

TITLE: HIRING OF FOREIGN WORKERS

POLICY STATEMENT:

Red Deer College is committed to utilizing a variety of recruitment strategies to fill staffing vacancies including the recruitment of skilled professionals from countries other than Canada. When the College fills a vacant position, the College will hire qualified candidates selected and appointed on the basis of qualifications (education and experience), competencies (knowledge and abilities), and suitability. As required by Human Resources and Skills Development Canada and the *Immigration and Refugee Protection Act*, Canadian and permanent residents who meet the qualifications for a position will be given priority for appointment. If suitable Canadian or permanent resident candidates are not found, consideration will be given to international applicants.

PURPOSE:

To address the current and future workforce requirements for Red Deer College and to provide a clear and effective process for the recruitment of foreign workers within the requirements of Human Resources and Skills Development Canada.

SCOPE:

This policy applies to all hiring managers and supervisors.

PRINCIPLES:

1. Red Deer College will work within the government requirements and processes for the hiring of foreign workers.
2. Red Deer College will establish fair and equitable procedures that will promote and consider the applications of qualified foreign workers for instructional and non-instructional vacancies when suitable Canadian citizens or permanent residents cannot be found.
3. The Human Resources Division will work in conjunction with the hiring department to ensure the timely and accurate completion of paperwork and processes to facilitate the hiring of foreign workers.

Definitions:

- **Foreign Worker:** An individual who is not a Canadian citizen or permanent resident of Canada.
- **Citizenship and Immigration Canada (CIC):** The Canadian federal government agency responsible for the admittance of foreign visitors and temporary workers into Canada.
- **Service Canada:** The division of Human Resources and Skills Development Canada responsible to verify that a job offer to a foreign worker is not in competition with qualified Canadian or permanent resident applicants or in conflict with any existing labour laws.

- **Labour Market Opinion (LMO):** An opinion provided by Service Canada to CIC which assesses the likely impact that hiring the foreign worker will have on the Canadian labour market. A positive LMO or employment confirmation allows the employer to proceed with the recruitment/hiring of foreign workers.
- **Work Permit:** A document issued by CIC that authorizes a foreign worker to work in Canada. A work permit is normally valid only for a specified job, employer and time period (normally 2 years).

PROCEDURE:

1. The Human Resources Division will collaborate with the hiring unit to advertise the position through the appropriate media (newspapers, RDC website, discipline specific websites, etc.).
2. If the hiring unit intends to make an offer of employment to a foreign worker, the hiring manager must consult with the assigned Human Resources Consultant. The conditional offer is subject to confirmation by Service Canada and the possibility of eventual permanent residence being granted by Citizenship and Immigration Canada.
3. Following the screening of applications, qualified (based on the advertised requirements) Canadian or permanent resident candidates will be interviewed. If a suitably qualified candidate is not found, qualified foreign candidates will be shortlisted and interviewed.
4. If the foreign worker accepts the conditional offer of employment, the Human Resources Consultant with the assistance of the hiring unit will apply for a Service Canada confirmation by submitting evidence that there is no qualified candidate available who is a Canadian or a permanent resident.
5. The Human Resources Consultant completes a Foreign Worker Application Form – “Application for a Labour Market Opinion”). A Labour Market Opinion is an opinion provided by Service Canada to Citizenship and Immigration Canada which assesses the likely impact that hiring the requested foreign worker may have on the Canadian labour market.
6. If the request is approved, Service Canada will issue a confirmation letter.
7. The Human Resources Consultant sends a copy of the Service Canada confirmation letter to the foreign worker.
8. The Human Resources Consultant advises the foreign worker to apply for a work permit, and, if necessary, a temporary resident visa at a visa office abroad.
9. The foreign worker applies for a work permit in their country of residence.

10. At the time of application for the work permit, the foreign worker must prove to the Government of Canada that they meet the job and admission to Canada requirements.
11. Upon the approval of the work permit, the foreign worker may proceed to make arrangements for travel and entry into Canada.
12. Upon arrival in Canada, the Human Resources Consultant will assist the foreign worker in finding accommodation and becoming oriented to the City of Red Deer and to employment at Red Deer College.
13. Continued employment beyond the period of the work permit will be conditional upon the worker obtaining landed immigrant status or extension of the work permit.

RESPONSIBILITY: Vice President of Human Resources

CONSULTATION FOR REVIEW: Deans' Council, Service Council, Constituency Executives

POLICY REVIEW DATE: July 1, 2010

EFFECTIVE DATE: July 1, 2008

REVISED DATE:

RELATED POLICIES:

- Fact Sheet for the Recruitment and Selection of Foreign Workers (found on HROnline)
- Job Posting (Covered in Collective Agreement)