

# IMMIGRATION ALERT: TEMPORARY FOREIGN WORKER PROGRAM LAUNCHES GLOBAL SKILLS STRATEGY

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In a recent article, entitled [Canada's Global Skills Strategy to launch June 12, 2017](#), we advised readers of the Government of Canada's intention to launch a new Global Skills Strategy aimed at helping companies that are making a significant investment in Canada attract the specialized global talent they need to innovate and grow by providing faster and more predictable immigration service. As promised, on June 12, 2017, the Government launched the Global Skills Strategy, which consists of the following initiatives:

## 1. New Work Permit Exemption

Foreign nationals are now eligible to work in Canada without a work permit for a short duration under the following conditions:

- The foreign national is coming to Canada:
  - to perform work for 15 consecutive calendar days or less, and six months have passed since the first day of work under the previous use of this exemption (if applicable); or
  - to perform work for 30 days or less, and 12 months have passed since the first day of work under the previous use of this exemption (if applicable); and
- The foreign national has a job offer for a position in the executive, managerial, or professional national occupation classification.

As with applications for entry to Canada under the business visitor exemption, these "short duration" exemption applications are processed at the port of entry by the Canada Border Service Agency and do not have processing fees.

## 2. New Global Talent Stream Work Permits

The Global Talent Stream, which is a two year pilot project, creates two new categories of work permits for highly skilled foreign nationals:

- Category A is designed for innovative firms in Canada that are referred to Employment and Social Development Canada by a designated referral partner and that need unique and specialized foreign

nationals in order to scale-up and grow.

- Category B is intended for firms in Canada that need to fill an in-demand highly-skilled position on the Global Talent List. At present, the list consists of a variety of information technology occupations, including: software engineers, information systems analysts, and information systems testing technicians.

Applications for work permits in both categories must include a Labour Market Benefit Plan (LMBP), which demonstrates how hiring a foreign worker will help the company either create jobs for or transfer skills to Canadians. The LMBP must include one mandatory benefit and two complementary benefits. Under Category A, the mandatory benefit is creating jobs, directly or indirectly, for Canadians. Under Category B, the mandatory benefit is increasing skills and training investments for Canadians. The complementary benefits can include, among other things, enhanced company performance, investment in skills and training, and implementing best practices and policies.

The processing fee for both Category A and Category B work permits is \$1,000.00 per position.

### **3. Dedicated Service Channel and Expedited Processing**

Companies applying for work permits through the Global Talent Stream will have access to a new streamlined process that provides eligible employers with:

- priority processing of Global Talent Stream employer applications, including client-focused service for the development of the LMBP, a service standard of 10 business days, and flexible recruitment requirements;
- two-week work permit processing for workers applying from overseas whose employers have been approved to hire a foreign worker through the Global Talent Stream; and

The two-week work permit processing for foreign nationals with jobs in the executive, managerial, or professional national occupation classifications.

The two-week service standard also applies to immediate family members accompanying the skilled workers in Canada.

The Global Skills Strategy is “brand new”. As a result, few companies have had an opportunity to utilize the initiatives. Therefore, it remains to be seen whether the Global Skills Strategy will accomplish the intended objective of facilitating the entry into Canada of highly skilled foreign workers. We will continue to monitor the implementation of the Global Skills Strategy and publish further updates as more information becomes available. In the meantime, please do not hesitate to contact a member of McMillan's Business Immigration Group with any questions.

by Stefanie Di Francesco

### **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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