

Guidebook for Manitoba Employers

Recruiting temporary foreign workers

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Introduction

Guidebook for Manitoba Employers: Recruiting temporary foreign workers is written for Manitoba employers who may be considering hiring foreign workers for the first time or undertaking international recruitment for the 20th time. The guide explains the recruitment process to ensure it is done effectively and ethically, and so that your new workers have a smooth transition into their new workplace and new home.

This guide covers the ways to recruit local workers, the steps for foreign worker recruitment, ways to find qualified workers overseas, laws pertaining to employers and temporary foreign workers, how to prepare for your workers' arrival and ease their transition upon arrival, how to retain your temporary foreign workers permanently through Manitoba's immigration program, and information about settlement services and English classes for workers who you retain permanently. Annexes provide instructions on recruiting from specific countries.

Recruit locals first

Foreign worker recruitment is intended to be an avenue to address your company's human resource needs when you are unable to find workers locally to do the job.

1. Where to advertise

You must prove that you have looked for locals first and none are available before you receive authorization from the federal government to do foreign worker recruitment. A good place to start is by posting your job advertisement in Canada's online Job Bank (jobbank.gc.ca) and your local newspaper.

2. Immigrant employment agencies

Manitoba welcomes more than 12,000 new immigrants every year. More than 70 per cent of newcomers immigrate through the Manitoba Provincial Nominee Program for Skilled Workers, and the majority does not have employment upon arrival. They often begin their job search by contacting an immigrant employment agency.

These agencies can be a good resource for employers to find job-ready skilled workers. Consider contacting these immigrant employment agencies as part of your local recruitment efforts. Other ways to tap into the pool of newly arrived skilled workers is to advertise your positions in ethnic newspapers, newsletters and radio stations.

For a list of immigrant employment agencies and ethnic newspapers in Manitoba go to immigratemanitoba.com/browse/employers/employers-local.html.

Steps for foreign worker recruitment

1. Make an employer registration application.

Manitoba employers are required to make a Recruitment of Foreign Workers Employer Registration application to Manitoba Employment Standards Branch, Business Registration Unit. This application is free of charge.

You can fill in the form and submit it online at gov.mb.ca/labour/standards/asset_library/forms/wrapa_er_registration_app.pdf.

In this application you provide information about your company, the types of positions you are recruiting and how you are doing your recruitment. If applicable you also provide information about third-party agencies and individuals that are involved in the recruitment process.

Employment Standards assesses your application against your history of compliance with *The Worker Recruitment and Protection Act (WRAPA)* and *The Employment Standards Code*.

If successful, you will receive a certificate of registration. Include the original certificate of registration in your labour market opinion application (explained below).

2. Make a labour market opinion application.

A labour market opinion (LMO) is an opinion that Service Canada provides about the likely impact that hiring a foreign worker will have on the Canadian labour market.

Most of the time, you need to obtain a labour market opinion from Service Canada to hire workers from a foreign country. (Go to cic.gc.ca/english/work/apply-who-permit.asp to check if the position for which you are hiring does not require a LMO. If you are still unsure contact Citizenship and Immigration's Calgary Temporary Foreign Worker Unit at 403-292-4183 or by e-mail at TFWU-Calgary-UTET@cic.gc.ca.)

Service Canada has advertising requirements that are specific to the National Occupational Classification (NOC) skill level of the position you are looking to fill.

To learn how much local advertising you need to do and what information you must include in your advertising go to hrsdc.gc.ca/eng/workplaceskills/foreign_workers/communications/advertrecruitment.shtml

To apply for a LMO fill out the application at hrsdc.gc.ca/eng/workplaceskills/foreign_workers/forms/emp5239e.pdf.

Include supporting documentation, such as your original certificate of registration from Employment Standards and proof of local advertising. Send your application to the Service Canada office listed at hrsdc.gc.ca/eng/workplaceskills/foreign_workers/listhrcc.shtml.

Service Canada considers the following criteria during the assessment of your application:

- The job offer is genuine.
- The wages and working conditions are comparable to those offered to Canadians working in the occupation.
- Employer conducted reasonable efforts to hire or train Canadians for the job.
- The foreign worker is filling a labour shortage.
- The employment of the foreign worker will directly create new job opportunities or help retain jobs for Canadians.
- The foreign worker will transfer new skills and knowledge to Canadians.
- The hiring of the foreign worker will not affect a labour disputes or the employment of any Canadian worker involved in such a dispute.

3. Foreign workers apply for their temporary work permits.

Once you have received a positive or neutral labour market opinion instruct your selected foreign workers to make temporary work permit applications to Citizenship and Immigration Canada.

Go to cic.gc.ca/english/work/index.asp to find out how to apply for a temporary work permit. The workers apply for their work permits at a Canadian visa office overseas. To see which office they apply to, go to cic.gc.ca/english/information/offices/apply-where.asp.

