



Fact Sheet for the Recruitment and Selection of Foreign Workers

Human Resources and Social Development Canada (HRDC) as per the *Immigration and Refugee Protection Act*, ensures that all Canadians and permanent residents who meet the qualifications for a position are given priority for appointment. However, if suitable Canadian citizens or permanent residents cannot be found, other individuals will be considered. Human Resources and Skills Development Canada and Citizenship and Immigration Canada work to ensure that the employment of foreign workers supports economic growth and helps create more opportunities for all Canadians. Red Deer College encourages foreign applicants to apply for vacant positions. The following information outlines the procedures required to hire an individual whose permanent residence is outside of Canada.

The Role of the Government of Canada

1. Human Resources and Social Development Canada (HRSDC) (www.hrsdc.gc.ca)

Human Resources and Social Development Canada (Service Canada) is the Government of Canada's department that processes and assesses employers' applications to hire temporary foreign workers and issues labour market opinions (LMO). HRSDC ensures that employers have made every effort to hire and train Canadian citizens or permanent residents and that the hiring of foreign workers does not affect employment or career opportunities for Canadians and permanent residents. A positive Labour Market Opinion or employment confirmation from HRSDC is required before Red Deer College is able to hire a foreign worker from abroad to work in Alberta.

2. Citizenship and Immigration Canada (www.cic.gc.ca)

Citizenship and Immigration Canada is the Government of Canada's department that manages immigration policies and programs. This includes the processing and issuance of work permits and permanent and temporary resident permits. Foreign Workers must obtain a work permit before entering Canada to work.

The Role of the Government of Alberta

1. Alberta Employment, Immigration and Industry (AEII)

<http://www.albertacanada.com/opportunity/immigrating.aspx>

The role of the Alberta Employment, Immigration and Industry department is to help to educate Alberta employers in recruiting and retaining temporary foreign workers, respond to immigration enquiries and administer the Provincial Nominee Program.

2. Alberta Provincial Nominee Program

<http://www.albertacanada.com/opportunity/immigrating/ainp.aspx>

The Provincial Nominee Program provides employers with the opportunity to nominate currently employed foreign workers for permanent resident status. The Alberta Provincial Nominee Program (PNP) is an employer driven program operated by the Government of Alberta, in conjunction with Citizenship and Immigration Canada (CIC).

The PNP considers skilled workers in occupational levels 0, A or B as defined by the National Occupational Classification Code (NOC) as corporate management, professionals and trades people with post-secondary education and certification, deemed as critical to the Alberta economy. Employers unable to fill skilled positions with Canadian residents may present their business case to the PNP and apply for approval to recruit a specified number of foreign candidates to fill these positions. Skilled workers cannot initiate the process. Detailed listings and information about the National Occupational Classification Code can be found at <http://www5.hrsdc.gc.ca/NOC/English/NOC/2011/AboutNOC.aspx>. The NOC Code for a College Instructor is Skill Level A - 4131.

Individuals nominated by the Province of Alberta, together with their spouse and dependent children, are eligible to apply for a permanent resident visa through CIC as a Provincial Nominee. Citizenship and Immigration Canada gives priority to the processing of permanent resident visa applications from Provincial Nominees. CIC makes the final decision on the permanent resident visa application.

Glossary of Terms:	
Term	Definition
Foreign Worker	An individual who is not a Canadian Citizen or permanent resident.
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 usually valid only for a specified job, employer and time period (normally 2 years).
HRLD	The Human Resources and Leadership Development Department at Red Deer College.

Procedure to Hire a Foreign Worker to a Full-Time Position

Steps for the Hiring Department:

1. The Human Resources and Leadership Development 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. Sample templates of contracts and letters of offer can be found on pages 7-9 of this document.
3. Following the screening of applications, qualified Canadian and permanent resident candidates will be interviewed. Canadians or permanent residents who are found to be qualified must be offered the position before it can be offered to a foreign candidate. 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 will complete a Foreign Worker Application Form – “Application for a Labour Market Opinion”
<http://www.cic.gc.ca/english/work/employers/lmo-basics.asp>. 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.

LMO Exemption – NAFTA and GATS Agreements

Red Deer College could hire foreign workers through agreements such as NAFTA (North American Free Trade Agreement) and GATS (General Agreement on Trades and Services). These agreements exempt certain occupations from the Labour Market Opinion Process. To determine whether the occupation is Labour Market Opinion exempt, the HRLD representative will contact the CIC Temporary Foreign Worker Unit in Calgary <http://www.cic.gc.ca/english/information/offices/help.asp> by mail, e-mail or fax to provide information about Red Deer College, the written job offer, and the foreign worker’s personal data (as detailed on the passport). If an LMO exemption letter is issued from the Temporary Foreign Worker Unit, the HRLD representative will forward it to the temporary foreign worker so that the application for a work permit can begin.

