

The Recognized Employer Pilot

Technical Briefing

August 2023

Recognized Employer Pilot Announcement

- On August 8, 2023, the Minister of Employment, Workforce Development and Official Languages announced the [Recognized Employer Pilot \(REP\)](#)
- REP is a three-year pilot program designed to be more responsive to established labour market shortages and **reduce administrative burden** for **repeat employers** who meet the highest standards for wages, working and living conditions and worker protection
- Employers who regularly access the Temporary Foreign Worker (TFW) Program and have no previous history of non-compliance are encouraged to apply to the pilot
- Employment and Social Development Canada (ESDC) will complete an assessment of REP to test administrative efficiencies and inform future programming



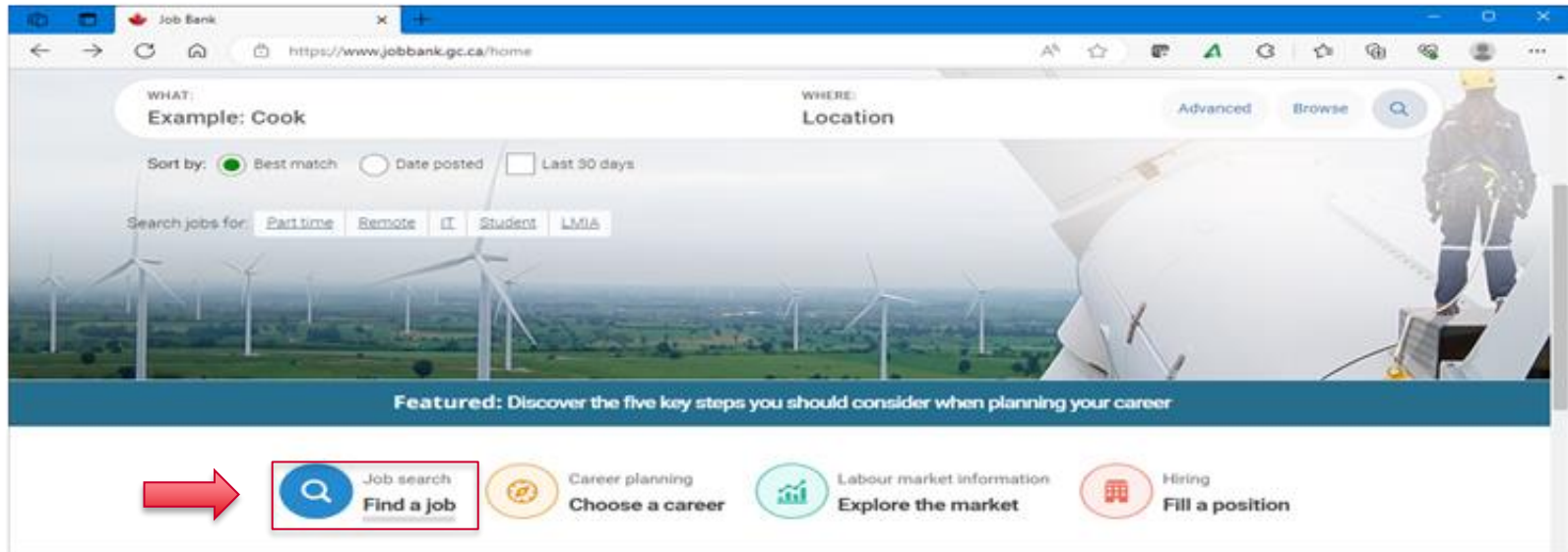
Reducing Red Tape

- REP will reduce red tape by introducing longer Labour Market Impact Assessment (LMIA) validity periods of up to 36 months
 - This enables recognized employers to better plan for their labour needs over a three-year period and **reduces** the number LMIA applications that would otherwise have been needed to hire the same number of TFWs
- Recognized employers will also gain access to simplified LMIA applications to address future hiring needs
 - These simplified LMIA's may be used to apply for any of the 84 designated REP occupations
 - They also reduce the amount of information an employer needs to provide to receive a subsequent LMIA approval under REP
 - The assessment will be based on information previously provided and new information, focusing on the work location, occupation, number of requested positions, wage and working conditions



Additional Benefits for Recognized Employers

- Recognized employers will also benefit from a **visual identifier** on the TFW section of **Job Bank** that shows their recognized status