Changing employers in Canada

If a worker is already in Canada and has a valid work permit for another company, he can apply for his new work permit online or by mailing an application to the CIC Case Processing Centre. Go to cic.gc.ca/english/information/applications/extend-worker.asp.

Or, the worker can go to the Canada Border Service Agency at the Canada-US border, bringing his passport, existing valid work permit, a job-offer letter or contract from you, a copy of the LMO and the \$150 fee.

Why it's important to abide by your LMO

The temporary work permit allows the worker to work for your company only in a specified occupation and in the specified location for a set period of time (usually one or two years). It

is important that you follow the terms and conditions set out in the labour market opinion when employing a foreign worker or else he or she may be in violation of their work permit and you may be in violation of WRAPA.

Work permits for spouses

If you are employing a foreign worker in a skilled position (NOC skill levels 0, A or B), his or her spouse may be eligible to apply for a LMO-exempt open work permit. An open work permit allows the holder to work for any employer in Canada. The spouse fills out the same work permit application as listed above and sends it to the Canadian visa office responsible for his or her country.

International youth programs

Canada has international youth programs with many countries. These programs are for people age 18 to 35. Participants receive a one-year work permit to work in Canada. An employer hiring a young worker through one of these programs does not have to obtain a certificate of registration or LMO. For more information about these programs go to international.gc.ca/iyp-pij/intro_incoming-intro_entrant.aspx.

4. Renew temporary work permits.

If you intend to continue to employ your temporary foreign worker, a few months before the expiry date of the worker's work permit you must repeat steps 1 and 2. Upon issuance of a LMO, the worker applies to Citizenship and Immigration Canada within Canada by mail to extend his work permit. Go to cic.gc.ca/english/information/applications/extend-worker.asp for the application form and further instructions.

Refer to the section of this guide on the Manitoba Provincial Nominee Program if you are interested in employing a temporary foreign worker permanently.

Ways to recruit foreign workers

There are many ways to find skilled workers overseas, including participating in a Manitoba Labor and Immigration recruitment initiative, hiring a foreign worker recruitment agency, getting referrals from friends, and doing it yourself. This section covers the different ways your company can identify and select foreign workers so that you can make an informed decision about which method(s) to use.

1. Participate in international labour mobility agreements.

The Government of Manitoba has established relationships and processes with foreign governments for the purpose of offering Manitoba employers efficient, ethical and cost-effective ways to identify and select foreign skilled workers.

Currently there are four international labour mobility agreements – with France, Germany, Iceland and Mexico. (Note: Mexico is a pilot program to find workers for the construction and hospitality industries.)

In each country, a government agency identifies candidates for you free-of-charge based on the position descriptions and required skills sets you submit. These agreements are in concurrence with *The Worker Recruitment and Protection Act* as the workers are not charged recruitment fees. Once you have identified your candidates you can choose to interview them from Canada or travel overseas to meet them, and make your final selection.

For more information and an application form go to immigratemanitoba.com/browse/employers/recruit_tfw_through_agreements.html.

2. Hire a licensed foreign worker recruitment agency.

Another way to find foreign workers is by hiring a foreign worker recruiter or agency to find the workers for you. All Canadian-based foreign worker recruiters operating in Manitoba must be licensed by Employment Standards. For a list of licensed recruiters go to gov.mb.ca/labour/standards/asset_library/pdf/wrapa_valid_licensees.pdf.

When choosing a licensed foreign worker recruiter these are some things to consider:

- Ensure the recruiter is licensed if they are based in Canada. Refer to the link above.
- WRAPA stipulates that workers cannot be charged recruitment fees. Make sure the recruiter is not charging the workers any fees.
- Conduct a reference check of the recruiter.

- Sign a contract with the recruiter so that you are aware of your roles, responsibilities, services to be provided and associated fees.
- Determine your level of involvement in the recruitment process. Will you only tell the recruiter the skills sets you are looking for and let them pick the workers? Will you also help select candidates for interview? Will you interview the candidates? The more involved you are in the process, the more likely the selected workers will meet your expectations.
- Monitor the recruiter to ensure they fulfill the contract.
- Regularly follow-up with the recruiter and/or workers to know at what stage in the process you are at (such as applying for LMOs, workers are applying for their work permits) and when the workers are expected to arrive.

3. Do foreign worker recruitment on your own.

Some employers choose to do foreign worker recruitment on their own. This method can work well if you are familiar with a foreign country or you have connections to workers in a foreign country.

If you are familiar with another country you can do foreign worker recruitment yourself by advertising jobs in their media, travelling there and interviewing candidates.

You may have immigrant employees who can refer good candidates to you from their friends and family in their country of origin.

You may choose to hire a recruitment agency based in a foreign country to source workers for you. Be careful that the foreign-based recruitment agency you choose does not charge the workers fees as you could be held liable. See Section V of WRAPA for more details.

