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Facilitating Labour Mobility for Foreign Talent in IT and Tech in Canada

Presented by:

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Traditional Work Permit Categories

- NAFTA Professionals (Software Engineer, Systems Analyst)
- Intra-Company Transferees
- Canada-European Union Comprehensive Economic and Trade Agreement (CETA)
- Labour Market Impact Assessment (Traditional route with recruitment requirements and those under Variations to Minimum Recruitment categories)
- LMIA – Facilitated occupations in Quebec (includes computer programmers and web developers)
<http://www.immigration-quebec.gouv.qc.ca/fr/employeurs/embaucher-temporaire/recrutement-haut-salaire/liste-professions/index.html>



Purpose of Global Skills Strategy

- Implemented June 12, 2017
- To break down the barriers faced by employers in attracting and accessing talent worldwide
- Affects both Immigration Refugees and Citizenship Canada (IRCC) and Employment and Social Development Canada (ESDC)

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Multi-Pronged Program

1. **Short-term Work Permit Exemptions** (IRCC) – high-skilled talent and top research talent
2. **Two-week Service Standard** (IRCC) – high-skilled talent
3. **Global Talent Stream** (ESDC) – 10 business days for skilled occupations in shortage and employers with specialized talent needs
 - Dedicated Referral Partners
 - Global Skills Occupation list
4. **Dedicated Service Channel** (IRCC) – guidance to employers

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Short-term Work Permit Exemptions – High-skilled Workers

High-skilled workers coming to perform work of a short duration on one-time and/or infrequent basis may be exempt from the requirements to obtain a work permit.

Eligible for short-term work permit exemption if:

1. Duration
 - 15 consecutive calendar days or less and six months have passed since the first day of work under the previous use of this exemption; or
 - 30 consecutive calendar days or less and 12 months have passed since the first day of work under the previous use of this exemption
2. Skill Level
 - Job offer for a position within skill level 0 (managerial) or A (professional) of the National Occupational Classification

Only applicants outside Canada are eligible for this exemption. (Includes applications at ports of entry and visa offices abroad.)

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Short-term Work Permit Exemptions - Researcher

Researchers coming to perform work of a short duration may be exempt from the requirements to obtain a work permit.

Eligible for short-term work permit exemption if:

- 120 consecutive calendar days or less and 12 months have passed since the first day of work under the previous use of this exemption
- Engaged primarily in research activities
- Coming to work at a publicly funded, degree-granting institution at the college or university level or affiliated research institution;
- Have a letter from the receiving institution attesting to the details of the work as being primarily research and outlining the period of employment

Only applicants outside Canada are eligible for this exemption. (Includes applications at ports of entry and visa offices abroad.)

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Two Week Service Standard – Two ways

1. International Mobility Program (LMIA-exempt)

1. National Occupational Classification major Group 0 (managerial) and A (professional)
2. Employer-specific
3. Submission of Offer of Employment

2. Positive LMIA through the Global Talent Stream

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Two Week Service Standard - Eligibility

Eligible for two-week processing if:

1. Apply from outside Canada (visa office);
2. Apply online;
3. Upfront medical examination, if applicable; and
4. Upfront biometric fee (biometric results needs to be submitted before the two weeks pass), if applicable.

Spouse/common-law partner and dependents are also eligible for two-week processing if apply at the same time as the main applicant.

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Two Week Service Standard – Comparison to Regular Processing Time

Visa-Required Countries	Estimated Processing Time
Brazil	10 weeks
China (People's Republic of)	8 weeks
India	12 weeks
Pakistan	20 weeks
United Arab Emirates	22 weeks

(www.cic.gc.ca/English/information/times/ - updated December 24, 2017)

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Global Talent Stream - Category A

Category A:

- referred by one of the Stream's designated referral partners
- seeking to hire unique and specialized talent

Unique and specialized talent is indicated by:

- Advanced knowledge of the industry
- Advanced degree in an area of specialization of interest to the employer and/or
- Minimum of five years of experience in the field of specialized experience and
- A highly paid position with a salary of usually \$80,000 or more

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List of Designated Partners – as of December 1, 2017

- Atlantic Canada Opportunities Agency
- **BC Tech Association**
- Business Development Bank of Canada
- Canadian Economic Development for Quebec Regions
- Communitech Corporation
- Council of Canadian Innovators
- Federal Economic Development Agency for Southern Ontario
- Global Affairs Canada's Trade Commissioner Service
- Government of Alberta, Alberta Labour
- Government of Manitoba, Manitoba Education and Training
- Government of Prince Edward Island, Island Investment Development Inc.
- ICT Association of Manitoba (ICTAM)
- Government of Saskatchewan, Ministry of the Economy
- Innovation, Science and Economic Development Canada - Accelerated Growth Service
- Invest Ottawa
- MaRS Discovery District
- National Research Council - Industrial Research Assistance Program (NRC-IRAP)
- Ontario Ministry of Citizenship and Immigration
- Ontario Ministry of Economic Development and Growth
- Privy Council Office, Special Projects Team
- **Vancouver Economic Commission**
- Venn Innovation

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Global Talent Stream – Category B

Category B:

