

FACILITATED WORK PERMIT PROCESSING FOR INFORMATION TECHNOLOGY SPECIALISTS COMING TO AN END SEPTEMBER 30, 2010

Human Resources and Skills Development Canada ("HRSDC") recently announced the end of the program that has allowed certain information technology specialists to obtain work permits without first obtaining Labour Market Opinions in support of same. This program, which has been in effect since the early 1990's, will end on September 30, 2010. This means that effective October 1, 2010*, any applications to extend work permits of those affected employees will require individual Labour Market Opinions.

In the course of submitting an application for a Labour Market Opinion, the employer will have to demonstrate, among other things, that it attempted to hire Canadian citizens or permanent residents in to the position in question by advertising the position widely and throughout Canada for a minimum period of fourteen days. Thereafter, the application must be submitted and processed by HRSDC, a process which is currently taking up to 3 weeks in British Columbia.

As a result, employers would be wise to conduct an audit of their workforce to determine which foreign workers might benefit from the submission of work permit extension applications prior to September 30, 2010.

*except for employers hiring in Quebec where the program will remain effective for a limited time following September 30, 2010.

For further information as to how this development might affect your workplace, please contact Jeevyn Dhaliwal



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Jeevyn represents our public sector and business clients in connection with workplace immigration and employment issues. She obtained her LL.B. from the University of British Columbia in 1997, was called to the Bar in British Columbia in 1998 and has completed extensive mediation training that includes the Mediation Practicum (Provincial Court of British Columbia).

The focus of Jeevyn's practice is to work closely with senior management and human resources professionals to facilitate the engagement of foreign workers in Canada on either a temporary or permanent basis. In that regard, Jeevyn is experienced in developing corporate immigration strategies to assist employers in their engagement of foreign workers, be it by way of intra-company transfer or international treaty, such as NAFTA or GATS, or as part of a more permanent solution through Provincial Nominee Programs or the Canadian Experience Class. Jeevyn has represented clients' interests in the fields of construction, biotech, high-tech, pharmaceutical, health, education, engineering, manufacturing, investment and mining services. As part of her practice, Jeevyn provides strategic advice to position our clients to minimize the risk of litigation and disruption to their operations in compliance with both Federal and Provincial legislation. Jeevyn has written and presented seminars on a variety of immigration and employment related topics.