



# Temporary Foreign Workers

A Guide for Employers

Alberta

Freedom To Create. Spirit To Achieve.

## Table of Contents

■	<b>Introduction</b>	<b>1</b>
■	<b>Temporary Foreign Worker Program</b>	<b>1</b>
■	<b>Employers' Rights and Responsibilities in Alberta</b>	<b>4</b>
	Employment Standards	4
	Workplace Health and Safety	8
	Workers' Compensation	10
	Office of the Information and Privacy Commissioner of Alberta	11
■	<b>Contracting an Employment Agency</b>	<b>13</b>
	What is Alberta's Fair Trading Act?	14
	Reviewing the Contract	16
	Monitoring the Agency	17
	Screening and Selecting Employees	17
■	<b>Support for Employers of Temporary Foreign Workers</b>	<b>19</b>
	Preparing for Arrival (Orientation)	19
	Immigrate to Alberta Information Service	22
	Temporary Foreign Worker Helpline and Advisory Office	23
	Immigrant-Serving Agencies	24
■	<b>Alberta Immigrant Nominee Program</b>	<b>27</b>
■	<b>Resources</b>	<b>28</b>

## ■ Introduction

We want workers to experience Alberta workplaces that are healthy, safe and fair. As an employer of temporary foreign workers, you must be aware that they have the same rights as any other worker and are protected under Alberta's employment standards, workplace health and safety, and workers' compensation legislation. This information will assist you in understanding your requirements as an employer as well as provide additional resources and contact information.

## ■ Temporary Foreign Worker Program

The federal government's Temporary Foreign Worker Program allows eligible foreign workers to work in Canada for an authorized period of time. Three departments - Citizenship and Immigration Canada (CIC), Service Canada and Canada Border Services Agency (CBSA) work together to manage and deliver the Temporary Foreign Worker Program.

### Service Canada

Service Canada processes applications from employers for Labour Market Opinions (LMOs) and ensures that all necessary requirements are met. An LMO is an opinion provided by Service Canada to employers which assesses the likely impact that hiring the requested foreign worker(s) may have on the Canadian labour market. Most positions require the employer to get an LMO, but there are some positions that do not require an LMO (LMO exempt). Service Canada Centres process foreign worker requests (LMO applications) in each province.

### Temporary Foreign Worker Units

The Temporary Foreign Worker Units in Montreal, Calgary and Vancouver, guide employers seeking to employ foreign workers through the immigration process and provide an opinion on whether the position is LMO exempt.

### Citizenship and Immigration Canada (CIC)

CIC and its visa offices at Canadian embassies, high commissions and consulates outside Canada process applications for work permits to determine who may be eligible to work in Canada. In most cases, CIC is the first point of contact for many foreign workers who want to work in Canada,



**As an employer, if a temporary foreign worker does not meet your expectations as outlined in the job contract, you may terminate their employment, giving them the required notice or pay-in-lieu of notice.**

although under certain circumstances, they may apply for a work permit at a port of entry.

## Canada Border Services Agency

Border Services Officers screen foreign workers at Canadian border crossings and airports to ensure they meet admissibility requirements before issuing work permits and allowing their entry into Canada. A Border Services Officer has the final say on who may enter Canada. Officers can deny entry to a foreign worker if they believe the worker does not meet the requirements of the *Immigration and Refugee Protection Act*.

## General Information

### Terms and conditions of a work permit

You must meet all the terms and conditions of employment as agreed to in your application for an LMO, the employee-employer contract (if applicable) and the subsequent confirmation issued by Service Canada.

### Changing the conditions on a work permit

A temporary foreign worker may apply to extend their stay, change the conditions of their stay, their type of temporary status, or correct problems with their status. It is important they apply for the renewal before their current documentation expires. Applications can be obtained at [www.cic.gc.ca](http://www.cic.gc.ca) or by calling **1-888-242-2100**.

### Termination

As an employer, if a temporary foreign worker does not meet your expectations as outlined in the job contract, or external circumstances, such as changes to the economy, eliminate the need for the position, you may terminate their employment, giving them the required notice or pay-in-lieu of notice.

### Finding new employment

A temporary foreign worker may choose at any time to find another employer (subject to the issuance of an LMO for the new employer and work permit).

### **Sending a temporary foreign worker home**

Foreign workers are entitled to remain in Canada for the full term of their work permit. Neither you nor an employment agency can force a foreign worker to return home if their work contract is terminated before the end of the work permit, or if the foreign worker decides to find a job with another employer.

### **Travel costs**

For occupations requiring workers with lower levels of formal training, you are required to pay round-trip airfare costs. Lower levels of formal training are defined as occupations that usually require no more than a high school diploma or a maximum two years of job-specific training.

### **Health insurance**

If you are employing temporary foreign workers with lower levels of formal training, you are responsible to provide health insurance at no cost until the worker is eligible for provincial health insurance. Foreign workers with a work permit valid for 12 months or more are eligible to apply for immediate Alberta Health Care coverage.