As part of the application process for the Labour Market Opinion, Red Deer College will be required to demonstrate:

1. the efforts made to recruit and/or train willing and available Canadians or permanent residents;
 2. that the wages that are being offered are consistent with the prevailing wage rate paid to Canadians in the same occupation in the region;
 3. that the working conditions for the occupation meet the current provincial labour market standards; and
 4. any potential benefits that the hiring of the foreign worker may have on the Canadian labour market (e.g., creation of new jobs, transfer of skills and knowledge, etc.)
6. If a positive Labour Market Opinion 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.

Steps for the Foreign Worker:

1. Upon receipt of the Service Canada confirmation letter, the foreign worker must apply for a temporary work permit in their country of residence (outside Canada), at a port of entry or from within Canada if legally permitted to do so.
2. The following documents must be included with the application; Service Canada confirmation letter, offer of employment letter from Red Deer College, proof that the foreign worker meets the requirements of the job (e.g. copy of degree certificate), and the processing fee payment. Additional documentation may be required before being permitted to enter Canada such as a temporary resident visa, medical examination and police certification. Foreign workers may be refused a work permit and entry into Canada by a Border Services officer (regardless of whether an employment confirmation has been obtained) if they are found to be inadmissible for a number of reasons, including criminal, security or medical grounds.
3. If a work permit application is approved, the processing post (Canadian Consulate, Embassy or High Commission) will issue a letter to the foreign worker. The foreign worker then presents the letter to an Immigration official at the Canadian port of entry (airport or border crossing), and the actual work permit is issued.

Work Permits

Applicants must meet the following requirements in order to be approved for a work permit:

- possess a valid passport or other travel document issued by their country of residence
- be in good health (a medical exam may be required)
- provide proof that they have sufficient funds to support their stay in Canada
- demonstrate that their stay in Canada is temporary
- not have a criminal record, nor be considered a security risk
- other criteria may apply

The application form, guidelines and required document checklist for work permits can be found at <http://www.cic.gc.ca/english/information/applications/work.asp>.

Temporary Resident Visas

In most cases, foreign workers must also obtain a Temporary Resident Visa, which is usually issued along with the work permit. The website <http://www.cic.gc.ca/english/visit/visas.asp> lists the countries from which temporary resident visas are required.

Recruitment Advertising

Advertisements are to provide broad exposure of the vacancy to Canadian and permanent residents who would be potential candidates for the position. Red Deer College is free to choose the medium for

advertisements such as print, websites, electronic job boards, etc., but must be able to demonstrate that the medium chosen is appropriate for the specific discipline.

The recruitment advertisements must include:

- The following statement: “All qualified candidates are encouraged to apply, however Canadians and permanent residents will be given priority.”
- Job title, brief description of position, minimum qualifications required and a closing date for applications.

Hiring of Trades and Manufacturing Instructors

Temporary foreign workers in compulsory trade occupations must have their foreign credentials assessed by Alberta Apprenticeship and Industry Training before arriving in Alberta, and then must obtain their Qualification Certificate within six months of arriving in Alberta. Upon successfully passing the Qualifications Certification Exam, the initial work permit can be extended beyond six months to its full term.

Employer Obligations Upon the Successful Arrival of the Foreign Worker:

a) Accommodations

Employers are expected to assist temporary foreign workers in finding affordable accommodation. The employer is not required to pay for the accommodation but to assist the employee in finding reasonable accommodations with costs that do not exceed one-third of the employee’s monthly gross wages/salary.

b) Relocation and Travel Costs

Permanent employees may be eligible for assistance with relocation costs as per the Interview and Relocation Expenses Policy. <http://rdc.ab.ca/node/2074/attachment>

c) Benefits

Foreign workers with a work permit valid for 12 months or more are eligible to apply for immediate Alberta Health Coverage. It is Red Deer College’s responsibility to ensure that temporary foreign workers have health insurance coverage immediately upon their commencement of employment. All other benefit entitlements would be administered as per the applicable collective agreements and benefit carrier requirements.

