



Canadian Restaurant
and Foodservices
Association

MEMO

November 4, 2009

TO: CRFA Saskatchewan Members

FROM: Courtney Hirota, Vice President, Manitoba-Saskatchewan

COPY TO: Joyce Reynolds, Executive Vice President, Government Affairs

SUBJECT: Saskatchewan Immigrant Nominee Program (SINP) Hospitality Project & employer responsibilities under the Temporary Foreign Worker Program

Following recent negative media attention about the treatment of temporary foreign workers (TFWs) in Saskatchewan, the Ministry of Advanced Education, Employment and Labour and CRFA are reminding employers about the rules of the program, and their responsibilities to foreign workers in their employ. Failure to address these issues by employers could threaten the future availability of foreign workers to our industry, and others across the province.

Saskatchewan Immigrant Nominee Program Changes

Attached you will find a letter regarding the Saskatchewan Immigrant Nominee Program's (SINP) hospitality industry sector project which was announced in August 2008. The program allows temporary foreign workers who have been employed in Saskatchewan's foodservice or hotel industries for a period of six months to apply for permanent residency through the SINP. This program was put in place with the support of CRFA, to help address acute labour shortages in the foodservice industry.

A reminder of the program rules and expectations are highlighted in the government's letter, in addition to a program change that will be implemented on January 1, 2010.

Employers will now be required to pre-register with SINP if they are interested in using the hospitality sector project to help facilitate permanent residency for TFWs. Employers will only need to register once with SINP, and the application can be processed at the same time as labour market opinion applications are being processed with Service Canada. The only condition is that the application must be approved by SINP before the TFW arrives in Saskatchewan. The process will take approximately two to four weeks to process.

The rest of the program details remain the same – employees can still apply for permanent residency after six months employment in Saskatchewan's hospitality industry.

... page 2

Recent Developments with the Temporary Foreign Worker program

Recently, the federal Minister of Citizenship and Immigration proposed new regulations to strengthen protection for TFWs and reinforce the non-permanent nature of the TFW program.

The amendments include:

- a more rigorous assessment of the genuineness of the job offer;
- a two-year prohibition from hiring temporary foreign workers for employers found to have provided significantly different wages, working conditions or occupations than promised; and
- limits to the length of a worker's stay in Canada before returning home.

A factor in assessing a job offer's genuineness would be past compliance of the employer—as well as that of any recruiter acting on the employer's behalf—with federal and provincial laws regulating employment or employee recruitment.

CRFA supports government actions to regulate immigration representatives or consultants to prevent exploitation of workers. CRFA also supports restricting TFW program access to employers who repeatedly or systemically violate provincial labour standards or the terms of their employment agreement.

The temporary foreign worker program is too important to the foodservice industry to allow a few employers or third-party recruiters who are uninformed or unethical to unfairly tarnish it. As a result, CRFA has identified and approved two foreign worker recruitment firms that can be recommended to members with confidence.

These firms will ensure that temporary foreign workers are not charged a fee to come to Canada. They will carefully match the qualifications and needs of TFWs with the requirements of your business and guide you through the entire process. More information on the recruiters can be found on CRFA's web page:

http://www.crfa.ca/runningarestaurant/labourshortagetoolkit/pdf/crfa_foreignrecruiters.pdf

If you are interested in the SINP Hospitality Sector Project or the Temporary Foreign Worker program, or have further questions about how they work, please contact me at 1-877-926-8557, or chirota@crfa.ca