### **Reporting violations**

It is illegal for an employer to bully or threaten to send a temporary foreign worker home to prevent them from reporting a violation. An employer or employment agency that attempts this may be subject to prosecution under the Criminal Code.

## **■ Employers' Rights and Responsibilities in Alberta**

### **Employment Standards**

Employment standards are minimum standards for employers and employees in the workplace. In Alberta, the employment standards are contained in the *Employment Standards Code* and the *Employment Standards Regulation*.

Nearly all employers and employees in Alberta have to follow these rules. You have made an agreement with the employee and the government to provide a job with specific terms and conditions, including rate of pay and hours of work. Employment Standards will enforce *Code* entitlements contained in the LMO and employment contract.

If federal agreements require you to pay the costs of airfare, health care, accommodation, etc. for your temporary foreign workers, you cannot charge them for these costs in the form of deductions. If you use the services of an employment agency, any fees or costs you incur for this service cannot be charged to your employees, even if you obtain written authorization from them.

### When and how must employees be paid?

Employees must be paid at least once a month. Employers must have regular pay periods, and pay employees within ten days after the end of the pay period. Employees may be paid in cash, by cheque or money order, or by direct deposit into their bank account.

### Deductions from employee earnings

The *Employment Standards Code* allows certain deductions from employee earnings. These include legal deductions for income tax, Canada Pension Plan and Employment Insurance. If you want to make other deductions, written permission must first be obtained from the employee. There are some deductions that are not allowed, even with written authorization from the employee. You cannot take deductions for faulty workmanship. Also, you may not deduct for cash shortages or loss of property where more than one person has access to the cash or property.

You cannot charge your staff more than your cost for buying, cleaning and maintaining work clothes and uniforms. There are also limits to the rates you can charge employees for providing them a place to stay. For the current board and lodging rates, visit [www.employment.alberta.ca/es](http://www.employment.alberta.ca/es).

### Hours of work

- The workday cannot be longer than 12 hours.
- You must give your employees at least 30 minutes of rest in each shift that is longer than five hours.
- You must give your employees at least one rest day for each week they work.



**Employees have a right to terminate their employment with you and you have the right to terminate the employment of employees. These rights, however, come with responsibilities.**



## Overtime and overtime pay

In most industries, overtime is all hours worked in excess of eight hours a day or 44 hours a week. Overtime hours are to be calculated both on a daily and on a weekly basis. The higher of the two numbers is the correct number of overtime hours worked in the week.

Overtime must be paid at the rate of at least 1.5 times the employee's regular wage rate. The sole exception applies when the overtime is accumulated under a written overtime agreement. Some employers and employees agree to replace overtime pay wholly or partly with time off with pay.

## General holidays

The *Employment Standards Code* names nine days as general holidays in Alberta. For a complete listing of the dates and eligibility requirements visit [www.employment.alberta.ca/es](http://www.employment.alberta.ca/es).

## Vacations and vacation pay

The entitlement to vacations and vacation pay is intended to ensure that each year employees have a rest from work without loss of income. After one year of employment, employees are entitled to at least two weeks' vacation with pay.

## Maternity and parental leave

Employees must have 52 consecutive weeks of employment with you to be eligible for maternity or parental leave under the *Employment Standards Code*. At the end of the unpaid leave, they must be reinstated to their original or an equivalent job.

## Termination of employment and layoffs

Employees have a right to terminate their employment with you and you have the right to terminate the employment of employees. These rights, however, come with responsibilities. The main responsibility, in most cases, is to provide proper notice. The length of notice you are required to give depends on the duration of employment and must be in writing.

Neither you nor the employee has to give notice of termination during the first three months of employment. For employment of more than three months, but less than two years, proper notice is one week.

If you do not give the minimum notice, you must pay for the period of notice that should have been given. You must pay earnings due to the employee within three days following termination of employment.

Employees also have a responsibility to provide notice. If an employee quits without proper notice, all earnings are due to the employee within ten days after the date on which the proper notice would have expired.

You can temporarily lay off employees for up to 59 days without giving them a termination notice. However, if you do not recall the employees before the 60th day, you must give them a termination notice or termination pay.

If the employee does not return to work within seven days of receiving a recall notice, you do not have to provide the employee with a termination notice or termination pay.

Alberta Employment and Immigration's Employment Standards Targeted Inspection Program specifically targets workplaces that employ temporary foreign workers as part of its vulnerable worker initiative.

**For more information:**

Edmonton and area: **780-427-3731** | Toll-free in Canada: **1-877-427-3731**  
Visit: [www.employment.alberta.ca/es](http://www.employment.alberta.ca/es)

## Workplace Health and Safety

*The Occupational Health and Safety Act (OHS Act)*, Regulation and Code contain laws to protect and promote the health and safety of workers throughout Alberta. It outlines the rights and responsibilities of employers and workers as well as “rules” to help keep your work site healthy and safe. It is important to remember that the *OHS Act*, Regulation and Code apply to all work sites.