FACULTY FULL-TIME, PROBATIONARY CONTRACT

between **RED DEER COLLEGE** and



(name)

(address)

DATE ISSUED: (insert date)

Red Deer College is pleased to confirm your appointment for a full-time, probationary position in the (name of department) at Red Deer College. The terms and conditions of this offer, along with the current Faculty Collective Agreement, constitute the express terms of your employment contract. The agreement can be reviewed through the following web address: (<http://rdc.ab.ca/node/85733/attachment/newest>)

Terms of Appointment

- a) Start date _____.
- b) On a day-to-day basis, you will work with the Program Chairperson, (insert name), and will be administratively accountable to (insert name of Dean and Division)
- c) Salary: Grade __, Step __, of the full-time faculty salary grid; annual salary will be _____, which includes vacation earned at 3.75 days per month. Your grade and step are reflective of your ____years lecture experience, significant research skills and (insert details) experience.
- d) The initial appointment of the Probationary Member shall be for a probationary period of three years, extending, in this case to (insert date) (Article 5.1 FARDC Collective Agreement). The successful completion of the probation period is subject to the receipt of a successful recommendation for continuous appointment from the Continuous Appointment Committee to the Chief Academic Officer as per Article 5.3 of the Faculty Association of Red Deer College’s Collective Agreement.
- e) You are eligible for group benefits and for all provisions for your classification as a probationary faculty member under the Faculty Collective Agreement.
- f) As per the Collective Agreement, your initial appointment is probationary, and you will participate in the faculty evaluation process as per the Faculty Evaluation Policy.
(<http://rdc.ab.ca/node/2051/attachment>)Your assignment includes both teaching responsibilities and non-teaching responsibilities as outlined in the Collective Agreement and in the professional expectations of faculty. (<http://rdc.ab.ca/node/85733/attachment/newest>)All members of the college community are expected to operate within the values of the college and to follow all RDC policies and practices. In regards to scholarly endeavors, you must become familiar with the policies on Intellectual Property and Research Ethics. (<http://rdc.ab.ca/about/leadership/vision-mission-values>)All materials produced that are directly related to your assigned workload become the property of the College. These include, but are not limited to, course outlines, assignments, tests, exams, and teaching materials.

Conditions

The terms of this contract are conditional upon your completion of the following:

- a) Return a signed copy of this offer, to (insert name), Programs Administration Coordinator **within 2 weeks** of the date of this offer.
- b) Provide written confirmation to the Human Resources and Leadership Development Division of the status of your initial work permit application by (insert date).
- c) This offer is expressly contingent upon the College’s receiving regular “confirmation,” if required by Service Canada, of your continuing eligibility for employment in Canada. It is further contingent upon you gaining approval for permanent residence from Citizenship and Immigration Canada (CIC) within the time limit established by Service Canada and/or CIC. Loss of either “confirmation,” if required by Service Canada or CIC status (i.e., work permit and/or permanent residence) will render this offer null and void.
- d) Arrange for **an official transcript of your highest credential**, to be sent to the Programs Administration Coordinator within **1 month** of this offer, as documentation of your highest degree or qualification earned. **Note: These documents must be returned to validate your appointment and the processing of your salary payments by Human Resources. Expected to be received from the sending institutions by (insert date).**
- e) Attend Faculty Orientation on (insert dates).
- f) Attend the Instructional Skills Workshop on (insert dates).
- g) Meet with your Dean to discuss program specific information and to plan for the faculty evaluation process.
- h) Complete the Occupational Health and Safety Training on WebCT within the first term of your employment. Please contact Denise Oberst, at 342-3427 for information on how to access this program.

Acceptance of Offer

Your signature below signifies that you accept this appointment and agree to comply with the terms and conditions of this contract offer.

Signature of Faculty Member: _____

Date: _____

Signature of Division Leader: _____

Date: _____

FACULTY FULL-TIME, ^ [rplcmnt] SESSIONAL CONTRACT

between **RED DEER COLLEGE** and

(name) [RDC ID#]

(address)



DATE ISSUED: (insert date)

Red Deer College is pleased to confirm your appointment for a full-time, [replacement] sessional position in the (insert name of program) Program at Red Deer College. The terms and conditions of this offer, along with the current Faculty Collective Agreement, constitute the express terms of your employment contract. The agreement can be reviewed through the following web address: (<http://rdc.ab.ca/node/85733/attachment/newest>)