Checklist for temporary foreign worker recruitment

1. Advertise to recruit local workers first.

- Job Bank
- local newspapers
- other newspapers, journals and websites
- newcomer employment agencies
- When advertising be sure to follow the Temporary Foreign Worker Program minimum advertising requirements – or you may have to re-advertise. Read the requirements at rdcc-hrsdc.gc.ca/eng/workplaceskills/foreign_workers/communications/advertrecruitment.shtml.

2. Determine how you will recruit your foreign workers.

- Use one of Manitoba's international labour mobility agreements.
- Hire a licensed foreign recruiter.
- Do it on your own.

3. Register with Manitoba Employment Standards Branch.

4. Interview candidates and make job offers to foreign workers.

5. Apply to Service Canada for a labour market opinion (LMO).

This step can be done before selecting foreign workers by applying for an “unnamed” LMO. After workers are selected you provide Service Canada with the names of the workers to receive a named LMO.

6. Provide your selected workers with a copy of the LMO and copies of their employment contracts or job offer letters.

7. Instruct your selected workers to apply to Citizenship and Immigration Canada for their work permits, usually at a Canadian visa office overseas.

8. Stay in touch with your workers to know when they have applied for their work permits, when they receive their work permits and when they are travelling to Canada.

9. The workers travel to Canada and begin working for you.

10. Inform Employment Standards of your temporary foreign workers' names, addresses, phone numbers, work locations and job titles.

This reporting responsibility is part of the terms and conditions of your employer registration under WRAPA.

WRAPA – what employers need to know

Employer registration information

All Manitoba employers wanting to recruit foreign workers are required first to register with the Employment Standards Branch, Business Registration Unit. This is a requirement of *The Worker Recruitment and Protection Act*. The act, which came into effect April 1, 2009, improves protections for foreign workers wanting to live and work in the province.

What if I don't register before recruiting internationally?

Employers who submit a labour market opinion application to Service Canada without supplying a certificate of registration from the Employment Standards Branch will be referred back to Employment Standards for registration.

Can I use a third party to recruit foreign workers?

Yes, provided the third party is licensed as a foreign worker recruiter by the Employment Standards Branch or is exempt from the legislation.

How do I know if a recruiter is licensed?

Employment Standards lists companies or people holding a valid licence at gov.mb.ca/labour/standards/asset_library/pdf/wrapa_valid_licensees.pdf. If recruiters are not on the list they are not licensed.

Can fees be charged to a worker?

No. Neither a recruiter nor an employer can charge or collect a fee (directly or indirectly) from the worker.

How are workers protected from being charged fees?

The Employment Standards Branch conducts inspections and investigations to ensure fees are not connected to seeking or finding work. If it is discovered a worker has been charged, either the recruiter or the employer will be ordered to repay the fees. In addition to repayment, if the recruiter was involved they will lose their licence and be subject to fines as high as \$50,000. Directors and officers of a corporation will also be subject to a \$25,000.00 fine. If an employer is involved, their recruitment registration will be cancelled.

Who pays the fees associated with recruiting foreign workers?

Employers are responsible for paying any recruitment fees. WRAPA prohibits charging fees to workers.

Can the terms and conditions of a foreign worker's job be changed?

Foreign workers, including workers with temporary status, have the same rights as other workers in Manitoba. Foreign workers are further protected by the conditions upon which

they were allowed to work in Manitoba. This means employers cannot reduce the terms and conditions of the employment contract or labour market opinion – even if the worker agrees. Employment Standards will enforce the negotiated rate of pay and benefits as the minimum standards.

If I hire a temporary foreign worker and need to lay them off, what happens?

If you are laying off a temporary foreign worker please contact the Employment Standards Branch to discuss what steps should be taken to inform and support the worker. You should also notify Service Canada and Citizenship and Immigration Canada.

What if there is no job when the foreign worker arrives?

The registration process requires employers to immediately report any changes to Employment Standards. Employers are responsible for paying any benefits promised during the recruitment process such as transportation costs to and from Manitoba. You should also notify Service Canada and Citizenship and Immigration Canada.

What records must I keep as an employer recruiting a foreign worker?

You must keep complete and accurate financial operations records for at least three years as well as records that show:

- the worker's name, address and telephone number, job title and the location where they do most of their work
- expenses incurred (directly or indirectly) by the employer or an employee of the employer during a recruiting process
- a copy of the labour market opinion and all contracts/agreements entered into with foreign workers and recruiters

How do employers protect themselves from unscrupulous recruiters when recruiting foreign workers?