### Employers' responsibilities

The *OHS Act* states that you must do everything reasonable to protect the health and safety of your workers. This means you must complete a hazard assessment clearly identifying the hazards or dangers that may hurt or cause harm to the workers. Once identified, the hazards must be removed or controlled.

This may involve some changes in equipment or require rules and procedures that workers are to follow to do their job as safely as possible.

**As an employer, you must also:**

- Make sure workers have the necessary training, qualifications and experience for the job.
- Let workers know about all health and safety hazards on the job.
- Ensure that all workers who may be affected by the hazards are aware of the necessary health and safety measures or procedures before the work begins.
- Ensure the tools and equipment are safe for the job as well as provide appropriate personal protective equipment (PPE) where required.
- Train workers to handle dangerous products.
- Investigate any incidents that cause injuries as well as near misses.

Should there be an incident that results in a serious injury, you must notify the Workplace Health and Safety Contact Centre at **780-415-8690**.

This notification is separate from notifying the Workers' Compensation Board (WCB). Violating the *OHS Act*, Regulation or *Code*, may result in prosecution.

Occupational health and safety officers enforce all workplace health and safety legislation. They inspect work sites and follow up on incidents and complaints.

Officers have the right to enter and inspect your work site; take samples of products; conduct tests; take pictures and recordings; and look at relevant documents. If the officers believe a work site is dangerous, they can order work stopped immediately, order equipment to be shut down if it is unsafe to operate, and call for corrective measures.

### **Employees' responsibilities**

The *OHS Act* requires workers to work in a healthy and safe manner and co-operate with the employer by following the health and safety rules as identified on the work site. Workers must refuse to perform any job they believe would put them or a co-worker in imminent danger. Imminent

danger refers to any danger that is not normal to the workers' occupation, or to any dangerous conditions that a worker engaged in that occupation would not normally perform.

Should a worker refuse to do a job, you, as the employer, are required to look into and remove the danger. Asking a worker to work in a situation of imminent danger is against the law. You cannot discipline workers for refusing to do unsafe work or reporting their concerns about health and safety. For more information visit [www.employment.alberta.ca/whs](http://www.employment.alberta.ca/whs).

## Workers' Compensation

The Workers' Compensation Board (WCB) – Alberta is here to help workers if they are injured at work. Temporary foreign workers are covered the same as any other worker in Alberta. They are covered by WCB if you, as an employer, are covered under the *Workers' Compensation Act*.

Generally speaking, coverage begins once the temporary foreign worker is within Alberta's borders. Once they arrive in Alberta and start work, they fall under the jurisdiction of the *Workers' Compensation Act*.

Employers are required under the *Workers' Compensation Act* to hang the **1-2-3 Poster** where employees can see it. The poster provides workers with the basic steps on how to report a work-related injury. The poster is available at [www.wcb.ab.ca](http://www.wcb.ab.ca) in 15 languages.



As an employer, you should set clear expectations about your worker's job duties, working conditions and their responsibilities for safe work practices. They should know how WCB coverage works and that, should they be injured, they are entitled to submit a claim.

If a worker is injured at work but can perform modified duties, offer modified work opportunities where work permit conditions allow. If possible, include modified work placement options in your initial work permit applications.

**If your temporary foreign worker becomes injured on the job, the procedure is the same as for any other worker:**

- You must report work-related injuries within 72 hours of being notified of the injury.
- Workers must also submit a report of injury. These forms are available on the WCB website at [www.wcb.ab.ca](http://www.wcb.ab.ca).

Prevention is the best defense against any worker being injured. Help all workers stay healthy and safe by focusing on health and safety in the workplace.

**To contact the Workers' Compensation Board:**

Toll-free in Alberta: **1-866-WCB-WCB1 (1-866-922-9221)**

Outside of Alberta call: **1-800-661-9608**

Email: [contactcentre@wcb.ab.ca](mailto:contactcentre@wcb.ab.ca)

Visit: [www.wcb.ab.ca](http://www.wcb.ab.ca)

## Office of the Information and Privacy Commissioner of Alberta

### Privacy Rights

Alberta's *Personal Information Protection Act (PIPA)* protects information held by private sector organizations in Alberta by setting out rules for how organizations can collect, use, or disclose personal information. For temporary foreign workers and immigrants, *PIPA* applies to employers and employment agencies that operate in Alberta. If these organizations fail to protect personal information or disregard the rules for the collection, use and disclosure of personal information as set out under *PIPA*, then



**Alberta's Personal Information Protection Act (PIPA) protects information held by private sector organizations in Alberta by setting out rules for how organizations can collect, use, or disclose personal information.**

individuals can submit a complaint to the Office of the Information and Privacy Commissioner of Alberta.