- Hire highly skilled foreign workers for occupations found on ESDC's Global Talent Occupations List, which have been determined to be in-demand and for which there is insufficient domestic labour supply

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Global Talent Occupation List - updated Dec 21, 2017

Global Talent Occupations List			
National Occupations Classification (NOC) code	Occupation	Minimum wage requirement (annual salary)	Minimum wage requirement (hourly rate)
0213	Computer and information systems managers	Prevailing wage	Prevailing wage
2147	Computer engineers (except software engineers and designers)	Prevailing wage	Prevailing wage
2171	Information systems analysts and consultants	Prevailing wage	Prevailing wage
2172	Database analysts and data administrators	Prevailing wage	Prevailing wage
2173	Software engineers and designers	Prevailing wage	Prevailing wage
2174	Computer programmers and interactive media developers	Prevailing wage	Prevailing wage
2175	Web designers and developers	Prevailing wage	Prevailing wage
2241	Electrical and electronics engineering technologists and technicians	\$81,000 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors	\$38.94 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors

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Global Talent Occupation List - updated Dec 21, 2017

2283	Information systems testing technicians	\$78,000 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors	\$37.50 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors
Sub-set of 5131*	Producer, technical, creative and artistic director and project manager – Visual effects and video game *in addition to the position having an annual salary of at least \$75,000 (\$36.06 per hour) or the prevailing wage (if the prevailing wage is higher), the position must require a minimum of five years of experience in the visual effects, video game or animation industries in one or a combination of the following roles: producer, technical director, creative director, artistic director or project manager, with experience in at least one or more of the following skills relevant to the visual effects, video game or animation industries: surfacing and look development; character or simulation rigging; matte painting; or technical pipeline development and application for visual effects, video games, or animation production.	\$75,000 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors	\$36.06 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors
Sub-set of 5241**	Digital media designers **in addition to the position having an annual salary of at least \$80,000 (\$38.46 per hour) or the prevailing wage (if the prevailing wage is higher), the position must require a minimum of five years of experience in at least one of the following digital media design skills: 3D modeling, virtual reality, augmented reality, digital media animation, levels editing for digital media design, software editing for digital media design, pipeline software development or applications relevant for digital media design	\$80,000 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors	\$38.46 or higher prevailing wage If you are submitting an application from the province of Quebec, consult Quebec's Ministry of Immigration, Diversity and Inclusion website (French only) for wage floors

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Global Talent Stream – No Minimum Recruitment Requirement

- No specific minimum recruitment requirements
- Still encouraged to recruit Canadians and permanent residents
- Must work with Service Canada to prepare **Labour Market Benefits Plan**

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Global Talent Stream – Labour Market Benefits Plan

- ESDC will work with the employer to complete the Labour Market Benefits Plan
- Labour Market Benefits Plan is intended to demonstrate the employer's commitment to activities that will have a lasting, positive impact on the Canadian labour market
- Progress review of the Labour Market Benefits Plan will be conducted approximately every six months
- Six month progress reviews under the Global Talent Stream are not the same as compliance reviews under the Temporary Foreign Worker Program

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Global Talent Stream – Labour Market Benefits Plan

Category A		Category B	
Mandatory Benefit	Two Complementary Benefits	Mandatory Benefit	Two Complementary Benefits
Create jobs, either directly or indirectly for Canadians and permanent residents	Investment in skills and training	Increase Skills and training investments for Canadians and permanent residents	Create jobs
	Transfer knowledge to Canadians and permanent residents		Transfer knowledge to Canadians and permanent residents
	Enhance company performance		Enhance company performance
	Implement best practices or policies as an employer for the workforce		Implement best practices or policies as an employer for the workforce

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Global Talent Stream

At least one activity for each benefit, such as:

- increasing the number of Canadians and permanent residents employed full-time and part-time by the employer
- establishing or enhancing educational partnerships with local or regional post-secondary institutes or with other organizations that are supporting skills and training (for example, providing post-secondary institutes with free licenses or other access to specialized software that will help to build student skills on key industry tools)
- providing paid co-op or internship opportunities for Canadians and permanent residents at the firm
- developing and implementing policies to support the hiring of underrepresented groups, (for example, hosting and/or attending events that support the professional development and/or hiring of underrepresented groups in the labour market and women in high-skilled technical and/or leadership roles at the firm)
- providing direct training to Canadians or permanent residents, including supporting employees to travel to and attend industry or industry sector conferences relevant to the development of their specialized skillset
- ensuring that the highly skilled foreign workers directly supervise and mentor Canadian workers at the firm to support knowledge transfer
- increasing growth of revenue, employment or investment at the firm
- developing or improving best company practices or policies related to attraction/retention of Canadian workforce (for example, by supporting code sprints and hackathons to hire new employees)
- developing or enhancing partnerships with organizations that assist with the identification of top domestic capital

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Global Talent Stream - Wage

For the purpose of Global Talent Stream, employer must pay the prevailing wage which is defined as the highest of either:

- The applicable minimum wage requirement as identified in the Global Talent Occupations List
- The wage that is within the wage range that the employer is paying their current employees hired for the same job and work location, and with the same skills and years of experience
- The median wage on Job Bank

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Global Talent Stream - Comparison to Regular Processing Times and Exceptions

- Regular LMIA processing time is estimated to be between 10 – 12 weeks.