REP is open to repeat employers hiring in high-demand fields

- REP can be used to fill job vacancies in high-demand fields
 - [84 occupations](#) are designated for REP using the 2021 National Occupation Classification (NOC) codes that are deemed to be in shortage
 - Occupations were selected from the Canadian Occupational Projection System (COPS) assessment of recent labour market conditions (2019-2021)
 - Global Talent Stream (GTS) occupations already benefit from priority services and are not included in the REP
- Repeat employers are employers who have received a minimum of three positive LMIAs over the past five years from the list of 84 designated occupations for REP



Dual-Purpose LMIA's

- Employers can request to be considered for REP status at the same time they apply for their LMIA's under any of the existing four streams: Permanent Resident (PR), Low-Wage, High-Wage or Primary Agriculture (including SAWP)
 - A \$1,000 LMIA fee per position will continue to apply to all applicable streams (Primary Agriculture is exempt from the fee)
 - Maximum employment duration applicable to the existing Program streams will remain in effect (i.e., a maximum of 8 months for SAWP, 2 years for the Low-Wage stream and 3 years for the High-Wage stream)
 - Existing Program policies do not change for the assessment of REP LMIA's (e.g., housing inspections, the cap on low-wage positions, transition plans, recruitment requirements, prevailing wage, etc.)



Simplified REP LMIA's

- Simplified LMIA applications to address future hiring needs will be assessed based on a combination of information previously provided and new information provided by a recognized employer
 - In a simplified LMIA, most of the sections will be pre-filled by the Department using information from previous LMIA's
 - Employers will only need to answer a few sections pertaining to the job offer in cases where they have applied for the occupation in the past
 - In cases where there is no application history for the requested position more information may be required; however, the simplified LMIA is less onerous than a standard LMIA application
- Simplified LMIA's will be available online to REP employers in December 2023 and can be used for all 84 designated REP occupations



REP is for employers who meet the highest standards

- Employers with **no history of TFW Program non-compliance**
- To determine if employers meet the highest standards and are eligible for REP:
 - The employer's inspection history with the TFW Program will be reviewed; and/or
 - The employer's LMIA history will be reviewed
- Employers may be **ineligible** for REP if:
 - They have received negative LMIA decisions on the basis of inadequate housing reports, worker protections, working conditions, wages, etc.
 - They have been found non-compliant
 - Significant and credible allegations have been received against the employer for putting the health and safety of TFWs at risk



Highest standards continued...

REP Commitments:

- In exchange for longer LMIA validity periods under the REP, recognized employers must commit to the following:
 - participate in random REP check-ins
 - undertake annual wage reviews to ensure that TFWs are receiving the most current prevailing wage for the occupation and work location where they are employed
 - continue to make reasonable efforts to hire Canadians or permanent residents through ongoing recruitment efforts
 - complete annual housing inspection reports of employer-provided accommodations (when required), address any deficiencies or conditions imposed on the annual inspection and ensure compliance with applicable provincial, territorial or municipal housing standards before TFWs arrive
- Employers must also continue to adhere to TFW Program requirements and be responsible for fulfilling their obligations under their LMIAs, including ensuring that TFWs have adequate health and workplace safety insurance, TFWs are receiving full-time work, etc.



REP Check-ins

- Employers will be selected at random for REP-specific check-ins
- The REP-specific check-ins will be a verification of the REP commitments, where employers will be required to confirm REP conditions (e.g., prevailing wage review, ongoing recruitment, working conditions, completed housing inspection reports, etc.) are being met
 - The REP-specific check-ins are projected to begin in 2025 and will be used to evaluate the pilot
- Consequences for non-compliance with Program conditions are the same under REP and the TFW Program and are coordinated



REP Timelines

- To manage application intake volumes and ensure that sufficient resources are available to meet expected employer demands, a phased approach to REP is as follows:
 - **September 12, 2023:** Agricultural employer intake to align with peak agricultural application timing for the following season
 - **January 1, 2024:** Intake for all the other designated occupations
 - **September 16, 2024:** Intake for the REP closes and the dual-purpose application to become a recognized employer would cease to be available
 - **December 31, 2026:** Proposed end date for the REP



Questions?

Employer Contact Centre

- The ECC hours of operation are from 7:00 am to 8:00 pm, Eastern Time, Monday to Friday

Canada and the United States:

- Toll-free: 1-800-367-5693
- TTY: 1-855-881-9874

Outside of Canada and the United States:

506-546-7569 (collect calls accepted)