### Example - Possible privacy complaint

*Alina, a temporary foreign worker from the Philippines, agreed to work as a live in domestic care-giver for a family in Alberta. After settling into her job, the employer requested Alina's passport for safe-keeping. Alina questioned the employer's request and was told that if she refused, she would have to return to the Philippines. Alina contacted the police and the Office of the Information and Privacy Commissioner of Alberta to see if she should make a complaint.*

#### To contact the Office of the Information and Privacy Commissioner (OIPC):

Calgary Office  
2460, 801 – 6th Avenue S.W.  
Calgary, AB T2P 3W2  
403-297-2728

Edmonton Office  
410, 9925 – 109th Street  
Edmonton, AB T5K 2J8  
780-422-6860

Toll-free in Alberta: 1-888-878-4044  
Visit: [www.oipc.ab.ca](http://www.oipc.ab.ca)

## ■ Contracting an Employment Agency

As an Alberta employer planning to recruit temporary foreign workers through the Government of Canada's Temporary Foreign Worker Program, you may be thinking about using the services of an employment agency. An employment agency is a business that helps employers find workers. It may also help people who want to work find jobs.

An employment agency will charge an employer fees for recruitment services. An employer cannot charge a worker a fee to find them a job in Alberta.

Under Alberta's *Fair Trading Act*, any business acting as an employment agency must have a provincial license. The following information provides guidelines for employers considering using the services of an employment

agency. This information should not be considered a substitute for legal advice.

### What is Alberta's Fair Trading Act?

The *Fair Trading Act* protects consumers from unfair business practices before, during or after a consumer transaction. An unfair practice may occur even if a consumer transaction was not entered into or concluded.

Under the *Fair Trading Act*, businesses are required to have an employment agency business licence if they are:

1. Finding jobs in Alberta for people.
2. Finding workers for employers in Alberta.
3. Testing or evaluating individuals for job-related skills on behalf of an employer.

Employment agencies that fail to comply with the *Fair Trading Act* may be subject to administrative action or prosecution that can result in fines of up to \$100,000, a jail term of up to two years, or both.

### Employment Agency Business Licence

When selecting an employment agency, insist on seeing the agency's provincial employment agency business license. It is a good business practice to do so before you enter into a contract.

While an agency may have a valid business license, this is no guarantee that it will meet its contractual obligations or the regulatory requirements set out by the federal or provincial governments.

**To check if an employment agency is licenced, contact:  
the Consumer Contact Centre, Service Alberta:**

Edmonton and area: **780-427-4088**

Toll-free in Alberta: **1-877-427-4088**

Or use the licence search function at [www.servicealberta.ca](http://www.servicealberta.ca)



## Client References

Before entering into a contract with an employment agency, ask for references and contact them. Previous clients can tell you how the company operates, its level of service and customer satisfaction and if it meets its contractual obligations.

### Questions you might ask when conducting a reference check:

- What type of recruiting did the agency conduct for your business?
- Did the agency clearly understand your recruitment needs?
- Was the agency knowledgeable about trades or other certification requirements?
- How would you characterize your business relationship with the agency?
- Did the agency successfully recruit the types of workers that were required?
- Were there any surprises during the recruitment process?
- Did the agency clearly communicate to the worker the roles and responsibilities of the employer?
- Did you consider the agency fees to be reasonable for the service provided?

You may also want to consider contacting the Better Business Bureau. It can tell you whether disputes between the employment agency and previous clients have been reported.

## Costs

Employment agencies charge the employer a fee for recruiting each worker. This fee is negotiated between the employer and employment agency. You cannot recover the cost of this service from the employee. Any agency that indicates this is possible is wrong. Fees cannot be charged to potential or recruited workers to find a job.

Depending on the National Occupation Classification (NOC) code of the temporary foreign worker, you may have to arrange suitable accommodation and provide essential household items. You may also be required to pay for transportation for the temporary foreign worker.

Your responsibilities are outlined in your Labour Market Opinion (LMO).

For more information on NOC codes visit [www.hrsdc.gc.ca/noc](http://www.hrsdc.gc.ca/noc)

### The Recruitment Process

The more involved you are in the recruitment process, the more likely you will hire employees who meet your needs and expectations. Ask the agency what it expects from employers during the recruitment process. You can choose to play a very active role or to rely on the services provided by the agency.

When determining your level of involvement, remember that the more active you are in screening and interviewing applicants, the better you can ensure the workers know what to expect and that your requirements are met.

Although an employment agency may have experience in completing necessary application forms as well as other expertise when it comes to recruiting workers, it has no influence over the speed of the processing of foreign worker applications.

It is important that you understand Canada's temporary foreign worker process before entering into any contract with an employment agency. A Labour Market Opinion (LMO) will allow you to recruit temporary foreign workers and will establish your obligations to the worker.

For more information visit:

[www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/index.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/index.shtml)

### Reviewing the Contract

It is important that you have a contract in place with the employment agency to help protect both your company and the worker you are recruiting. Practice the same due diligence in a contract with an employment agency as you would with any other business.

