

Before a degree-granting educational institution can hire a foreign academic for a position in Canada, it **must**:

- Advertise vacant positions in Canada
- Make sure any vacant position advertised abroad is also advertised simultaneously in Canada
- Advertise for a reasonable length of time (about a month) to allow broad exposure of the vacancy to Canadians and permanent residents
- Demonstrate that the advertising medium used - web, print or electronic - is effective in attracting appropriate candidates for the position
- Include in the advertisement this statement: "**All qualified candidates are encouraged to apply; however Canadians and permanent residents will be given priority**"
- Meet all conditions of applicable collective agreements
- Fill out the [Foreign Academic Recruitment Summary](#) outlining the educational institution's hiring decision and providing summaries of Canadian applicants verified by the vice-president (academic) or other senior academic official of the educational institution
- Be prepared to complete a yearly summary report on recruitment practices for Canadian academics and results.

NOTE: academic positions **\*do not\*** need to advertise on *Emploi Québec*

## Exemptions to Labour Market Opinion (LMO) requests:

### Exemptions:

Under the Immigration and Refugee Protection Act (IRPA), universities and colleges in Canada can hire certain types of foreign academics without requiring a Human Resources and Skills Development Canada (HRSDC) labour market opinion, and/or without the foreign academic requiring a work permit.

### Positions Exempt from Work Permits & HRSDC Labour Market Opinions:

Foreign workers who *do not* need a Citizenship and Immigration Canada (CIC) work permit or an HRSDC labour market opinion include:

- Academic consultants and examiners
- Graduate assistants
- Self-funded researchers

### Entry to Canada

These academics can apply as visitors directly at a CIC visa office or at a Canadian Port of Entry, in the case of citizens of the United States, St. Pierre et Miquelon and Greenland.

### Positions Exempt From HRSDC Labour Market Opinions

Foreign workers who *do* need a CIC work permit, but *do not* require an HRSDC labour market opinion include:

- Post-doctoral fellows
- Research award recipients
- Eminent individuals, for example leaders in various fields
- Guest lecturers
- Visiting professors
- Citizens of the U.S. and Mexico appointed as professors under the university, college and seminary levels of the North American Free Trade Agreement (NAFTA)
- Citizens of Chile appointed as professors under the Canada Chile Free Trade Agreement (CCFTA)

### Entry to Canada

These academics can apply for a work permit directly at a CIC visa office or at a Canadian Port of Entry, in the case of citizens of the United States, St. Pierre et Miquelon and Greenland.

## Canada Research Chairs (CRC) Program

### Types of Chairs:

- 1) Seven-year renewable Chairs for experienced researchers considered world leaders in their fields (Tier I)
- 2) Five-year Chairs, renewed once, for researchers with potential to lead in their fields (Tier II)

### Universities hiring foreign workers for Canada Research Chairs positions:

- Do *not* need to apply for an HRSDC / Service Canada Labour Market Opinion
- May inform foreign CRC recipients to apply for a work permit directly at a CIC visa office or at a Canadian Port of Entry, in the case of citizens of the United States, St. Pierre et Miquelon, and Greenland.

### For Positive LMOs:

The employer will receive a letter confirming the approval of the LMO application. This positive LMO is valid for 6 months from the date of issue. For privacy reasons, the letter will not include the names of the temporary foreign workers (TFWs). However, it provides specific details about the job offer, such as the wages, working conditions and occupations as well as a system file number. The names of the workers will appear in Annex B which is intended for the employer's records only, and is **NOT** to be shared with the TFW as it is not required for the purposes of applying for a work permit.

Once the positive LMO letter is received, it is the employer's responsibility to:

- send a copy of this letter to the TFW;
- ask the TFW to apply to CIC for a work permit. The TFW must include with the work permit application a copy of the positive LMO letter signed by both the employer and the worker.

### Provincial Variations

#### If the job is located in Quebec, the employer must:

- Send to the TFW a copy of the:
  - positive LMO letter issued jointly by HRSDC and the Ministère de l'Immigration et des Communautés culturelles (MICC)
  - Quebec Certificate of Acceptance issued by MICC
- Ask the TFW to submit this documentation along with the work permit application to CIC (visit CIC's website to find a Canadian Visa Office)

### Work Permit

CIC will then assess the TFW's work permit application. If the assessment is positive, the TFW will receive a work permit to be able to work for a specific employer, under established working conditions, and for a particular duration in Canada.