- If you are contacted by someone offering to find foreign workers for your company, check the list maintained by Employment Standards to make certain the person is licensed.
- If you are contacted by a foreign worker seeking a job ensure there is not an unlicensed recruiter involved.
- Invest in the process for selecting a foreign worker to help lower chances for a third-party to exploit workers
- Be aware that it contravenes WRAPA for an immigration lawyer or consultant to charge a worker a fee and then seek or find them employment.
- If you are solicited by an unlicensed recruiter contact the Employment Standards, Business Registration Unit for assistance.

For more information on WRAPA go to gov.mb.ca/labour/standards/wrpa.html.

The act is online at web2.gov.mb.ca/laws/statutes/2008/c02308e.php.

Employment standards

Foreign workers are treated like Manitoba workers

Employment standards are the rules that employers and employees must follow in Manitoba workplaces. Employment standards are contained in *The Employment Standards Code* and regulations. With certain exceptions, all employers and employees have to follow these rules.

For more information go to gov.mb.ca/labour/standards/doc.quick_guide.factsheet.html.

Read *The Employment Standards Code* at web2.gov.mb.ca/laws/statutes/ccsm/e110e.php.

Workplace safety and health

When it comes to safety and health in the workplace, temporary foreign workers are considered the same as all other workers in Manitoba.

Manitoba law regards workplace safety and health as a responsibility shared by employer and employees. *The Workplace Safety and Health Act* and regulations set out a structure for this internal responsibility system.

Employer responsibilities

- Post employer's safety policy, safety and health committee meeting minutes, names of safety and health committee members or representatives, safety and health inspection reports and orders of the Manitoba Workplace Safety and Health Division if any have been issued.
- Develop a written safety and health program and provide training on safety and health policies.
- Provide and maintain a safe workplace including equipment and protective devices.
- Train workers to use equipment properly and make sure they do use it safely.
- Protect workers from dangerous situations.
- Tell workers about any known hazard and provide training on how to work safely to eliminate the risk of injury.
- Train supervisors so that they are able to competently perform their duties.
- Understand and comply with *The Workplace Safety and Health Act* and regulations. View the act at web2.gov.mb.ca/laws/statutes/ccsm/w210e.php.

Supervisor responsibilities

- Make sure workers follow the act and regulations.
- Train and mentor workers to work safely and properly use protective equipment.

Worker responsibilities

- Use required protective equipment the way you were trained. Don't change it in any way.
- Report any hazard or dangerous situation to your supervisor.
- Use all equipment safely, the way you were trained.

Worker rights

- **the right to know** about hazards in the workplace and what actions we can take to prevent injuries or illness from these hazards
- **the right to participate** in safety and health activities at the workplace including involvement in the joint workplace safety and health committee as a worker representative
- **the right to refuse** any task that the worker believes is dangerous to his or her safety and health or the safety and health of other people
- **the right to protection:** The worker has **the right to tell** his or her supervisor, committee or representative about his or her concerns. A worker can't be fired or laid off for saying that a job is unsafe or that he or she doesn't know how to do a job.

Seasonal workers

Are you hiring temporary foreign workers for seasonal work?

Workers who specialize in seasonal work often aren't as thoroughly prepared or versed in health and safety protocol as those who do their jobs year-round.

SAFE Manitoba has developed the Seasonal Worker Safety and Health Orientation program. It helps employers improve health and safety procedures among seasonal workers, covering:

- basics of workplace safety and health laws
- rights, responsibilities and duties of employers
- rights, responsibilities and duties of workers
- joint health and safety committees
- how to identify workplace hazards
- hazard control and prevention measures
- hazard and incident reporting

To download a participant guide and a leader guide go to safemanitoba.com/seasonal_worker_safety_and_health_orientation.aspx.

Manitoba Immigrants' Safety Initiative

Resources have been designed to help all Manitobans overcome language, cultural and informational barriers in order to develop safe work practices and procedures.

Immigrant workers make up a growing segment of Manitoba's workforce. It is important that they understand:

- the culture of health and safety in Manitoba;
- their rights and responsibilities for health and safety in the workplace; and
- their employers' responsibilities to maintain safe and healthy workplaces.

To get rights and responsibility resources in English, French, Chinese, German, Punjabi, Russian, Spanish and Tagalog go to safemanitoba.com/manitoba_immigrants_safety_initiative.aspx.

This website also has two manuals for employers on health and safety training and on understanding cultural impacts to health and safety. It also has teaching manuals for two levels of English (Canadian Language Benchmarks levels 5 and 7) to teach newcomers about the core elements of workplace health and safety.

A Safe Immigrant Workforce for Manitoba: An Employer's Guide for Health and Safety Training is designed to help Manitoba employers:

- increase their understanding of the impact of cultural differences on health and safety
- teach the core elements of workplace health and safety to immigrant workers
- recognize and provide effective health and safety orientation for immigrant workers

By using this guide, employers can help immigrant workers:

- understand workplace health and safety rights and responsibilities of workers and employers
- recognize and report workplace hazards
- make recommendations to improve health and safety in their workplace

Get the guide at safemanitoba.com/manitoba_immigrants_safety_initiative.aspx.