**At a minimum, the following should be clearly addressed in the contract:**

- Services to be provided by the agency.
- Roles and responsibilities.
- Your level of involvement in the selection process.

- Fee structure and if it includes all costs.
- How and when the agency will update you of its progress.
- Wages, benefits and services to be offered.

The contract should identify who will prepare the application for the Labour Market Opinion (LMO), if one is required. Service Canada must issue an LMO before a temporary foreign worker can enter Canada. Ensure that you review the LMO before a worker enters into an employment contract with you so that you clearly understand your obligations.

You will also want to make sure that the agency's timeline to bring a temporary foreign worker to Alberta meets the requirements of your business. Consider if a delay might create a conflict with any other contractual obligations you may have.

Carefully review and be sure you are completely satisfied with all terms of the contract, including services, responsibilities and associated fees before signing.

## Monitoring the Agency

When an employment agency is acting on your behalf, it is your responsibility to monitor the work they are doing for you. Have the employment agency provide regular reports on the activities it has undertaken and progress made on recruitment.

As with any agreement, all parties should be aware of their obligations and the potential consequences if the contract is breached.

If an agency has not met the requirements established by the provincial or federal governments, you may want to contact Service Alberta, Service Canada or Citizenship and Immigration Canada to report these breaches.

## Screening and Selecting Employees

By participating in the screening and interviewing process, you have the opportunity to ensure that the worker has a clear understanding of the job and other expectations before they arrive, and to ensure that your expectations will be met.



**When selecting an employment agency, insist on seeing the agency's provincial employment agency business license. It is a good business practice to do so before you enter into a contract.**

**For example, either you or the employment agency must ensure that the worker understands:**

- The job is temporary.
- The responsibilities and working conditions of the job.
- Skill expectations, including language.
- Wages and benefits.
- Pay deductions like health care premiums and taxes.
- They may be required to share accommodation with other workers.

You will also want to ask if the worker has paid any fees to the employment agency and what promises have been made to the worker by the agency. If a worker paid a fee to the agency, contact Service Alberta to clarify and determine possible courses of action. If promises were made on your behalf by the agency, determine if you are able and want to fulfill these promises.

Employment agencies are responsible for any breaches of the *Fair Trading Act* they engage in during the recruitment process. Service Alberta does not investigate employers.

**For more information contact Consumer Contact Centre, Service Alberta:**

Edmonton and area: **780-427-4088**

Toll-free in Alberta: **1-877-427-4088**

Visit: [www.servicealberta.ca](http://www.servicealberta.ca)

## ■ Support for Employers of Temporary Foreign Workers

### Preparing for Arrival (Orientation)

Temporary foreign workers coming to Alberta often need settlement assistance. You may wish to help directly or contract these services to an agency.

You may want to meet the worker at the airport; arrange for a place for the worker to live; provide basic household necessities and pay their security deposit and first month's rent.

**Keep in mind that any person who is new to Alberta may need help in becoming familiar with the community and locating services such as:**

- Cultural organizations.
- Religious worship houses and social support groups.
- Settlement services.
- Hospitals and medical services.
- Day-to-day living needs (i.e. banking service, grocery stores, shopping centres, etc.)

Being actively involved in a worker's integration into Alberta can ensure a content worker and a good employee/employer relationship. Identifying a mentor within the workplace who can answer questions for workers can also help integration into the workplace and Alberta.

**You may also want to help the worker to:**

- Obtain Alberta Health Care, a Social Insurance Number and set up bank accounts.
- Arrange for telephone and Internet services.
- Understand transportation options, schedules and fees.
- Learn about our climate.

It is important to provide the worker with an orientation on rights and responsibilities about employment standards, workplace health and safety, the Workers' Compensation Board and Canadian human rights.

**The worker may also need information about:**

- Expectations for renewal of the employment contract.
- Leaving the country for a vacation.
- Citizenship options.

- Landlord and tenant issues.
- The Temporary Foreign Worker Helpline: **1-877-944-9955**.

### Information for landlords and tenants

In Alberta, the *Residential Tenancies Act (RTA)* applies to most people who rent the place where they live. This law sets out the rights and responsibilities that apply to landlords and tenants including employers that provide housing and to employees with employer-provided housing.

The *RTA* sets out specific responsibilities for landlords and tenants. Even if these responsibilities are not included in the residential tenancy agreement, landlords and tenants must meet the requirements of the legislation.

All rental agreements should be in writing, signed by the landlord, and include details about landlord and tenant responsibilities, such as security deposit, inspection, rent and termination notices.

**For more information contact Consumer Contact Center,  
Service Alberta:**

Edmonton and area: **780-427-4088**

Toll-free in Alberta: **1-877-427-4088**

For tip sheets on consumer and tenant issues  
visit **[www.servicealberta.ca](http://www.servicealberta.ca)**

**Consider providing the following publications to temporary foreign workers to assist in their orientation:**

### **Temporary Foreign Workers: A Guide for Employees**

This guide provides information to temporary foreign workers on their rights and responsibilities in the workplace.

