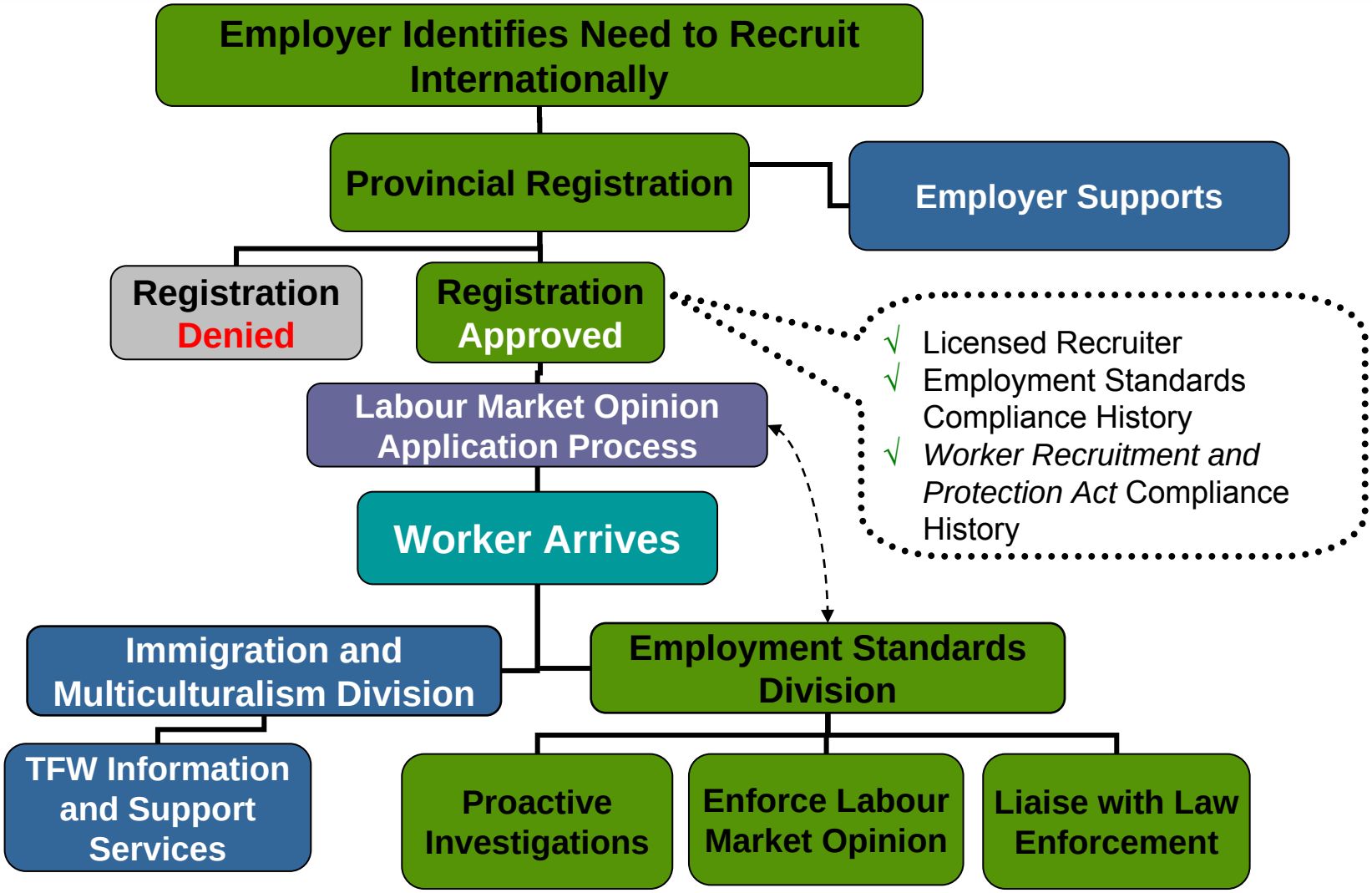
- Replace the existing *Employment Services Act*, which governs the activities of third-party placement agencies (recruiters/labour brokers).
- Strengthens, modernizes, and expands coverage to encompass two increasingly important issues - protection of:
  1. foreign workers from unscrupulous recruiters and employers
  2. children in the modeling industry from sexual exploitation

Worker Recruitment and Protection Act (WRAPA)

Key Provisions of WRAPA:

- requires employment service agencies to be licensed.
- requires foreign worker recruiters to be licensed;
- requires employers recruiting foreign workers to first register with Manitoba Labour and Immigration; and
- strengthens enforcement provisions to ensure employers and recruiters comply with its terms and requirements.

WRAPA Process



Key Provisions for Recruiters

- Recruiters must obtain a license. Licensed recruiters will be posted on Manitoba's Employment Standards web site.
- Foreign recruiters must:
  - be a member of CSIC (Canadian Society of Immigration Consultants), Chambre des Notaires de Quebec, or a Law Society in Canada
  - provide an irrevocable letter of credit
- Liable for charging workers recruitment fees.

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Key Provisions for Workers

- Proactive enforcement and investigations
- Ability to recover any illegal fees charged to the worker by an employer or a licensed recruiter
- Timely and relevant information for workers regarding settlement and employment in Manitoba.

Key Provisions for Employers

- Employers hiring foreign workers must first register with the Province prior to recruiting.
- Good history of compliance with labour legislation and use of licensed recruiter to be registered.
- LMOs will not be processed without proof of registration with Manitoba Labour and Immigration.
- Liable for recruitment fees charged to workers.

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Key Provisions for Employers

- LIM processes that support and facilitate the recruitment of immigrant workers locally and internationally.
- Employer support services to ensure timely access to relevant information regarding programming and services.

Key Provisions for Employers

EMPLOYER SUPPORTS

SKILLS MATCHING AND TRAINING INITIIATIVES

- Immigrant Employment Service Providers (Skills Matching Programming)
- Local Job Fairs
- Assessment, Gap Training / Skills Building Programming

SETTLEMENT AND LANGUAGE TRAINING SUPPORTS

- Settlement Information and Planning Supports
- Adult Language Training, including English in the Workplace

MPNP – EMPLOYER DIRECT STREAM

- Temporary to Permanent Immigration Process through the Manitoba Provincial Nominee Program

PRE-ARRIVAL INITIATIVES AND PROGRAMMING

- Pilot pre-arrival initiatives, including orientation, assessment and training components

TEMPORARY AND PERMANENT IMMIGRANT RECRUITMENT INITIATIVES

- International Labour Cooperation Agreements:
  - Iceland
  - Philippines
  - ZAV (Germany)
  - Espace Emploi (France and Belgium)
  - Mexico

WRAPA Implementation

- Implementation Date: April 1, 2009
- Recruiters able to apply for licenses since mid-February.

Links

- **Immigration and Multiculturalism Division:** **http://www.immigratemanitoba.com**

- **Employment Standards Division:** **http://www.manitoba.ca/labour/standards/**

- ***The Worker Recruitment and Protection Act:*** **http://web2.gov.mb.ca/laws/statutes/ccsm/w197e.php**