This guide has been created for small- and medium-sized businesses throughout Manitoba. It is intended for anyone who is responsible for teaching health and safety in the workplace – managers, frontline supervisors, and health and safety officers. Please note that the guide is designed to assist employers to train immigrant workers on workplace health and safety. It does not replace the employer's legal safety and health responsibilities outlined in *The Workplace Safety and Health Act* and its regulations.

Building a Safe Workplace Community: An Employer's Guide to Understanding Cultural Impacts in Health and Safety provides advice and guidance to employers in developing a

tolerant and safe workplace community that will allow new Canadians to cope and assimilate safely into their new Canadian workplace.

The purpose of this guide is to:

- build awareness that different values and behaviours may affect employee safety in the workplace
- explain employer, supervisor and employee responsibilities
- provide suggestions on how to accommodate cultural differences and improve employee safety
- provide examples of communication behaviours and tips on how to communicate with a culturally diverse workforce
- provide a list of recommendations for health and safety training for new Canadians

Get the guide at safemanitoba.com/manitoba_immigrants_safety_initiative.aspx.

Workers compensation

If you are covered by *The Workers Compensation Act*, your temporary foreign workers are covered by the Workers Compensation Board of Manitoba (WCB).

As an employer, your primary legal obligations under the act are to:

- report workplace injuries and illnesses within five business days of becoming aware of them;
- allow workers to file an injury claim with the WCB and not take any action to discourage them from doing so;
- submit accurate payroll information in a timely manner in order for the WCB to determine premiums;
- pay premiums in a timely manner and not pass on the cost of coverage to workers;
- make sure that the contractors or subcontractors your business works with comply with WCB requirements;
- re-employ workers you have employed for at least twelve continuous months before the date of their injury or illness. This obligation applies only to employers with 25 or more full-time or regular part-time workers, and
- advise the WCB when injured workers return to work following an absence due to a workplace injury.

For more information on *The Workers Compensation Act* and the Workers Compensation Board of Manitoba go to wcb.mb.ca.

Preparing for the arrival of your workers

1. Hold diversity and inter-cultural training at your workplace.

Manitoba is growing through immigration. Every week, 200 newcomers arrive in Manitoba and that number is expected to double by 2017. As your workplace becomes more diverse, cultural understanding becomes more important.

Intercultural training can benefit your workplace in the following ways:

- You can gain skills that will enable you to attract, hire and retain the best talent from a diverse labour pool.
- Employees will have the tools to recognize, respond and resolve difficult interactions that can stem from cultural misunderstandings.
- All can understand the legal implications of unintended or perceived acts of discrimination or harassment.

For more information and to set up a training session for your workplace contact:

Manitoba Diversity and Intercultural Training Program
PO Box 34001
7 Killarney Avenue
Winnipeg, Manitoba R3T 3B1
Phone: 204-688-1524
E-mail: info@ditmanitoba.ca

The program will tailor sessions to meet your needs. Topics include:

- an introduction to the role of culture
- culturally sensitive supervising
- inclusive communication in a diverse workplace
- developing high performance diverse teams
- conflict resolution in a diverse workplace
- creating a welcoming community

2. Organize a mentorship program at your workplace.

Consider setting up a mentorship program for when your temporary foreign workers arrive. The ability of a company's employees to work and communicate effectively as a team can be greatly enhanced through a mentorship program.

Mentoring is a system where new employees are matched with an experienced and culturally sensitive staff person (not the employee's supervisor) that is willing to provide additional support. Mentors can help newcomers learn about the company's corporate culture and offer existing employees a chance to meet and interact with newcomers. The mentor can also provide specific feedback on job performance to the new employee.

If an employee has difficulty with language, match him or her with someone in the company who has good English and is both sensitive and skillful. A buddy system, especially in the case of language practice, can be very effective.

Resources are available to support the establishment of a language partner program. Supports available in Manitoba include general language classes, job-specific language training and support in communication assessment. For more information go to immigratemanitoba.com/browse/employers/eaw.

Preparing a settlement plan for your workers

Before your workers arrive it is a welcoming gesture on your part to provide them with information not only about their new jobs but about the community in which they will live. Helping them ease the transition to their new environment can make the experience of living in a new country, surrounded by a new culture and sometimes a new language, a positive one. Preparing for and assisting with your foreign workers' settlement can improve worker loyalty and increase the possibility they will remain with your company long-term. Below are items you should include in your settlement plan and information you can provide workers before they arrive in Canada.