Download or order the publication at:

[www.employment.alberta.ca/immigration-tfw](http://www.employment.alberta.ca/immigration-tfw)

### **Welcome to Alberta: Information for Newcomers**

This guide provides information that can help temporary foreign workers settle in their new community. Topics covered include housing, health care, climate, banking, transportation and social customs.

Download or order the publication at [www.alis.alberta.ca/publications](http://www.alis.alberta.ca/publications)

## **Immigrate to Alberta Information Service**

The Immigrate to Alberta Information Service provides information on working in Alberta and permanent and temporary residency in Alberta. The service is accessible by email or by phone and is used by Alberta employers, temporary foreign workers and the general public.

The Immigrate to Alberta Information Service is staffed by knowledgeable Economic Immigration Specialists who are available to respond to enquiries and provide information about a wide range of topics including:

- The process for hiring foreign workers.
- The Alberta Immigrant Nominee Program (AINP):
  - Employer and employee eligibility criteria under the AINP.
  - The steps and process for applying to the AINP.
- Economic immigration including labour market information and occupational trends.
- Labour Market Opinions (LMO).
- Work permits.
- How to assist employees in becoming permanent residents.



- International Qualifications Assessment Service (IQAS).
- Recognition of foreign qualifications and assessment of credentials.
- General information on options for permanent and temporary immigration.

They also lead foreign worker seminars for Alberta employers. These in-depth information sessions cover numerous topics related to foreign workers and the AINP.

Economic Immigration Specialists support employers and industry sector representatives by participating in international recruitment initiatives as well as immigration and job fairs in targeted countries.

#### To contact the Immigrate to Alberta Information Service (Monday – Friday):

Toll-free in Alberta: **1-877-427-6419**

Outside Alberta: **780-427-6419**

Email form: **[www.AlbertaCanada.com/info](http://www.AlbertaCanada.com/info)**

Visit: **[www.AlbertaCanada.com/immigration](http://www.AlbertaCanada.com/immigration)**

For more information on how Alberta Employment and Immigration supports employers to recruit and retain temporary foreign workers, visit **[www.albertacanada.com/immigration/employers](http://www.albertacanada.com/immigration/employers)**

## Temporary Foreign Worker Helpline and Advisory Office

The Temporary Foreign Worker Advisory Office and Temporary Foreign Worker Helpline will help you learn about your rights as an employer and find solutions for situations involving unfair, unsafe or unhealthy working conditions.

Advisory Offices are located in Calgary and Edmonton. Both offices are located on public transportation routes for easy access. Temporary foreign workers can contact an advisory office by calling the numbers below or by visiting in person from Monday to Friday.

**Once the employees' needs are assessed, services provided by the advisory office may include:**

- Providing assistance in accessing and completing forms.
- Assisting communication with multiple complaint services.
- Coordinating with federal and industry partners to find solutions for situations involving unfair, unsafe or unhealthy working conditions.
- Working with immigrant-serving agencies across the province to assist temporary foreign workers with the process of working in Alberta.

Allegations of any mistreatment are taken very seriously and all complaints from temporary foreign workers are referred for investigation.

**To contact the Temporary Foreign Worker Advisory Offices  
(Monday – Friday):**

North Location (Edmonton)  
3rd Floor, City Centre  
10242 - 105 Street  
Edmonton, AB T5J 3L5  
**780-644-2584**

South Location (Calgary)  
3rd Floor, JJ Bowlen Building  
620 – 7th Avenue S.W.  
Calgary, AB T2P 0Y8  
**403-476-4540**

## Immigrant-Serving Agencies

An immigrant-serving agency in your community can work with your company to help temporary foreign workers settle and adapt to living in Alberta. Services available to temporary foreign workers include:

- Practical guidance on everyday living and orientation to the community, such as using public transit, how to find cultural and religious institutions, and general information on life in Alberta.
- Basic interpretation services.

There are seven immigrant-serving agencies in Alberta which offer settlement services to temporary foreign workers.