Terms of Appointment

- a) Start date - (insert date); end date – (insert date).
- b) On a day-to-day basis, you will work with the program chairperson, (insert name), and will be administratively accountable to (insert name), Dean of (insert division name).
- c) Salary: Grade ____, Step ____, of the full-time faculty salary grid with a contract salary of ____ plus an additional 8% in lieu of vacation.
- d) You are eligible for group benefits and for all provisions for your classification as a sessional faculty member under the Faculty Collective Agreement.
- e) As per the Collective Agreement, you will participate in an evaluation of your performance according to the Faculty Performance Evaluation Policy. (<http://rdc.ab.ca/node/2051/attachment>)
- f) Your assignment includes both teaching responsibilities and non-teaching responsibilities as outlined in the Collective Agreement and in the professional expectations of faculty. (<http://rdc.ab.ca/node/85733/attachment/newest>)
- g) All members of the college community are expected to operate within the values of the college and to follow all RDC policies and practices. In regards to scholarly endeavors, you must become familiar with the policies on Intellectual Property and Research Ethics. (<http://rdc.ab.ca/about/leadership/vision-mission-values>)
- h) All materials produced that are directly related to your assigned workload become the property of the College. These include, but are not limited to, course outlines, assignments, tests, exams, and teaching materials.

Conditions

The terms of this contract are conditional upon your completion of the following:

- a) Return a signed copy of this offer, along with the enclosed direct deposit and TD1 forms, to (insert name), Programs Administration Coordinator **within 2 weeks** of the date of this offer.
- b) Provide written confirmation to the Human Resources and Leadership Development Division of the status of your initial work permit application by (insert date).
- c) This offer is expressly contingent upon the College’s receiving regular “confirmation,” if required by Service Canada, of your continuing eligibility for employment in Canada. Loss of either “confirmation,” if required by Service Canada or CIC status (i.e., work permit and/or permanent residence) will render this offer null and void.
- d) Arrange for **an official transcript of your highest credential, or a copy of your journeyman ticket**, to be sent to the Programs Administration Coordinator **within 1 month** of this offer, as documentation of your highest degree or qualification earned. **Note: These documents must be returned to validate your appointment and the processing of your salary payments by Human Resources.**
- e) Attend faculty orientation on (insert dates).
- f) Attend the Instructional Skills Workshop on (insert dates).
- g) Meet with your Dean to discuss program specific information and to plan for the faculty evaluation process.
- h) Complete the Occupational Health and Safety Training on WebCT within the first term of your employment. Please contact Denise Oberst at 342-3427 for information on how to access this program.

Acceptance of Offer

Your signature below signifies that you accept this appointment and agree to comply with the terms and conditions of this contract offer.

Signature of Faculty Member: _____

Date: _____

Signature of Division Leader: _____

Date: _____

(Date)

(Name)

(Address)

Dear _____,

Welcome to Red Deer College! We are pleased to have you join the _____ Department. Attached is the faculty contract offer for your review, acceptance, and signature. Please read it carefully and note both the terms and the conditions of employment.

Please provide written confirmation to the Human Resources and Leadership Development Division (fax – 342-3161) of the status of your work permit application by _____.

Red Deer College is a comprehensive community college that has been educating students since 1964. Red Deer College is committed to being the leading comprehensive college serving students and communities through excellence and innovation.

Red Deer College offers programs and courses to full and part time learners from diverse cultural, educational and social backgrounds with varying skills and experiences in the following areas of study: liberal arts, business and commerce, education, engineering, health services, hospitality and tourism, human services, kinesiology and sport studies, performing arts, science, technology, trades, transportation, adult upgrading, and visual art.

Probationary and Sessional Faculty Members are eligible for group benefit coverage. Once you are on campus, please contact Rhonda Bastell, Administrative Officer for Benefits, to arrange an appointment to discuss and enroll in group benefits. Rhonda is located in Human Resources and can be reached at 343-4020.

The Faculty Animateur is an important resource for you at Red Deer College. The College supports professional development activities for all faculty throughout the year. Please contact Pam Clarke, Faculty Animateur, at 343-4050, or by e-mail at pam.clarke@rdc.ab.ca regarding the required orientation activities and Instructional Skills Workshops. Your administrative support team for the Division of _____ consists of:

- 1) _____ – Dean Division Coordinator – (insert phone number)
- 2) _____ – Programs Administration Coordinator – (insert phone number)
- 3) _____ – Program Assistant – (insert phone number)
- 4) _____ – Human Resources Consultant – (insert phone number)

Information concerning your office assignment, keys, and computer access will be provided by the Division's Programs Administration Coordinator prior to your start date.

Again, I look forward to having you join the RDC college community. Should you have any questions, please do not hesitate to contact my office.

Yours truly,

Division Dean of _____