1. Community information

Provide workers with information about the community to which they are moving. There may already be information available at the tourist office or immigrant settlement services agency you could send them. Let them know the following types of information about the community:

- size of community
- proximity to other communities
- shopping for groceries and other personal items
- parks and recreational facilities
- community events and festivals
- churches, synagogues and temples
- hospitals and clinics
- schools, if their families are accompanying
- transportation such as bus service and taxis

2. Workplace information

Provide workers with information about the workplace, such as:

- company profile
- size of staff
- workplace layout
- hours of operation
- health and safety policy
- mentorship program

3. Housing

You may arrange housing for your temporary foreign workers, or assist them in finding their own housing. (Note: employers are required to arrange housing for workers coming through the TFW Program's Pilot Project for Occupations Requiring Lower Levels of Formal Training (NOC C and D).) If you are assisting them in finding their own accommodation, refer them to the following listings:

- your community newspaper
- [Winnipeg Free Press online listings](#)
- [Hometrader.ca](#)
- [Winnipeg Rental Network](#)

Provide workers with information about renting and utilities found at immigratemanitoba.com/browse/settle/settle-housing.html.

In case they have further questions or encounter problems, provide workers with contact information for the Manitoba Residential Tenancies Branch: gov.mb.ca/finance/cca/rtb/.

4. Getting a driver's licence

Inform your workers whether they will need to drive to work, or if public transit is available. Suggest to your temporary foreign workers that they bring with them their current driver's licences or international driver's permit in order to get a Manitoba driver's licence. Individuals from some countries may be able to exchange their foreign driver's licence for a Manitoba driver's licence.

Provide them with information about how to get a driver's licence from Manitoba Public Insurance: mpi.mb.ca/english/dr_licensing/DriverLicensing.html.

The MPI Driver Handbook is available at mpi.mb.ca/english/dr_licensing/DriverHandbook.html.

5. Health coverage

Temporary foreign workers are eligible for health coverage from Manitoba Health if they have work permits valid for at least 12 months. If they have work permits valid for less time, you are required to provide the workers with private health care coverage. If your workers will be in Canada for short work assignments (less than 12 months) arrange their health coverage ahead of time and inform them of the details of their health insurance plans.

6. Educational services

Find out if your temporary foreign workers will be coming to Canada with their families. Children under the age of 18 are eligible to study in Canada without a study permit if they are accompanying a parent who holds a valid temporary work permit. Provide the workers with information about schools in your community or neighbourhood(s) where the workers will live.

For more information about schools in Manitoba go to immigratemanitoba.com/browse/settle/learning/settle-school.html.

7. Gather documents for their MPNP applications.

It is much easier to gather documents necessary for the workers' future Manitoba Provincial Nominee Program applications while they are still in their home countries than doing so from Canada. It can also sometimes be cheaper to have non-English/non-French documents translated in their home countries too.

If you are hiring temporary foreign workers with the intention that they may become permanent staff, send them a MPNP application kit, which includes a document checklist for the Employer Direct priority assessment stream. Instruct them to gather their documents and bring them with them to Canada in preparation for their MPNP applications.

The MPNP application kit is available at immigratemanitoba.com/asset_library/en/pn/pnpkit0909.pdf.

Checklist – what to do when the workers arrive

1. Pick the workers up from the airport or arrange transportation.
2. Visit a Service Canada office for their Social Insurance Numbers.
3. Visit Manitoba Health for their Manitoba Health Cards.
(Winnipeg office is 300 Carleton Street, phone: 786-7101. Outside Winnipeg phone 1-800-392-1207.)
4. Visit a MPI office to apply for Manitoba driver's licences.
5. Provide temporary accommodation (such as a hotel or bed and breakfast) if you have not arranged housing yet.
6. Show them around your community, pointing out places of interest, shopping, gas stations, religious buildings, recreational facilities, etc.
7. Give them a tour of the workplace.
8. Discuss your workplace health and safety procedures:
 - hazards on the job and in the workplace,
 - required health and safety training
 - where and how to use safety equipment
 - who to speak to about health and safety matters and if injured on the job
 - review emergency procedures such as location of first aid kits, fire extinguishers and evacuation plans
9. Review their wage and payment of earnings:
 - confirm rate of pay, overtime pay
 - confirm how and when they will be paid
 - review payroll deductions
10. Tell the workers their hours of work, including breaks.
11. Discuss vacation leave, approvals and pay, and statutory holidays.
12. Help them find housing in your community if you have not done so already.
13. Assist them in opening a bank account.
14. Provide information about how to access telephone and internet services.
15. Help them find a used vehicle if they require a vehicle to get to work.
16. Provide information about schools if they have accompanying children. Set up appointments at the schools to register their children.

How to permanently retain your temporary foreign workers – Manitoba Provincial Nominee Program

The Manitoba Provincial Nominee Program for Skilled Workers is Manitoba's immigration program. It is responsible for bringing in more than 70 per cent of immigrants to Manitoba in recent years, helping the province towards its goal of 20,000 immigrants per year by 2016.