## Calgary

### **Calgary Catholic Immigration Society**

3rd Floor, 120 – 17 Avenue S.W. Calgary, AB T2S 2T2

**403-262-2006** [www.ccis-calgary.ab.ca](http://www.ccis-calgary.ab.ca)

## Edmonton

### **Catholic Social Services**

**(in partnership with the Edmonton Mennonite Centre for Newcomers)**

10709 – 105 Street, Edmonton, AB T5H 2X3

**780-424-3545** [www.catholicocialservices.ab.ca](http://www.catholicocialservices.ab.ca)

## Brooks

### **Brooks and County Immigration Services**

**(A project of the Calgary Catholic Immigration Society)**

Bay 2 – 500 Cassils Road, Brooks, AB T1R 1B5

**403-362-0404** [www.ccis-calgary.ab.ca](http://www.ccis-calgary.ab.ca)

## Banff

### **Calgary Catholic Immigration Services**

Banff Town Hall, 110 Bear Street, Banff, AB T1L 1A1

**403-762-1254** [www.ccis-calgary.ab.ca](http://www.ccis-calgary.ab.ca)

## Fort McMurray

### **Y.M.C.A. – Immigrant Settlement Services**

201,10011 Franklin Avenue, Hill Building, Fort McMurray, AB T9H 2K6

**780-743-2970** [www.ymca.woodbuffalo.org](http://www.ymca.woodbuffalo.org)

## Lethbridge

### **Lethbridge Family Services**

701-2 Avenue South, Lethbridge, AB T1H 0E6

**403-320-1589** [www.lethbridge-family-services.com](http://www.lethbridge-family-services.com)

## Red Deer

### **Catholic Social Services**

202, 5000 Gaetz Avenue, Red Deer, AB T4N 6C2

**403-346-8818** [www.catholicocialservices.ab.ca](http://www.catholicocialservices.ab.ca)



**If you employ a temporary foreign worker and want to retain them on a long-term basis, you and the employee may be eligible to submit an application to the Alberta Immigrant Nominee Program (AINP).**

## ■ Alberta Immigrant Nominee Program

If you employ a temporary foreign worker and want to retain them on a long-term basis, you and the employee may be eligible to submit an application to the Alberta Immigrant Nominee Program (AINP) to obtain them permanent resident status in Canada.

Not every occupation is eligible under the program. Not everyone who is working as a temporary foreign worker in Alberta will qualify. Carefully review all criteria before you and your employee submit an application.

### Retaining Temporary Foreign Workers

Through the AINP Employer-Driven Stream, you can retain already-hired temporary foreign workers or international graduate(s) by offering them permanent employment and helping them obtain permanent resident status in Canada.

To do so, the following steps must be completed:

1. Along with your temporary foreign worker, visit the AINP website at [www.AlbertaCanada.com/ainp](http://www.AlbertaCanada.com/ainp) and explore the Employer-Driven Stream.
2. Review the Employer-Driven Stream Criteria. There are criteria that both the foreign worker and you need to meet.
3. If you and the employee meet all AINP criteria for the Employer-Driven Stream, you can jointly complete an application. Make sure you include all required documents. If the application is incomplete, it will be returned to the foreign worker. If the application does not meet criteria, it will be declined.
4. Mail the complete application to the AINP:  
 Alberta Immigrant Nominee Program  
 Suite 940, Telus Plaza North Tower  
 10025 Jasper Avenue, Edmonton, Alberta T5J 1S6
5. If the application meets AINP eligibility criteria, the employee may be approved as a provincial nominee. The AINP would send the employee a nomination package outlining the next steps. With the AINP nomination, the employee would prepare and submit an Application for Permanent Residence to Citizenship and Immigration Canada (CIC).

6. CIC will conduct health, criminal and security checks. If these checks are met, the temporary foreign worker will receive their permanent resident visa.

You are not required to use an immigration representative or lawyer to complete your application. If you choose to hire a representative to complete your application, it will not receive special attention or be handled differently from other applications.

For more information on the Alberta Immigrant Nominee Program, visit [www.AlbertaCanada.com/ainp](http://www.AlbertaCanada.com/ainp)

## ■ Resources

### Alberta

#### Alberta Health Care Insurance Plan

[www.health.alberta.ca/health-care-insurance-plan.html](http://www.health.alberta.ca/health-care-insurance-plan.html)

#### Alberta Immigrant Nominee Program

[www.AlbertaCanada.com/ainp](http://www.AlbertaCanada.com/ainp)

#### Alberta Temporary Foreign Worker Helpline

Edmonton and area: **780-644-9955**

Outside Alberta: **1-877-944-9955**

Email: [tfwadvisory.office@gov.ab.ca](mailto:tfwadvisory.office@gov.ab.ca)

#### Employment Standards

Edmonton and area: **780-427-3731**

Toll-free in Canada: **1-877-427-3731**

[www.employment.alberta.ca/es](http://www.employment.alberta.ca/es)

#### Immigrate to Alberta Information Service

Toll-free in Alberta: **1-877-427-6419**

Outside Alberta: **780-427-6419**

Email form: [www.AlbertaCanada.com/info](http://www.AlbertaCanada.com/info)

## Office of the Information and Privacy Commissioner (OIPC)

Calgary Office: **403-297-2728**

Edmonton Office: **780-422-6860**

Toll-free in Alberta: **1-888-878-4044**

**[www.oipc.ab.ca](http://www.oipc.ab.ca)**

## Service Alberta, Consumer Contact Center

Edmonton and area: **780-427-4088**

Toll-free in Alberta: **1-877-427-4088**

Outside Alberta: **780-427-4088**

**[www.servicealberta.ca](http://www.servicealberta.ca)**

## Temporary Foreign Worker Advisory Offices

### North Location (Edmonton)

3rd Floor, City Centre

10242 - 105 Street

Edmonton, AB T5J 3L5

**780-644-2584**

### South Location (Calgary)

3rd Floor, JJ Bowlen Building

620 – 7th Avenue S.W.