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Global Talent Stream - Comparison to Regular Processing Times and Exceptions

- Exceptions include: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/service-tables.html>
 - Skilled Trades
 - Top 10% Wage Earners for province

Top Ten Percent Wage Earners Eligible for Ten-day Speed of Service

Province/Territory	Wages prior to April 29, 2017 2016 Wage (\$/hour)	Wages effective April 29, 2017 2016 Wage (\$/hour)
Alberta	\$48.74	\$50.00
British Columbia	\$41.63	\$42.00
Manitoba	\$40.00	\$40.26
New Brunswick	\$37.00	\$38.41
Newfoundland and Labrador	\$42.00	\$42.74
Northwest Territories	\$55.00	\$58.00
Nova Scotia	\$38.46	\$39.42
Nunavut	\$54.00	\$53.85
Ontario	\$45.19	\$46.00
Prince Edward Island	\$35.90	\$36.06
Quebec	\$40.00	\$40.87
Saskatchewan	\$44.23	\$45.00
Yukon	\$45.67	\$47.00

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Global Talent Stream v. Regular LMIA

PRO	COMPARABLE	CON
• 10 day processing time	• 10 day service for top 10% wage earner	
• No minimum recruitment requirement		
• Two week service standard for work permit application	• Port of Entry application for visa-exempt	
• No Transition Plan	• Support permanent residency	• Labour Market Benefits Plan with progress review every six months

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Dedicated Service Channel (DSC)

IRCC offers DSC to:

1. Employers who are making a significant investment in Canada
2. Universities that support publicly-funded research chair holders coming to Canada

An account manager will:

- Assess employer's needs
- Answer employer's questions
- Give employer guidance

To access the DSC, a company must be identified and referred by one of IRCC's referral partners

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Dedicated Service Channel (DSC) – Referral Partners

DSC Referral Partners

- Atlantic Canada Opportunities Agency
- BC Tech Association
- Business Development Bank of Canada
- Calgary Economic Development
- Canada Economic Development for Quebec regions
- Communitech
- Council of Canadian Innovators
- Economic Development Winnipeg
- Edmonton Economic Development Corporation
- Federal Economic Development Agency of Southern Ontario
- Global Affairs Canada – Trade Commissioner Service
- Government of Alberta – Labour
- Government of Manitoba, Manitoba Education and Training – Immigration Division
- Government of Ontario – Citizenship and Immigration
- Government of Ontario – Economic Development and Growth
- Government of Prince Edward Island – Island Investment Development Inc.
- Government of Saskatchewan – Ministry of the Economy
- Hamilton Economic Development
- Information and Communications Technology Association of Manitoba (ICTAM)
- Innovation, Science and Economic Development Canada – Accelerated Growth Service
- Invest Ottawa
- London Economic Development Corporation
- MaRS Discovery District
- National Research Council – Industrial Research Assistance Program
- Pritzker Council Office
- Social Sciences and Humanities Research Council – Tri-Agency Institutional Programs Secretariat
- Toronto Global
- Vancouver Economic Commission
- Venn Innovation
- Waterloo EDG

The list is updated regularly on IRCC's website as new referral partners are added

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BC PNP Tech Pilot

- **Dedicated concierge service** – understand immigration process
- **Weekly invitations for tech registrants to apply** – 32 key technology occupations
- **Priority processing** – file assigned the next business day
- **Outreach and engagement** – networking opportunities and one-one-one employer support
- **Work Permit Support Letter** – to facilitate an application for a work permit
- **LMIA not required** – not require a Labour Market Impact Assessment

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2016 TechTalentBC Report

NOC	Job Title
0113	Purchasing managers
0131	Telecommunication carriers managers
0213	Computer and information systems managers
0512	Managers - publishing, motion pictures, broadcasting and performing arts
1123	Professional occupations in advertising, marketing and public relations
2131	Civil engineers
2132	Mechanical engineers
2133	Electrical and electronics engineers
2134	Chemical engineers
2147	Computer engineers (except software engineers and designers)
2171	Information systems analysts and consultants
2172	Database analysts and data administrators
2173	Software engineers and designers
2174	Computer programmers and interactive media developers
2175	Web designers and developers
2221	Biological technologists and technicians
2241	Electrical and electronics engineering technologists and technicians
2242	Electronic service technicians (household and business equipment)
2243	Industrial instrument technicians and mechanics

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2016 TechTalentBC Report

2281	Computer network technicians
2282	User support technicians
2283	Information systems testing technicians
4163	Business development officers and marketing researchers and consultants
5121	Authors and writers
5122	Editors
5125	Translators, terminologists and interpreters
5224	Broadcast technicians
5225	Audio and video recording technicians
5227	Support occupations in motion pictures, broadcasting, photography and the performing arts
5226	Other technical and co-ordinating occupations in motion pictures, broadcasting and the performing arts
5241	Graphic designers and illustrators
6221	Technical sales specialists - wholesale trade

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