The MPNP can help you retain your temporary foreign workers permanently by allowing them to apply for permanent residence after they have worked in Manitoba for at least six months. During this immigration process, they can continue working for you – they do not have to return home. Once they have permanent resident status they no longer need work permits to legally work in Canada.

The MPNP receives applications from individuals in all occupations. All applicants are assessed for their age, education, language ability, work experience and connection to Manitoba. The MPNP contains five assessment streams – Employer Direct, Family Support, International Student, Strategic Recruitment Initiatives and General.

Applicants who are temporary foreign workers in Manitoba apply to the Employer Direct stream. The eligibility criteria for this stream are:

- at least six months work experience for an employer in Manitoba
- a valid temporary work permit
- a full-time, permanent job offer from their employer in Manitoba

The MPNP application kit is available at immigratemanitoba.com/asset_library/en/pn/pnpkit0909.pdf.

It is a good idea for temporary foreign workers to come to Canada with all of the documents they will need to apply to the MPNP. Before they even arrive, share with them the documents checklist for the Employer Direct stream so they can gather the necessary documents while in their home countries.

After a temporary foreign worker has been nominated by the MPNP, it is not necessary for you to apply for another labour market opinion to renew their work permit. The worker can ask the MPNP for a MPNP work permit support letter two months before their work permit is due to expire. Include the MPNP work permit support letter in place of a LMO in their work permit application that the worker submits to Citizenship and Immigration Canada. Note: if the MPNP receives a worker's application whose temporary work permit is expiring within a short period of time, the MPNP work permit support letter will automatically be included with the nomination package that is sent to the worker upon nomination.

Settlement services and English classes

Canada and Manitoba fund settlement services and English classes for newcomers throughout the province.

Note: These services are available only to permanent residents of Canada, Canadian citizens and provincial Nominees. Temporary foreign workers cannot access these services until they are approved provincial nominees.

Settlement service agencies assist newcomers dealing with issues such as adapting to daily life, settling into a new home and community, learning English, physical and mental health, employment preparation and looking for work.

There are a variety of settlement agencies in Winnipeg, in several Winnipeg neighbourhoods as well as in towns and cities throughout Manitoba.

English classes are designed for all levels of language learners, following the Canadian Language Benchmarks. Classes are offered in Winnipeg and in towns and cities outside of Winnipeg. As well, there are specialized language programs for learners preparing to enter post-secondary courses and for specific occupations, such as accountants, agrologists, engineers, nurses and teachers.

To see the range of services for newcomers and where they are located, check out the interactive Immigrate to Manitoba Information Map. Click on the button Search the map: Find services in the left hand column of immigratemanitoba.com.

You'll also find services listed at immigratemanitoba.com/browse/agencies/.

English at Work

Because your temporary foreign workers are not eligible for free language classes or settlement services until they have been nominated by the MPNP, you may be interested in holding English classes at your workplace. Through the English at Work program, you can get funding and support for English training delivered at your worksite.

The English at Work program offers language classes at your workplace. A trained and experienced Adult English as an Additional Language (EAL) teacher delivers practical job-specific English instruction. The Government of Manitoba shares in training costs.

For more information go to immigratemanitoba.com/browse/employers/eaw.

Would you benefit from English at Work?

- Do you have employees with skill and expertise who work below their potential because English is not their first language?
- Do employees indicate they understand you when you sense that they don't?
- Have you needed a translator to provide or receive information from staff?
- Do you have to assign workers to supervisors who share their language?
- Could misunderstandings or mistakes be avoided with better English proficiencies?

What the program offers:

- trained and experienced English as an Additional Language (EAL) instructors
- practical, job-specific English language training
- professional language and communication assessments to identify your workplace needs and assist with development of guidelines for hiring
- language training designed to complement other workplace training
- expertise in Canadian Language Benchmarks
- English communication addressed with Canadian and workplace culture
- advice for improved overall workplace communication practices
- shared investment in training costs

What Manitoba employers say about the English at Work program

"English at Work has given All-Fab's participating employees the ability to work more confidently, more safely and more effectively. The program has helped their social interaction with other employees. We all benefit from having this program at All-Fab."

*Marian McConville, human resource administrator
All-Fab Building Components*

"The feedback I have from within Great-West Life is very positive. One manager says, 'I have been very happy with the English Communication program. I have definitely seen results. Before the classes they would have asked me to make calls on their behalf and now they have the courage to try themselves. These classes have given them the tools they need to go forward. Overall I think we have given each individual the opportunity to learn skills that we as a company will most certainly gain from.'"