Calgary, AB T2P 0Y8

**403-476-4540**

## Workers' Compensation Board (WCB) Alberta

Toll-free in Alberta: **1-866-WCB-WCB1 (1-866-922-9221)**

Outside of Alberta: **1-800-661-9608**

Email: **[contactcentre@wcb.ab.ca](mailto:contactcentre@wcb.ab.ca)**

**[www.wcb.ab.ca](http://www.wcb.ab.ca)**

## Workplace Health and Safety

Call: **1-866-415-8690**

**[www.employment.alberta.ca/whs](http://www.employment.alberta.ca/whs)**

## Canada

### Citizenship and Immigration Canada

Call: 1-888-242-2100

[www.cic.gc.ca](http://www.cic.gc.ca)

### Service Canada

[www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/index.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/index.shtml)



## First Day Checklist for Employers of Temporary Foreign Workers

Review your employee's work permit for validity and accuracy including their name and date of birth, the employer name, location of employment, and the type of work they will do.

### Employee's Rights and Responsibilities:

#### Wage and Payment of Earnings

- Confirm the rate of pay with the employee.
- Confirm how the employee will be paid and when.
- Review payroll deductions.

#### Hours of Work and Rest

- Specify your employee's hours of work, including breaks.

#### Overtime and Overtime Pay

- Discuss overtime and payment arrangements.

#### Vacation, Vacation Pay and General Holidays

- Discuss vacation leave, approvals and pay.
- Review general holiday entitlements.

#### Workplace Safety

- Discuss the hazards of the job.
- Explain all other identified hazards of the workplace.
- Tell the employee about any required training and when it will take place.
- Show the employee appropriate safety equipment and how to use it properly.
- Tell the employee who to speak with about health and safety issues.
- Discuss what to do if the employee is injured on the job.
- Review emergency procedures including:
  - Location of first aid kits
  - Location of fire extinguishers
  - Evacuation plan

## If using an Employment Agency:

- Confirm that the agency has a current provincial employment agency business license.
- Conduct reference checks.
- Discuss with the agency your level of involvement with the recruitment process.
- Determine the fees and other costs involved.
- Review the contract in detail, including roles and responsibilities and services to be provided
- Discuss with the agency when they expect the workers to ensure it meets your requirements
- Continue to monitor the agency to ensure they meet their contractual obligations.
- Ensure the agency did not charge the employee a fee.

## Preparing for their Arrival and Orientation:

- Arrange for accommodation for the worker if necessary.
- Pay the security deposit and first month's rent if necessary.
- If you are acting as the landlord, review the rights and responsibilities of both the landlord and tenant as outlined in the *Residential Tenancies Act*. Explain these rights and responsibilities to the worker.
- Arrange to meet the employee at the airport if necessary.
- Provide basic household necessities for the worker(s) if necessary.
- Consider contacting an immigrant-serving agency to assist you in preparing a settlement plan.
- Provide the worker with information on the community.
- Explain to the employee how they can obtain information on:
  - Registering for Alberta health insurance
  - Applying for a Social Insurance Number
  - Opening a bank account
  - Obtaining a driver's licence
  - Accommodations, telephone/internet and utilities
  - Accessing medical services

**Contact the following for more information:**

**Immigrate to Alberta Information Service:**

Toll-free in Alberta: **1-877-427-6419**

Outside Alberta: **780-427-6419**

Email form: **[www.AlbertaCanada.com/info](http://www.AlbertaCanada.com/info)**

**Alberta Temporary Foreign Worker Helpline:**

Edmonton and area: **780-644-9955**

Outside Alberta: **1-877-944-9955**

Email: **[tfwadvisory.office@gov.ab.ca](mailto:tfwadvisory.office@gov.ab.ca)**

**Prepared by Alberta Employment and Immigration.**

This material may be used, reproduced, stored or transmitted for non-commercial purposes. The source of this material must be acknowledged. This material is not to be used, reproduced, stored or transmitted for commercial purposes without written permission from the Government of Alberta.

This material is not for resale unless licensed with the Government of Alberta.

## Guide for Employers of Temporary Foreign Workers

### This publication has information about:

Temporary Foreign Worker Program

Employers' Rights and  
Responsibilities in Alberta

Contracting an Employment Agency

Support for Employers of  
Temporary Foreign Workers

Alberta Immigrant Nominee Program

Resources

© 2010 Government of Alberta

Printed in Canada for free distribution

Published: November 2010

ISBN: 978-0-7785-9116-0