*Janice Bean, training and education specialist
Great-West Life Assurance*

Links

Recruiting local workers

[Employment Projects of Winnipeg](#)

epw.ca

[Success Skills Centre](#)

successskills.mb.ca

[Employment Opportunities for Immigrant Youth](#)

employmentsolutionsforimmigrantyouth.mb.ca

Foreign worker recruitment

[Manitoba Employment Standards](#)

www.gov.mb.ca/labour/standards/

[Service Canada / HRSDC Foreign Worker Program](#)

hrsdc.gc.ca/eng/workplaceskills/foreign_workers/index.shtml

[Manitoba Labour and Immigration For Manitoba Employers](#)

immigratemanitoba.com/browse/employers/

[Citizenship and Immigration Canada](#)

cic.gc.ca

Retaining your foreign workers

[Manitoba Provincial Nominee Program](#)

immigratemanitoba.com/browse/employers/employers-pn.html

Preparing for your temporary foreign workers' arrival

[Diversity and Intercultural Training](#)

immigratemanitoba.com/asset_library/en/employers/ditp1108.pdf

Assisting in your temporary foreign workers' settlement in Manitoba

[English at Work](#)

immigratemanitoba.com/browse/employers/english/eal-employers-programs.html

[Manitoba Health](#)

gov.mb.ca/health/

[Manitoba Public Insurance](#)

mpi.mb.ca/english/dr_licensing/DriverLicensing.html

[Service Canada: Social Insurance Number](#)

servicecanada.gc.ca/eng/sc/sin/index.shtml

[Schools in Manitoba](#)

immigratemanitoba.com/browse/settle/learning/settle-school.html

[Housing](#)

immigratemanitoba.com/browse/settle/settlement/settle-housing.html

Annex A:

Special instructions for recruiting workers from the Philippines

The process to recruit workers from the Philippines is distinct from recruiting from other countries. The Philippines' Department of Labour and Employment has set out rules and processes to manage the migration of Filipino workers for overseas employment and ensure the protection of workers. The Memorandum of Understanding between the Philippines and Manitoba enshrines these policies as well as the guidelines for the ethical recruitment of workers set out by Manitoba's Worker Recruitment and Protection Act.

Using a Philippines-based licensed recruitment agency

You can recruit workers from the Philippines on your own, without the use of a recruiter, up to a maximum of 10 workers. After that, employers are required by the Filipino government to hire a Philippines-based licensed recruitment agency to source workers.

A list of licensed recruitment agencies is available on the Philippines Overseas Employment Administration (POEA) website at poea.gov.ph.

Employers can hire more than one Philippines-based licensed recruitment agency only in cases where:

- the recruitment agencies are receiving the same compensation for work they perform
- the employer has a job order, verified by POLO, for at least 50 workers
- the employer hired at least 50 workers from the Philippines within the previous year

Recruitment costs

Philippines-based, licensed recruitment agencies are prohibited from charging workers who are destined to Manitoba recruitment or placement fees. Any fees charged by a recruitment agency must be paid for by the employer.

The POEA stipulates that Canadian employers pay for all recruitment costs related to hiring Filipino workers including:

- the visa fee, C\$150
- airfare,
- POEA processing fee, PhP200
- Overseas Workers Welfare Administration (OWWA) membership contribution, US\$25
- trade test and costs of training (as required by the employer)

The worker pays for the cost of his/her passport, NBI clearance, birth certificate and medical examination.

Register your company with the Philippines Overseas Labour Office

Employers seeking to recruit workers from the Philippines must register with the Philippines Overseas Labour Office (POLO). The closest POLO office is in Toronto:

Philippines Consulate General
161 Eglinton Avenue East, Suite 800
Toronto, Ontario M4P1J5
Phone: 416-922-7181
Fax: 416-922-2638
Website: philcongen-toronto.com

When you register for the first time, submit the following documents to POLO:

- special power of attorney given by the employer to the Philippines-based licensed recruitment agency, if applicable; you also submit a special power of attorney given by the employer to the Canadian-based licensed recruitment agency if you are using one.
- your manpower request indicating the position and salary of the workers you intend to hire
- copy of your labour market opinion from Service Canada
- copy of your business licence or commercial registration
- employment contracts between you and the Filipino workers

Your registration will be valid for four years. However, each time you plan to recruit additional workers during the four years submit the following to POLO:

- your manpower request indicating the position and salary of the workers you intend to hire
- copy of your labour market opinion from Service Canada

POLO verifies your manpower request. This verification is valid for the validity period of your labour market opinion.

Workers obtain a POEA exit clearance

After Filipino workers receive their work permits from the Canadian embassy in Manila they require an exit clearance from the POEA before they can travel to Canada to begin working for you. The exit clearance will either be an e-receipt or an overseas employment certificate. It certifies the worker's recruitment and documentation. Also, it exempts the worker from paying the travel tax and airport terminal fee. The worker presents the clearance at a POEA labour assistance centre and bureau of immigration counter at the airport before departure.

To obtain an exit clearance, the following documents are submitted to the POEA:

- employment contract signed by the worker that has been verified by POLO
- LMO confirmation issued by Service Canada naming the workers
- copy of passport containing the work visa
- pre-departure orientation seminar certificate